



# **Parliamentary Debates**

**(HANSARD)**

THIRTY-FIFTH PARLIAMENT  
THIRD SESSION  
2000

LEGISLATIVE ASSEMBLY

Wednesday, 5 April 2000

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**THE SPEAKER** (Mr Strickland) took the Chair at 12 noon, and read prayers.

## PROCEDURE AND PRIVILEGES COMMITTEE

### *First Report on the Implementation of the Legislative Assembly Standing Committee System*

**THE SPEAKER** (Mr Strickland): I table the "First Report on the Implementation of the Legislative Assembly Standing Committee System" from the Procedure and Privileges Committee. The House is aware that it will be debating a motion tomorrow on the Legislative Assembly's committee system. That report provides some general background for members who may wish to participate in the debate. It recommended that we consider the model of the Public Accounts Committee; that is, that there be one officer responsible for administration, procedure and research and an additional research officer. That will be the staffing of the committee. Everyone must understand that if we have a committee system, accommodation for that system is required. Therefore, the report refers to interim accommodation. The committee has also indicated that, not counting staff salaries, the committee system requires \$50 000 a year for each committee to operate. Travel would be an additional cost. The committee has made recommendations on funding in the broad sense. Finally, it might please members to know that the report recommended also that the Speaker make a submission to the Salaries and Allowances Tribunal to consider the work done by chairmen, and to consider whether remuneration is appropriate.

[See paper No 811.]

## BLUELEAF CORPORATION PTY LTD, FINANCIAL ASSISTANCE

### *Statement by Minister for Commerce and Trade*

**MR COWAN** (Merredin - Minister for Commerce and Trade) [12.03 pm]: Today I am advising the Parliament of a financial assistance package offered to Blueleaf Corporation Pty Ltd, to assist that company to purchase and re-establish the Whittakers Greenbushes sawmill. The assistance will take the form of an interest subsidy of 4 per cent per annum on a 10-year loan of \$6.5m negotiated with a commercial credit provider - this is an interest-only loan until 31 December 2003; repayment of 50 per cent of the principle plus interest over the remaining period of the loan will commence on 1 January 2004; the payment of a grant equal to the balance of the loan at the end of the 10-year period; relief from stamp duty in the form of a full rebate totalling \$116 000 payable under the contract of sale of the Whittakers Greenbushes sawmill land and assets; a guarantee of up to \$2m as additional supporting security for the loan; and Blueleaf will be required to pay an amount equal to 2 per cent of the principal of the guarantee per annum, as a guarantee facility fee. This facility fee is to accrue at that rate during the period the financial agreement is in place and the total amount payable will be deducted from the grant at the end of the 10-year period of the agreement.

The closure of Whittakers Greenbushes sawmill led to 148 retrenchments. When Blueleaf Corporation Pty Ltd commences initial operations, 70 new jobs will be made available, rising to 113 as various value-adding components commence production. This assistance is provided in recognition of the Government's commitment to the maintenance of the employment and social structure of the south west. As has been my practice since assuming responsibility for this portfolio, I table the details of the financial assistance to be provided by the Government to Blueleaf Corporation Pty Ltd.

[See paper No 814.]

## MEMBER FOR SOUTH PERTH - LEAVE OF ABSENCE

On motion by Dr Constable, resolved -

That leave of absence be granted to Mr Pandal (South Perth) on the ground of urgent family business.

## PLANT PESTS AND DISEASES (ERADICATION FUNDS) AMENDMENT BILL 2000

### *Introduction and First Reading*

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

### *Second Reading*

**MR HOUSE** (Stirling - Minister for Primary Industry) [12.10 pm]: I move -

That the Bill be now read a second time.

The Plant Pests and Diseases (Eradication Funds) Act 1974 is administered by the Agriculture Protection Board in consultation with the grains and seeds industries. The Act provides for the imposition of financial contributions by grain growers for the eradication and prevention of spread of serious specified weed, insect and disease threats to the grains and seeds industries. The Act provides for the establishment of a fund for the eradication of, and to assist the prevention of the spread of, skeleton weed. The Act also provides for the establishment of a fund for the eradication of certain insect pests and the establishment of a fund for the eradication of, and prevention of the spread of, certain plant diseases. The Act enables the payment of compensation to growers whose crops and produce are destroyed in the course of steps taken to eradicate or prevent the spread of those plant diseases.

The principal current use of the Act is the operation of the skeleton weed eradication fund. In 1980, the Act was amended to allow for the establishment of a resistant grain insects eradication fund. In 1996, a further amendment was made to widen the Act to include provisions for a plant diseases eradication fund. The 1996 amendment was in response to the outbreak of the serious lupin disease, anthracnose.

The Act provides several mechanisms to ensure that the Act and any eradication or containment programs operated under it remain relevant to the needs of grain growers and seed producers. Firstly, the Act contains an expiry date, currently set at 31 October 2000, which this amendment Bill seeks to extend by two years. Secondly, contributions are set annually for funds under the Act, thus requiring the Agriculture Protection Board to establish the contributions at the level necessary to fund the planned program. The Act does not provide for the accumulation of contingency funds for unspecified purposes. Thirdly, payments for funds established under the Act require the support of both the minister, and the Agriculture Protection Board, representing the grains and seeds industries. In addition, ongoing programs, such as the skeleton weed eradication program, are subjected to periodic review. During 1999-2000, scientific and operational reviews of the skeleton weed eradication program are being conducted to ensure that the program funded under this Act is efficient and effective in returning benefits to grain growers who are contributors to the fund. This is an important legislative mechanism for the grains and seeds industries.

In time, the Act will require amendments to guarantee compliance with national competition policy and the Constitution, and to improve its administrative efficiency. These amendments cannot be achieved prior to the scheduled expiry of the Act on 31 October 2000, and I seek to extend this Act for two years. This extension will enable industry to have available a funding mechanism to assist in the protection of the grains industry from skeleton weed, and specific serious pests and diseases. Prior to the proposed new expiry date, the Agriculture Protection Board will be requested to recommend any amendments which may be required to ensure the legislation will meet the long-term needs of the industries concerned. I commend the Bill to the House.

Debate adjourned, on motion by Mr Kobelke.

## **DAIRY INDUSTRY AND HERD IMPROVEMENT LEGISLATION REPEAL BILL 2000**

### *Introduction and First Reading*

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

### *Second Reading*

**MR HOUSE** (Stirling - Minister for Primary Industry) [12.14 pm]: I move -

That the Bill be now read a second time.

The Bill now before the House will introduce legislation to deregulate two major components of the dairy industry in Western Australia by repealing two existing statutes - the Dairy Industry Act 1973 and the Herd Improvement Service Act 1984. Simultaneously, the Bill also introduces transitional provisions to ensure that relevant functions of existing statutory bodies are transferred to new organisations, which will be owned and managed by the dairy industry itself.

I turn firstly to matters associated with the Dairy Industry Act 1973. This statute vests all milk, on production, in the Dairy Industry Authority, established and itself regulated by the Act. The DIA has responsibility for the regulation of the production of milk at dairies; the acceptance of, payment for, and sale of milk by the authority; the regulation of the production of milk so as to ensure, so far as is practicable, the continuous availability of milk; and for the purposes of ensuring the wholesomeness and purity of milk, the control of the quality, production and treatment of milk at dairies.

The DIA has a number of supporting functions that permit it to give effect to its primary role. This State Government's position has consistently been that no change will be made to the Dairy Industry Act 1973 unless the Government is requested to do so by industry. In this regard, in February 1999 the recommendations of the national competition policy legislative review of the Western Australian Dairy Industry Act 1973 were accepted. The review demonstrated that a net public benefit currently arose from the regulated farm-gate price for milk and the vesting of milk, in so far as it provides funds to the Dairy Industry Authority to provide services to the industry and to license processors and dairy farmers with respect to food safety standards.

The national industry has had a view that increasing commercial pressures in an increasingly flexible marketplace would undermine any regulatory regime. It was well known that Victorian milk processors and the United Dairy Farmers of Victoria had been pressing for deregulation in Victoria. Due to the size of the production and processing sectors in that State, a decision by Victoria to deregulate would be likely to place considerable pressure on markets in other States. In addition, the national competition policy review of dairy legislation in Victoria found there was a negative public benefit from retaining dairy legislation. Consequently, the former Premier of Victoria announced last year that the dairy industry in that State would be deregulated from 1 July 2000. This was later supported by a plebiscite of Victorian producers. Of the 84 per cent who voted, 89 per cent wished to pursue deregulation and access to a national support package if one were made available.

Another factor was the approaching end of the national domestic market support scheme on 30 June 2000. This outdated scheme provides a price equalisation process for domestic and export dairy produce, not relevant under foreseen industry requirements. The finalisation of the Federal Government's domestic market support scheme put the national dairy industry

in a position of having to request a structural adjustment package from the Federal Government to assist a transition to a deregulated market.

Strong representation of Western Australia's interests towards the Federal Government's structural adjustment package was made by the WA Farmers Federation dairy section president in his role as WA's representative on the Australian Dairy Industry Council. Representation was made to the Federal Government some time ago by Australian dairy industry leaders for a package of assistance to help the national dairy industry adjust, with least possible disruption, to what was in the industry's view the inevitable deregulation of existing domestic market milk arrangements in Australia.

On 28 September 1999, the Federal Minister for Agriculture, Fisheries and Forestry indicated his support for a \$1.8b structural adjustment package for the dairy industry. This package will be funded by a levy of 11¢ a litre on the sale of drinking milk for eight years. It would be available only if all States and Territories repealed legislation providing for the management of supply of milk. The main feature of the federal package is that farmers will be paid a total of 46.23¢ a litre for drinking milk and 8.96¢ a litre for manufacturing milk produced in 1998-99. Western Australian dairy farmers will receive approximately \$109m from that package. If the national dairy industry restructure package is unsuccessful, it is likely that the national dairy industry will deregulate in any event and Western Australian dairy farmers will miss out on the opportunity to receive the financial restructure assistance money. Recognising the various arguments, the Western Australian dairy industry conducted a plebiscite of Western Australian producers. Of the 92 per cent who voted, 58 per cent voted to proceed with deregulation of the dairy industry in this State. The Western Australian dairy industry has now formally approached the State Government requesting removal of legislation relevant to the regulation of the industry so as to access the federal package.

In a letter dated 29 March 2000, the president of the WA Farmers Federation dairy section wrote to me saying that the Western Australian dairy industry clearly now requested me to progress the removal of legislation which is relevant to the regulation of the industry, namely the Dairy Industry Act 1973; and that due to the need to finalise access requirements to the federal adjustment package, repealing legislation should be progressed at my earliest convenience.

In association with a push to have milk supply management repealed, dairy farmers in this State have also requested the repeal of the Herd Improvement Service Act 1984. This Act established a corporate body, the Herd Improvement Service of Western Australia, charged with responsibility for assisting with the artificial breeding of stock of a range of types; recording the production of stock; and involvement in activities that promote the improvement of such stock, all on a fee-for-service basis.

The Bill proposes that relevant functions, responsibilities, assets and liabilities of HISWA and the DIA must be simultaneously transferred to two industry-owned and controlled organisations. These are to be unlisted public companies. The net asset value at 30 June 2000 of the existing organisations, including buildings and laboratory equipment, will be in the order of \$10.6m for the DIA and \$1m for HISWA.

As a means to assist the dairy industry adjust to the proposed new structure, a transition advisory group for the DIA and a steering committee for HISWA have been appointed under ministerial authority to plan and guide the transformation to a new entity. The transition advisory group and the steering committee are to finalise the details of privatisation measures; to advise on the role of the company in each case; to issue a prospectus, if required; and to operate the respective company until the board of each is elected at its first annual general meeting. The transition advisory group charged with assisting the transfer of the business of the DIA to a new company has assessed a range of opportunities including industry research and development; education and training; market development, efficiency and promotion; financial management and investment attraction; and delivery of information. Existing herd improvement service activities will transfer to a new company under the control of those dairy and beef producers who have purchased the services and products of HISWA in the past three years. With respect to HISWA, the steering committee is required to advise on opportunities for establishing stock testing and improvement services; semen selection and sales; information services; laboratory services; and any other commercial activities that relate to the shareholder base.

The Bill is presented in five parts. The first part deals with preliminary matters; two separate parts deal specifically with Dairy Industry Authority matters and Herd Improvement Service matters; a fourth part carries transitional provisions relevant to both the DIA and HISWA; and a fifth part handles the repeal of the Act emanating from this Bill to remove it from the statute book on the completion of all actions associated with the repeal of the two principal Acts.

I turn now to the essential philosophies contained in the Bill. It will dissolve the Dairy Industry Authority and vest its assets and liabilities in "Dairy Western Australia Limited", a public company formed for the purpose of providing overarching support for the dairy industry in Western Australia. The Bill will also dissolve the HISWA and vest its assets and liabilities in "Farmwest Services Limited", a public company formed for the purpose of managing and enhancing the existing HISWA business; and implement a new framework for the State's dairy industry without the need for further government intervention.

In summary, the steps that will be taken to give effect to the proposed new framework in relation to the DIA include the formation of a body incorporated under Corporations Law by the name of Dairy Western Australia Limited; the completion of a number of preliminary matters to the satisfaction of the minister; the transfer of the assets and liabilities of the DIA to Dairy Western Australia Limited by way of sale and without the need for any conveyance or assignment; the determination by the minister, after consultation with the company, of the net value of the business of the DIA at the time of transfer of that business to the new company; consideration for the transfer of the net assets of the DIA; the allotment and issue to the minister on behalf of the State of fully paid shares in the company - likely to have a nominal value of \$1 - that have a total

value equal to the market value of the net assets; and the allotment and issue of these shares to dairy farmers in a manner determined by the minister as soon as practicable after the determination of net asset value and after consultation with the company in conjunction with the industry.

With respect to continued support for issues of public health, suitable arrangements have been made with the Health Department of Western Australia to carry out the duties and functions of the DIA in order to meet the Government's obligation to ensure dairy foods are safe. It is proposed to transfer sufficient Dairy Industry Authority funds to the control of the Health Department of Western Australia to administer the system for one year. After 1 July 2001 the dairy supply chain will pay for the cost of inspection in a similar way to which it is currently operating via the Dairy Industry Act 1973. The cost recovery from 1 July 2001 will be under the proposed model food Bill which will enable provision of revenue from registration, licensing and auditing.

A range of safeguards has been built into the proposed legislation. These include requirements that before the transfers and allotments can occur, the minister must be satisfied that there is in existence a body incorporated under Corporations Law by the name "Dairy Western Australia Limited"; the provisions of the constitution of the company are appropriate to achieve the transfer of the DIA's business to the new company; the new company has notified the minister in writing that it agrees to the transitional and final outcomes required by the legislation so far as they affect the company; and the employment of each person appointed under sections 17, 19 or 85 of the Dairy Industry Act 1973 has been arranged with the company or the person is covered by provisions applicable under part 6 of the Public Sector Management Act 1994. All other necessary arrangements have been made for the commencement of the transition process. In addition, the Dairy Industry Authority will be required to issue and publish a statement in the *Government Gazette* for public information which will describe and value the assets and liabilities transferred to the company on the transfer of the business of the DIA under the Act. Matters associated with the transfer of the business of HISWA to the new company will be handled in an almost identical manner to that proposed for the DIA. However, the name of the new company will be "Farmwest Services Limited"; HISWA customers who have purchased services or products during the past three years must be the beneficiaries of the transfer; and the employment of each person appointed under section 12(1) of the Herd Improvement Service Act 1984 has been arranged with the company or the person is covered by provisions applicable under part 6 of the Public Sector Management Act 1994.

The Bill contains a provision to prevent the purchase of HISWA services and products by persons having the sole purpose of attracting an issue of shares in Farmwest Services after the transition mechanisms become public knowledge. The period of three years within which this may legitimately occur will terminate on the day that is set in accordance with clause 6. The Bill prescribes a number of essential housekeeping functions in part 4. It provides for the continuation of HISWA and the DIA, in so far as they are required to perform necessary transitional functions and to report on their activities for that part of the financial year from the preceding 1 July to their wind-up. It also requires full transfer of the business records of both DIA and HISWA to the new respective companies, and it allows the minister to authorise further transitional provisions, if necessary, by order published in the *Government Gazette*.

Finally, the Bill deletes reference to the Dairy Industry Authority and to the Herd Improvement Service in three other pieces of legislation - the Financial Administration and Audit Act 1985, the Government Employees Superannuation Act 1987 and the Public Sector Management Act 1994. In addition, the Bill deletes references to the Dairy Industry Authority in the Constitution Acts Amendment Act 1899 and in the Stock (Identification and Movement) Act 1970.

The Bill before the House is the culmination of an extensive process of consultation, examination, review and assessment of the new dairy industry framework now proposed. Of critical importance is the agreement that has been reached between the Western Australian Farmers Federation, the industry's peak body in this State; the Dairy Industry Authority; and the Herd Improvement Service of Western Australia, as to the creation of two industry-owned and operated organisations. I commend the Bill to the House and table an explanatory memorandum.

Debate adjourned, on motion by Mr Cunningham.

## CONSERVATION AND LAND MANAGEMENT AMENDMENT BILL 1999

### *Third Reading*

**MRS EDWARDES** (Kingsley - Minister for the Environment) [12.30 pm]: I move -

That the Bill be now read a third time.

**DR EDWARDS** (Maylands) [12.31 pm]: We have had a productive discussion about this Bill and the Forest Products Bill. The Australian Labor Party needed that discussion because its members wanted to know the detail in the clauses. We thank the minister for providing all the clause notes and briefings, of which I had about seven, and for accepting some of our amendments. I also want to make a few comments about the history that led up to today, and on a couple of outstanding issues.

It is fair to say that the Department of Conservation and Land Management has had a rough time in recent years and has been dogged by perceptions of conflict of interest, particularly with the forest estate. The Government has picked up on that, and the Regional Forest Agreement contained a commitment to present, by the end of last year, the two Bills that we have debated in the past few weeks. We have seen that the whole process has been changing. The RFA came out nearly a year ago and was modified in July 1999. At the end of 1999 the Ferguson report caused more changes to the conservation estate and to logging, and in the near future a jarrah strategy will be developed and there will be a review of royalties.

A lot of change is occurring in the area of forests. The Opposition welcomes the fact that part of that change has been an increased ability on our side to get information and some of our questions answered, and we are grateful for that. However, issues still remain. In the past week people have protested in various forest blocks. Just this morning I met with representatives from environmental groups in the south west. One of the problems raised with me this morning was the future of the Preston conservation park, which highlights the difficulties we have had. Statements have been made about the preservation of forest in the Preston area, under the RFA, and about revocations to be undertaken in the future. Groups met recently with the Minister for the Environment to hold further discussions about the park that is proposed. From their point of view, the problem is that the minister is saying one thing and logging plans are essentially saying the same thing, but the local member has put out a media release saying "Onya Cheryl!" and putting forward an outcome of a meeting which appears to be broader than was the actual outcome. That is causing confusion. Probably for as long as we have forests and people who feel passionately about them we will have people who will protest about any logging that occurs. I urge the Government to do even more than it has done to date to preserve old-growth forest. The community has a particular affinity for old-growth forest, and while we have logging in old-growth forests of high conservation value we will see protests.

One of the problems opposition members have with the Bill is that although we welcomed the many briefings, and consultation was useful in the early stages of the Government's working out exactly what would be in the Bill, it also meant a shifting feast. The most recent shift concerns plantations. All of us have had to work to get our minds around the meaning of the amendments in practical terms. I will be interested, once the Conservation Commission is operating and we have a new Department of Conservation, to see how well both of those bodies work and how well they deliver on all of their outcomes. It is a pity in some ways that in this Bill and the Forest Products Bill - it is inevitable with the Forest Products Bill - we have tended to concentrate on forests and ignore some of the broader conservation issues. The Conservation Commission will have a huge task to manage all of the land vested in it, including the timber reserves. To some extent the task of looking at all the other conservation issues confronting the State has been ignored in the past few years. In some ways the operation of the commission will depend on who is chosen to be the commissioners. I wish them well in their deliberations.

The major outstanding issue the Opposition has with this Bill is exactly what will happen when forest management plans are being developed, and the steps involved in producing final plans - including the Environmental Protection Authority assessment - before they are approved finally by the Minister for the Environment and the Minister for Forest Products. The problem we have is that although we have been given a lot of information along the way about how the process will be carried out, we have been told about a different process at each meeting. For example, we had briefings in February about what the process was likely to be and, in fairness, the people who gave those briefings acknowledged that there were unanswered questions and said that we would get more information, which we subsequently did. At a public forum hosted by the Conservation Commission and other conservation agencies, the minister explained how she saw the whole process working out. The minister probably gave the most accurate explanation. Then flowcharts arrived which appeared to be different from what the minister had laid out, and later in Parliament we were told something different again. The Opposition looks forward to seeing some detail that spells out those steps - preferably a flowchart, because that makes it easier to see where the different parts fit in.

The original concern about the Minister for Forest Products having an absolute veto has been lessened to some extent by what the minister has told us and where we understand the EPA will fit in, and also by the stated commitment to these issues by the Minister for Forest Products.

Mr Omodei: You have not explained to the Parliament what would happen if you had the same sort of conspiracy on the other side and the conservation minister overrode the poor old forest minister.

Dr EDWARDS: We do not see that as a conspiracy, because at the moment that is what can happen, as the Minister for the Environment is in charge of the whole process. The difficulty has been that the Minister for the Environment has worn two hats - Minister for the Environment and Minister for Forest Products. We do not buy into that conspiracy theory. Perhaps it is an accident of history that has worked well and we want to ensure it continues to work fairly well. We want the process clearly spelt out, because although there are ministers with good intentions, there may not always be ministers with good intentions, and we want to know that a procedure underpins the process, and it is followed and we get the best outcome for the State.

We are pleased that in both this Bill and the Forest Products Bill the Government has picked up the definition of ecologically sustainable forest management, and we thank it for that. Although the Conservation and Land Management Amendment Bill 1999 is a big step forward, we have some unanswered questions, to which I have referred. We need overarching change to better put natural resource management truly in the picture with state decision making. The minister has assured and reassured us, particularly during the consideration in detail stage, that shortly we will have amendments to the Environmental Protection Act which define ecologically sustainable development. She has said that because that Act has primacy, that ethic will be a thread through all government decision making. I know that is true in theory, but in this Parliament we have had instances - for example, with Oakajee - in which a state agreement Bill was brought in here for ratification before the Environmental Protection Authority had looked at it. While the Act was delayed until the Environmental Protection Authority report came out, nevertheless Oakajee was an instance where an agreement had been signed well before the legislation came into Parliament, and the EPA was left somewhere down the track.

Mr Barnett: That is consistent with major resource projects; they are always subject to environmental processes.

Dr EDWARDS: They are, but it is very difficult if the agreement is signed and there is no strategic assessment.

Mr Barnett: It is not, because the environmental process is only one part. Engineering, finance of the project and all of those things can only start once there is an in-principle agreement that the project could proceed at that site. I do not agree with you. It is the proper process.

Dr EDWARDS: We can have a debate about that afterwards, but certainly in the original planning documents for that project there were calls by the Ministry for Planning, of all bodies, to say that the EPA should be involved at that stage because if the port could not go ahead, there was no point in having all those other discussions. It is a little bit chicken and egg. The problem is that sometimes in that first strategic look nobody thinks about the environment. Afterwards the EPA probably feels a bit lent upon.

Mr Barnett: There have been 20 years of looking at Oakajee.

Dr EDWARDS: It has probably been 20 years of not putting the environment up-front and looking at that at the same time. At the end of the day the strategic advice and the assessment supported the project, but that may not always be the case.

There are still some tensions in the Department of Conservation and Land Management about the debate we have had. For example, the tourism business unit will create some tensions in an agency which will be promoting tourism in a commercial-type way and at the same time be protecting the State's conservation. We will be interested to see how the commission and the staff of the new department deal with those sorts of tensions, because those questions are unanswered. We are obviously not proposing that there be separate departments every time that sort of tension arises, but we live in an era in which accountability is sought after in a way that it has not been in the past.

We will also look forward to some work to do with the marine parks and reserves. We have some residual concern with the way the new commission is set up. It has more independence and autonomy than the Marine Parks and Reserves Authority in the way it has been set up and how it operates. I am somewhat dismayed that I am now getting complaints about the work of that authority from the industry sector and the conservation sector. Sometimes when one receives those complaints, it means that the body is doing the right work. However, I am not convinced this is so given the vehemence of the comments recently made to me.

We are yet to see, and I hope this will happen soon, a proper review of the Wildlife Conservation Act and where a biodiversity strategy and the aspirations of Aboriginal people will fit in. We tried to move some objects in a preamble to the Bill that spelt out some of those matters to which I referred a moment ago. It particularly called for greater consultation with Aboriginal people when looking at the conservation estate. I take some encouragement from what the minister said about that. However, at the end of the day none of that is in this Bill.

We are pleased to have had the debate on this Bill. We are particularly grateful for all the meetings that we have had on the detail of the Bill, but we believe that there are still a few remaining gaps. I believe that further questions will be asked when the Bill is transmitted to the other place.

**MRS EDWARDES** (Kingsley - Minister for the Environment) [12.43 pm]: I thank members opposite for their contribution to this debate. This is quite a significant piece of legislation in that it is setting out the Government's commitment to forest management for the future by the separation of the commercial arm from the conservation arm. This will achieve a number of things. It will enable the Forest Products Commission to proceed with a strong focus on the restructuring of the industry and it will assist in the creation of markets in an endeavour to ensure that we have value adding. It also provides a very strong conservation arm which is enhanced by the strengthening of the powers and functions of the Conservation Commission to provide it with the opportunity to employ its own staff, to be able to contract out and in, to have an influence over its budget and to provide a very strong regulatory and auditing function for the future management of our forests.

It was always seen that the National Parks and Nature Conservation Authority and the Lands and Forest Commission were not necessarily working together in the handling of the competing aims of conservation and forest management. That perception of a conflict of interest has always been there. I have identified a number of checks and balances. Their separation will strengthen the operations of both those arms.

The debate has also focused in a small way on some of the other aspects of the Conservation Commission. One is the way in which visitor services are provided. We would like to move away from concentrating on tourism-type activities as opposed to visitor services being provided for some of those local attractions. We are currently conducting an audit of those. Wherever it is possible to put some of those activities out to the private sector, we will call publicly for expressions of interest. We are not in the business of competing with the private sector in some of those services. However, it is true that with those business units, as with the maritime pine and bluegum plantations, until the Government sets something up, establishes it and shows that it can be competitive and economically viable, the private sector often does not invest in those areas. For example, we have called for expressions of interest in a number of tourist programs. They are yet to be taken up by the private sector, so it is left to the department to operate those visitor services. This State has made a major investment to get the bluegum plantation program up and running. It has reached the point at which the State no longer needs to do that. The program has well and truly been embraced by the private sector. The Government is making a huge commitment to the maritime pine plantation. This has the added advantage of helping to support our salinity action plan. It has the dual objective of conservation as well as providing an economic benefit to the State. It has not yet been proved to be economically viable and so allowed the private sector to embrace it in such a way that it is prepared to invest the necessary dollars. Once we have been able to prove its viability, I have no doubt that the private sector will embrace that

as much as it has embraced the bluegum plantation, and we will see an enormous benefit not only to those companies but also to the advancement of our salinity action plan. It will be very much a part of the carbon sequestration that the State and country needs in an endeavour to ensure that we meet our targets under the Kyoto Convention. That will be of great assistance to our mining industry, because Western Australia has a very strong resource base.

It is true that the inaugural Conservation Commission will have a huge task. It will need to gain the confidence of the community in its activities and functions, and in the people who will be selected as members of the commission. We will be calling for expressions of interest shortly, and I am keen to ensure that the members of the inaugural commission understand the enormity of the task that will be given to them. There are people in the community who will be only too willing to undertake that task with the same level of fervour that has surrounded this debate.

With regard to what this Government has achieved in protecting and making additions to the conservation estate, by 2003 we will be able to protect 85 per cent, and as high as 90 to 91 per cent, of old-growth karri. That is significant when we consider where we have gone in making such a marked change to the industry. We have impacted greatly on the industry in respect of karri. To some extent, the Government is probably at the end of the line for karri. Karri trees engender a great deal of emotion from people in the community. Karri trees are beautiful, tall and majestic and can be referred to as the great cathedral of the south west. The Government supports the protection of all old-growth karri at the end of this forest management plan, with the ability until that time to protect those areas which have great community attraction and conservation value.

With regard to jarrah, again we have recognised that there are areas of community attachment as well as areas of high conservation value. The level of science that surrounded the Regional Forest Agreement has given this State a greater amount of knowledge on the whole of the south west than it has ever had in the past. When we talk about those areas that are state forest under the current management plan but which we have identified as having the potential to be conservation reserves, that is based on the best possible scientific advice that is available to us, which is greater than the amount of information that we had when the current forest management plan was being developed. The criteria that were identified for the comprehensive, adequate and representative reserve system were found not to exist in some of those areas but were found to exist in other similar ecosystems, and at a higher level. If we are really talking about the protection of high conservation value areas, that is what we have achieved in this period of transition for the timber industry. The timber industry is in a transitional stage and does need to move. We will have halved the level of yield since we came into government and by the time we finish the current forest management plan, and that is a significant change for any industry to undergo. We are serious about the value-adding clauses which will be contained in the contracts, because we want the best possible value from those trees which will be logged.

It is therefore with some pride that I acknowledge the great work of the Department of Conservation and Land Management. Yes, the department will change to the Department of Conservation, and some of its staff will go to the Forest Products Commission, but that will not change the loyalty and strong ethic of the employees and staff of the Department of Conservation and Land Management. They have a strong commitment to the conservation role that they have carried out in the past, whether it be looking after national parks, wildlife, marine reserves or forest management. That will not change with the new structure. We will add to their role a greater level of public consultation; and in this new era of accountability, that is something that all departments and agencies need to move towards in whatever they do. I take this opportunity to publicly commend the staff of the Department of Conservation and Land Management in every sphere of its activities. When I travel the State and meet with many of those members of the department, I am always impressed with their level of loyalty, commitment and dedication to the tasks that they undertake, and often that commitment and dedication to the task is something for which we as a State and community cannot pay. It has been quite sad that in the forest management debate, the focus of attention has often been against the employees of the department. That has been totally unwarranted and unjustified, and it is hoped that this new legislation will enable the good name of those people and the work they do to again come to the fore in the areas not only where they work well but also where their work in forest management has come under attack.

I wish to highlight the reasons some of the amendments put forward by the Opposition were not accepted. The member for Maylands proposed an objects clause. Even if we were to agree to the principle of such a clause, it could not be incorporated in this Bill without amending the whole Act to ensure that there was no overlap or contradiction between the sections. We intend to review the whole Act, although we will need to complete the new biodiversity Act first; and there is only one Simon Hancocks, and he has been spread very thinly in the past couple of years. When we do review the Act, we will give consideration to an objects provision, in the light of its incorporation in much of the drafting that we now see in this House for new legislation. I have indicated already that CALM recognises the need to take into consideration the interests and aspirations of Aboriginal people, and under the Regional Forest Agreement we have a commitment to do so. The next review of the Conservation and Land Management Act, which will not be a major review, will enable us to implement our commitments and agreements under the Regional Forest Agreement.

Concerns were raised about the interpretation of forest products residue from harvesting operations, and I advise that the matter is still under consideration with a view to amending the definition if it is determined that it inhibits a full utilisation of the forest products being harvested. That would be against what we want to achieve.

Amendments were moved to incorporate the definitions of ecologically sustainable development and the precautionary principle in the legislation, and I confirm that the proposed amendments to the Environmental Protection Act will define those principles when the Bill is introduced. I reiterate that the precautionary principle is already included as a ministerial condition to the implementation of the current forest management plan, and CALM is already bound to comply with the



precautionary principle in its management of state forest. That compliance is audited by the Environmental Protection Authority.

The other issue that has emerged is the one of concurrence between the Minister for Forest Products and the Minister for Water Resources in terms of the timber reserve alterations; they will also act jointly in the draft management plan operation, which will lead to the agreement of ministers to the plan. Although I had hoped that at this stage of the debate I would be able to table a new flowchart, it is still being worked through with the Environmental Protection Authority and the appeals convener to ensure that we have it totally correct and do not present something which does not look at the whole process. The flowchart that was presented earlier presented only one side of the process and did not take into account the other side under the Environmental Protection Act. I reiterate that the Environmental Protection Act allows for a level of primacy over and above the other Act.

The member for Maylands also referred to the Marine Parks and Reserves Authority and I indicated during the debate that I had met with the chairman and members of that authority. They are very conscious of the fact that the Conservation Commission, once established, will be a stronger and more powerful body than they are. Although under the Act a review must be carried out within five years of its commencement, I have indicated to the chairman and the members of the Marine Parks and Reserves Authority that I will sit down with them and look at their structure. In the meantime we have set in place the process whereby they can be involved in the budget development of the operation and how it fits in with the requirements under their Act. That is similar to what we did a couple of years ago with the Environmental Protection Authority and the Department of Environmental Protection, and it has worked well. Members may recall that there were often tensions between those two agencies. Spelling out the situation in a written document clarified for all concerned exactly what are their roles and involvement in the budget process. We propose to do that again, and that is already under way in advance of any further changes being considered for the future.

I thank members opposite for their contributions and for the time they have given in the development of the Bill as we led to, and continued, drafting. The changes that we made as we went through the consultation process showed the value of consultation. There are two types of consultation - consultation where we sit down, listen, and walk away, but the other party has not been heard; or consultation where we sit down, work through, listen, and come back again. I think it has been a valuable exercise for all who have been involved in the development of this legislation to be part of that intense level of consultation. I thank members opposite for their time and commitment because it is a two-way process - it does not happen from only the government side. I reiterate that this is a significant piece of legislation and it reflects the Government's commitment to change in forest management for the future. The separation of the commercial arm from the conservation arm of the department and the high level of focus that conservation will now have in both the auditing and regulatory roles, particularly in terms of forest management for the future, highlights and underpins the level of reservation and commitment that we have made - not only in the Regional Forest Agreement where the schedule 4 ecologically sustainable forest management is far in excess of any commitments that previous Governments have made. That commitment has been possible because of the increased level of scientific knowledge that we have been able to develop throughout the whole process. It allows us to take conservation and sustainable forest management well and truly into the year 2000 and beyond. I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Council.

### FOREST PRODUCTS BILL 1999

#### *Third Reading*

**MR OMODEI** (Warren-Blackwood - Minister for Forest Products) [1.06 pm]: I move -

That the Bill be now read a third time.

**DR EDWARDS** (Maylands) [1.07 pm]: My comments will be brief, because we considered this Bill in great detail last night. If my memory serves me well, the Minister for Forest Products was a Minister for Water Resources when he first entered the ministry. When he was the minister he oversaw a huge program that had great benefits for the sewerage system, the environment, the economy, the contractors who undertook the work, and others.

Mr Barnett: He will be long remembered for what he has done for sewerage in Western Australia. The sewerage king of Western Australia!

Mr McGowan: He was a very effluent minister.

Dr EDWARDS: I am not going to interrupt that conversation!

I hope the minister does not rest on those laurels, and I hope those laurels are not wasted on the minister. Now he is the Minister for Forest Products, when this Bill goes through he will have something for which he can truly be the minister, because at the moment he is borrowing things from the Minister for the Environment. I hope he is able to show us that he has not lost his touch and what he did for sewerage he can do for the forests of Western Australia. I look forward with great interest to see what he does - what a challenge!

Mr Barnett: Flushed with success.

Dr EDWARDS: Imagine all the plantations if he replaces the sewerage systems with plantations - the mind boggles.

Despite the debate we had last night we still have a few comments about the potential conflict of interest of the commissioners, and we will watch with great interest how the commissioners handle any such conflicts in the future. We thank the minister for picking up the amendment that was included in the other Bill, which was to do with not appointing as commissioners people who have active contracts with the commission.

We also thank the minister for including the term and definition of ecologically sustainable forest management in the Bill. It is important that the commissioners take that into account when making decisions. We are also pleased - although I have not yet studied the detail - to hear the announcement about the money given to Blueleaf Corporation Pty Ltd. I am hopeful we will hear other announcements as the industry adjusts to the changes.

My final comment, which is not so positive, is about the fate of Mr Mike Webb. I raised this issue in Parliament last week. The Opposition hopes the procedure can be tightened up. Mr Webb had to wait a long time to receive his forms to apply for business exit assistance and I hope that has been resolved. Both he and the Opposition were annoyed at spending a number of hours last Tuesday waiting to meet officials who never showed up. Further, the minister was subsequently required to apologise that the sum of money to be given to Mr Webb was announced on GWN before any detail was provided to him. The Opposition has some residual concern that the amount of money being offered is very low. However, having said that, we acknowledge that the forest industry is in a state of change, which presents problems and challenges to all in government and opposition. The splitting of the Department of Conservation and Land Management is a step forward and we wish the commissioners of the Forest Products Commission all the best. Like the Conservation Commission, they have ahead of them a task of huge magnitude.

**MR OMODEI** (Warren-Blackwood - Minister for Forest Products) [1.11 pm]: This is one of the more important matters I have had to deal with, as both the member for Warren-Blackwood and the Minister for Forest Products. This issue has been developing for some time and I think it is appropriate that the Forest Products Bill should be passed in the Legislative Assembly of this Parliament on the day the Government has announced the reopening of the Greenbushes mill.

On a lighthearted note, my wise counsel, the Clerk, has shown me a reference in the *Australian Concise Oxford Dictionary of Current English*, which describes "effulgent" - rather than effluent - as "literally radiant, shining brilliantly". So take that!

This legislation parallels the importance of the infill sewerage project the State Government undertook in 1993. The development of the Forest Products Commission and the Forest Products portfolio has been significant. It is the first time this State has had a Minister for Forest Products, and I will perform that role unashamedly. I will oversee the development of forest products to ensure that the native resource - our state resource - is managed in an appropriate way to maximise the return to the State. At the same time, and as is mentioned in the legislation, I will help put in place ecologically sustainable forest management practices to ensure the forest is properly managed. The legislation confers on the minister responsibility for virtually all the commercial activities of the Department of Conservation and Land Management. That department will soon be surpassed by the legislation covering the Conservation Commission and that covering the Forest Products Commission. The Forest Products portfolio will include not only the management of state forest, logging, roads and other things that take place in state forests, but also control over plantations, sandalwood and, in the future, possibly even oil mallee. The maritime pine project, which is a major government project, will be a major benchmark in combating salinity at the same time as providing the State with a wood resource.

I respond to some of the issues raised during the consideration in detail stage and to some of the commitments I gave to the member for Maylands and other opposition members. Clause 6 was amended so that a person with a material interest in or a current contract with the forest industry will be ineligible for appointment as a commissioner. Clause 12(1) was amended to make the principle by which the commissioners will act more consistent with the provisions of the Conservation and Land Management Amendment Bill. We have ensured that the principles of ecologically sustainable forest management are in place. Clause 31(2)(a)(ii) was amended to specify that the objectives of the ecologically sustainable forest management of forest products must be included in the Forest Products Commission's statement of corporate intent. Clause 19 was amended to provide for half-yearly reports to be tabled in the Parliament. Clause 31(3) was amended after the member for Bassendean raised the issue that exemptions could be applied to matters specified in the statement of corporate intent. For example, if no community service obligations were to be met in any particular year, the exemption power could be used. The Government believes the Labor Party's perception is not correct. The response provided to me indicates that the commission must each year prepare and submit to the minister a draft statement of corporate intent which, under the provisions of clause 31(2), must detail -

- (j) the nature and extent of community service obligations that are to be performed;
- (k) the costing of, funding for, or arrangements to make adjustments relating to, community service obligations;
- (l) the ways in which, and the extent to which, compensation will be made for performing community service obligations . . .

The minister must agree to the statement of corporate intent, which must be tabled in the Parliament. Clause 31(4) clarifies the definition of a community service obligation. It emphasises that it is an obligation that would affect profit. If the commission wanted to do other things that did not affect profit, it could still be included in the statement of corporate intent under the provisions of clause 31(2)(e), which requires -

an outline of the nature and scope of the functions proposed to be performed during the relevant financial year;

The member for Bassendean also questioned clause 56, which relates to contracts. He was concerned about the issue of private treaty. After some research, I found that under the current Conservation and Land Management Act - which was introduced by a previous Labor Government - the director has the power to grant contracts in an unfettered manner. Private treaty is required in many instances. The allocation of sawlog contracts is a major example. The treaties are generally based on the existing holders of contracts, with provisions for new entrants by auction from time to time. I indicated in the House last night that tenders and auctions will be used wherever possible.

A question was asked about the commission receiving funding from the consolidated fund and whether there would be exposure of that payment in the budget statements presented to the Parliament. As I said last night, all payments to trading enterprises are presented in the budget as Treasury-administered items. Page 1463 of budget paper No 2 for the current financial year lists payments made to trading enterprises and statutory authorities for community service obligations. Equity contributions for trading enterprises are also detailed in the Treasury's section of the budget papers. Treasury officers appear before the Parliament to debate the items.

In relation to the question asked about clause 62 and the tabling of contracts, the Opposition proposed the tabling of contracts in Parliament and the Government opposed that amendment on the grounds of existing regulations and the possibility of confidentiality issues. Further advice has been sought from the Department of Conservation and Land Management and it is clear that under section 148 of the existing Forest Management Regulations the executive director is to provide a copy of any contract of sale, harvest and delivery etc as listed under subsection 148(a). I am advised that there are no instances in which any material is exempted and that there is no intention of changing this regulation.

Ms MacTiernan: You will certainly change your tune when you are in opposition.

Mr OMODEI: If the member for Armadale was listening rather than making a smart comment, she would have heard me say that under the current Department of Conservation and Land Management Act there are no such conditions. The Executive Director of CALM has an unfettered ability to do whatever he or she thinks fit in relation to the contracts.

Ms MacTiernan: That is not the point. The point is that they should have an obligation to do it not that they can do it.

Mr OMODEI: The Government believes it is unnecessary to bring contracts to the Parliament. It would create a huge administrative workload for no additional benefit. For the benefit of the member for Armadale, there are hundreds and hundreds of contracts for the forest produce which comes out of the state forest.

I thank members opposite for their contributions to the debate in the consideration in detail stage of the Bill. Some constructive comments were made. I think I was able to dispel some of the conspiracy theories put forward by the Labor Party and the Greens (WA) who have criticised the legislation without asking either the Minister for the Environment or me about its intention. I congratulate the Minister for the Environment for being able to explain clearly to the Parliament the matters of concern to the Opposition. As far I am concerned as the Minister for Forest Products, the door is open any time to the member for Maylands should she have any matters which need clarification and, of course, she has the ability to ask questions without notice or put questions on notice in the Parliament.

It needs to be acknowledged that the Government has gone to great lengths to respond to the Federal Government's requirements for the Regional Forest Agreement. One of the main aims of the RFA process was to provide security of tenure to the timber industry for a 20-year period. The Government embarked on that process. It was a long process - about three years - and caused a great deal of uncertainty in the community. In bringing down the RFA and responding to the community's concerns about karri the Government made a very difficult decision. The decision about the accelerated restructure of the karri industry has caused great concern particularly in my area of the State as the communities in the lower south west and the Warren-Blackwood electorate rely in part on karri for the economic base of the district. We are proceeding to downsize the karri industry. We have set aside the 16 blocks Ian Ferguson's report identified as being sensitive karri. Ian Ferguson is a professor in forestry from the University of Melbourne. He is an independent person and his independent committee made those recommendations and then further recommendations about how we should harvest that forest. We have moved down that path and are now looking at alternatives to minimise the unemployment which will result from the downsizing of the karri harvest from the current 171 000 cubic metres to 50 000 cu m after 2003. It has been a difficult task and we are making every effort to ensure that it is done to the satisfaction of the Parliament and the people of Western Australia. We have consulted widely on that issue and I do not think we can downsize the karri industry any further.

It is incumbent on us as members of Parliament to ensure that the general public is aware of the amount of resource held in reserve in perpetuity and the ecosystems which are protected. Twelve new national parks will be protected and 25 additions have been made to national parks as a result of the Regional Forest Agreement. I believe an appropriate amount of forest is held in reserve.

As the debate proceeded I detected in the Opposition an appetite or willingness to allow a timber industry based on native forest to continue. For a while over the past six or 12 months it seemed that some opposition parties - the Labor Party and the Greens (WA) - wanted to stop the timber-based forest industry in Western Australia completely. It appears that now the Labor Party has spoken to its friends in the union movement - I understand that it has also talked to some of the major companies involved - it has a better appreciation of what the timber industry is about.

There is a widely held view that there is a great deal of waste in the forest. To an extent that is true but one only needs to go to a potato field at this time of the year to find that about 15 or 20 per cent of the product goes back onto the ground as

waste. There is probably another 15 per cent of waste as the potatoes are graded and processed. One will find the same sort of thing if one goes to an abattoir or any other industry. To give members an example, if they sit in an apple orchard on a hot autumn day like today, they will hear the apples dropping onto the ground. At least 15 or 20 per cent of the apples will remain on the ground and there is further waste as the processing of the product continues. The forest industry is no different. In the forest one can see premium-grade logs which are harvested for premium products and second and third-grade logs and salvage logs which are turned into charcoal and used in the silicon process so we can have artificial hips and knees and silicon chips and the many other high-technology items which come from that process. There is some waste in the forest and the task of the Forest Products Commission and the new Minister for Forest Products is to minimise that waste; that is what we are trying to do. The majority of the product produced from the native forest will always be the lower grades of timber. The smaller percentages of timber are the high-grade timbers. Under the forest management/harvesting process in the past, marri in a karri/marri forest was harvested under the clear-fell regime and used for chips with some of those logs being provided to the furniture industry as sawn timber. That is now changing. Wesfarmers has decided to downsize its woodchipping in native forest and there will be more marri waste in the forest as a result which will create a silvicultural problem for the Forest Products Commission.

I have given the member for Maylands an undertaking that the members of the commission will be people competent in the field of business and I expect we will be able to attract some very good candidates for appointment to the commission. There is an ability within the legislation for the Forest Products Commission to employ consultants or to co-opt extra commissioners for specific interest areas. In addition, the minister has the ability to put in place an advisory committee which would probably comprise industry people who could give the minister direct advice.

I could go on for a long time. We are passing through the Parliament a very important Bill. It complements the Bill handled by the Minister for the Environment. I also pay my respects to the staff of the Department of Conservation and Land Management. There was a similar kind of turmoil back in 1985 when the fisheries and wildlife department, the national parks authority and the old forests department were amalgamated. The professionalism of the officers in those organisations created the very good department we know as the Department of Conservation and Land Management which has become very highly regarded both nationally and internationally as an integrated land manager.

The broader community demanded a change in that it wanted the roles and responsibilities of that organisation to be changed so that one department would be responsible for conservation and another would be responsible for forest products. Staff members of the Department of Conservation and Land Management have acquitted themselves very well. The professionalism of our scientists is well known. A large number of people can feel proud of themselves for their contribution as members of CALM. Their roles will now change. About 235 people will go across to the Forest Products Commission, and 1 000 will remain with the Department of Conservation, which will have responsibility for the overall management of lands in this State.

I also compliment parliamentary counsel; Dr Wally Cox, the Executive Director of CALM; Simon Hancock, a policy officer who had a great deal to do with the drafting instructions; and Dr Paul Biggs, the policy officer from my office, who played a very important part in making sure this legislation is workable. I think the member for Maylands would agree with me that the forest products legislation particularly is very detailed. It will be subject to scrutiny by the other place, and at some time in the future it may be amended. I believe this is a good start. We have responded to community concerns. Now we must get on with the business of managing our native forests and our plantations for the benefit of all people in Western Australia. I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Council.

## ROAD TRAFFIC AMENDMENT BILL 1999

### *Consideration in Detail*

Resumed from 22 March.

#### **Clause 20: Section 42B inserted -**

Debate was adjourned after the clause had been amended.

Ms MacTIERNAN: I move -

Page 15, after line 6 - To insert the following -

- (6) A person employed or engaged in connection with any aspect of the production of drivers' licences or otherwise concerned in the administration of this Act, who otherwise than in the administration of this Act communicates or publishes any information or any document which comes into that person's possession by virtue of their employment or engagement except to a person to whom they are bound to publish or communicate it, is guilty of an offence and is liable to imprisonment for up to two years.

The purpose of this amendment is to ensure that we have an equivalence in this legislation between the obligations of a person who is a public servant and one who is not. In the past, the Government has made considerable mention of the provisions of the Criminal Code which are invoked - these are the official secrecy provisions - to show that there are considerable penalties for the improper disclosure of licence material. In particular, this becomes a relevant concern

because what is now proposed in this legislation is that photographs on drivers licences will become compulsory, and there is considerable concern in the community about that. That concern arises from the fact that we do not have any privacy legislation in this State. It is true that virtually every other State makes it compulsory to have photographs on drivers licences, and there is a very good argument for that. Our concern is that introducing these provisions, without giving adequate protection of privacy, is simply not acceptable. We have indicated that we are prepared to support compulsory photographs on licences, provided proper protections are put in place.

A number of provisions were contained in the original Bill, and others have been included by amendment. However, they do not go far enough. We believe that something is fundamentally wrong in a system which provides different responsibilities when either public servants or contractors are dealing with this material. This amendment effectively replicates the official secrecy provisions in the Criminal Code so that the same sort of provision applies to all people dealing with this information. This is particularly relevant, because the data management and, I suspect the collection of the data - that is, the taking of the photographs and the conversion and storage of them - has been contracted out and, therefore, is not being dealt with by public servants.

This goes back to a fundamental problem in the way the Government has approached contracting out. As contracting out has taken place, we have not given the people we represent any new mechanisms to protect the sanctity or secrecy of private information. We have a problem. As I said, the official secrecy provisions apply only to public servants and not to someone who has been contracted to do the work that was formerly done by public servants. We are using the powers of the State to compel people to submit their photographs for storage in this system. Having done that, we have an obligation to provide a full suite of protections for that information. What we have in this legislation is a minor civil penalty, and that is not enough. If the Government wants our support in the upper House for the compulsion of photographic evidence, we seek its support for this amendment.

Mr McGOWAN: I listened to the argument put by the member for Armadale in favour of the clause requiring the placement of a photograph on a drivers licence, which is a good idea in a general sense. My experience in living in other States is that one is required to have a photograph placed on a licence when it is renewed. This is done for various reasons, the most obvious of which is that a lack of a photograph on a licence makes it simple for people to avoid the operation of the law when pulled over by the police. Also, a minor can easily misuse someone's drivers licence if it does not contain the owner's photograph.

I support the concept which the member for Armadale raised; that is, some security must apply to the use of the information obtained. A number of debates which have taken place in this country over recent years concerned the use of information gathered by government, probably the most predominant of which was the debate in 1987 on the Australia card, which was to be carried by every person and to contain a photograph of its owner. Despite all the privacy provisions in the measures relating to the Australia card, it was ultimately defeated, if I recall correctly, on a technicality. The central issue remains: Can the information kept by government be misused or directed into the wrong hands? That issue was properly and effectively addressed by the member for Armadale. I encourage the Government to put in place regulations to protect that information.

Incidents have arisen in recent years - I cannot quote cases chapter and verse - of government workers, particularly in the Police Force, misusing information acquired as a result of their employment. They accessed computer equipment to obtain people's details, and little effective control applied to the misuse of that information. Last year the Government passed the Surveillance Devices Bill - largely with opposition support, including a few amendments - which was designed to protect people's privacy in a general sense. This amendment is also about that protection. In the light of precedents, I encourage the Government to accept the Opposition's suggestion.

Mr COWAN: I understand precisely the intent behind this amendment moved by the member for Armadale. Few people would argue against that intent; namely, to have a level playing field for those people administering this law, whether they be from the private or public sectors. The member's intention is to ensure that any person from the private sector will be subject to the same penalties as those that apply to persons from the public sector if they offend the law. I appreciate the member's intent. I give her an assurance that the Government will bring those matters together. Although I am not in a position to accept the amendment, I accept its intent, which will be conveyed to the Minister for Transport. He will prepare the necessary amendments, which will be checked by parliamentary counsel. I can assure the member that they will be included in amendments to the Bill in another place. I am not in a position to do other than accept the intent; I cannot accept the amendment. I would prefer to gather advice from the minister and parliamentary counsel on the quality of the amendment. It is probably a straight lift from the Criminal Code, so it is unlikely to be too far off the mark. In a sense, I am accumulating details on areas about which the Opposition and other members of this House have concerns, and for which they want to see changes. If changes will improve the legislation, the Government is prepared to take them on board. We will do so in this case.

Ms MacTIERNAN: If I had not tabled this amendment, I would have thought the response of the Deputy Premier was adequate. However, this provision was tabled exactly two weeks ago as debate on this provision started on 22 March. Can the Deputy Premier explain? Although this has been on the Notice Paper for two weeks, no attempt has been made to take it to the Minister for Transport for his comment, or to seek comment from parliamentary counsel, which has been aware of this amendment for two weeks.

Mr Cowan: I am responsible for that. I have not done that and undoubtedly I should have done so. I have been occupied with other matters in recent times.

Ms MacTIERNAN: That makes a mockery of the process of debate in this Chamber. We must be realistic about representative ministers; however, we gave a couple of weeks' notice, and it is a little rich to say, "Good idea, but we will not support the amendment. You can wait until we have a look at it in the upper House."

Mr Cowan: I did not say that we would look at it in the upper House. I said we will take out points raised in debate in this Chamber, and the minister will introduce changes he considers necessary to deliver some equality between public and private sector employees. We see that as a requirement of this legislation.

Ms MacTIERNAN: How does the Deputy Premier know that the minister will do that if he has not discussed it with him?

Mr Cowan: I have not discussed it with him, but I am very confident that he will do so.

Ms MacTIERNAN: It makes a farce of this process. There is little point in having further argument. We must seriously consider whether to have two Houses of Parliament. We go through meaningless debate in this place and ministers, because they have the numbers, defer all action until a measure reaches the upper House.

Mr KOBELKE: In support of the amendment, could the Deputy Premier, through his advisers, indicate the monetary value today of the 40 penalty units?

Mr Cowan: It is \$2 000.

Mr KOBELKE: I turn now to the use of technology. Proposed section 42B(7), to which this amendment applies, defines a photograph as "including a negative or an image stored electronically". With the valuable use of modern information technology, it is likely that the photograph will be stored electronically as part of a modern management system. Therefore, the potential exists for a photographic image to be produced or reproduced many times and stored at different sites. There may then be a management issue about the provision that the Director General of the Department of Transport must ensure that the photographs are destroyed after five years by particular forms of numerical identification - it may be a simple instruction to wipe them from a whole range of sites. If the management system was opened up to the storing of multiple images for various purposes, a complex system could be needed to fulfil the requirement of proposed section 42B(4) that such images be destroyed after five years.

In addition to that, a statement in the newspaper - I am not sure whether it was attributed to the Deputy Premier or the Minister for Transport - referred to people who are sent traffic infringement notices based on Multanova photographs, or some other form of photograph, having the right to check the photographs, and instead of going to police or traffic headquarters to confirm that they are the subject of the photograph, they may be able to view that photograph on the Internet. Can the minister confirm whether that is being looked into, or was it a flight of fantasy which was picked up by a journalist? Is that a new possibility due to this legislation and the technology available? If it is, what will be the status of such images, which could be copied off the Internet and, therefore, would no longer be stored centrally? There would be a whole range of secondary issues about the security of those images. What will be the application of those safeguards in proposed section 42B if it were possible for people to obtain a photographic image, as opposed to the clear requirements in the Bill, particularly the amendment before us, to ensure that such photographic images were not reproduced by people employed in the Department of Transport for people who did not have a right to them? It opens up a whole range of other issues, and I would appreciate the minister's response to that.

Mr COWAN: Again, I reaffirm what I said when the debate took place earlier: The electronic storage of these images will be kept centrally. They will not be permitted to be downloaded. Anyone who does that will commit an offence. We will put in place as much security as possible. The first measure of security will be that the only storage will be in the central databank. The second measure will be limited access by personnel within the Department of Transport who are associated with this. It is not the intention of the Government to transfer images electronically to someone. That was a fanciful idea of the person who reported this issue. I did not say it, and I am sure that the Minister for Transport would not have said that. We know how fast the information age is travelling, but a great deal of additional security would be needed for the transfer of information on the Internet before we would contemplate undertaking that process. At the moment there is an indication that images could be sent out with infringement notices, but there is no intention of doing that electronically.

Mr KOBELKE: I thank the minister for that response. However, not sending out the images electronically is only one part of the last matter he raised. The proposed section requires the processing of photographic images generally, whether or not it is electronic. I presume the Deputy Premier is also saying that they must be sent out when the licence is sent out. However, it is not envisaged that other applications would require photographs to be sent out. Can he clarify that point and the earlier statement he made about a centralised computer?

Mr Cowan: A central database.

Mr KOBELKE: I take it that that is the established practice and the clear intent into the foreseeable future. It is not a matter which is prescribed by the Act, and, with advances in technology, that could change. Am I correct in assuming that the minister's statements in both regards relate to current and intended practice and not to what is required by the Act?

Mr COWAN: That is correct, and I will further qualify the issue of images being sent to drivers. It is the intention of the Government to ensure that, in order to offer the protection which people want for these photographic images, an infringement notice which is sent will include an image of the vehicle that infringed, but there will be no image from a drivers licence. That will need to be confirmed at a later stage by someone accessing that image from a secure place.

Mr Kobelke: If the photograph of the vehicle had a clear photograph of the driver, would the photograph of the driver be smudged out or reduced in some way?

Mr COWAN: The photograph that was taken by the speed camera will be there, but there will be no photograph of the drivers licence image.

**Amendment put and negatived.**

The ACTING SPEAKER (Mrs Holmes): We are now dealing with the member for Armadale's amendment at page 15, line 17.

Ms MacTIERNAN: What concerns us is that there is no definition in this legislation of the purposes of this Act. The modest protections for data provide that if the photographic material or signature material is used for purposes other than specified in the Act, certain consequences will result. Can the minister tell us where in the legislation there is some definitive guidance about the intention of the Government? I know the minister has said that it is to be confined completely to the role of licensing and is not to be used for photographic matching to track down, for example, culprits of road traffic incidents. Can the minister explain where we would find in the legislation the guidance about the purposes of the Act which he believes are defined and restricted?

Mr COWAN: I understand the member's comment when she seeks further definition of the administration of this Act and what it means precisely. Under no circumstances would we accept what the member has put forward, because that effectively impacts on the privacy concerns that everybody would have with this legislation. I suggest, again, that the concept of giving further definition to what is meant in this legislation by the administration of the Act is something that we would be prepared to accept. Under no circumstances would we accept this amendment, because it goes far beyond those things which were ever intended.

Ms MacTiernan: What would you be prepared to look at then?

Mr COWAN: We would constrict it to the production of drivers licences.

Debate adjourned, pursuant to standing orders.

[Continued on next page.]

**[Questions without notice taken.]**

**HEALTH PROFESSIONALS (SPECIAL EVENTS EXEMPTION) BILL 1999**

*Council's Amendment*

Amendment made by the Council now considered.

*Consideration in Detail*

The amendment made by the Council was as follows -

Clause 17, page 13, line 6 - To insert after the word "prepared" the following -

(and in any event not more than 12 months after the expiration of the 5 year period referred to in subsection (1) )

Mr DAY: I move -

That the amendment made by the Council be agreed to.

The effect of the amendment is to require a review of the Act to be completed within 12 months of the expiration of the five-year period referred to in clause 17(1) of the Bill. That review would need to be presented before Parliament within six years of the commencement of the Act. The Government is happy to accept the amendment. It is a commonsense suggestion and the sort of thing the Government would do in any case. We have no difficulty supporting this amendment.

Ms McHALE: Members on this side support this amendment. It seeks to impose a time limit on reporting back to Parliament. It requires the minister of the day to report to Parliament after the Act has been in force for five years. It is an administrative amendment that improves the reporting mechanism. The Bill itself will enable health professionals who travel to this State with sporting groups and for special events to practice on the team they are travelling with. The amendment presents no difficulties to members on this side and we concur with the minister.

Mr McGOWAN: I will make a couple of remarks on the amendment made by the Council as I am the opposition member responsible for Sport and Recreation - the member for Thornlie is responsible for Health. The Bill deals with special events such as the Olympic Games and other sporting events. It also encompasses events which are not sporting-related, but require medical professionals to visit the State. The amendment is good because it will impose a time limit on this Bill; that is, the Bill has a five-year limit and the minister then has 12 months within which to review the Act and report back. A national standard is appropriate because some sporting teams preparing for the Olympics will visit the entire nation. A small number is coming to Western Australia compared with Queensland and Victoria, but some teams will do their training here in the lead-up to the Olympics, such as the team from Greece. This Bill reflects the national standard by allowing these teams to bring their medical professionals with them. Such people would not experience the language difficulties and time constraints faced by Australian medical professionals. The Bill removes the administrative hiccups that would apply if the visiting medical professionals were not permitted to practice. We support the Bill and the amendment.

**Question put and passed; the Council's amendment agreed to, and the Council acquainted accordingly.**

**ROAD TRAFFIC AMENDMENT BILL 1999***Consideration in Detail*

Resumed from an earlier stage.

**Clause 20: Section 42B inserted -**

Debate was adjourned after the clause had been amended.

Mr KOBELKE: I appreciate that the Deputy Premier indicated that he will take a sympathetic view towards the amendment moved by the member for Armadale, which was defeated. We do not need to pursue that now, as the member for Armadale will move two other amendments she has on the Notice Paper. However, before she has the opportunity to do that I refer to my earlier discussion with the Deputy Premier about the use of photographs and the ability to store, manipulate and transmit photographs by electronic means. I accept that it is neither the current practice nor the intention of the Department of Transport to move away from a central computer system. That means it is unlikely that multiple images will be stored in various locations, complicating the requirement of proposed section 42B(4) for such records to be destroyed after five years. However, technology is always changing and departments will seek to improve the efficiency with which they can store and handle information and provide a service based on that information. In a short time, it might be possible to store a huge amount of information on a compact disc.

Mr Cowan: That can be done now.

Mr KOBELKE: I mean that information was stored to such an extent that the entire records would be available in a form that could be sent out to regional offices or licensing centres. In future, it might be deemed appropriate and proper that officers had that information so they could compare it with the person at the counter renewing a licence. For whatever reasons, we might move away from the centralised system, although it is envisaged it will continue into the foreseeable future. In that situation, the controls within the proposed section may not be adequate. However, I accept the Deputy Premier's statement that the Bill addresses only the current situation and the foreseeable future and that, given the rapid rate of change in technology, it is difficult to frame legislation to take account of potential changes in procedures through new technology.

Ms MacTIERNAN: I move -

Page 15, after line 21 - To insert the following -

- (8) A photograph to which this Part applies may be kept and used by the Director General only for one or more of the following purposes -
  - (a) to reproduce the likeness of a person on a driver's licence;
  - (b) to assist in determining the identity of any person in the course of the determining whether or not to issue, replace or renew a driver's licence.

Nothing in this legislation sets the boundaries for the use of the photographic material. It has been said that the photographic material can be used for the purpose of this Bill, but when we sought elucidation from the Deputy Premier we were told that it will be construed very narrowly as applying only to the licensing functions of the Department of Transport. We want to ensure that the commitment made by the Deputy Premier is enshrined in the legislation. Therefore, we have sought to introduce this amendment which will put beyond doubt the purpose of the Bill. That makes it clear. There is some dispute about what the purpose of the Bill might mean and the scope of the intent of that phrasing. We are taking the Deputy Premier at face value when he tells us that the Government intends for this power to be narrowly construed. If the Deputy Premier's protestations are genuine, he will have no difficulty supporting this amendment.

Mr COWAN: I do not wish to disillusion the member for Armadale but I make the point that this is a classic example of what a House should not do; that is, start amending legislation on the run. I thought I had made it very clear that the Government is not prepared to accept that process but that it would take on board the argument and debate and the reasons behind the arguments, and then look very closely at ways and means of accommodating some of the issues put forward by the Opposition to strengthen this legislation and make it clearer than it is currently. I confess that this is a far better approach than the amendment on the Notice Paper but there is a need for us to exercise a great deal of care in the way we amend legislation. In this case, the comments the member has made as to the reasons for the amendment, supported by the amendment itself, will be carefully considered by the Department of Transport and the Crown Solicitor. If there is a need to tighten the purposes for which this Act is administered to provide a narrow band in which the use of those photographic images can be permitted, that will be done. On that basis I do not intend to accept this amendment. However, I have every intention of ensuring that it is transferred and communicated to the responsible minister and department to ensure that if a change is needed, we bring together amendments which will effect that change. The member's second attempt is closer to what will be finally decided, but I am advised that one or two issues cause concern in a legal sense and need to be investigated. Therefore, I ask the House to not accept this amendment.

Ms MacTIERNAN: I understand that this amendment was amended to try to meet the objections the Deputy Premier raised to the previously foreshadowed amendment. Is there any point in our going through this process? It seems that the line which has been taken by the Deputy Premier is that there is no way that any legislation will be amended in the Legislative Assembly. It is an extraordinary proposition. The Deputy Premier says he cannot comment on some of these amendments



because he has not discussed them with the minister, yet they have been on the Notice Paper for two weeks. I want to know what the Deputy Premier sees as the point of this process. Is it proper to say that whatever the Opposition's amendments are, the Government will not accept any amendments in the Legislative Assembly even with lots of notice, and that it may consider drafting its own amendments in the upper House? Is that the Government's approach and can the Deputy Premier explain the purpose of that approach?

Mr COWAN: A reason we need to reject this amendment is that the member for Armadale has used words such as "A photograph to which this part applies may be kept and used by the director general only for one or more of the following purposes". It would have been better to have simply said "A photograph to which this part applies may be used for only one of the following purposes". That is the point I am making. That is why I would like to have the Crown Solicitor examine the wording of the amendment. To go further, why would we look at paragraph (b) which talks about "determining the identity of any person in the course of the determining whether or not to issue, replace or renew a driver's licence"? Is that necessary? These are the questions which need to be answered by counsel, not by me, and that is what will happen. I repeat that what the member for Armadale is doing by introducing these amendments on the run is utilising her right to give some additional reinforcement to the debate she is raising in the consideration in detail stage but we will not accept this amendment.

Ms MacTiernan: What about the ones you have had notice of? Is it always the case that you won't accept amendments?

Mr COWAN: No, it will not always be the case.

#### **Amendment put and negatived.**

Ms MacTIERNAN: The Opposition will not support this clause. The Opposition has made it clear to the Government that it is only prepared to support the introduction of compulsory photographs if the Government is prepared to strengthen the privacy provisions. Therefore, at this stage we are unable to support this clause although, as we have made clear, that is not because we have an in-principle objection to photographic evidence. It is because we have made a commitment to the people of Western Australia that we will not support the legislation in its current form. We have genuinely attempted to introduce a number of amendments that we believe go some way towards providing protections in the absence of any general privacy legislation in this State. The Government has seen fit to reject our genuine attempts to improve the legislation. Unfortunately, the consequence is that we will not support this provision.

Clause, as amended, put and a division taken with the following result -

#### **Ayes (27)**

Mr Barnett  
Mr Barron-Sullivan  
Mr Bloffwitch  
Mr Board  
Mr Bradshaw  
Dr Constable

Mr Cowan  
Mr Day  
Mrs Edwardes  
Dr Hames  
Mrs Hodson-Thomas  
Mrs Holmes  
Mr House

Mr Johnson  
Mr Kierath  
Mr MacLean  
Mr Marshall  
Mr McNee  
Mr Minson  
Mr Nicholls

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

#### **Noes (15)**

Ms Anwyl  
Mr Brown  
Mr Carpenter  
Dr Edwards

Mr Graham  
Mr Kobelke  
Ms MacTiernan  
Mr Marlborough

Mr McGinty  
Mr McGowan  
Ms McHale  
Mr Riebeling

Mr Ripper  
Ms Warnock  
Mr Cunningham (*Teller*)

#### **Pairs**

Mr Court  
Mr Prince  
Mr Osborne  
Mr Ainsworth

Mr Thomas  
Mr Grill  
Dr Gallop  
Mrs Roberts

**Clause, as amended, thus passed.**

#### **Clause 21: Section 43 amended -**

Mr COWAN: I move -

Page 16, lines 12 and 13 - To delete the lines and substitute the following -

(b) by deleting paragraph (b) and substituting the following -

" (b) prescribing the minimum ages, subject to section 42, of persons -

(i) to whom a driver's licence or permit appropriate to a particular description of motor vehicle may be issued; or

(ii) whose driver's licence may be endorsed under paragraph (aa); "

Ms MacTiernan: Will the Deputy Premier explain the purpose of this amendment?

Mr COWAN: I will do my best. I understand that it is intended that a person must be a certain age before obtaining a particular class of licence or a learners permit. The amendment I have just moved, together with the next amendment appearing on the Notice Paper in my name, empower the making of regulations to prescribe the minimum age to obtain a drivers licence or learners permit for any description of motor vehicle. For example, the minimum age requirement for an R class drivers licence - that is, any motorcycle - is 17 years. However, the regulations will provide that a person aged 16 years will be entitled to obtain an R class drivers licence with a class N endorsement, which will restrict the person to driving a moped not exceeding 50cc. I hope that explanation satisfies the member for Armadale.

Mr KOBELKE: This clause will amend different parts of section 43, which contains the regulation-making powers. I am a little surprised about the intricacy of the detail in those regulation-making powers. The Deputy Premier's amendment goes into even more detail about the regulation-making powers. Why is there a requirement to be so specific about what those regulation-making powers are for the Road Traffic Amendment Bill, and why has the Deputy Premier again gone into more specific detail in the amendment with which we are dealing?

Mr COWAN: The advice I have been given is that the principal Act was drafted in a fairly old-fashioned way, and this amendment follows that drafting style. The intention was not to place greater emphasis on detail or otherwise; it is just trying to comply with the drafting style of the principal Act.

Mr KOBELKE: I accept that. The point that arises is whether the Government is considering a rewrite of the Road Traffic Amendment Bill to put it into language which is more easily understood.

Mr Cowan: Given the difficulty getting this through the House, the answer is no.

Mr KOBELKE: I regret that response, because this is an area in which a large percentage of the population come into contact with the law.

Mr Cowan: Perhaps I should not be so cynical and I should give the correct answer. The member will recall that during previous debates I indicated that there would be a road traffic amendment Bill No 2. I think a genuine attempt will be made then to do something about bringing modern language practices into the Act.

Mr KOBELKE: I would support such a move.

In an area of law which affects directly such a large percentage of the population, when people will possibly be in situations in which they breach the law by committing one or more of the various offences contained in the Act, which has a licensing provision which covers the majority of people in this State, on more than the average number of occasions ordinary members of the public will seek to obtain a copy of the Act to ascertain whether or not they are complying with it or to ascertain the implications of some infringement against their names. When a complex Act is written in the older style, we place the law beyond the grasp of the ordinary people of Western Australia.

Mr Cowan: I must be ordinary!

Mr KOBELKE: Members of Parliament have enough trouble understanding some of the complex provisions. I hope a Bill will be introduced to put the Act in more straightforward language.

#### **Amendment put and passed.**

Mr COWAN: I move -

Page 16, after line 13 - To insert the following -

- (c) after "driver's licence" where it first occurs in paragraph (c), by inserting the following -  
"or permit";

Mr KOBELKE: Again, this amendment represents fine detail. The Opposition has no objection to it, but it will be useful for the Deputy Premier to record why the additional words are necessary.

Mr COWAN: Members should refer to the explanation I gave in reference to licences or learners permits. This amendment will make the provision cover both licences and permits.

#### **Amendment put and passed.**

Ms MacTIERNAN: My amendment to this clause has been on the Notice Paper for a couple of weeks. We flagged during the second reading debate our intention to move something along these lines, so the Deputy Premier has had time to consider this proposition. The amendment states that as regulations will require a holder of a licence for a vehicle classification that no longer exists to produce documentary evidence of that practical experience, the evidence must be supported by a statutory declaration. A new drivers licence classification scheme will be in place, and the heavy haulage area will not have an exact equivalent of the current classification. A different structure will properly reflect the range of heavy haulage vehicles available. It will not be a simple C-class licence which will allow a person to drive everything up to a 56-metre road train. The Labor Party supports that change. The Government has promised this amendment since 1993, and it has finally introduced the provision.

Transitional problems arise. People currently have C-class licences. The Deputy Premier indicates that he, like many farmers, holds one. I suspect that that is part of the reason that this legislation was so long in coming. I do not refer to the Deputy Premier himself. I am sure he does not have time to cart his super across the metropolitan area in his road train.

Mr McGowan: What sort of super?

Ms MacTIERNAN: Indeed! A pretty big road train will be needed for the superannuation! I thank the member for Rockingham for his interjection. Holders of a C-class licence are long haul drivers who have driven road trains. It is not appropriate at this point that they sit some new test under the new regime. It is envisaged that by regulation they will be required to produce a letter from their employer - Wesfarmers, for example - stating that this driver has driven the multi-combination vehicles for 12 months or more. That is fine. However, the Opposition is concerned that many people with a C-class licence have been nowhere near a road train. Probably half of them have not driven a proper semitrailer.

Mr Bloffwitch: Do you think the transport companies would allow someone like that to drive one of their \$400 000 rigs? You're kidding yourself.

Ms MacTIERNAN: Unfortunately, people who are not properly experienced are driving in certain outfits.

Mr Bloffwitch: They are not driving road trains.

Ms MacTIERNAN: People who patch together their rigs drive when they do not have the necessary experience. The member for Geraldton may recall that this was one of the concerns about the Greenmount Hill disaster, as was admitted by the Tammin tiger. It was a problem: People with C-class licences were occasionally driving much bigger vehicles than those with which they had experience, creating a potential liability to themselves and other road users.

Mr Bloffwitch: The Greenmount Hill incident was a truck with a dog trailer; it had nothing to do with road trains.

Ms MacTIERNAN: That was used as an illustration.

Mr Bloffwitch: It was a bad illustration, like all the ones you use!

Ms MacTIERNAN: It was not a bad illustration. Has the member for Geraldton seen the new drivers licence classification system?

Mr Bloffwitch: Yes, I have.

Ms MacTIERNAN: Which class of vehicle would this come into?

Mr Bloffwitch: The road train?

Ms MacTIERNAN: The configuration in the Greenmount Hill disaster.

Mr Bloffwitch: It would be a C-class licence.

The ACTING SPEAKER (Ms McHale): Will the member for Armadale formally move her amendment?

Mr COWAN: I would rather that she did not move it. She will have the opportunity to move it, but may choose not to do so once I have completed my comments about her amendment. The member is trying to build into the legislation a requirement for statutory declarations. I assure the member for Armadale that it is not acceptable to have this requirement built into the legislation. However, the regulations will provide that a person who makes an application for the transition from the existing classification of licence - the member gave C-class as an example - will be required to produce a statutory declaration which indicates that the person has experience in driving such vehicles.

Ms MacTiernan: Why is it not acceptable to have that prescribed in legislation? We are not getting down to the detail of the transitional arrangement; we say that where documentary evidence is required, it should be supported by a statutory declaration.

Mr COWAN: The Government does not see that as necessary. Regulations will require proof from the drivers who seek to shift from the old style of licence to the new style, and that proof will be in the form of a statutory declaration indicating that the person in question has experience and is currently driving vehicles of that type. That will be contained in the regulations. It is not necessary to incorporate it in legislation. I can only make the explanation and say that the member's intention will be achieved by regulation; therefore, the amendment is not necessary.

Ms MacTIERNAN: A problem is created when there is the promise of regulations, which we do not see at the time we are shown this legislation, so we are unable to predict whether this will be the case. We are told not to worry about it as it will be in the regulations. The minister does not quite understand that we know there will be regulations, and that is what this section is about. The amendment is saying that when these regulations are made, this will be required. This legislation is full of references to regulations and putting a structure around what the regulations will do. This is not instead of the regulations; this recognises that there will be regulations, but provides a bit of superstructure in which the regulations will fit. The reason we did this is that we are very familiar with the transitional arrangements proposed, and they did not involve any statutory declarations. That may be true, whether or not the Government subsequently changed its mind. However, it is not the case that this was part of the original scheme as it was presented to us or, as far as I know, to the industry at any time.

Mr Cowan: I assure you it is what will happen.

Ms MacTIERNAN: A reason still has not been given to us - other than the fact that the Government does not want to put it in here; it wants to put it in the regulations - about why it will not be in the legislation. I move -

Page 16, after line 27 - To insert the following -

- (1a) Where regulation requires that a holder of a licence seeking a conversion from a class of licence which no longer exists, the holder must supply documentary evidence to accompany the application and that evidence must be supported by a statutory declaration.

I am pleased that the Government has accepted there was a hole in the transitional arrangements it made, and that it claimed it would complete this by regulation. It is still our view that this matter is of sufficient significance that it should be enshrined in the legislation.

**Amendment put and negatived.**

**Clause, as amended, put and passed.**

**Clause 22: Section 45 amended -**

Mr McGOWAN: This clause appears to lift the age at which someone is eligible for a probationary licence in this State. If that is the case, can the Deputy Premier explain the rationale behind that move?

Mr COWAN: This is part of the whole graduated licensing system. It extends the probationary licensing period from one year to two years.

Mr McGOWAN: Subclause (1)(c) lists the age as 19 years. Does that mean that in order to become eligible for a full licence, a person must be a minimum of 19 years of age rather than a minimum of 18 years at that point? My understanding was that at 16 years and nine months, a person could obtain his learners permit; at 17 years of age, he could obtain his probationary licence; and at 18 years, on his birthday, he could obtain his full licence. Is this saying that at 16 years and nine months, a person can obtain his learners permit; at 17 years, he can obtain his probationary licence; and two years after that, he can obtain his full licence?

Mr COWAN: As I understand it, the minimum age at which a person can have a full licence is 19 years. There are different graduations within the learners permit system. At 17 years of age, a person can obtain a probationary licence. The probationary licence is for two years. At 19 years of age, that person would then have a full licence. The whole idea is to give greater practical experience to drivers as they progress. We would also like to see that associated with a much more intensified training course. However, that is something which must be taken up by drivers. As we go through this process, the purpose is to have a graduated licence process. We can begin with road rules and road practices in primary school, but at the age of 16 years, a person can get a learners permit.

Mr McGowan: I always thought it was 16 years and nine months.

Mr COWAN: That is what it was, but we are talking about the new licensing proposal and the provisions which are associated with it. If I can find those provisions, I will refer the member to them. The member asked at what age a person would have a full licence. The earliest age a person could have that licence is 19 years of age.

Mr KOBELKE: I fully support the principle of the graduated licence scheme, and I will not talk about that because obviously it is accepted by the Government, and I would only be echoing things that have already been said. I am concerned about the degree of flexibility in the proposals. It is a new regime, and it will require some finetuning as it goes along. We will assess whether it is working, and perhaps one stage of the graduated licensing system might need to be adjusted or extended or to have extra provisions put on it. To what extent is there an ability to vary the system, without changing the legislation? If there is that ability, which areas will have some flexibility without needing to change the legislation?

Mr COWAN: We do not want to afford huge levels of flexibility. There will be some flexibility through the regulatory process, but the main thrust of these provisions, which we have been debating for some time, is what the member is seeking to achieve. The member for Nollamara is right: Every member of Parliament wants to see drivers better equipped to handle driving conditions, to handle the vehicle and to know how it will handle under various conditions. There is no question about that; it is not in dispute. Standards are being set. Regulations will provide some flexibility, but we will not alter those minimum standards.

I draw the attention of the member for Rockingham to the notes that he would have received when he attended the briefing on the amendments to the Road Traffic Amendment Bill. If he looks at appendix A, he will see the graduated process associated with drivers licences.

Ms MacTIERNAN: I want to confirm in *Hansard* what we understand from the briefing, because I am not sure that it is generally understood in the community; that is, that the new graduated driver training and licensing scheme will apply only to those people who are under 17 years of age; that if a person turns 17 years and commences lessons to get a drivers licence, this whole scheme will not apply to that person; and that this scheme applies simply to those who seek to get their learners permit while under the age of 17. I would like that clarified. The explanatory notes to the document refer to a learner phase of 60 hours of supervised driving in a hazard perception test. I ask the Acting Premier to clarify that and tell us whether that provision has been diluted.

Mr COWAN: My advice is that a person who is over the age of 17 who applies for a licence would not be expected to go through the learners permit stages.

Ms MacTiernan: Would they have to have lessons?

Mr COWAN: They can get a learners permit. I am afraid I keep on applying my own experiences to this and I should not do that when I am dealing with legislation.

Ms MacTiernan: I did not know licences were required back in the old days!

Mr COWAN: I hesitate to treat the Parliament as a confessional, but there might be some element of truth in what the member for Armadale said, at least in the area around east Narembeen.

Mr McGowan: How old were you when you started driving cars?

Mr COWAN: My brother and I used to fight over who got to stand on the seat and who had to sit on the floor and work the pedals. He was bigger than I and I usually lost, so I worked the clutch and the accelerator and on occasion the brake, but he steered. I was about three.

Ms MacTiernan: It is the story of your life. At least you could put the brake on. Give us a royal commission to put the brake on.

Mr COWAN: It is not our intention to have people who have some maturity go through those learner phases. Nevertheless, we still have expectations and will be setting standards that they will have to meet to qualify for a licence. With all reason, a mature person should not have to go through those graduated phases, but they will have to demonstrate their ability to drive a vehicle, to understand the road rules and to show that they can control that vehicle.

Ms MacTIERNAN: One of the unintended consequences of the structure of this provision will be that many people will not get their learners permit under the age of 17. Some people will wait until they are 17 to apply for their learners permit because in that way they will avoid the whole regime. I do not think that was the intention, however, that may be an unintended consequence of the legislation. When my daughter turned 17 I warned her that she would have to go through this process. She said that because she was already 17 years old she would not have to do it. I suspect that it is a flaw in the policy approach to this matter. We cannot prescribe that here, but the minister must consider whether it should apply to people who are 16 and 17 years old. The minister acknowledged that maturity kicks in at the age of majority, 18, because that would then imply real incentive. Under this proposal, if a person waits until they are 17 years old to apply for a learners permit, they can take lessons for one or two weeks and get in the car and get their licence. They do not have to go through the process of maintaining a log book over and above the normal driving lessons. I suspect it might unwittingly produce not necessarily a positive result. I would like the minister to consider that when reviewing the legislation.

Mr Cowan: We will take that on board. However, I go back to what I said earlier: Before a person can get a probationary licence they must demonstrate some driving skills.

Mr KOBELKE: I would like to give the member for Armadale an opportunity to continue her remarks.

Ms MacTIERNAN: Currently, to obtain a learners permit a person must have read "Drive Safe - A Handbook For W.A. Drivers" and passed a basic written test. They must subsequently sit a driving test and then they get their probationary licence. This scheme is designed to ensure that someone cannot go down to a driving school and have an intensive series of lessons over a period of two or three weeks and then do the driving test and get the licence. This amendment seeks to ensure that a person must drive for a substantial period under supervision before getting a licence. I suspect that because of the way the provision kicks in - namely, once a person turns 17 they do not have to go through that process - we might see a lot of people deferring applying for their learners permits before they are 17 years old. They will wait until they are 17 so that they can avoid that process.

#### **Clause put and passed.**

#### **Clause 23: Section 46 amended -**

Mr COWAN: I move -

Page 17, after line 25 - To insert the following -

- (1) Section 46(1) is amended by inserting after "prescribed" in both places where it occurs or provided for in the regulations.

Ms MacTIERNAN: Will the Deputy Premier tell the Opposition what is the purpose of this amendment?

Mr COWAN: My understanding is that currently section 46 of the Act provides for drivers licences to be renewed for the periods prescribed in the regulations. The road traffic drivers licence regulations allow the director general to renew a drivers licence for a period of one or five years. Further, where a person may be subject to regular medical examination to establish his fitness to drive, the director general may determine that the licence be renewed for a period up to five years. Where a person will be required to undertake a medical examination for a licence to drive a passenger-carrying vehicle in six months' time, the director general may determine that the drivers licence renewal be for that period only. Advice from parliamentary counsel is that "the period determined by the director general, currently contained in regulation 5A of the Road Traffic Drivers Licence Regulations, may go beyond the regulation making power in the Act", and this clause corrects that anomaly.

Ms MacTIERNAN: I seek a technical clarification. I do not expect the Deputy Premier to know the answer, but perhaps he could take some advice on it. I cannot recall if it was on this piece of legislation or another one with which we have been dealing in the Parliament, and I am not sure whether it was the adviser sitting next to the Deputy Premier who told me this, but we have recently been told that "prescribed" means the same whether it is applied to the Act or the regulations. I want to know if that is true because we commonly take the word to refer only to those things that are prescribed in regulations. What the Deputy Premier seems to be suggesting now is that "prescribed" does not necessarily refer only to what is in the regulation.

Mr COWAN: My understanding is that where one uses that expression it is not exclusive to regulations. Provisions can be prescribed in an Act.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clause 24: Section 48 amended -**

Ms MacTIERNAN: I am using this as an opportunity to raise a general concern about the way this provision is operating. The director general has decided not to renew the licences of a number of taxi drivers, and there are concerns about the appropriateness of the director general's behaviour in this regard. He makes such a determination on the basis of their driving background rather than on issues of propriety in their relationship with passengers, which are dealt with in a separate provision. The concern is that there does not seem to be any right of appeal against the power of the director general to make these decisions to revoke a taxi licence. The director general can unilaterally destroy a person's livelihood. Overnight the director general has unilaterally decided not to renew the licences of a couple of gentlemen who have been in the taxi industry for 20 years, so they can no longer operate as taxi drivers. I am concerned about what seems to be a process that does not have any equity, and there seems to be no right to be heard on the matter. Will the Deputy Premier advise me on this matter?

Mr COWAN: I am advised that there is a capacity to appeal. Section 48(4) of the principal Act, in combination with this clause, provides the capacity to lodge an appeal.

**Clause put and passed.**

**Clause 25 put and passed.**

**Clause 26: Section 48C amended -**

Mr COWAN: I move -

Page 19, line 14 - To delete "class" and substitute "description".

It is intended that people must be of a certain age before they can obtain a particular class of learners permit. This amendment provides for the making of regulations to prescribe the minimum age to obtain a drivers licence or learners permit for any description of motor vehicle, and a licence endorsement to drive a particular description of motor vehicle. For example, the minimum age requirement for a class R drivers licence - any motorcycle - is 17 years. However, the regulations will provide that a person aged 16 years will be entitled to obtain a drivers licence class R with a class N endorsement, which will restrict the person to driving a moped not exceeding 50cc.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 27 to 29 put and passed.**

**Clause 30: Section 58 replaced -**

Mr KOBELKE: This clause will insert a new section 58 relating to the duty to identify an offending driver or person in charge of a vehicle. This was a contentious issue in the media some months ago. A large number of people are infringing the rules of the road and being caught, to the extent that they have been captured on camera through a Multanova or some other means, but it has not been possible to bring them to book because the driver of the vehicle could not be identified. That may be due to the photograph not being clear or the owner of the vehicle not being sure of the identity of, or willing to identify, the driver. An issue arose relating to car saleyards which allow people to test drive vehicles. If potential buyers want to test whether a car can reach a speed of 100 kilometres an hour in the shortest possible time and are caught on camera exceeding the speed limit, there may be a problem identifying the driver. The Government has not been willing to fully address this issue. I cannot see how the provision would apply, but I understand it is not the intention of the Government to require car saleyards to be responsible for traffic infringements involving their vehicles when the only way of identifying the driver is through the records of the car sales company. The people to whom I have spoken in this industry do not believe it would be a problem for the car saleyard to accept responsibility, by either paying the fine or identifying the driver of the vehicle when the offence occurred, to whom the infringement notice could then be sent. I understand through the media that the Government does not intend to pursue a regulatory regime to ensure that the owners of car yards accept responsibility.

The owners of these car yards must cover their vehicles for insurance and, therefore, it is standard practice for drivers of

the vehicles to provide their name, address and signature. That applies also to people who borrow a vehicle while their own vehicle is being serviced; they sign a standard form accepting responsibility for the vehicle they have borrowed from the car yard. That then covers the car yard for insurance of the vehicle. I see no problem with extending that to driver responsibility for offences committed while the person is test driving a vehicle or has borrowed a vehicle from the car yard for one reason or another. Does the Government have a firm position on this, or is the media correct in its interpretation that the Government does not regard it as a matter on which it will crack down through this legislation?

Mr Bloffwitch: The bloke who owns 200 cars and hires them out and everybody gets a fine - do you think the owner should pay for all that?

Mr KOBELKE: Yes, I do.

Mr Bloffwitch: That is your attitude: Screw anyone and keep screwing the bosses. That is all you are worried about.

Mr KOBELKE: The member for Geraldton is a bit oversensitive on this issue. When cars are driven out of his car yard on approval for a short drive by people wanting to buy a car or as a courtesy car for a day because they are having work done on their motor vehicle, does he not require them to sign a form indicating their responsibility for that vehicle to cover the car yard for insurance and other aspects?

Mr Bloffwitch: Not on a test drive because there is usually a salesman sitting in the car with them ensuring that they do not speed and that they obey the traffic rules. He will then return to the dealership with them. Therefore, I do not have that problem.

Mr KOBELKE: What about when there is no sales representative with them? Does the member for Geraldton not require a signature from people taking vehicles out of his car yard?

Mr Bloffwitch: I would never let people take a car if there were no sales representative with them.

Mr COWAN: Notwithstanding the debate about the practice of motor vehicle dealers in Geraldton -

Mr McGowan interjected.

Mr COWAN: That type of remark is inappropriate.

The best answer I can give the member for Nollamara is to look at proposed section 58A, which bestows a very strong responsibility on the responsible person for a vehicle to identify the driver. That person must provide reasonable justification to demonstrate that he or she had not been able to identify the driver at the time. That is the key issue. The responsible person must be in a position to identify the driver and must give reasonable grounds if that cannot be done. The answer lies in that proposed section rather than in this clause.

Ms MacTiernan: Can the Deputy Premier clarify this matter? I understand this clause deals with the provision for identifying drivers involved in accidents, not drivers caught by speed cameras. I am trying to recall how the various sections of the Act fit in. Does clause 30 deal with proposed section 58?

Mr COWAN: Proposed sections 58 and 58A.

Ms MacTiernan: Proposed sections 58 and 58A do not deal specifically with the identification of drivers caught by speed cameras and red light cameras.

Mr COWAN: That is correct.

Ms MacTiernan: This clause relates to the identification of drivers, usually in the case of a motor vehicle accident.

Mr COWAN: It would go beyond motor vehicle accidents.

Mr McGOWAN: I take up the points raised by the member for Nollamara as my understanding of the way in which the law would be changed, prior to reading this Bill, was based on what I read and heard a couple of months ago. My question relates to clause 30, which proposes to repeal section 58, the penalty provision. The Deputy Premier will note the member for Geraldton's interjection a short time ago accusing the Opposition of getting into car dealers on penalties.

Mr Bloffwitch: No, just screwing bosses; that is all you want to do.

Mr McGOWAN: Screwing bosses, as he so eloquently puts it. The member for Geraldton might like to read clause 30 if he wants to consider this issue. The Deputy Premier should note that in this clause an offence by an individual is subject to 24 penalty units and the clause says that an offence by a person other than an individual - I assume a company or boss - attracts a penalty of 100 PU. This Bill provides for a penalty four times greater for a boss than for an individual. In light of the member for Geraldton's comments on this issue, can the Deputy Premier inform us why that is so?

Mr COWAN: I am sure the member for Rockingham knows the answer to the question. The penalties are based on individual amounts. The penalty applied to a company or a corporate body is designed to have an impact and, for that to have the same effect as it would have on an individual, it must be greater than the individual penalty.

Mr McGOWAN: If I read clause 30 correctly, the Deputy Premier is assuming that an organisation or corporate body has a greater capacity to pay.

Mr Cowan: Yes.

Ms MacTIERNAN: The Deputy Premier has kindly pointed out to me that my amendment on the Notice Paper is noted as an amendment to clause 31. It should be an amendment to clause 30. I am unaware of how that typographical error occurred; however, the rest of the amendment is correct. I move -

Page 22, after line 13 - To insert the following -

- (3) Where a vehicle is used for commercial or business purposes or forms part of the stock of a business, then reasonable measures or arrangements will mean at least retaining an accurate record of the person to whom custody of the vehicle was given at any time. For the purposes of this subsection commercial or business purposes includes public sector purposes.

I will explain how I envisage this provision as working. This amendment will amend proposed section 58A of the Bill, which deals with a duty to take reasonable measures to be able to comply with a driver identity request. This provision lies outside the fines that apply to traffic fines and is a general driver identity request; for example, if a vehicle is found smashed in an accident and the police visit the owner's home to ask who was driving the car. Proposed section 58A(2) states -

A responsible person for a vehicle commits an offence if the responsible person fails to take reasonable measures, or make reasonable arrangements, to ensure that if a driver identity request is made . . . the responsible person will be able to comply with it.

The Australian Labor Party believes that proposed section is fine. However, in light of community debate on the matter, we want to further pin down that proposed section as we are concerned about irresponsible comments that have been made on this issue. Those irresponsible comments have not been made by the member for Geraldton, who has been honest and forthright about the issue but, rather, by some car dealers around Perth who claim that this is an impossible request and they simply cannot be expected to know who has been driving their cars. It is pixie land to suggest that the average family vehicle could be the subject of a log book regime; it is not something we could sell to the community.

Debate adjourned, pursuant to standing orders.

#### **AUSTRALIND BYPASS LAND, SALE TO MR LEN BUCKERIDGE**

##### *Motion*

**MR KOBELKE** (Nollamara) [4.00 pm]: I move -

That this House -

- (a) is concerned that the Minister for Regional Development approved the sale of South West Development Commission land on the Australind bypass, Bunbury, to Mr Len Buckeridge under a rural zoning at half the value given by the Valuer General for the same land if zoned industrial, failing to achieve the maximum return on this valuable asset;
- (b) is concerned at the minister misleading the House with the lame excuse that the Bunbury City Council was not willing to rezone the land, when in fact the land was rezoned on the application by the SWDC shortly after the sale of the land; and
- (c) calls on the Auditor General to investigate and report on this land deal.

This matter goes to the heart of the Government's failing to fulfil its responsibility to look after the assets of various agencies under its control. It also raises the matter of the excuses given by the Deputy Premier as Minister for Regional Development which have not stood up to the light of the truth of what happened. It is a serious matter when a government agency fails to maximise the value of an asset to the State in order for a private developer to maximise his economic gain, and the minister has not given any reasonable explanation for what has happened.

This issue relates to 22 hectares of land on the Australind bypass on the edge of Bunbury. Mr Len Buckeridge was interested in establishing a centre for his transport and building operations in the Bunbury area, as he has every right to, because he is a successful businessman and any increase in his activities in the south west will boost the economic activity in that area as he will create a lot of jobs. Mr Buckeridge went to the South West Development Commission and asked for its advice to find land for the establishment of such a headquarters. Quite rightly, the South West Development Commission sought to assist Mr Buckeridge. I have no difficulty with the South West Development Commission's assisting a major corporation to establish a new centre in its area. The development commission showed Mr Buckeridge some land at Picton which had been or was soon to have the appropriate zoning for such a centre. However, Mr Buckeridge was adamant that he was interested in land owned by the South West Development Commission on the Australind bypass right on the edge of Bunbury. Either the high profile of that road or the location of the land close to the areas where Mr Buckeridge would be doing business provided an advantage to Mr Buckeridge and his company BGC (Australia) Pty Ltd operating from that location. Of course, every company seeks to gain an advantage. However, let us be clear that it was Mr Buckeridge who was pursuing the purchase of that piece of land. The South West Development Commission was not trying to get rid of that land.

The South West Development Commission, through proper process, set about establishing whether that land might be for sale and put in place a process to sell that land. The information we have obtained through the Freedom of Information Act



comes off the files of the South West Development Commission. In the early days the process seemed to be going according to proper procedure. However, one must keep in mind that, first, the zoning for that land was rural and, as such, it would not be possible to establish a headquarters such as that Mr Buckeridge wished to establish for his company, BGC. Secondly, there was a planning policy not to allow any such development along the Australind bypass. We have already had the controversy over the establishment of a service station by a previous National Party Minister for Transport who overturned that policy and allowed a service station to be established against the recommendations about the safety of that location. The policy for development on that bypass also excluded the sale of that land for industrial use or the development of an industrial or commercial facility on that site. Those issues had to be addressed. We know that in planning changes occur from time to time, and there were changes in that area, so it may have been appropriate to go through the processes and change those planning constraints to enable such a transport centre and headquarters to be developed on this land. However, we find that the whole process has not proceeded in such a way to ensure that, if the land were to be sold for good reason, the return to the State would be maximised.

The land was purchased in different lots from 1987 through to 1990 for a total price in dollars of those days of \$580 253. To simply recoup what the Government had paid to acquire that land would have required in the order of \$600 000 or \$700 000 given inflation. That would simply cover the value of the land and not take account of the fact that the land was zoned rural and potentially would change to industrial use. Mr Buckeridge was not interested in grazing cows; he was not after it to use it as a rural lot, but as an industrial lot. It had value only if it could have that industrial usage. That aspect was clearly and directly attached to the price tag for the land. The South West Development Commission, the Minister for Regional Development and all of the players knew that the land's value was as industrial land. It was not being sold for rural usage. It was eventually sold for \$506 000, which is \$74 000 in actual dollars - not real dollars - below the purchase price of the land. In December 1998, the Valuer General gave a valuation of that land as a rural property of \$718 000, so the price Mr Buckeridge paid was \$212 000 below its value as a rural property. However, as part of the proper process that it initiated, the South West Development Commission requested from the Valuer General a valuation for that land with industrial zoning. The figure in the Valuer General's file is \$1m. The South West Development Commission knew that this land had a value as industrial land of approximately \$1m, and it sold it for \$506 000. That was roughly half the Valuer General's price.

Knowing that Mr Buckeridge wanted the land - I do not say that in any negative way against Mr Buckeridge; it would relate to any developer - would put the seller in a position of advantage. The seller does not have to sell. The seller would know it had a prospective buyer who wanted the land, and that land should have had a reserve price of \$1m or close to that figure. If that is the price the Valuer General put on the site, why would the South West Development Commission sell it for less, especially when the commission had not identified it as land that had to be sold? The land was sold to Mr Buckeridge at half the value put on it by the Valuer General. In response to questions I have already asked on this matter, the Minister for Regional Development and Deputy Premier has said there were problems with the rezoning. That is true to the extent that all rezoning has problems. One must pursue the proper process. However, the rezoning difficulties here were less than those in most situations. There were marginal difficulties because the matter went through very quickly.

Mr Cowan: It has not even been rezoned yet.

Mr KOBELKE: Approval has been given by the council.

Mr Cowan: No, it has not.

Mr KOBELKE: They are the figures from the FOI file.

Mr Cowan: You should go back and read the file.

Mr KOBELKE: Earlier, the Deputy Premier said things that were false, so we will double-check that. What happened was that the South West Development Commission engaged Greg Rowe and Associates to investigate the potential for rezoning, and then to prepare and submit the application for rezoning, and that was done. The board of the South West Development Commission approved the sale of the land in documents which are dated 30 April 1999. That approval was to be as a single lot, and a note in the documents suggests that the board was concerned that conditions should be attached to the sale to ensure that the land was developed and not sold to a speculator who could hang on to it and use it for other purposes. That seemed to be a reasonable and fair consideration by the board of the South West Development Commission.

Shortly after that, on 3 May, commercial real estate agents were invited to help with the tendering process for the sale of the land at Glen Iris, which is the area adjacent to the Australind bypass. The letter to those companies asking them to consider tendering to conduct the sale contains a clear instruction that they are to consider the land as rural. Therefore, at the stage when the application was being made, there was a clear inference that the land would be sold under its current zoning and would not be rezoned. Therefore, for the Deputy Premier to hang on to an event that happened on 12 May, over a week later, when the commission then decided that it would not proceed with the rezoning because of a meeting that had taken place subsequent to that letter being sent to the commercial real estate agents, which said that the problems of rezoning are too great, really does not stack up. That is what the Deputy Premier said in this place. He said that "It had applied to the Bunbury City Council for a rezoning, and it was told by the council it would not contemplate rezoning the land to industrial." The Deputy Premier was very clear that the council would not contemplate rezoning. That meeting, which I assume is the meeting to which he is referring, because there was no other meeting at around that time that I can see would be relevant, took place after the letter had been sent to the agents asking them to deal with the land under its current zoning.

The submission made by Greg Rowe and Associates was never withdrawn. It has continued. There has been no withdrawal of the rezoning application which was made on behalf of the South West Development Commission. According to the documents I have - I do not have receipts, but I have letters of exchange - it appears that it was paid one amount for investigating the potential, and it was paid another amount, which from memory was \$3 800, to proceed with the application. There is no correspondence on the file to indicate that the submission was withdrawn or that Greg Rowe and Associates was not paid.

The matter has proceeded. I will be interested to hear how the Deputy Premier can say that the rezoning has not been approved, because we find from the files that the council has agreed to the rezoning. There has been nothing more than the normal difficulties and requirements that council officers outline to any proponent of a rezoning with regard to what needs to be done. I am not making light of those problems, because they are always there, but there is nothing on the file to indicate that there was a major problem in seeking to proceed with the rezoning. There is also on the file a clear indication that the council has voted in favour of the rezoning. Therefore, I will be very keen to see what documentary evidence the Deputy Premier has for his statement that that has not happened.

The rezoning still has to go to the State Planning Commission, but it is highly unlikely that when the rezoning has been supported by the planning officers at the local level, and by the government agency, the South West Development Commission, and when the Bunbury City Council has voted in support of the rezoning, that it will be overturned when it goes to the State Planning Commission. I am not saying the State Planning Commission has signed off on it, but in terms of all the preliminary approvals that are required from the Bunbury City Council and from the local planning officers, this matter has been approved and the land will, therefore, be available for industrial use by BGC, which has purchased the land at approximately half of the value that was set by the Valuer General for industrial use.

In his answers to my questions in this place, the Deputy Premier quoted from a document that he had and said that the consultants were required to investigate the rezoning and development opportunities for the subject land. That is absolutely true. However, what the Deputy Premier did not say was that they were also paid to carry the process through. There was a clear undertaking that they would prepare the rezoning proposal, and would submit and help expedite that proposal. The Deputy Premier left out that fact, which is very pertinent to the issue that there was not a problem in getting the rezoning through the council. The Deputy Premier said also in his reply that the commission elected not to proceed with the rezoning of the land for the following reasons. The first reason was that a meeting with the Ministry of Planning, the Bunbury City Council and the consultants, held at the South West Development Commission, confirmed the commission's assessment that rezoning of the land could not be assured under either the proposed town planning scheme or the existing TPS 6.

Of course it could not be assured; it had to go through a proper process. However, there is a huge difference between the words that it could not assure rezoning and the Deputy Premier's words that it would not contemplate rezoning. The Bunbury City Council did contemplate rezoning, and it voted to approve the rezoning; and that is the issue we are talking about. There are two further reasons that the Deputy Premier may wish to raise as to why it moved away from rezoning, but I do not think they are particularly pertinent to the argument.

The responsible minister has signed off on the sale - because his signature is there - of that land to Mr Buckeridge at half of the value that was put on it by the Valuer General. The Deputy Premier has given us in this place a lot of misleading statements. He has suggested that the land would not get through rezoning; therefore, there was no point in pursuing it. He suggested at one stage that the council had voted to knock back the rezoning. That is not true. It has never done that. It has never voted to knock back the rezoning proposal. The proposal was developed by the South West Development Commission, it was then amended, and the amended proposal was approved. This all took place when the Deputy Premier was in discussions with Mr Buckeridge. I have asked the Deputy Premier - he has not yet answered - whether he met with Mr Buckeridge at some time and discussed the sale of this land. Is the Deputy Premier willing to give me an answer?

Mr Cowan: I was not listening. I was looking at the council minutes that indicate that Bunbury City Council voted 7-4 in opposition to the rezoning of the land from rural to industrial.

Mr KOBELKE: On what date was that?

Mr Cowan: It was a Tuesday in late November.

Mr KOBELKE: November of 1998?

Mr Cowan: November of 1999.

Mr KOBELKE: I will come back to that.

Mr Cowan: I think you might, because you have just misled the Parliament. You said that the Bunbury City Council had not voted.

Mr KOBELKE: Is the Deputy Premier willing to table the document?

Mr Cowan: It was in the paper. I do not think I need to table anything. It was an article that was in the paper, which recorded the fact that Bunbury City Council had opposed the rezoning of the land by a vote of 7-4. You are being very selective about the information that you have got. You had better have another look at your material. I will deal with it later.

Mr KOBELKE: Mr Buckeridge has bought this land as rural. He will use it for sheep, will he? Is that what the Deputy Premier is saying?

Mr Cowan: No, I am not. I am saying that you said that the Bunbury City Council had not considered an application for rezoning.

Mr KOBELKE: I did not say that. I said it had considered it.

Mr Cowan: Yes, you did. Go back and look at *Hansard*. You said that the Bunbury City Council had not considered an application for rezoning. I am telling you that in November last year, it did consider an application for rezoning, and it rejected it.

Mr KOBELKE: The Deputy Premier has got his facts wrong. I said it considered it and approved it. The Deputy Premier is saying I have got it wrong, and it rejected it. That is the point the Deputy Premier is making. Let us get the facts straight.

Mr Cowan: I said that you said the Bunbury City Council had not considered an application for rezoning.

Mr KOBELKE: I did not say that at all. I said that the Bunbury City Council had not rejected it.

Mr Cowan: I will see some magical amendments to the *Hansard*.

Mr KOBELKE: I apologise if I left out the word "not". Since I first raised this, my argument has been that the council did consider it.

Mr Cowan: It did and it knocked it back.

Mr KOBELKE: We differ over whether the council knocked back or approved the submission. The documents I have indicate it was approved. The Deputy Premier and I have a difference of opinion that can be sorted out. We should get the facts straight. The Deputy Premier was involved throughout the whole process. Did he meet with Mr Buckeridge to discuss it?

Mr Cowan: No.

Mr KOBELKE: Did the Deputy Premier have a telephone conversation with him?

Mr Cowan: Yes.

Mr KOBELKE: Can he remember how many times he spoke on the telephone with Mr Buckeridge?

Mr Cowan: Once.

Mr KOBELKE: The file shows that the South West Development Commission and the Deputy Premier's office were aware that Mr Buckeridge wanted to speak with him about the matter, because briefing notes were prepared. The first briefing note said that the land should not be sold. However, after the conversation between Mr Buckeridge and the Deputy Premier, the South West Development Commission changed its view and approved the sale. The documents reflect that. The Deputy Premier can argue it was a good change of policy; however, he was involved from the beginning in getting the South West Development Commission on side. Mr Buckeridge was sold the land at half its commercial value. Was the Deputy Premier simply gullible and did he get taken for a ride when he failed to uphold the maximum value of the land for the State, or was he complicit in looking after a mate? The Deputy Premier must answer why Mr Buckeridge was able to get the land at half the value accorded to it by the Valuer General when he was clearly chasing the South West Development Commission and the Deputy Premier to purchase the land. The Government did not need to have a fire sale. It had no reason to sell the land. It did so on request from Mr Buckeridge. In many ways, perhaps that can be justified. However, when someone is after such land, the Government is in a position of strength during the sale process. In that way, the maximum value should be gained. It seems absolutely ridiculous that the Government received only half the value the Valuer General accorded to the land. This matter should be referred to the Auditor General for investigation into the matters surrounding the sale of this land at a discounted price and the involvement of the Deputy Premier in expediting the sale in a way that did not obtain the maximum value of the land and, therefore, look after the interests of the State, particularly the South West Development Commission.

**MR BARRON-SULLIVAN** (Mitchell) [4.22 pm]: I rise as the local member to address the points of financial accountability raised in the motion and also to go further than the Opposition has. My main concern is to look after the interests of my constituents; a large number of whom live in close proximity to the site in question. I refer to two residential areas. One is known as Vittoria Heights and at one stage I put in an offer to buy a house there but was unsuccessful. It was unfortunate as it is a nice area in which to live. The other area is Pelican Point, which is immediately adjacent to the estuary and to the north of the site we are talking about. As the local member, my prime concern is to ensure the interests of the constituents living in those areas are looked after as best as possible. The land in question has a rural zoning. Can the member for Nollamara clarify that he thinks it should have been rezoned in accordance with the usual procedures by the South West Development Commission before it was sold?

Mr Kobelke: The land should have been rezoned and sold at the higher price, or sold under the current zoning with a clear indication that the value reflected that it would be zoned industrial.

Mr BARRON-SULLIVAN: One must go through a standard procedure if land is to be sold based on a rezoning. The City of Bunbury is revamping its town planning scheme as town planning scheme No 6 has been on the books for some years. The city has been working on a new town planning scheme for about three or so years. Town planning scheme No 7 was recently advertised and received preliminary approval from the council. If the South West Development Commission, or

anyone, said it wanted to rezone the land before it was sold, the council and the planning authorities would suggest they hold fire until town planning scheme No 7 was implemented so they could secure a rezoning in accordance with the new scheme. My concern is that under town planning scheme No 7, the bulk of the land will be made available for "port industry". The consequences for people living in the Pelican Point area are uncertain, but "port industry" conjures up images of a number of different industries that could be located on the site. By comparison, as a result of the sale of the land to BGC (Australia) Pty Ltd - and it might have happened if any of the other three tenderers had bought the land - a somewhat more complex rezoning procedure is being followed. The developer is talking with the council planning officers, who are running the rezoning application. The Deputy Premier is absolutely correct; my advice today is that the rezoning has not gone through the council.

Mr Kobelke: Has the council voted against the rezoning?

Mr BARRON-SULLIVAN: As at today, the rezoning has not gone through. The member should bear with me as I am explaining the process. A tandem process is occurring whereby the rezoning is considered in accordance with an overall development plan. The council is keen for the area to get a classification known as a "development zone industry" which means the council will work with the developer on a detailed structure plan. I am not privy to the discussions, but such a plan could include specific requirements for landscaping, building height, specific use of individual parts of the land, buffering from the road, distance from residential areas and so forth. Once that structure plan is developed, it is submitted for formal approval and is ultimately heard by the commission. In effect, it is a tandem approval. A similar thing happened in Glen Iris, when consideration was given to a residential-zoned development. A "development zoned residential" does not contain only housing; there can be schools, shops and other things compatible with the area. As such, it does not necessarily mean there will be a whole stack of concrete batching plants in the area because the council is assessing an industry-zoned development. Most likely, some low-impact commercial space will be provided, as well as provision made for some transport industry in an appropriate location. Most importantly, the plan will enable good buffering and planning to reduce the overall impact and ensure residents in the nearby suburbs of Pelican Point and Vittoria Heights are not affected.

Conversely, had the South West Development Commission rezoned the land to get the maximum dollar, it is likely it would have had to wait until town planning scheme No 7 was further progressed. They would end up with a blanket port industry zoning, and then it would be very hard to impose the same sorts of specific conditions on them that are being applied by the council at the moment. Consequently, one might end up with a situation in which my constituents living in the two suburbs I have mentioned could be impacted upon to some extent. Although on the one hand the member for Nollamara might be arguing that the Government should get more money for this land for various reasons - I will come to that in a second - on the other hand I am arguing that the process that has been adopted will ensure the greatest protection for the people living in those nearby areas. I am sure that people on the council, certainly at an officer level, understand that, and they understand the complexities of the local planning system and realise that this is ultimately the best way to develop in that area.

Mr Kobelke: I appreciate that the member has tried to set out in a fairly clear way the complexities of the overall planning process because of the requirements of the structure plan. The documents we have deal with the structure plan. I realise that is part of the background to it. However, is the member saying that the council has voted against this land being zoned industrial?

Mr BARRON-SULLIVAN: No, I will not speak on behalf of the council. Unlike the Acting Premier, I do not have the council minutes in front of me.

Mr Kobelke: Is it the member's understanding that the council voted against it or for it?

Mr BARRON-SULLIVAN: My understanding is that the land has not been rezoned at the moment and that the council is following this arrangement -

Mr Kobelke: That was not the question. It must go through a long process, and the member was explaining parts of that quite well.

Mr BARRON-SULLIVAN: No, I am not entering into that. The Acting Premier has some paperwork with him. I will not get involved in that.

Mr Kobelke: You live in Bunbury. You must know what the general view is. Is the view in the media that the Bunbury City Council has supported or opposed a rezoning?

Mr BARRON-SULLIVAN: I cannot remember every media article that turns up. I am not trying to avoid the member's question. I genuinely do not know what the decision was in council. I was not in the meeting at the time. My responsibility is to ensure that I follow the planning process precisely in order to protect the interests of my constituents. That is my first responsibility. The point I am trying to make is that had we gone down the path to which I think the member is alluding, we could end up with a worse result, in a planning sense, for my constituents.

Mr Kobelke: Why not hold off on the sale of the land and maximise its value later?

Mr BARRON-SULLIVAN: If one holds off on the sale of the land and sells it later, town planning scheme No 7 will be in place, and that says it will be zoned port industry.

Mr Kobelke: And the land will be worth a lot more.

Mr BARRON-SULLIVAN: Absolutely. However, does the member know what my residents would have next to them? There will be huge storage bins and conveyor belts running into the harbour. Port industry means exactly that. In Bunbury, we have been very lucky in that some major concrete platforms have been built. In the past, one of the proposals was to put a concrete batching plant there, with major concrete manufacturing. I understand that is not happening, and the council has advised me that that is not part of the development plan. However, if one had a port industry zoning there, that could happen. Therefore, precisely what the Labor Party is suggesting should happen in terms of planning would have a serious detrimental impact on the residents in my electorate.

Mr Kobelke: We are not suggesting any such thing. Don't misrepresent us.

Mr BARRON-SULLIVAN: The member just asked me why we would not wait until later to sell the land. The reason is that later there will be a town planning scheme which will enable the developer - Joe Bloggs, BGC (Australia) Pty Ltd, a local developer or whoever - to put port industry on that site without the same development guidelines and restrictions as are enabled under the current planning arrangements, because the developer is trying to go from a rural zoning to something that is not provided for under town planning scheme No 6.

Mr Ripper: Couldn't BGC hold the land and do exactly what you are suggesting at a later stage?

Mr BARRON-SULLIVAN: I understand that at the moment it is applying for development approval and rezoning in accordance with the arrangements I have just described.

Mr Ripper: If you are accurate about the direction of future planning in that area, the owners of the land - that is, BGC - will be able to do exactly what you said your residents fear.

Mr BARRON-SULLIVAN: I do not support the use of that land for port industry. I do not wish to criticise the council, but I am surprised that the City of Bunbury would put a blanket port industry zoning on it. Frankly, I would hope that if we ever got to that situation, it would be dealt with at the commission level. However, that is another argument and it is irrelevant here, because in Bunbury at the moment we are dealing with a development application in accordance with the arrangements to which I have just referred.

I will turn briefly to the question of financial accountability, because obviously, as a local member, it is important that any government assets in my area realise their maximum value, because that is money that can go back into other facilities. I will not go into this in great detail; I am sure the Acting Premier will. From everything I understand about this matter, I have confidence in the way the process was carried out, particularly the fact that I understand four tenderers were involved and that this was the highest tender and so on. By way of interjection, could the member for Nollamara clarify whether he is indicating that he has referred this matter to the Auditor General?

Mr Kobelke: No. That is the point of the motion; that is, that the Parliament should refer it.

Mr BARRON-SULLIVAN: Okay. I suggest that the member for Nollamara, the Labor Party and its counterparts in the Bunbury area have been on this bandwagon for some weeks. If they are seriously worried about this matter, why did they not write a letter to the Auditor General? Why have they waited until now if it is so serious? If I thought there was a serious problem of financial accountability, that is exactly what I would do; I would have no hesitation. All I am asking is why they have not got in touch with the Auditor General. Why have they waited until now if it is so serious?

Mr Kobelke: People drew the scandal to my attention, and I went to Bunbury a few weeks ago.

Mr BARRON-SULLIVAN: Therefore, over the past few weeks the member is saying he has not been able to pick up the telephone or ask his secretary to jot a note to the Auditor General saying that something untoward has happened.

Mr Kobelke: No, because the responsible minister is in this place, and for two weeks when I wanted to raise it with him as a grievance, he was not available on Thursdays.

Mr BARRON-SULLIVAN: Does the member not put the interests of his constituents first? I do. I cannot see anything wrong with this, so I am not trooping off to the Auditor General about it. The point is that the member is turning this into a political issue. He is trying to get some political mileage locally, and he is frightening the bejesus out of the residents in my constituency. I am pleased to tell this Parliament that there is an open process in Bunbury in relation to this development application. A councillor by the name of Cor Bauer has arranged a public meeting for tomorrow night. The council has invited residents in those areas and anyone else to attend so that they can see how the process is being undertaken and how accountable the planning processes are. Importantly, the council can take into account the views of residents and so on. I do not think either of the local opposition candidates for the council initiated this meeting; it was someone from another area. However, I am grateful to that person for doing so, because it is important that local residents are aware of this.

It is fair to say that the planning process which the member for Nollamara is suggesting could in all likelihood bring about a result that would seriously impact upon residents in my constituency, whereas if a sensible structure plan is worked out with the council, and with Planning Commission approval, we can have the best of both worlds: We can have a good quality development on the site and we can protect the interests of the residents as well. That is certainly the sort of outcome I will be looking for. We cannot look at this matter in isolation. A number of planning issues in that area should be addressed in order to reduce the impact on local residents. Only recently the City of Bunbury came to the conclusion that Estuary Drive, which runs into the bypass at Eaton, should have a major improvement made to the intersection by way of the construction of a roundabout. Estuary Drive ultimately will be closed as the harbour is expanded. The Government

already has plans for a transport corridor into the harbour. Provided the structure plan for this land is developed to suit those planning requirements and the changes in the infrastructure and the road network in that area, we could end up with a result that will be compatible with the residential areas of Vittoria Heights and Pelican Point. I suggest to the member for Nollamara that if the Labor Party wants to try to beat up an issue like this, it should look at the detail and the implications on the residents in that area.

Mr Kobelke: Therefore, you are happy with the price for which the land was sold?

Mr BARRON-SULLIVAN: I am happy with the process that was undertaken. Obviously I would like the land to fetch \$500m for taxpayers. However, I am confident in the process that was undertaken. Most importantly, if that process had not been undertaken and if what the Labor Party has suggested had happened instead, the residents in my constituency would have been adversely affected, and that is something I will not stand for.

**MR COWAN** (Merredin - Minister for Regional Development) [4.39 pm]: I thank the member for Mitchell for giving some clarity to this debate. I want to outline at the outset that not only did the member for Nollamara do his best to impugn my reputation but also he sought, and received quite willingly, the support of a number of journalists - one in particular. However, that is neither here nor there. What really irritates me is that the member for Nollamara and that journalist could have easily accessed freedom of information. I know that he did and that is probably the worst part about the matter. What I am about to tell the member is available through the freedom of information documentation which he received, and that implies that he put this interpretation on the matter. The motion states in part that the House is concerned that I approved the sale of South West Development Commission land on the Australind Bypass to Mr Len Buckeridge. That part of it is true. I did. It goes on to say -

... under a rural zoning at half the value given by the Valuer General for the same land if zoned industrial, failing to achieve the maximum return on this valuable asset.

I will deal with that part in a moment, but first I will deal with part (b), which is typical of the failing of the member for Nollamara. In part it states -

... the Bunbury City Council was not willing to rezone the land, when in fact the land was rezoned on the application by the SWDC shortly after the sale of the land ...

I am the first to say that I cannot vouch for the accuracy of the information I am about to provide to the House, because it comes from a newspaper. We all know how inaccurate some newspapers and some journalists who report for those newspapers can be. An article from the *South Western Times* dated 25 November 1999 states -

An application to rezone the land from rural to industrial was knocked back by Bunbury City councillors 6-4 at a meeting on Tuesday.

Mr Kobelke: They voted for it on 7 December.

Mr COWAN: The member for Nollamara knew that, but he overlooked that piece of information that the Bunbury City Council had met and decided that it would not agree to an application to rezone to industrial that land which was zoned rural. I agree that a special meeting was held by the Bunbury City Council on 7 December. At that meeting a change was made. However, at the first meeting held on that Tuesday, and I assume it was sometime before 25 November for it to have appeared in this newspaper -

Mr Kobelke: Was that a full council meeting?

Mr COWAN: It would have been a full meeting for the result to be 6:4. The plot thickens a little. The council was hesitant to support a motion put forward by Councillor Tony Dean - we all know who Councillor Dean is - that the application should be refused. The Bunbury City Council was not prepared to rezone it there and then, but it was not prepared to refuse the application altogether at that meeting. The application was considered on 7 December. At that meeting, the decision that was made in November -

Mr Kobelke: They did not vote against it; it was a procedural vote which you have misconstrued.

Mr COWAN: On 7 December, at the special meeting, a motion was put that the council, under and by virtue of the powers conferred upon it by the Town Planning and Development Act 1928, as amended, resolve to grant planning approval for the placement of fill on the land, and then the conditions were put. Those conditions were carried by the council. There has been some movement but still there has been no rezoning. There has been an application for rezoning and the matter is still being dealt with through the proper process, which the member for Mitchell referred to. It is clear that the council made a decision that it was not interested in the zoning of the land being converted to industrial. It was not prepared to refuse the application outright but it was not prepared to consider it. What I said to the House was correct.

I will now talk about the value of the land. Again, this information was available under FOI. I know it was provided to the member for Nollamara, and he very conveniently overlooked it. The advice that was given to the South West Development Commission about the land states that the Valuer General advised that the current zoning was rural, the value of individual lots sold separately was \$720 000, and the value of the land sold as one parcel was \$525 000. Incidentally, just to make sure that we set the record straight, it is not 22 hectares. That was the parcel of land that was purchased for port redevelopment in the 1980s. We are talking about a 17-hectare parcel of land, which is part of the 22 hectares. The member needs to get that right as well. Let us now talk about the qualifications that the Valuer General put on this land.

Mr Kobelke: You are reading from the third valuation, not the second one.

Mr COWAN: I am talking about the Valuer General's valuation - not a third valuation.

Mr Kobelke: He did three on different bases.

Mr COWAN: He did not do three valuations. He said that it was zoned rural, the value of individual lots sold separately was \$720 000, the value of the land sold as one parcel was \$525 000, and the value of the super lot, once developed, would be in the order of \$1m. Then the South West Development Commission decided that it would inquire about the development costs. It found that the development costs to the commission, or anyone, would be in the vicinity of \$800 000. If we take into account the land value set by the Valuer General was \$525 000 of the developed super lot value of \$1.325m, not at the individual lot rate, it could be argued that the Valuer General saying "in the order of \$1m" was not far off the mark. However, the member for Nollamara overlooked that part of the valuation.

Mr Kobelke: That is a different valuation.

Mr COWAN: In the first instance, the motion of the member for Nollamara says that the land was rezoned on the application of the South West Development Commission. It was not rezoned, and it has not yet been rezoned. The council initiated an amendment to town planning scheme No 6 in December 1999. We also need to take into account that the South West Development Commission investigated the return to the public of progressing that rezoning, structure planning, subdivision and development through consultants. The commission, on the advice given to it, found that it would be more appropriate to sell the land as is, bearing in mind that it was superfluous to its needs and no longer required for port redevelopment and the risks and uncertainties associated with zoning and structure planning changes. The \$1m figure to which the member for Nollamara is keen to refer was a hypothetical figure based on the land being rezoned and being fully serviced with roads, water, sewerage, power and fill.

Mr Kobelke: Are you going to give us the date of the valuation?

Mr COWAN: I am sorry, I do not have the precise date of that valuation. However, I will get it for the member.

Mr Kobelke: The Valuer General gave a \$1m unconditional valuation in January.

Mr COWAN: Yes, the Valuer General said that the value of developed industrial land would be in the order of \$1m. However, he was talking about the valuation of developed industrial land being rezoned and fully serviced. That servicing was estimated to cost \$800 000. That information has been documented and made available to the member for Nollamara through a freedom of information application. I can see him flicking through pages now to see if he can find something to recover his position when he speaks in response to this issue.

The point I must make is that the South West Development Commission recommended to me that the land was superfluous to its needs and it would be appropriate for it to be sold because the Bunbury Port Authority clearly indicated that it no longer required the land for the purpose for which it was originally purchased in the 1980s.

Mr Osborne: By that mob.

Mr COWAN: Yes, by that mob. One cannot blame the previous Labor Government for purchasing land for that purpose. However, there is no point in retaining that parcel of land when the Bunbury Port Authority clearly indicated that it had no further requirement for the land, and it is appropriate for the land to be sold. Because of the procedural requirements for structure planning, subdivision and development to be carried out on the land in any amendment to town planning scheme No 6, about which the member for Mitchell spoke, it is appropriate to sell the land with its current zoning. The real rub of this issue is its raising by Councillor Dean, the endorsed Labor candidate for Bunbury, who made this statement in the article from which I quoted in the first instance -

"Once we make the decision to go from rural to development industrial it really is the end of the story and we have an industrial complex on our doorstep."

There is no doubt that the member for Nollamara decided, for political purposes, to raise this issue to imply that the Government had sold land for less than its real worth. That is definitely not true. The land was put on the market through a standard process which permits competition. That competition came in the form of tenders and the highest tender for the land won the right to purchase that property. I acknowledge that should the land be put to the purpose for which Mr Buckeridge wants to use it - that is, for a redistribution and supply service area for the industries in which he is involved in the south west region - it will have to be done through a rezoning application. However, he will incur considerable costs in order to develop the site to a standard laid down by the Bunbury City Council. That, Mr Deputy Speaker, is his problem, not mine.

I stand very much by the actions of the South West Development Commission in seeking my approval to sell that land as rural. We sold it in open competition and the highest bidder won it. There is clear evidence to show that the rezoning applications were to be at some cost to the South West Development Commission, and I indicated to the commission that I did not wish it to incur those costs. When the Opposition talks about the Valuer General's valuation, it should consider the full detail of that valuation. The Valuer General's advice was based on a number of matters: Firstly, the land was zoned rural. On its current zoning it was worth \$720 000 if the lots were sold separately, and \$520 000 if they were sold as one parcel. The Valuer General said the super lot value of the site, when developed, would have been in the order of \$1m.

The member for Nollamara sought to introduce this motion for political purposes to try to support the Labor candidate in Bunbury. I do not believe this House should deal with anything other than the truth of the matter; that is, the land was superfluous to the needs of the State, particularly the Bunbury Port Authority. It was offered for sale as rural land and in a manner which enabled competition. The highest bidder, the Buckeridge Group, won the tender and the land was sold to it. To imply that the land has been rezoned is untrue. To imply that we sold it for less than it was worth again is untrue. I used the Valuer General's valuations to prove that what I said is correct. I ask members of this House to reject this motion.

*Point of Order*

Mr KOBELKE: The minister quoted from a press statement and a document which he claimed was a valuation from the Valuer General. I request that both those documents be tabled.

Mr Cowan: No, I quoted from the board minutes.

Mr KOBELKE: The minister is not telling the truth.

Mr Cowan: Those minutes contain the advice from the Valuer General.

Mr KOBELKE: I was quoting from the Valuer General's letter.

Mr COWAN: I am happy to table the press statement.

[See papers Nos 816 and 817.]

*Debate Resumed*

**MR RIPPER** (Belmont - Deputy Leader of the Opposition) [4.58 pm]: I have listened to this debate with some interest and it seems that there are two points in issue: The valuation of the land in question were it to be zoned for general industry, and whether the land has been, or will be, rezoned. I will deal with the first question; that is, the valuation of the land. I will quote from a letter on the Valuer General's letterhead dated 16 February 1999 which reads -

The hypothetical market value of the lots on an individual basis are as follows:

A table is then set out and I will read the table. The three columns of the table are headed "Part lots", "Area" and "Market value". I will leave out the "Area" column -

Mr Cowan: Why would you do that?

Mr RIPPER: Because it is detail which is not required for the purpose of the argument.

Mr Cowan: Just make sure you get it to add up to 17, the parcel of land which was the subject of the sale.

Mr RIPPER: The minister can look at the areas if he wants to; however, the lots and the values put on them by the Valuer General's Office are of interest to the House. Part lot 5 is valued at \$230 000; lot 6 at \$250 000; lots 7 and 12 at \$275 000; lots 8 and 11 at \$300 000; lots 15 and 52 at \$400 000; lot 16 at \$325 000; lot 17 at \$210 000; and lot 9 at \$240 000. I repeat: The table is introduced with the statement -

(a) The hypothetical market value of the lots on an individual basis are as follows:

Members can add the values and arrive at a figure of approximately \$2.2m. The valuation then goes on to read -

(b) The hypothetical market value of the subject property as one large super lot, approximately 17.245ha in area, zoned General Industry is believed to be in the vicinity of \$1,000,000 (One Million Dollars).

A range of assumptions is then listed. I will not read all of them, but they include -

3. All lots are free from any impediments such as powerlines, pipelines and rail spurs.
4. All lots are fully serviced in terms of scheme water, electricity, telephone and are deep sewerred.
5. We have assumed that each lot would be entirely filled to meet minimum finished floor level requirements as set by the City of Bunbury and that each lot in its finished state would be relatively flat and level.

That valuation of 16 February 1999 from the Valuer General's office puts forward two figures: About \$2.2m if the lots are sold individually and \$1.2m if the parcel of land is sold as a super lot. The Deputy Premier has complicated the argument by bringing in the question of development costs. He has not indicated whether those costs relate to the individual lot scenario -

Mr Cowan: The development costs include the \$1m for the super lots.

Mr RIPPER: That is what the Deputy Premier says. However, he has not indicated whether the development costs relate to the individual lot scenario, which results in a valuation of \$2.2m, or to the super lot scenario with a valuation of \$1m.

Nevertheless, it can be seen that the member for Nollamara is correct when he states that were the land to be zoned "general industry" it would have a valuation of \$1m according to the Valuer General's office. He has been conservative in his approach to the House, because he could have done what I have done and added the values applied to the individual lots to get \$2.2m. He could have used that figure but he did not - he used the more conservative figure.



Mr Cowan: Read the last two paragraphs of the letter.

Mr RIPPER: I have already dealt with that, but I will read it again -

The hypothetical values provided herewith are based on current market values as if the lots have been developed.

Mr Cowan: That is right, "have been developed".

Mr RIPPER: It continues -

No development costs including an allowance for rezoning have been taken into consideration. Thus these values should primarily be used as a guide in determining the overall feasibility of the development.

Should any of the aforementioned factors/assumptions be incorrect or more information regarding the development comes to hand, a re-assessment of our values is recommended.

Should you have any further queries please contact this office.

Yours faithfully

Robert Digby  
Licensed Valuer

W Mitsikas  
B. Com. (Property)

Mr Cowan: Would you now agree that the prices you have just indicated are associated with, and include, the cost of development?

Mr RIPPER: I would say this -

Mr Cowan: Do they or do they not?

Mr RIPPER: The letter states that no development costs, including an allowance for rezoning, have been taken into consideration. Therefore, the valuation does not include the cost of development.

Mr Cowan: The hypothetical values are based on current market values as if the lots have been developed.

Mr RIPPER: An owner looking at what he could get as a net return would have to take into account the costs of development.

Mr Cowan: Of course he would.

Mr RIPPER: The Deputy Premier has quoted some costs of development. That information is not available to me. In my view, he has not been able to demonstrate to what scenario those development costs would apply. If they apply to the individual lot scenario, the net value of the land is still well over \$1m. We need a little more clarity about the development costs.

The second issue with which I want to deal -

Mr Osborne interjected.

Mr RIPPER: The member for Bunbury thinks that it is up to the Opposition to ferret out every document that might be in the Government's possession, despite the restrictions of the Freedom of Information Act and the stonewalling that the Government imposes on the Opposition. If the Government has every document in its control, it should be able to provide a coherent explanation of a deal that, on the face of it, looks suspect.

We are faced with a situation wherein the bald facts do not look very good for the Government. Land was sold for about \$500 000; if it were rezoned it would be valued at about \$1m, and the rezoning seems to be going ahead. The Government might not have done anything wrong - it might simply have been unlucky or incompetent - or it might have been looking after someone with whom it has a political association. When the scenario does not look good, the Government should come clean with all the documents and provide a coherent and credible explanation. To date, the only explanations we have received have come at the prodding of the member for Nollamara, who has taken up the issue, and bit by bit has received more information from the Acting Premier.

Mr Cowan: He has had all the information under FOI and you know it. He is now trying to thumb through it to find the bits he should have quoted.

Mr RIPPER: The second issue is the rezoning.

Mr Barron-Sullivan interjected.

Mr RIPPER: I will deal with the second issue and then take the member's interjection. I will not ignore the member for Mitchell, although I would like to. I will come back to him in due course. He should not worry; I will take the interjection and good luck to him.

Questions have been asked in the debate about what is going on with the rezoning. Any dispassionate observer would agree that there has been some confusing argument about whether the rezoning has occurred or will occur.

Mr Cowan: There is no confusion at all on this side; there has been no rezoning.

Mr RIPPER: I have a document entitled "Public information package - Proposed rezoning BGC Landholdings Australind Bypass". I am advised that this is a Bunbury City Council document. It states -

The following information outlines the rezoning proposal for the BGC landholdings along the Australind Bypass and the process in which the rezoning application will be considered by Council.

Rezoning proposal

- Council, at its meeting held on 7 December 1999 initiated rezoning procedures to rezone Lots 4, 5, 6, 7, 8, 9 Pt 11, Pt 12, 15, 16 and 17 Newton and Ince Road from "Rural" to "Development" zone (Industrial). A copy of the proposed area subject to the rezoning application is attached.
- The purpose of the rezoning process is to facilitate the development of BGC's housing product companies and associated services.

I agree that the document goes on to state -

- The rezoning process initiated by Council is not guaranteed and is subject to public consultation and further consideration by Council, State Planning Commission and the Minister for Planning. The rezoning process initiated by Council simply enables the process to be referred for public comment.

Other information is supplied about the rezoning conditions and so on. The final dot point states -

- Note that the proposed rezoning process and adoption of the concept development plans will be required to be endorsed by Council and the State Planning Commission prior to any development occurring in the subject site.

I have been a member of Parliament since 1988. I have observed the way local government operates. I know what is going on here. This rezoning will proceed to conclusion unless there is a massive public campaign against the proposal. A nod is as good as a wink to a vision-impaired man when it comes to this sort of issue. Councils embark on these rezoning proposals if they mean to take them to a conclusion; they do not do so if they do not mean eventually to decide to go ahead with the rezoning. I hear no objection from members opposite, because I think they agree with me that the land will be rezoned. We now have some greater clarity on the issue. If the land has a zoning for general industry, it will be valued at about \$1m.

Mr Bradshaw interjected.

Mr RIPPER: Does the member honestly believe that the land will not be rezoned?

Mr Bradshaw: I do not know everything about it, but I do know it is not rezoned.

Mr RIPPER: Yes, but what does the member think happens when councils in his electorate initiate those procedures? The land is rezoned. So the land will be rezoned and it will have the valuation that the Valuer General's office has outlined.

Mr Cowan: As a developed super lot.

Mr RIPPER: Yes. The question that arises is why the Government chose to sell the land at the lower value zoning, given that its rezoning now seems inevitable. The Government has a question to answer. It is quite right for the member for Nollamara to raise this sort of issue. If somebody sells a piece of land at a lower-value zoning and proposals to initiate rezoning to a higher-value zoning are put in place, it is pretty clear that people will be drawn to the inevitable conclusion that the land will have a higher value, and of course people will ask questions. It is right for the member for Nollamara to ask those questions. It is also right for the Auditor General to look at the whole process so that he, the Parliament and the public can be satisfied about the processes that were followed. The bald facts are that the situation does not look too good for the Government. The Government should give a proper explanation and the Auditor General should look at this issue.

I gave a promise to the member for Mitchell, and I would hate to be accused of not honouring my promise. If the member for Mitchell has a point that he thinks I have not covered, he should now mention it.

Mr Barron-Sullivan: The point you seem to be making strongly is that it is a dead certainty that this land will be rezoned. You are not going into the question of all the development costs associated with it, the fact that there is a river diversion planned to go through the land and all those sorts of things. You are saying that as a result of the proposed rezoning, the land is worth a lot more.

Mr RIPPER: Yes.

Mr Barron-Sullivan: Then how come the four tenderers, at least one of whom is a very canny local developer, did not offer to pay more? If they felt the same way as you, they would have thought that if they could get it rezoned, they would put in a bid for \$900 000 or whatever.

Mr RIPPER: I am surprised that no-one has put in a higher tender. The entity that brought about this whole process of the land sale was Buckeridge (Australia) Pty Ltd. The South West Development Commission did not want to sell the land. It advised the minister in briefing notes when the minister was either due to meet or have telephone conversations with Mr Buckeridge that the land was not for sale.

Mr Cowan: No. The commission advised me that the Bunbury Port Authority had not yet reached a decision on whether it needed the land.

Mr RIPPER: I have looked at some of the briefing notes. The briefing note of 2 November 1998 recommended that BGC be advised that lots 1 and 12 on the corner of Johnson Road and the Australind bypass, Bunbury, were not currently available for the development of commercial premises. That was the advice that the commission gave the Deputy Premier on 2 November 1998. Therefore, land has been sold because BGC pushed for it. The South West Development Commission originally wanted BGC to go to other land. Buckeridge came along and said no, that he wanted that land, and he had telephone conversations with the Deputy Premier.

Mr Cowan: The commission told him that the land had been purchased for the purpose of port redevelopment and until the Bunbury Port Authority indicated very clearly that the land was no longer required for that purpose, it was not available for sale.

Mr RIPPER: The recommendation to the minister was that the land was not for sale; Buckeridge pushed, further inquiries were made, and eventually the land became available for sale. The member for Mitchell seems to think that the rezoning is not inevitable.

Mr Barron-Sullivan: That is not what I said. The rezoning may take place if the council agrees to it, but it would have very strict guidelines, which would not happen if your lot had your way.

Mr RIPPER: Does the member honestly believe that this rezoning will not occur?

Mr Barron-Sullivan: I am not on the Bunbury City Council.

Mr RIPPER: The member is the local member of Parliament. He must make a judgment about these issues. What is his judgment: Will zoning occur or not?

Mr Barron-Sullivan: If you are asking me what I would like to see happen -

Mr RIPPER: I am asking what the member thinks will happen.

Mr Barron-Sullivan: I have confidence that Bunbury City Council will impose very strict guidelines. We will get a quality development, a commercial showroom facility with a buffer area between it and the Australind bypass, and over near the port a transport terminus with direct access on to the new transport corridor. If you did your homework, you too would realise that is likely.

Mr RIPPER: The member for Mitchell will not deny that the rezoning is virtually inevitable. That is the crux of the argument. We have had a lot of argument about whether rezoning has occurred, but the important point in the final analysis is whether this land will be rezoned. I think there is general agreement around the House that the land will be rezoned.

Mr Barron-Sullivan: That is not the issue. The most important point is what guidelines and restrictions will be imposed on the development of the land.

Mr RIPPER: I appreciate the member is concerned, and it is an important issue for the people of Bunbury, but it is a side issue to the debate before the House. Two very important claims have been made: First, that the valuations the member for Nollamara put forward are wrong, and second, that the member for Nollamara is wrong in his assertion that the land is to be rezoned.

Mr Cowan: I did not say that the member for Nollamara was wrong. I said that he misquoted the Valuer General. If you look at the *Hansard*, the member for Nollamara implied that the land was valued in excess of \$1m. What he did not say was that it was valued at that price based on its being a developed super lot and zoned industrial. He implied and got somebody to report that the land was sold for half price. That is not the case.

Mr Kobelke: It is true.

Mr Cowan: You know it is not the case.

Mr RIPPER: Will the Deputy Premier clarify the development costs for us? Were they related to the development of individual lots or the development of a super lot?

Mr Cowan: The development costs will be the same, with the exception of road access because there would be more costs associated with road access, and probably water and to a lesser extent power. However, the main cost is getting the power and water and getting started with the associated fill. Additional costs would be associated with single lots. However, the valuation that the member for Nollamara quoted was for a developed super lot as an industrial site. That was the valuation. He did not say "a developed site".

Mr RIPPER: The Deputy Premier has already made his speech. Will the Deputy Premier make available to us the document which outlined those development costs? Will he table them for us?

Mr Cowan: Everything was given to the member for Nollamara through FOI. I do not know why it is being asked for a second time. Maybe it proves the member's incompetence in being able to read an FOI file. Nevertheless, the information is there. I can give the Deputy Leader of the Opposition the estimated costs that have been provided by the consultant for the fill, the roads and the power.

Mr RIPPER: Good. We would like that.

Mr Cowan: I will get that for the member.

Mr RIPPER: My time has nearly expired and in any case there is important other business that we should be dealing with in private members' time.

I conclude with these remarks: The member for Nollamara is perfectly justified in raising this issue. On the face of it, the facts are not good for the Government and a coherent and credible explanation is required. We have been able to show that the Valuer General valued the land at \$1m as a super lot and at around \$2.2m as individual lots.

Mr Cowan: And the estimates of development were given to us as \$800 000.

Mr RIPPER: We have been able to establish - without any objection from the other side of the House - that rezoning of the land is inevitable.

**MR KOBELKE** (Nollamara) [5.22 pm]: I will not go back over the case I laid out in my earlier speech. However, I will respond to some of the comments made by the Deputy Premier. One knows when the Deputy Premier has been caught out; he gets more and more desperate with the half-truths and deceptions that he tries to foist on us! In this case the Deputy Premier has been caught out. The motion referring to the land being rezoned that he picked up on is not that the land has been rezoned in the planning process because it is still going through. However, the council has approved it and it is rezoned in terms of the value one would place on the land. Everyone knows, and no one is disputing, that the rezoning will go through its course and it will be approved finally through the full set of processes that are required. There has been a vote by the council and everyone acknowledges that the land is in the process of being zoned industrial. The minister tried to hook onto a little matter of tense to try to find a defence. However, when we come to the valuations, we find that he is back to his old deceptive self. When I interjected and asked for the dates of the valuations, he would not give them to me because he was not quoting from a valuation; he was quoting from an internal document with figures that have been stacked up to make them look more pleasing to the Deputy Premier's eyes.

We have two valuations from the Valuer General: The first valuation was that of 23 December 1998, which gave a value of \$718 000 for 17.8 hectares zoned rural - which were the figures I used in my opening contribution. The second valuation from the Valuer General was dated 16 February 1999, in which he gave two different valuations for the land if it had an industrial zoning. One, which I have not used, was for \$2.23m, if the development costs are included. I did not take account of the development costs and the sale of the land by individual lots. In part (b) the hypothetical value of the property was as one large super lot approximating 17.24 hectares in area zoned general industrial and is believed to be worth in the vicinity of \$1m. That is what the Valuer General stated. No wonder the Deputy Premier was being deceptive and would not give a date. He was quoting from an internal document in which the figures had been worked over.

Mr Cowan: Read on!

Mr KOBELKE: The Deputy Premier had the opportunity. The figures have been worked over! We already have that on record. The document states -

It is pertinent to note that the valuations determined in both scenarios were based on the following assumptions/factors.

At the end of the assumptions and factors and the diddle diddle fiddle of the Deputy Premier, the value placed on the land by the Valuer General is \$1m. No wonder there is a \$600m deficit. The Deputy Premier is playing funny games with numbers and dishing out a large bonus to his mate, Len Buckeridge. He does not even have the gumption to come in here and quote directly from the Valuer General - he had to look at a document titled "Note for the Board" in which the figures have been worked over. The Deputy Premier has been very selective in what he has been willing to put on the record because the Valuer General has stated quite clearly that the land would be worth \$2.23m if it were developed as individual lots, and the overall value as a super lot is \$1m. Even if it were zoned rural, the land would be worth \$720 000. There was never any intention that it would be used as rural.

The Deputy Premier has not provided a defence. He has either been remiss in his duties in handing over a windfall gain to Mr Buckeridge or he has been complicit in helping Mr Buckeridge to reap profits when the profits belong to the people of Western Australia and the people of the south west who could have used those funds in developments through the South West Development Commission. The Deputy Premier was not interested in looking after their interests. He was either asleep at the wheel, as we are finding with so many of this Government's ministers, or complicit in pursuing this matter.

Mr Barron-Sullivan: If the motion is not carried today, will you refer it to the Auditor General?

Mr KOBELKE: Yes, I will.

Mr Barron-Sullivan: If the Auditor General says there is nothing wrong, will you apologise to this House?

Mr KOBELKE: That is a lot of "ifs". I will refer it to the Auditor General and we will look at the substance of the Auditor General's report. We received a report by the Auditor General today that is very scathing of things done by this Government. Another report would be welcome so that we can uncover the rotting smell of what is going on in this Government.

I have one last point to make in response to the member for Mitchell's inquiry about the tender price. Four companies

tendered and Mr Buckeridge submitted the highest tender. However, it has to be seen in the scenario of what was happening. Only Mr Buckeridge wanted the land. He spoke to the Deputy Premier and got him to change the South West Development Commission's position on the land to let it sell it. He had a use for it at the time it was on the market. Who else in Bunbury had a use for it which had that value? It was put through a process for a relatively large amount of land in a particular area which had a particular use, and there may not have been many other people interested in it. Mr Buckeridge had the inside running and the least that this Government should have done was to put a reserve price on it close to that provided by the Valuer General. That was not done. There was no requirement to sell this land. If Mr Buckeridge wanted it, he should have at least paid 90-95 per cent of the Valuer General's price, which would have made it worth \$900 000 to \$950 000. It was a gift to Mr Buckeridge by the minister.

Mr Cowan: Before he could do that, we would have had to develop the property.

Mr KOBELKE: No. The Government did not have to develop the property. If the minister was after maximum value he could have read the Valuer General's report and he could have developed the land and marketed it as single lots and got \$2.23m. The minister could have gone down that road, although I am not suggesting that he should have. That was open to the minister if the Government really wanted to maximise the value of the land. The minister was trying to look after Mr Buckeridge, and to an extent that is acceptable. If Mr Buckeridge is putting a development into the south west that is needed and is good for jobs in the south west, the minister should be assisting Mr Buckeridge to find land. I have no problem with that. However, he should have made sure that Mr Buckeridge paid the best possible price, which should have been at least 90-95 per cent of the Valuer General's price of \$1m. He wanted the land and the minister was not in any hurry to sell it. The minister had an advantage and the minister did not uphold that advantage for the State. The minister gave a windfall gain to Mr Buckeridge and sold out the people of Western Australia.

Question put and a division taken with the following result -

#### Ayes (17)

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

#### Noes (26)

Mr Barnett	Mr Day	Mr MacLean	Mr Shave
Mr Barron-Sullivan	Mrs Edwardes	Mr Marshall	Mr Trenorden
Mr Bloffwitch	Dr Hames	Mr McNee	Dr Turnbull
Mr Board	Mrs Holmes	Mr Minson	Mrs van de Klashorst
Mr Bradshaw	Mr House	Mr Omodei	Mr Wiese
Dr Constable	Mr Johnson	Mr Osborne	Mr Tubby ( <i>Teller</i> )
Mr Cowan	Mr Kierath		

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#### Pairs

Mr Grill	Mr Court
Mr Thomas	Mr Prince

Question thus negatived.

### POLICE SERVICE, GERALDTON

#### Motion

**MRS ROBERTS** (Midland) [5.33 pm]: I move -

That the House supports the statements of the member for Geraldton last week when he -

- (a) indicated that the Court Government was not doing enough on law and order;
- (b) said that there is a shortage of police in Geraldton; and
- (c) suggested that the Premier is out of touch in the sheltered environment of Nedlands.

The shortage of funding and the limitations of what the Court Government has been doing in the law and order area have been patently obvious for some considerable time. In the early part of the year there were a number of reports about the kinds of cuts our Police Service is facing. The community is calling for more police generally, for more frontline police in particular, and for more resources for those police, yet it seems that the Court Government is not heeding what is being said. To assist members' memories I will quote a number of articles which have appeared in newspapers in recent times. On 23 February this year an article written by John Flint appeared in *The West Australian*. It was entitled "Lease Fiasco Hits Police" and stated -

\$2 million dent in budget forces cuts to air, car patrols.

Police chiefs have been forced to introduce cutbacks partly because of the State Government's disastrous car leasing deal.

The WA Police Union fears the budget cuts will have an impact on frontline policing.

It is believed vehicle patrols have already been curbed.

And the police air wing's sole helicopter will be deployed only in emergencies. All routine air patrols will stop.

The cutbacks began last week as the police service tried to balance its budget.

But according to sources, the task has been made harder by the Matrix car leasing deal which has kicked a \$2 million dent in the police operational budget.

Union president Mike Dean said some restrictions, designed to save money, had already been implemented.

He said the economies would adversely affect policing at a time when the WA public was demanding more, not less police activity.

"We have had complaints from every section and squad in the police service over the last couple of days," he said. "Training and special projects that are going to cost any money have been stopped."

"Officers with spare money in their budgets have had that taken from them."

Mr Dean said the service had operated under extremely tight financial restraints in recent years.

"Every time they are short of money they go to the operational area," he said. "There's talk that we are going to lose more vehicles."

A police spokesman last night confirmed that police chiefs were looking into every aspect of policing to balance the budget.

"Nothing has been finalised," he said. "But every aspect of financial management is being considered with a view to achieving that end."

On 24 February, John Flint wrote an article entitled "WA Police at Limit: Union" with a subheading of "Opposition says cuts will slow crime response times." The article states -

WA police would be hard pressed to handle another murder investigation under the current climate of funding cuts, it was claimed yesterday.

The article goes on to say that -

A confidential memo put out by police chiefs last week put a block on overtime, equipment purchases and training.

It also said all targeted operations, which were active rather than reactive, were cancelled until further notice.

"District expenditure must be for normal service provision only," the memo read.

Not even the professional standards bureau-internal affairs has been spared.

On 25 February, the next day, an article by John Flint and Michael Southwell was headed "Police Car Fleet Too Big: Premier". This is how in touch the Premier is in his sheltered environment. The article states -

Premier Richard Court claimed yesterday that police had too many cars.

It is unbelievable that this is what the Premier of our State is saying in the current environment; that is how out of touch he is. The article continues -

Speaking in the wake of criticism over police funding cuts, he said low mileages on some cars proved there was scope for savings.

But the claim drew a sharp rebuke from WA Police Union which said the service was already hurting from vehicle losses last year.

The latest round of cuts within the service is partly due to police having to pay an extra \$2 million in car leasing than forecast. The blowout has been blamed on the Government's controversial Matrix car leasing deal.

"I don't care what Government agency it is, I have been of the view that all agencies have had too many cars," Mr Court said.

He should listen to what people in the suburbs are saying. They expect the Police Service to get special treatment. They think, as I do, that the Police Service should be regarded separately from run-of-the-mill government agencies which do not have a core policing role in servicing the community. The Premier may be right; there may be many cars which could be taken out of the Public Service, but he is dead wrong when he talks about taking away police cars.

On 4 March, again in *The West Australian*, John Flint and Yonnene Pearce wrote an article entitled "Cash Cuts Hit Rural Police". It states -

Some stations forced to accept used tyres to meet tight budget.

Country police are so hard-up they are having to scavenge used tyres from mining companies to keep their vehicles on the road, the WA Police Union claims.

The union also is pressing for legislation to protect the wives and girlfriends of officers in country stations who often were called on to search female prisoners.

Union president Mike Dean said police budgets were stretched to ridiculous extremes with some rural stations rationing their vehicles to one tank of fuel a week.

Mr Dean recently visited 20 stations in the northern Wheatbelt, Murchison, Gascoyne and Pilbara.

He said that despite the hot and parched conditions, there was pressure for stations to reduce their water bills.

"In some instances, the annual budget for tyres for station vehicles is \$240," he said. "That would barely buy one 4WD tyre. We heard reports that some police vehicles have had to get used tyres from mining companies to allow them to continue to operate."

This is an absolute disgrace. The editorial of the *Sunday Times* of 5 March is headed "Police run short of money" and reads -

There is something awfully wrong when our police officers don't have enough money to do their job properly. The police air wing, an important crime fighting tool, is an example of the impact of general budget cuts.

Regular patrols by this division, which has a helicopter and three light aircraft, have been stopped by lack of funding.

The air wing is now restricted to specific tasks such as rescues, searches and "serious incidents".

And the annual budget for operating the helicopter now stands at \$250,000—half of what is needed for effective operational use.

The 5 March *Sunday Times* also contained an article headed "Copter cash crisis" which refers to the "cash-strapped WA police air wing" needing a huge injection of funds. It previously had some sponsorship which it no longer receives.

I have presented a selection of the very many articles in the Press about funding cuts to the Police Service, and its impact on policing in this State. It is interesting to put the comments of the member for Geraldton into context. On Wednesday, 27 March I - not the member for Geraldton - brought a copy of the minutes of the Geraldton Neighbourhood Watch meeting of 25 January 2000 to the attention of this place. I provided more evidence on that day in March of the financial constraints under which the Western Australia Police Service is forced to operate. I revealed in question time that a district superintendent had been appealing for civilian volunteers to help staff the new police station at Geraldton to assist police officers and to release them for other duties. The minister tried to whitewash this and said, "That would happen only in a catastrophe." The memo did not say that. I read exactly what it states into *Hansard* -

1. SUPT. GRONOW ADDRESSED THE MEETING.

(a) The Supt. would like to trial volunteers at the new Police Station, to assist Police Officers and release them for other duties. It would involve answering the telephone, assisting on the front counter and using the radio. Training would be given in some of the skills and volunteers would be given other assistance as well. However, we cannot offer money, but can provide you with a meal and coffee. You would be needed during the busy times - this will assist greatly. Supt. Gronow feels that having the volunteers on site will assist with the number of complaints - this will be supported by video surveillance. **Supt. Gronow would appreciate it if you would seriously consider this request.** Volunteers will be picked up and dropped off at home if required.

Snr. Sgt. Nicholls advised that the most likely times volunteers will be required are Tuesdays and Thursdays, Thursday and Friday nights and maybe Saturday nights.

That does not sound to me like the volunteers are required only in an emergency. They are to perform police duties and to release police officers for other duties. That would happen only if one does not have enough police officers to do the job. I highlighted when I mentioned this in Parliament a range of reasons for this situation being completely unacceptable. Members of the public expect a sworn police officer to deal with their complaints, and it is also unacceptable for a range of liability and insurance reasons. What would happen if the volunteer makes a mistake using the police radio in an incident at the police station which may cost a life because of delays in finding the right address? A range of contingencies could result in serious consequences. What would be the liability for a volunteer in such a situation?

The other key aspect I highlighted in earlier comments is privacy. How can the mums and dads of Geraldton, or anyone else for that matter, answer the telephone at the police station? If one rings up on a matter of sexual abuse, child abuse or domestic violence, one expects the case to be dealt with in the utmost privacy. Someone was undertaking volunteer work at a police station in recent times. It was not front desk or radio duty, but people were in and about the police station. A conversation between two police officers made reference to a woman, who happened to be a neighbour or involved with

the circle of acquaintances of the volunteer. Therefore, confidential information of an incident in which that lady had been involved was disclosed because the volunteer overheard what should have been a private police conversation. Such things cannot be allowed to occur if we are to have any integrity in our Police Service.

Policing cannot be done on the cheap. It is expensive to train police officers, and one must pay officers shift allowances if they are to work in the evening. This is a price which people in the community are happy to pay. The comments of the member for Geraldton on radio on Friday indicate that he believes the community is ready to pay that cost. He believes it is a priority area. Unfortunately, his Premier and Government will not afford our Police Service the priority or the funding it requires.

Mr McGowan: He's dead right; he is on the ball that fellow!

Mrs ROBERTS: He is a bit slow, but he eventually gets there at a snail's pace. He jumped on the bandwagon, but got there in the end. There is nothing like an election to focus one's mind. At long last, after seven years as the local member for Geraldton, he finally has his mind focused on the greatest concern of his constituents.

Following my disclosures in Parliament on 27 March about the Geraldton Police Station, the Labor Party candidate for Geraldton, Mr Shane Hill, circulated a petition calling for more police officers at the station. He has collected many signatures for that petition. In the wake of that petition, the member for Geraldton has had a wake-up call. I note in the introduction on ABC radio on Friday, John McNamara of the "Drive" program said -

The Liberal Member for Geraldton, Bob Bloffwitch, has been somewhat scathing about what he says is the Court Government's failure to tackle crime. . . .

BLOFFWITCH

Yeah, well, it's the lack of police resources that we have in Geraldton which seems to be causing a lot of concern amongst the residents.

. . . Well, the concerns are that on a normal night there's only two or three in the police station, and although there's eight or nine that are put on the watch, with their seven weeks or eight weeks holiday, and their seven year long service, they're.. a lot of them are on holiday or they're on stress leave or something like this, and we just never seem to have enough police.

After a comment by John McNamara, the member for Geraldton said -

Well, yes, I probably will get the blowtorch applied to me, but, I mean, it is a problem that everyone in Geraldton is aware of -

He does not add that this awareness is courtesy of the Opposition and Labor candidate, Shane Hill.

- and I'm representing my electorate and that's why I'm saying what I am.

Mrs Edwardes: The member for Geraldton has looked after his people since he was first elected. Law and order was his major issue.

Mrs ROBERTS: He does not even have enough officers in his police station!

Mrs Edwardes: It was a major issue when he was first elected!

Mrs ROBERTS: Look where we are seven years later! It is very sad.

Several members interjected.

The ACTING SPEAKER (Mrs Hodson-Thomas): Order! The member for Midland has the call.

Mrs ROBERTS: That is part of the con of the Court Government. In 1993 members opposite all talked up law and order as an issue, and seven years later there are rising crime rates and cuts to operational budgets.

Mrs Edwardes: Tell the truth.

Mrs ROBERTS: That is the truth. The minister should look at the figures tabled by the Minister for Police last week; she should read the figures for the regions. The member for Geraldton has probably looked at them, and he will set the member for Kingsley straight. As the opposition spokesperson on police matters, day after day I am inundated with complaints about the Police Service and its lack of resources and funding. Most people in the community feel very sorry for the police officers because they know there are not enough of them to respond to the problems in the community.

Mr Bradshaw: I have been a member for 17 years, and I have been hearing it for all those years.

Mrs ROBERTS: It is very sad that people in government are still not listening. In the time available to me this afternoon, I shall give a number of instances where members of the public have been let down by the police service provided in this State. I will highlight a number of cases. It is all very well to talk in general terms, but sometimes people need to consider the specifics of individual cases in order to bring this home to them.

The first case amazed me, and it involved Mr Fardoe of Shelley. He wrote to the Commissioner of Police on 11 January as follows -



On the 9th December 1999 our house situated at . . . Corinthian Road West Shelley was broken into and goods to the value of approximately \$4,000 were stolen. The incident was reported about 4.30pm and officers attended the scene at 10.30pm.

That is six hours later -

The next day fingerprints were recorded on the broken window where the thief or thieves gained entry.

On the 17th December -

That is about a week later -

- were informed by an officer from Murdoch Police station that the fingerprints had been identified.

On the 7th January I telephoned Murdoch Police station to see what action had taken place. I was told that nothing had been done as officers at the station had been too busy to interview the suspect. I find this situation very difficult to understand. This person, who is obviously a repeat offender (otherwise why would the police have his fingerprints?) has been free to commit other offences since he was identified on the 17th December. Is it normal for the Police to delay action so long in a case such as this?

I understand that in the scheme of things, breaking and entering is a relatively minor offence. However the loss of property, which included some items of sentimental value, and the emotional strain imposed on my wife and myself by the intrusion has been amplified by the lack of action. I would very much appreciate your comments on the events as outlined.

A copy of that letter was also sent to the Minister for Police and the Leader of the Opposition, who referred it to me. Upon receiving that letter, I asked the minister some questions on notice. I asked whether he had received the complaint from Mr Fardoe, and he replied that he had. I asked when the fingerprints had been identified. He said they were identified on 20 December 1999, despite the fact that Mr Fardoe was told on 17 December that they had been identified. I will put that to one side for the time being. I asked the minister when the person whose prints were identified had been interviewed by the police, and he responded that he was interviewed on 23 February 2000. It took two months for the police to interview this person, who was obviously a repeat home burglary offender.

The Premier sits in this place full of rhetoric, saying that the Government is tough on people who commit home burglaries, it has mandatory sentencing and these people are locked away. This is an example of what is happening in the Police Service. The police identify repeat offenders and in some instances, as acknowledged by the Minister for Police, it takes them two months to get around to interviewing them. The minister provided an explanation; he said -

Offender had moved address with no forwarding address given. Lengthy inquiries were necessary to locate him.

Apart from the conflict between the answer from the minister and the information provided to Mr Fardoe by the local police, if home burglaries are a priority the police should be provided with the resources to track down people. Does the Government expect criminals to leave forwarding addresses? Is that the standard of police work in this State? I find it incredible. Part (5) of my question was -

Does the delay concern the Minister?

I received a one word answer from the minister - no. It appears the delay did not concern him at all. I will ask the minister further questions on notice. I will ask how many other offences this person committed in that two-month period. Given that the clearance rate for home burglaries is still only 14 or 15 per cent, the chances are that if he was caught for one burglary during that time, he could have done another 10 for which he was not caught.

I highlight another case which involved the theft of a boy's bicycle from the Central Metropolitan College of TAFE at Leederville. It is a lengthy letter and I will not read it all to the House. It was from people living in Wembley who wrote to the Minister for Police and asked if he would promptly investigate the progress of the investigation into the theft of their son's bicycle, which occurred and was reported over a month ago. It appeared to them that there had been very little progress. The circumstances of the case were roughly that on Wednesday, 16 February 2000 their son discovered at lunch time that his bicycle, which he had secured with a solid lock, together with his secured crash helmet, had been stolen from the cycle area at Leederville TAFE. He reported it to the TAFE administration, and apparently there had been a number of similar thefts in the nine days since TAFE had commenced for the year. A witness made a TAFE report and told this couple that he did not see the thief cut the bike lock, but this was seen by several other students who joined him shortly afterwards. Apparently the letter goes on to suggest that the theft was reported by the boy at the Leederville Police Station at 8.15 am on Thursday, 17 February. Various reports were made, the serial number of the bicycle was given to the police, and so forth. This couple was told that the matter would be followed up and they would be advised as soon as the information was available. The letter states -

We were told the same thing on subsequent repeated calls and visits to the Leederville Police Station. Initially we accepted this as we understood a need to be patient as the police made their investigations.

On Friday, 17 March 2000 one of us rang the Leederville Police Station again in exasperation. The constable said that because the owner of the reported car lived in Calista, they could not follow it up from Leederville but the matter was being sent to the local police station there.

On the face of this letter, the complaint had sat for a month at the Leederville station and then was sent to Calista. The letter continues -

When we rang the Kwinana Police Station, they looked up the report on their computer and said that the matter was still listed for follow-up at Leederville Police Station.

We rang back to Leederville Police Station and asked why, more than a month after the theft and report, it had still not been passed to the follow-up Station. We were told that they had to wait for the witness to come into the Police Station and actually make a report there, and that he had done this just the previous week. When we asked why, a week after that, the information had still not reached the Kwinana Police Station, we were told that the information had to be sent to the Office of Crime Management for Leederville, prioritised and sent to the Office of Crime Management for Kwinana, prioritised and then sent to Kwinana Police Station for action.

It would be laughable if it were not true. These people found themselves in a ridiculous situation. The letter continues -

We have since ascertained from the provider of the TAFE witness report that he has not been into the Leederville Police Station, nor in fact been asked to go in.

It would therefore appear that our theft report with its possibly very useful information has simply sat in limbo for more than a month.

Meantime, we understand that theft of locked bicycles from schools and colleges is currently endemic.

Our son's bicycle was unfortunately not insured outside the home. Due to the large cost of external insurance for bicycles we had opted for the alternative of a good lock. Our son is disappointed with the police response to the reported theft, and has pointed out that he knows many people who, when a bicycle is stolen outside of the home, simply claim it off their home insurance saying that it was stolen from home. We are trying to set an example of honesty above that of the thief.

We do not necessarily wish to criticise individuals within the Police Force as we understand they are probably busy, under-resourced and under-staffed. However, it seems preposterous that the information in this case was not passed promptly between the Leederville and Kwinana Police Stations *for action*. The Police Force is continually asking for observation and information from the public, and in this case it was provided by observant and helpful students who bothered to note details and report them.

We are aware that this is "only" a bicycle and there are many daily thefts of bicycles and other vehicles, but if the system of follow-up is as dysfunctional as it would appear to be, we are not surprised that vehicle theft is endemic and that more serious crimes often go unsolved.

Please would you have this matter followed up promptly.

One of us works for a Government Department and occasionally has to prepare material for Ministerial letters - please do not reply to this letter with supposedly soothing phrases such as "I fully understand your concerns." Certainly we want a reply. But we want action, to both this particular incident and to the whole process by which theft reports are dealt with, and we want to be told specifically what is being done.

I point out in this instance, as I am unsure that I made it clear, that some very good details were given which potentially could have identified the person who had stolen this bicycle from the Leederville TAFE. If that does not indicate a Police Service that is understaffed and under resourced, I do not know what does.

I next highlight the case of Mr Frank Etienne of James Street, Gosnells who wrote about the subject of crime and police stations. Part of his letter reads -

Well, here we go again, my other car was broken into. That is two times this has happened to me in 1999. Having a damaged and weakened heart, I am not supposed to get excited and angry. Well, when I discovered this morning that some bastard stole items from my car by forcing the door apart, I became extremely angry and pissed off. I am angry with the person or persons who did this to me, but also with the people who decide not to have police patrolling our streets full time. Having had to work today, when I came home I typed up a letter which reports when this incident happened and where, and what items were stolen. I drove to my local police station, which is Gosnells, arriving there about 8.45. The building looked beautiful, all brand new and all the lights on, just like a x-mas tree. What's the bloody use of having a modern police station that is only open during the hours of 8.00 and 16.00? What are the politicians playing at? Don't you know that a lot of crime happens outside these hours? I don't want to hear about privatisation, cost cutting or any other crap, the fact is that crime happens 24 hours per day . . .

Mr Etienne's letter is lengthy with a rather interesting postscript -

Someone very famous once said, "making the strong weak, doesn't make the weak any stronger". So let's raise the standard and we'll all be better off.

Again, Mr Etienne is a very disgruntled person who has become a repeat victim and who is unimpressed by the lovely new police station in his suburb which looks like a Christmas tree. He wants real police officers on the beat doing the work that we expect them to do.

Mr Peter Edwards of Safety Bay also wrote to the minister. Many people who write to the minister forward their correspondence to me and I am very happy to air their correspondence in Parliament. Mr Edwards' letter reads -

Dear Mr Prince,

I am writing to advise of my absolute disgust at what I believe is a disgracefully low level of police ability to react to calls for assistance through an obvious lack of funding to maintain an adequate level of manpower at night.

I am a security officer at St John of God Hospital, Murdoch and rang the Police to inform them, as a concerned citizen, that there were 3 males at the emergency department seeking medical assistance for one of them who had injured himself earlier in the night, fighting.

The three of these people were literally too drunk or drugged or both, to walk straight and I informed the police of this and when I gave their car's rego' number . . . the officer asked me if the vehicle was a light blue toyota.

When I said it was, he told me that the police were after that vehicle because it had run a red light somewhere and had also run over a series of witches hats on the freeway as well.

I advised the police that they would probably have 15-20 minutes in which to get to the hospital before they were likely to leave. The officer then informed me that cars, "are a bit thin on the ground" but he would do what he could. This was at approximately 0600.

After 15-20 minutes I saw that two of them were driving off in the car, but had left the one with the injured hand behind and, as they were literally driving like maniacs I called police central again and while I was on the phone I could actually hear the sounds of their car skidding etc on Murdoch Dve. I told the police officer that unless they got here quickly someone was likely to get hurt.

Once again, the operator indicated that he would, "Do what I can."

The two returned to the hospital a few minutes later and were here until approximately 0700 when the three of them left, without the police arriving.

I believe that to allow this sort of behaviour to go on simply because there are not enough police rostered on duty to attend to these incidents is a disgrace. The government should get your priorities in order and get the police numbers on the road "out of hours" that the public pay for and are demanding.

The new Murdoch police station is right next door to this hospital but of course is, or appears to be, unmanned at night but has always got a number of police vehicles idle in the yard at the rear of the station, as was the case this morning.

Strangely, this unlit, apparently unmanned police station with all of the taxpayer funded marked police vehicles left in the yard is equipped with a sandstone fence and very sturdy steel gates but they are never closed so who is protecting the cars?

If, there is by some chance a police officer or two hidden away in the bowels of the station, why wasn't one despatched to apprehend the three drunken louts?

With the endless police carping in the media about the appalling road toll etc, to allow a situation like that described above to continue with the potential to cause injury or worse to innocent people is an absolute disgrace and your government should be thrown out of office at the next election because of the lack of funding to departments such as the police.

Even "Blind Freddy" can see, from the aggression, lack of courtesy and generally terrible driving habits of a large percentage of the driving public that just having cameras at the side of the roads is not enough and that we need a great deal more police on the roads in marked cars not only during normal business hours but also during the night.

As a security officer, I would like to think that if I were to ever need police assistance urgently, that it would be forthcoming but after this morning I have very serious doubts.

That is one of the more appalling cases that I have read and this letter was recently sent to the Minister for Police. How would it be, if, as he described them, those louts in that car had crashed into another vehicle in which there might have been innocent people? An incident like that happened in the member for Rockingham's electorate. Two lovely young teenagers had their lives cut short by somebody driving drunk and without a licence. In this instance we do not know the driving status of these people but they were obviously drunk. The police said they wanted them because they had already been through a red light and they knew what the car looked like, but they did not have the resources to be able to despatch a car to do something about it.

Members opposite may wonder why everybody is upset and they gloat about increasing the police budget and the many new stations that have been or are being built. However, these few letters I have read out indicate that nobody is impressed by brand new police stations. People want properly resourced police officers who can get on and do the job.

I have an interesting letter from Mr Phil Baker, a constituent of the Minister for Police in Albany, who decided to write to Dr Gallop as follows -

Yes, it's me again, but with a somewhat different reason for contact. I have been a resident of the above address - I have noted it is in Albany.

- as an owner-occupier since September 1994. In that time I have been burgled about every eight months. It would seem all these invasions are perpetrated by young aboriginal boys who are below the reach of the courts and are continual re-offenders. Recently, the situation has become worse, with break-ins occurring about every five or six weeks.

The latest invasion occurred yesterday when I left my home for only two hours between 4.30 and 6.30pm. Now I am being forced to invest in barbed wire, security screens and video surveillance to protect property and belongings that hardly add up to the cost of the security measures. Even the sign on the window - NO DRUGS OR MONEY KEPT HERE - makes no difference.

As I work three nights a week and live alone, you can see I am a prime target for this kind of invasion. So far, none of this unpleasantness has intruded on a visit by my young children on holidays, but it is only a matter of time, as you can see. I would greatly appreciate the assistance of the State Government in this matter before the situation gets further out of hand.

Please be aware that I AM NOT CALLING FOR HARSHER PENALTIES FOR OFFENDERS, but more effective measures to redirect them into more positive life styles. I feel it is the draconian measures already in place that are creating the angry young men around me. Basically, I am wearing the cost of political grandstanding intended to sound good and mollify the middle-class when crime and young people are under discussion.

I look forward to your response in the very near future.

Save the Children Fund in Hilton also wrote to me as follows -

Save the Children has been operating an opportunity shop at 38 Paget Street, Hilton for the best part of a decade, and we have experienced increasing crime and vandalism in the area. Your records will show that we have had to contact the police in the area on many occasions, and this number is only a small proportion of the times our volunteers have been physically threatened and burgled by local residents.

Our opportunity shop provides a real service to the community, which has a high proportion of families who are struggling financially. We cannot continue to provide this service if our volunteers are not protected, and we are calling on you to help.

There is a police station on Paget Street, but this is irregularly staffed.

We have been told that this is to be fully manned from June this year. I have asked Mr Prince to confirm that this is the case so that we can make an informed decision as to whether to maintain a presence in the area. Many families would be further disadvantaged if we were to withdraw.

I would be grateful if you, too, would look into this matter.

I put a question on notice on this matter and I am waiting for a response. An opportunity shop is operating in the same street as the police station, yet the Save the Children Fund is not sure it can remain open because the volunteers who work there providing a worthwhile service are not being afforded any police protection.

Mrs Edwardes: Are you going to allow any response?

Mrs ROBERTS: I have lots of time and I have a large pile of other complaints. I wanted to read out a number of those letters because their tone indicates the disgust people are feeling for the way this State Government and the Premier are managing law and order. They make it patently clear in those letters that they are not impressed by rhetoric or flash buildings. They are saying that a good Police Service is their number one priority. It is time the Premier listened.

I was hopeful that more of his backbenchers would make their feelings clear to him. I understand the member for Geraldton has made his comments public and I know that many other backbenchers feel the same way. However, they are locked into solidarity with the Government and are not speaking out as has the member for Geraldton.

Finally, I will raise a serious matter on behalf of Mr Shane Ragno senior. Members will recall that his son, Shane Ragno junior, died on 6 May 1999 at the age of 20. I am sure members will be aware of some of the circumstances surrounding his death.

Mr Cunningham: He was murdered.

Mrs ROBERTS: The member for Girrawheen has raised a suspicion, as have a number of people. It is a highly concerning incident. I understood that the coronial inquiry was to continue today, but it has been further delayed until some time in June or later. I will not raise matters before the coronial inquiry. However, I will raise the issue of resources available to victims - Mr and Mrs Ragno and Shane Ragno's brother and sister are undoubtedly victims of crime. I also raise concerns about how victims are treated and about the level of police assistance and protection that they are not receiving.

Mr Ragno senior told me that it is costing him a considerable amount of money to have legal counsel present at the coronial inquest. He tells me three other lawyers are there; one from Legal Aid, apparently for Ms Fay Wilson, and one from the

coroner's office and one provided by the Police Service. I am not sure whether Ms Wilson's lawyer is provided by Legal Aid. However, Mr Ragno has noted that three lawyers are being paid for out of the public purse; yet he, the victim, is having to pay a lawyer to represent his interests. He also claimed that police were "wording up" Ms Wilson on what to say at the inquest. That allegation caused me some concern.

Mr Ragno senior, particularly his family, continue to be victims in this matter. He tells me that since the incident, he has been subjected to vandalism and damage at his home. His cars have been smashed, his front window has been smashed, his dog was poisoned and killed, his koi fish in his backyard were killed and he, his wife, daughter and son have been assaulted.

He asked the police whether, when they came to do some tests or sampling on the dog to ascertain how it had died, they could possibly come to the house between 9.00 am and 2.00 pm while his younger son was at school. He said he did not mind too much about the koi fish because they were his, but the dog belonged to his 15-year-old son. I am not aware whether the police went there at all, let alone between those hours.

Mr Ragno has claimed that he is continually being harassed. He and his wife have received death threats and explosives were found on his cars. Earlier today, he brought into Parliament House a sample of an explosive that was left on the petrol tank of his boat which was parked in his front yard. That is incredibly alarming. He has real concerns for his safety and that of his wife, daughter and son.

When one of these incidents occurs - when a family member is assaulted or has a reason to call the police - and he or she rings 000, the response is very delayed. Mr Ragno has advised me that the police have been ordered to get permission before dealing with him or his family.

Mrs Edwardes: Why is that?

Mrs ROBERTS: I have no idea and he has no idea.

Mrs Edwardes: It is most unusual.

Mrs ROBERTS: It sounds unusual to me. That is why I am raising it. It is incredibly alarming.

Mr Ragno told me that his daughter was assaulted at Joondalup and that she rang 000 from a public telephone. She was advised that there would be no response until permission had been granted. Mr Ragno wants to know why, when someone in his family makes a report, he or she is given a much lower standard of service than that afforded to anyone else in the community. I believe that he and his family should be receiving more immediate attention than other people in the community, especially given what appears to be evidence of threatening telephone calls, death threats and many other alarming instances. There must be some explanation. Given the environment of budget restraints in the Police Service, I hope that the Ragno family is not being short changed.

Mr Cunningham: They are.

Mrs ROBERTS: On the face of what Mr Ragno has told me only today, I am very alarmed at what appears to be the lack of police response to him and his family in these circumstances. Surely he and his family should be afforded special protection.

I agree with the remarks made by the member for Geraldton last week: The Court Government is not doing enough about law and order; there is a shortage of frontline police; and the Premier is obviously out of touch with law and order issues.

**MS ANWYL** (Kalgoorlie) [6.22 pm]: I will make my remarks brief because a number of other members also wish to contribute to this debate. I will highlight the situation in my electorate and the wider goldfields. People want police on the streets and they want them to be visible and available, particularly in the Burt Street area of Boulder, which has many problems at the moment. A police station previously operated in that street, but it no longer exists.

The goldfields and the wheatbelt are the two most difficult-to-staff police regions in Western Australia. Given that, surely the police officers who serve in those regions should be treated with kid gloves. Until recently we have had up to 11 police officer vacancies in the area. A number of issues are impacting on the ability of the Police Service to recruit locally.

Members must consider the climate in which these police officers operate. Only last year, the Government decided to sell a police plane that serviced the goldfields. That decision was made by senior police in Perth, but presumably with the sanction of the relevant minister. That was a stupid decision and there was no reason for it. It has already started to create problems, particularly with the heavy rains we have had in the past six months in Kalgoorlie.

This is one of the largest policing districts in the world. It extends over to the South Australian border and involves Aboriginal communities that do not have any permanent police presence. The police must be very reactive to those communities. We constantly hear about resource shortages, and the member for Midland has given umpteen examples. Even photocopying can be a challenge in the goldfields. Sometimes officers do not have access to as much photocopying as they would like. All of these issues create stresses on existing police officers. Those officers deserve support, not extra pressures. As I said, recently we were 11 officers down, and that created problems because police officers wanted to transfer. They had been promoted or recruited elsewhere, but they were not able to leave. I asked a question of the Minister for Police last year, but he dismissed the issue. I was told that some officers had been advised that, until the new budget was made available, they were unlikely to be replaced. The minister discounted that, but a number of police officers have

been waiting to transfer since last year. Of course, we have a continual movement of police officers. This is exactly the issue the member for Geraldton was highlighting when he said that we know what the full complement of police officers is meant to be, but those officers are not in the stations and on the beat as they should be.

The incentives package that has been negotiated for teachers in difficult-to-staff areas is a very good example of how this Government should go about attracting police to difficult-to-staff areas, such as the goldfields and the wheatbelt. An incentives package committee is meeting in my region, and I applaud that. However, the officers in the local hierarchy have their hands tied behind their backs because they do not set their budgets; they are simply told what amount will be available to spend.

I made a suggestion in this Parliament last year that the difficult-to-staff regions below the twenty-sixth parallel should make a 44-hour week available to officers because that is what happens above the twenty-sixth parallel. Currently in the goldfields, police are able to work only a 40-hour week, and that makes a significant difference to their income.

Officers are also experiencing problems with the existing rostering system. I acknowledge that the current police hierarchy is trying to resolve the issue locally. However, if there is a shortage of police officers on a shift, that will increase the pressure. The job is stressful enough without extra pressures.

Some officers have told me that they regularly finish work at midnight and are required to start again at 8.00 am the next day. That is not good enough. It is certainly not a good example of occupational health and safety practices, and it must be changed. We must take account of all the duties that police officers are required to perform. Sometimes metropolitan members of Parliament forget the extra burdens involved in living and working in a remote or regional area. Officers have difficulty with training, transporting juveniles to Perth for detention, being absent at court and accommodating the usual leave for illness - whether it is stress related or otherwise - compassionate leave, long service and the like. Although accommodation has improved because air-conditioning has been installed, there is no real incentive for police to buy housing locally. Addressing that would be a very good start.

The effect on my electorate is great. Kalgoorlie-Boulder is dealing with an unsolved murder of a young woman, and that has affected many young women and other people in the community. Two outlaw motorcycle groups are now active in Kalgoorlie-Boulder, and members would have read about their activities, which have allegedly involved shootings. Kalgoorlie has high needle and syringe numbers which suggest that many people are making money out of dealing in serious drugs, and drug use leads to crime. We have an increase in the incidence of armed and dangerous robberies and burglaries, and that is not good enough.

The comments made publicly by the Deputy Speaker were spot on. He simply said that he would like the Government to provide funding to get a lot more extra police. However, it is not just a matter of extra police, it is about looking after the ones we have so they can do their jobs properly and get out into the community. All of our constituents are concerned about this issue; in particular, those at the hot spot at the moment in Kalgoorlie-Boulder, the Burt Street area.

**MRS EDWARDES** (Kingsley - Minister for Labour Relations) [6.30 pm]: The Government will not support the motion. However, it acknowledges the concerns expressed by the member for Geraldton about crime in his electorate. Those concerns are expressed by many members of Parliament. At the end of the day the Government supports the police. I have not heard one word of support for the police from members opposite. Since I have been sitting in this place, the Opposition has been negative. The ALP election campaign could be titled "Knock knock!". That is all members opposite ever do. Being negative will not achieve an outcome. They are never positive.

The Government acknowledges the concerns that have been raised, and supports the police. The record of this Government is evidenced by the results that have been achieved, and what it has done to support police officers. The first part of the motion states that the Court Government has not done enough on law and order. Western Australia has experienced high levels of crime since the mid-1990s. However, the clearance rates have improved. That is obvious from the number of prisoners in jail, for whom we must build new jails! Between 1993-94, when the reforms of the coalition Government commenced, and 1998-1999 the total number of offences being cleared increased by 47.8 per cent. The total number of robbery offences being cleared represents a 122 per cent increase.

Mrs Roberts: What does "being cleared" mean? I am asking the minister a simple question.

The DEPUTY SPEAKER: Order! The minister is making a speech. She does not have to answer the member.

Mrs EDWARDES: The total number of burglary offences represents a 38.8 per cent increase. The total number of assault offences represents a 35.5 per cent increase in the clearance rate. How have we achieved those results? Firstly, the Government has resourced the police with the best operational equipment and facilities, better than at any other point in their history. Western Australia has the highest number of police officers per head of population of any State. The Northern Territory is the only State or Territory with a higher level. The Police Service has a new operational structure, and it focuses on best practice. That is the Government's focus.

The other issues I can identify include the series of tough Bills that the Government has implemented. I will point to only two - although there are probably many others - because I have a particular interest in those areas. Members opposite are all talk. They knock, knock at every opportunity. They are negative, and never support legislation. The Court Security and Custodial Services Bill passed through the Legislative Council only with the support of the Australian Democrats, not the Labor Party. That legislation dealt with freeing up officers involved in the transportation of prisoners. If the member

for Kalgoorlie wants extra police in her electorate and in the electorate of the member for Geraldton why did she not support that legislation? The member for Kalgoorlie is not serious. Members opposite are soft on crime.

The member for Midland has taken a high profile on the issue of prostitution. However, the Opposition has caused delay after delay. Yesterday the member for Midland came out with a three-point plan for the Government in return for its support. The Opposition wanted the Government to do three things. The third point is to reduce the powers of the police.

Ms Anwyl: No, it is not. It is to stop changing the onus of proof.

Mrs EDWARDES: The third point will reduce the powers of the police. Members opposite are not prepared to support the police, which is what clause 57 of the Prostitution Bill does. Members opposite were not serious about supporting the police in those two pieces of legislation.

Ms Anwyl: It is about the onus of proof in the courts. It is about the evidentiary rules. Why don't you respond to the interjection if it is so wrong? Why not point out the error of what I am saying?

The DEPUTY SPEAKER: Order! The minister is making a speech; she does not have to respond to interjections.

Mrs EDWARDES: I will refer to a number of the issues that were raised in the debate. The Government has provided more resources for the police than the Labor Government did when it was in office. The Police budget and the equipment and facilities of the Police Service were an absolute mess when the Court Government took over. The 1999-2000 Police budget of \$411 m took the total spending on police by the coalition Government to almost \$2.5b. That represents an increase of 65 per cent over the last Police budget of the previous Labor Government of only six years ago.

In 1993 the coalition Government pledged to increase the operational Police Force by recruiting an additional 500 officers and returning a further 300 non-operational officers back to the front line. Western Australia has the second highest number of police to population ratio of any State in Australia. Only the Northern Territory has a higher rate. As at March 2000 the ratio was 1:389; in 1992 it was 1:407. More than 4 800 sworn officers now form the Western Australian Police Service, with a further 1 800 unsworn officers providing administrative support.

I could go through the new communications technology program, and the new police stations and additions and upgrades to existing police stations. I could go through the new tough laws that the Court Government has introduced to support the police, which members opposite have fought against every step of the way. Another area in which we have made a major improvement is in community-based crime prevention. The Government has provided millions of dollars for community-based crime prevention programs. In 1996 the Court Government established the state crime prevention strategy which provides \$500 000 each year for the community based crime prevention initiative. We provide an additional \$600 000 annually for community policing grants. These grants are allocated to crime prevention projects, which incorporate police officers. The Government has established the Safer WA policy. Members opposite refer to a crime prevention unit in their policy. That is old hat. That was the policy in the late 1980s and early 1990s. By contrast, Safer WA is multidimensional and has an inclusive partnership that operates at all levels of the community and government. Its aim is for local communities to identify law and order problems and to develop local solutions that can be implemented and resourced by government, business and the community working together.

The second and third points of the motion are that there is a shortage of police in Geraldton and that the Premier is out of touch in the sheltered environment of Nedlands. I will point to a couple of facts and then get to the particular concerns of the member for Geraldton. Western Australia has the second highest police-to-population ratio of any State in Australia, as I have already said. Based on the 1998 figures, which are the latest, Geraldton has the best police-to-population ratio of comparable cities, such as Bunbury and Albany, and it has a better ratio than Western Australia as a whole, which has 13 per cent. What it does not perhaps identify is the issue of need.

The Police Service is currently reviewing all regional boundaries and manpower resources. The commissioner and the deputy commissioner are undertaking that review which addresses need. Geraldton is doing very well with its police-to-population ratio, but that does not necessarily take into account the large number of Aboriginal people who are presently in Geraldton. That is what the commissioner and his deputy are currently looking at, not only in your electorate, Mr Deputy Speaker, but also in a number of other areas. The current system for providing manpower, resources and equipment does not provide for looking at the next element, which is the question of need. Obviously the review will ensure that the needs of the people in Geraldton will be looked at.

#### *Amendment to Motion*

Mrs EDWARDES: I move -

To delete all words after, "That this House", and substitute the following -

acknowledges the concerns expressed by the member for Geraldton in regard to crime in his electorate and that this House supports the statements of the Minister for Police establishing that police clearance rates across the State have improved, and that crime rates are trending down because of the significant increases in resources that the Government has provided to the Police Service since 1993.

**MR GRAHAM** (Pilbara) [6.42 pm]: I have some sympathy with the comments you have made, Mr Deputy Speaker, but I am not sure that I agree with the Minister for Police. I will curtail my speech because I know that other people want to speak. However, I want to make some quite clear and particular points. First, it is not open to the Government to argue that the crime rate has gone up or down in any towns in Western Australia because it will not release the figures town by

town. I make that quite clear. Unless and until the Government goes back to the system of releasing figures town by town, we will not be able to make a comparison. For some years, I asked questions of and got from the Government the number of break and enters and the number of motor vehicle thefts, and the clearance rates for those crimes, for a number of towns across Western Australia. I was therefore able to make a comparison. I can do that no longer.

What the Government has done, and it is no accident in my view, is to conceal those figures in an election year. The Government releases crime figures region by region. You have listened with interest, Mr Deputy Speaker, to some of the previous speakers who have spoken about the effect of this policy in their regions. I listened with particular interest to the member for Kalgoorlie. The towns in my electorate fall into the northern region, which is the biggest policing district in the world. It is bigger than most countries. To put out figures that show an increase in crime in the region but without being able to identify them town to town is absolutely useless. Those figures are no good to the Commissioner of Police, or me as a member of Parliament, and they are no bloody good to a committee working in Port Hedland.

Let us deal with the committee working in Port Hedland. The Minister for Police said that I should deal with the Safer WA figures if I want to know what is going on in towns in my electorate. First, as a member of Parliament I find that offensive. His job as a minister is to report to the Parliament on matters on which he is asked to report, not simply decide that he will not give the information out. However, I did what he suggested. The Government suggested that I should talk to Safer WA and get its figures and that the council should be given a grant to get those figures and produce them in a report. The local authority in Port Hedland did that. It showed a 22 per cent increase in crime in the town. That information is from the official figures. Not one extra policeman was allocated to the town. The minister should not talk to me about need. The figures for the calendar years 1997 to 1999 became available. They show a 46 per cent increase in crime in the town of Port Hedland, which is nearly double that which the Safer WA figures show. The official figures, directed to us by the Police Force, show a 46 per cent increase, but that ends in 1998. I am not allowed, as a member of Parliament, to know what the crime rate is in the biggest town in my electorate right now. That is absolutely outrageous.

The minister said that she does not hear non-government members saying anything positive about the Government. Let me give the minister a go. The Gallipoli task force set up by the police is an outstanding initiative. I am very happy that when the member for Midland and I took the Government on about the bikies and made them a political issue, the Government listened and the police responded and put into place Operation Gallipoli. It was a fantastic initiative. However, as with all things criminal, matters have moved. Operation Gallipoli has been successful in the metropolitan area of Perth. It has curtailed some but not all of the activities of the outlawed motorcycle gangs. However, what those gangs have done during the period Operation Gallipoli has been operating is to move out of Perth and establish headquarters and made major fortresses - sorry, club headquarters - in Broome, Port Hedland, Kalgoorlie, Karratha and Geraldton. I recommend that the minister get on a plane with the Commissioner of Police and go to those places to see what those people have put in place in those country towns while the minister has been curtailing their activities in Perth.

Ms Anwyll: There are two unsolved murders in Kalgoorlie-Boulder.

Mr GRAHAM: We have an unsolved drive-by shooting in South Hedland, believe it or not.

There is a simple truism in matters of law and order; that is, issues move, and the elements of disorder respond to a good Police Force - not a good Police Service. I would appreciate the acting minister taking this back to the minister for feeding down to the Commissioner of Police: In the budgetary session in this Parliament, I will be seeking from the minister and the Commissioner of Police an assurance that there will be a reasonable allocation of funds for Operation Gallipoli to get itself out of the city and into the bush; not just to pop one officer in when the Coffin Cheaters are going on a run but to create a permanent and ongoing regional operation because the bush currently has none.

**MR RIEBELING** (Burrup) [6.49 pm]: The issue of police resources in country areas is vital in my area. The Police Service in most country areas, as the member for Geraldton has highlighted, is insufficient to allow for what I consider to be the very good administration of the Police Force in my area through Superintendent Pottinger. He uses the resources as well as possible. However, I am sure this occurs in Geraldton as well: There are vacancies which are not filled for months. That means that on the basis of the overall figures, it looks like we have a greater number of police officers than the number that are actually on the ground. That creates a real problem in small communities. The community of Wickham is a prime example of the problem of the under-resourcing of our Police Force. The minister rabbits on about how much has been put into the Police Service and the wonderful new police stations that have been opened. The police station in Wickham does not have a roof! It blew away in a cyclone about five months ago, and it still has not been fixed! The people of Wickham are concerned that perhaps there is not an imperative down in Perth to fix it. Superintendent Pottinger says that as soon as resources are made available, that problem will be fixed, and also that eventually when sufficient resources are made available, there will be three police officers in Wickham rather than just the one officer who is there at the moment. That is an example of just one town in my area.

The minister says that more resources are being put into the Police Service. No more police resources are being put into the police aides system. I have been told by every senior police officer with whom I have dealt in trying to get police aides into Aboriginal communities that the number of full-time equivalents in the police aides section of the Police Service has been capped and no more money will be put into that area. When the needs change in my area, which is a large area, rather than provide additional resources, the existing resources are juggled, so we are basically robbing Peter to pay Paul. That creates pressures in the areas from which the officers have been taken away, although it does ease some of the problems in the areas to which they are reallocated.

A prime example of the lack of commitment to services in my area is highlighted by the traffic licensing section, which the



minister may say is not part of the Police Service, but it does operate from the police station in Paraburdoo. Over the past week, the Department of Transport has closed down that service. That means that people in Paraburdoo who want to get their car licensed or get a sticker removed must travel 80 kilometres each way to visit the police station in Tom Price. This Government may believe that the people in my area think that is progress and is an adequate service, but it is absolutely wrong.

The member for Pilbara referred to Operation Gallipoli. In Karratha we have an active group of bikies, and those bikies are subject to the same sort of strict scrutiny as is being applied in Perth, to the point where they have complained to me that they are being harassed by the police and have sought my support to remove that harassment. I told them - they were actually rather large chaps - that until the bikie warfare was resolved, the extra attention that they were getting was deserved and would remain, and that I would support the police in that operation. The police have put extra resources into that operation, but the simple fact is that those resources are not really extra resources but are resources that have been extracted from elsewhere within the region, which means that in some other small area there has been a reduction in services. That is what the member for Geraldton was trying to get at when he said to the Premier that the police have a greater imperative to attend a break-in at the home of a person who lives in Nedlands than at the home of a person who lives in Rangeway or Tarcoola in the member for Geraldton's area, where it takes 20 minutes or an hour for a police officer to come, if one comes at all.

Mr Graham: I would kill to get a copper there in an hour! If he could do that, I would be happy!

Mr RIEBELING: If a house in Nedlands was broken into, there might be a quicker response due to the location of the police station. However, that does not help people who live in the outer regions of Western Australia. I am not saying that Geraldton is an outer region - it is kind of in the south west, really - but it is a region that does have some problems. However, Geraldton is not unique. I also have in my area the town of Roebourne, which occasionally hits the national Press for all the wrong reasons. The police in Roebourne do their best to make sure that the town does not appear in the national Press and that the problems in that town are addressed, but the Police Service must be given the resources that it requires to perform its duties.

The minister said that the clearance rates for crime demonstrate that the Government is on top of crime. If the Government was on top of crime, the crime rate would be going backwards, not forwards; and when the crime rate goes up, the demand for extra police resources also goes up. Like it or not, this Government was elected on a promise to reduce the crime rate. At the moment in regional Western Australia in particular, that commitment is not being kept.

**MR BARRON-SULLIVAN** (Mitchell) [6.56 pm]: I want to make one simple point. This motion may be good politics for the Opposition, but it lets down the community in terms of the debate on law and order. It is far too simplistic just to consider police numbers or to try to home in on an individual comment by an individual member in the context of his own electorate. The figures that the Minister for Police referred to of a 19 per cent increase in police numbers under this Government, the capital works and the associated increase in recurrent resources do address that part of this motion. The motion does not address the need for an all-embracing and comprehensive approach to crime prevention as part of the law and order issue. When I went to Geraldton as part of a select committee to look at the drug situation in this State, I was very impressed by the enthusiasm and dedication of people in that area who are working on a number of community-based programs. I refer obviously to the Compari drug support team and some of the Aboriginal workers in the area and so forth. I picked up a great deal of enthusiasm. I have been to Geraldton only a couple of times in my life, and I can see why the member for Geraldton has a very parochial interest in the area. He has every reason to be very confident. The total picture in that area is positive. What concerns me is that the Opposition is not prepared to look at the whole gamut of issues and considerations with regard to law and order. What concerns me the most at this stage is what the minister said earlier about the need to support some government legislative initiatives. One initiative that I do not think the minister mentioned is the Sentencing Matrix Bill that is in the upper House. I hope that when that Bill gets to this House, the Opposition will give solid support to it.

I touched earlier on the need for a comprehensive approach. People in the community, whether it be in my electorate or the member for Geraldton's electorate, are not just saying they want more police numbers and so on; they are also saying they want some positive and tough action from the Government, with the support of the Opposition, with regard to legislation that will have an effect at the grassroots level on the streets. I mentioned the Sentencing Matrix Bill. Opposition members are being very quiet. I hope they will not be so quiet with their support later on.

We are to debate other legislation such as the Protective Custody Bill and there might be some people who say, "Hang on, we have civil liberty concerns about police picking up people off the street because they are drunk and locking them up for a short period for their own safety," but these are the sorts of things that people throughout the State expect of this Parliament and of the members within it.

Mr Graham: No, they are not. The people expect police to stop breaking and entering offences -

Mr BARRON-SULLIVAN: That is part of the equation. The member must admit that the motion before us tonight is far too simplistic.

Debate adjourned, pursuant to standing orders.

*House adjourned at 7.00 pm*

**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.
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**TOURISM, WINTER BREAKS CAMPAIGN**

1447. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Further to question on notice No. 313 of 1999, has the Government/ Western Australian Tourism Commission conducted any research to determine if the cost of participating in the Winter Breaks campaign is feasible for small tourism operators?
- (2) If not, will the Government/Western Australian Tourism Commission undertake such research?
- (3) If not, why not?
- (4) What research does the Government/Western Australian Tourism Commission have which shows small operators are financially able to participate in the Winter Breaks campaign?
- (5) Has the Minister brought Lane Pool Falls to the attention of his cabinet colleague, the Minister for the Environment?
- (6) On what date did the Minister do so?
- (7) Has the Minister received any response from his cabinet colleague on stopping logging in the Muirillup 3 and 4 coupes?
- (8) If so, what response has been received?
- (9) If not, will the Minister confer with the Minister for the Environment on preserving these coupes?
- (10) If so, when?
- (11) If not, why not?

Mr BRADSHAW replied:

- (1) No.
- (2) No, as any research conducted would not affect the participation fee charged.
- (3) The cost of running the Winter Breaks campaign determines the cost charged to operators to participate. This includes production of a brochure and its distribution within the State, as well as a support marketing campaign to promote the brochure. Winter Breaks is not subsidised from public funds and generates business for most participating operators. In fact, the success of the campaign increases each year. It also represents good value in terms of cost for a promotion lasting five months. Incidentally, there are opportunities for towns to purchase a page in the brochure and on-sell it at a reduced rate to a number of its smaller operators, as was initiated by Balingup this year.
- (4) No such research is available, however, of the 188 operators who participated in this year's campaign many were caravan park, farmstay, cottage and chalet operators who would be considered "small". Many were also repeat participants, primarily because the financial benefit they receive from their involvement, far exceeds the cost of participating.
- (5)-(11) In seeking more information on this matter, I was advised by my colleague that tourism values are protected from timber harvesting by reserves around streams, rivers and specified travel routes. Lane-Poole Falls is located in the proposed Boorara Conservation Park and timber harvesting is excluded from the conservation park. Further, I was advised that logging in Muirillup 3 and 4 coupes is required to meet contractual obligations for supply of karri sawlogs.

**GOVERNMENT DEPARTMENTS AND AGENCIES, REGIONAL PURCHASING COMPACT**

1508. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) Does the Government have a policy commitment towards ensuring that Government work in the regions is allocated in a way that provides the best economic advantage to the region?
- (2) Does the Government endeavour to fulfil that commitment through its Regional Purchasing Compact?
- (3) If not, in what way does the Government seek to fulfil that commitment?
- (4) Does each department and agency under the Minister's control take steps to ensure that as much of the work it has in regional areas is allocated in the way which benefits such regional areas?

- (5) Does each agency and department under the Minister's control strictly comply with the Regional Purchasing Compact and particularly the preference for regional businesses as provided for under that compact?
- (6) Is the Minister aware of any cases where any department or agency under the Minister's control has not complied with the Regional Purchasing Compact?
- (7) If so, what were the circumstances of that non-compliance?
- (8) Are there any Government departments or agencies under the Minister's control that are exempt from the Regional Purchasing Compact, and if so why?
- (9) Is it true that at least one or more of the departments or agencies under the Minister's control has not complied with the Regional Purchasing Compact when allocating a contract due to the additional costs of applying the preference arrangement?

Mr COWAN replied:

- (1)-(5) The Regional Buying Compact is a Government policy that all agency Chief Executives must implement within their purchasing and contracting activities. The Compact outlines the obligations on CEOs to comply with the objective of supporting regional economic development.
- (6)-(7) The Government, through its agencies, awards many contracts throughout the State. If the member is aware of any case where the Compact has not been complied with, more specific details should be provided to the appropriate Minister.
- (8) The Compact applies to all Government agencies.
- (9) See answers 6 and 7.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, REGIONAL PURCHASING COMPACT

1509. Mr BROWN to the Minister representing the Minister for Mines:

- (1) Does the Government have a policy commitment towards ensuring that Government work in the regions is allocated in a way that provides the best economic advantage to the region?
- (2) Does the Government endeavour to fulfil that commitment through its Regional Purchasing Compact?
- (3) If not, in what way does the Government seek to fulfil that commitment?
- (4) Does each department and agency under the Minister's control take steps to ensure that as much of the work it has in regional areas is allocated in the way which benefits such regional areas?
- (5) Does each agency and department under the Minister's control strictly comply with the Regional Purchasing Compact and particularly the preference for regional businesses as provided for under that compact?
- (6) Is the Minister aware of any cases where any department or agency under the Minister's control has not complied with the Regional Purchasing Compact?
- (7) If so, what were the circumstances of that non-compliance?
- (8) Are there any Government departments or agencies under the Minister's control that are exempt from the Regional Purchasing Compact, and if so why?
- (9) Is it true that at least one or more of the departments or agencies under the Minister's control has not complied with the Regional Purchasing Compact when allocating a contract due to the additional costs of applying the preference arrangement?

Mr BARNETT replied:

- (1)-(9) See answer to 1508.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, REGIONAL PURCHASING COMPACT

1513. MR BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Does the Government have a policy commitment towards ensuring that Government work in the regions is allocated in a way that provides the best economic advantage to the region?
- (2) Does the Government endeavour to fulfil that commitment through its Regional Purchasing Compact?
- (3) If not, in what way does the Government seek to fulfil that commitment?
- (4) Does each department and agency under the Minister's control take steps to ensure that as much of the work it has in regional areas is allocated in the way which benefits such regional areas?
- (5) Does each agency and department under the Minister's control strictly comply with the Regional Purchasing Compact and particularly the preference for regional businesses as provided for under that compact?

- (6) Is the Minister aware of any cases where any department or agency under the Minister's control has not complied with the Regional Purchasing Compact?
- (7) If so, what were the circumstances of that non-compliance?
- (8) Are there any Government departments or agencies under the Minister's control that are exempt from the Regional Purchasing Compact, and if so why?
- (9) Is it true that at least one or more of the departments or agencies under the Minister's control has not complied with the Regional Purchasing Compact when allocating a contract due to the additional costs of applying the preference arrangement?

Mr BRADSHAW replied:

- (1)-(9) See answer to 1508.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, REGIONAL PURCHASING COMPACT

1515. MR BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Does the Government have a policy commitment towards ensuring that Government work in the regions is allocated in a way that provides the best economic advantage to the region?
- (2) Does the Government endeavour to fulfil that commitment through its Regional Purchasing Compact?
- (3) If not, in what way does the Government seek to fulfil that commitment?
- (4) Does each department and agency under the Minister's control take steps to ensure that as much of the work it has in regional areas is allocated in the way which benefits such regional areas?
- (5) Does each agency and department under the Minister's control strictly comply with the Regional Purchasing Compact and particularly the preference for regional businesses as provided for under that compact?
- (6) Is the Minister aware of any cases where any department or agency under the Minister's control has not complied with the Regional Purchasing Compact?
- (7) If so, what were the circumstances of that non-compliance?
- (8) Are there any Government departments or agencies under the Minister's control that are exempt from the Regional Purchasing Compact, and if so why?
- (9) Is it true that at least one or more of the departments or agencies under the Minister's control has not complied with the Regional Purchasing Compact when allocating a contract due to the additional costs of applying the preference arrangement?

Mr MARSHALL replied:

- (1)-(9) See answer to 1508.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS AGGREGATED IN REGIONAL AREAS

1530. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) Since 1 July 1997, have there been any occasions when departments and agencies under the Minister's control have aggregated or bulked up Government contracts let for work to be carried out in regional Western Australia?
- (2) Is it true that one or more departments or agencies under the Minister's control have preferred to aggregate or bulk up a number of smaller contracts into one larger contract for ease of administration or some other reason?
- (3) If not, will the Minister advise if any department or agency under the Minister's control has aggregated or bulked up a number of smaller contracts to one large contract for administrative or other reasons?
- (4) Is the Minister aware that some small regional based contractors have been unable to secure work as a consequence of only large contracts being let?
- (5) What steps does the Minister intend to take to ensure that regionally based contractors are not excluded from obtaining Government work as a consequence of contracts being aggregated or bulked up?
- (6) Will the Minister issue instructions to all departments under the Minister's control confirming that contracts are not to be bulked up or aggregated so that small business and small business contractors are not excluded (by virtue of size) from obtaining Government work in their region?
- (7) If not, why not?

Mr COWAN replied:

- (1)-(4) Government, through its agencies, awards many contracts. The structure of contracts is a matter for agency Chief Executives, who are best placed to consider how to achieve their agency's outcomes efficiently and effectively.

The Government's *Regional Buying Compact* illustrates our commitment to regional Western Australia by giving regional suppliers an enhanced opportunity to bid for government contracts. The company compels government agencies to give a level of financial preference to "local" suppliers in regional areas and educates those suppliers on how to take advantage of preferences available. Under the Government's Regional Buying Compact, agencies have an obligation to consider the key principles of the Compact, which include matters dealing with competition, packaging of work, value for money, devolution and the social implications of their decisions. The matters raised by the member will need to be considered on a case-by-case basis, and if the member has a specific case, this can be examined by the responsible Minister. The State Supply Commission recently issued a note to all "CEOs", titled "Are You Doing Enough" to remind them of their obligations under the Compact and how best to achieve the Government's objectives. The Regional Buying Compact has a grievance process, which can be accessed by contractors who have concerns with the application of the Compact by agencies. These concerns should be directed to the State Supply Commission.

(5)-(6) The State Supply Commission is reviewing the effectiveness of the Regional Buying Compact. The Commission is developing a new policy to improve opportunities for regional suppliers to bid for government contracts which is designed to promote competitive local industry.

(7) Not applicable.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS AGGREGATED IN REGIONAL AREAS

1531. Mr BROWN to the Minister representing the Minister for Mines:

- (1) Since 1 July 1997, have there been any occasions when departments and agencies under the Minister's control have aggregated or bulked up Government contracts let for work to be carried out in regional Western Australia?
- (2) Is it true that one or more departments or agencies under the Minister's control have preferred to aggregate or bulk up a number of smaller contracts into one larger contract for ease of administration or some other reason?
- (3) If not, will the Minister advise if any department or agency under the Minister's control has aggregated or bulked up a number of smaller contracts to one large contract for administrative or other reasons?
- (4) Is the Minister aware that some small regional based contractors have been unable to secure work as a consequence of only large contracts being let?
- (5) What steps does the Minister intend to take to ensure that regionally based contractors are not excluded from obtaining Government work as a consequence of contracts being aggregated or bulked up?
- (6) Will the Minister issue instructions to all departments under the Minister's control confirming that contracts are not to be bulked up or aggregated so that small business and small business contractors are not excluded (by virtue of size) from obtaining Government work in their region?
- (7) If not, why not?

Mr BARNETT replied:

(1)-(7) See answer to Question on Notice 1530.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS AGGREGATED IN REGIONAL AREAS

1535. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Since 1 July 1997, have there been any occasions when departments and agencies under the Minister's control have aggregated or bulked up Government contracts let for work to be carried out in regional Western Australia?
- (2) Is it true that one or more departments or agencies under the Minister's control have preferred to aggregate or bulk up a number of smaller contracts into one larger contract for ease of administration or some other reason?
- (3) If not, will the Minister advise if any department or agency under the Minister's control has aggregated or bulked up a number of smaller contracts to one large contract for administrative or other reasons?
- (4) Is the Minister aware that some small regional based contractors have been unable to secure work as a consequence of only large contracts being let?
- (5) What steps does the Minister intend to take to ensure that regionally based contractors are not excluded from obtaining Government work as a consequence of contracts being aggregated or bulked up?
- (6) Will the Minister issue instructions to all departments under the Minister's control confirming that contracts are not to be bulked up or aggregated so that small business and small business contractors are not excluded (by virtue of size) from obtaining Government work in their region?
- (7) If not, why not?

Mr BRADSHAW replied:

(1)-(7) See answer to Question on Notice 1530.

## GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS AGGREGATED IN REGIONAL AREAS

1537. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Since 1 July 1997, have there been any occasions when departments and agencies under the Minister's control have aggregated or bulked up Government contracts let for work to be carried out in regional Western Australia?
- (2) Is it true that one or more departments or agencies under the Minister's control have preferred to aggregate or bulk up a number of smaller contracts into one larger contract for ease of administration or some other reason?
- (3) If not, will the Minister advise if any department or agency under the Minister's control has aggregated or bulked up a number of smaller contracts to one large contract for administrative or other reasons?
- (4) Is the Minister aware that some small regional based contractors have been unable to secure work as a consequence of only large contracts being let?
- (5) What steps does the Minister intend to take to ensure that regionally based contractors are not excluded from obtaining Government work as a consequence of contracts being aggregated or bulked up?
- (6) Will the Minister issue instructions to all departments under the Minister's control confirming that contracts are not to be bulked up or aggregated so that small business and small business contractors are not excluded (by virtue of size) from obtaining Government work in their region?
- (7) If not, why not?

Mr MARSHALL replied:

- (1)-(7) See answer to Question on Notice 1530.

## GOVERNMENT DEPARTMENTS AND AGENCIES, ADVERTISING AND PUBLIC RELATIONS BUDGET

1685. Mr RIEBELING to the Parliamentary Secretary to the Minister for Tourism:

- (1) For each department or agency under the Minister's control, what is the total 1999-2000 budget for -
  - (a) advertising (television, print and radio);
  - (b) pamphlets, brochures, bulletins and other forms of printed information, excluding annual reports and "in-house" bulletins; and
  - (c) public relations and events management?
- (2) For the period 1 January 2000 to 30 June 2000, can the Minister advise of the planned -
  - (a) advertising campaigns (television, print and radio);
  - (b) pamphlets, brochures, bulletins and other forms of printed information, excluding annual reports and "in-house" bulletins; and
  - (c) public relations campaigns and events management?
- (3) For the period 1 January 2000 to 30 June 2000, can the Minister advise of the estimated cost and approximate commencement or publishing dates of -
  - (a) advertising campaigns (television, print and radio);
  - (b) pamphlets, brochures, bulletins and other forms of printed information, excluding annual reports and "in-house" bulletins; and
  - (c) public relations campaigns and events management?

Mr BRADSHAW replied:

## WESTERN AUSTRALIAN TOURISM COMMISSION

- (1)
  - (a) \$3,819,354
  - (b) \$526,283
  - (c) \$9,137,850
- (2)
  - (a) Intrastate Brand WA TV Campaign – commencing last week of February for 3 weeks  
 Intrastate Web Site Radio Campaign – commenced 30 January for 8 weeks  
 Winter Breaks Campaign – commences 6 May for 6 months  
 Interstate Brand WA TV Campaign – Victorian market commences April for 3 weeks.  
 Interstate Wildflower Campaign – commences March for 2 months  
 Co-operative advertising with contracted wholesalers promoting WA product – an ongoing advertising program.  
 Co-operative advertising with industry partners in the SA, Victoria, NSW and Queensland markets – an ongoing advertising program.  
 Singapore Brand Campaign – commencing March  
 WATC / Austravel German Campaign – commenced January  
 Qantas / Partnership Australia Campaign UK – commenced February  
 Austravel TV Campaign UK – commencing in April  
 Travel Journal (Japan) – conducted over the six month period.  
 Travel Trade Advertising (UK) - ongoing  
 TTG Italia WA Supplement Italy – ongoing

Wing Travel Weekly (Japan) – commencing May  
 Winter Initiatives 2000 Singapore – commenced February  
 Winter Initiatives 2000 Malaysia – commencing April  
 PA Campaign (Asia Future Markets) – commenced February  
 PA Campaign Malaysia – commenced January.  
 Advertisement, advertorial and picture in Sport Business Magazine,  
 United Kingdom – February issue.  
 2000 ITU Triathlon World Championship - print and radio campaigns only, including consumer  
 promotions – commences April.  
 Telstra Rally Australia - posters and signage – to be published in May.

- (b) Winter Breaks brochure – published 6 May  
 Wildflower Holiday Guide – published April  
 Perth Pink Guidebook – published March  
 Diving Brochure – published June  
 WOZ Newsletter – published March  
 Asia Trade Newsletter/TTG – publishing date to be determined  
 Two issues of the publication - *Events Update* – to be published in February and June  
 2000 ITU Triathlon World Championship - event program, competitors' manual, posters, newsletters,  
 entry booklets and media releases – commenced  
 1 January  
 Telstra Rally Australia -  
 Competitor Brochure – published February, Sponsor Portfolio – published February Corporate  
 Hospitality sales brochure to be published in May *PaceNotes* – 1st edition – to be published in March.  
 Visitor Survey and statistical reports and pamphlets – published in March and April.  
 Industry Seminar publications – published in March and May  
 Tourism Development Register - published February  
 Western Australian Tourism Development Strategy - published April  
 Wine Tourism Strategy - published April  
 Tourism Development Fund Brochure – published April  
 Partnership to Success – Cooperative Marketing Opportunities – to be published in first quarter  
 Corporate Plan – to be published in first quarter.
- (c) National Familiarisation program with visits to WA by television and print  
 media.  
 Targeted Public Relations Activities in the international market place  
 Continuing promotion of 1999/2000 *Best on Earth in Perth* events including distribution of media kits  
 and attendance at conferences.  
 2000 ITU Triathlon World Championship -  
 Community announcements and media coverage of the event and management of the event.  
 Telstra Rally Australia -  
 Media releases to international, national and local media, quarterly newsletter to officials and  
 stakeholders, media coverage of the World Championship and event management.  
 Launch of Partnership 21 - Tourism Industry Five Year Plan.

- (3) (a) \$1,271,970  
 (b) \$ 165,833  
 (c) \$2,648,325

Commencement or publishing dates are outlined in (2) above.

#### Rottnest Island Authority

- (1) (a) \$126 463  
 (b) \$130 063  
 (c) \$125 718
- (2) (a) Accommodation Ballot pre-notification and Ballot information: *The West Australian* newspaper - last  
 week of March and last week of June 2000  
 Accommodation Winter Breaks Advertising campaign: West Australian Tourism Commission Winter  
 Breaks Magazine - May 2000  
 Rottnest Winter Breaks Package - commencing May 2000 for 6 months
- (b) Winter Breaks Flyers - March through June 2000  
 Accommodation Pack Insert reprints - April 2000  
 Accommodation Zone Maps - April 2000  
 Winter Tour and Transport Timetables - April 2000  
 Reprint accommodation Zone Maps - April 2000  
 Reprint Brochure – Rottnest Nursing Post - February 2000  
 Advice to Customers – Change of Baggage Procedures - March/April 2000  
 Printing, Rottnest Newspaper - March and June 2000  
 Holiday Activity Programs - April 2000, June 2000
- (c) School Holiday Activities - Events Management - Jan 2000  
 AWAS Exhibition – Lomas Cottage - February 2000  
 Rottnest Channel Swim February 2000 Events Management - March 2000  
 Rottnest Festival Events Management - March 2000  
 BIA Convoy Events Management - March 2000  
 School Holiday Activities Events Management - April 2000  
 ANZAC Day Dawn Service Events Management - April 2000  
 Rottnest Triathlon Events Management - May 2000  
 Rottnest Offshore Surfing Challenge - June 2000

- (3) (a) \$49,000
- (b) \$42,000
- (c) \$21,000

Commencement and publishing dates are outlined in (2) above.

#### EDUCATION DEPARTMENT, INQUIRY INTO STAFF MATTERS

1761. Mr PENDAL to the Minister for Education:

I refer to the Minister's decision to order an inquiry into the Education Department's handling of certain staff matters arising out of a letter to him by Industrial Advocate, Ralph O'Toole, and ask –

- (a) is it correct that the inquiry is due to report to him in April 2000;
- (b) who is the inquirer appointed by the Minister;
- (c) will the inquirer be interviewing the five persons referred to in the report to Parliament by the Commissioner for Public Management, or their advocates;
- (d) if not, why not; and
- (e) does the Minister intend to make the inquirer's report public?

Mr BARNETT replied:

- (a) On 7 September 1999 the Commissioner for Public Sector Standards tabled in Parliament an abridged report of an inquiry into discipline and related processes in the Education Department. At the conclusion of the report, the Commissioner for Public Sector Standards recommended that I inquire into whether (in the context of the Report) any staff member of the Education Department of Western Australia contravened Section 8(1)(c) of the Public Sector Management Act 1994. I advised Parliament on 9 September 1999 that I intended to seek advice from the Crown Solicitor's Office (CSO) and meet with the Commissioner for Public Sector Standards. Having received advice from the CSO and met with the Commissioner, an Inquirer was appointed and requested to provide a report by 20 April 2000. The appointment of an Inquirer had nothing to do with receipt of a letter from Mr Ralph O'Toole.
- (b) Mr Ken Trainer.
- (c)-(d) The appointment letter states that, "For the purposes of this Inquiry you shall act independently in relation to the performance of your function". It is not appropriate that I direct the Inquirer as to who is interviewed. Should Mr O'Toole wish to make any comment in relation to the Inquiry, I suggest he forwards his comments to the Inquirer, c/- The Commissioner for Public Sector Standards, 26th Floor, AMP Building, 140 St George's Terrace, Perth WA 6000. I would highlight that this does not indicate that the Inquirer is acting for or on behalf of the Commissioner, but is an independent postal address.
- (e) Having received the Inquirer's Report I shall, among other actions, forward it to the Commissioner for Public Sector Standards. I observe that one of the functions of the Commissioner is to report from time to time to each House of Parliament on:  
  
The compliance or non-compliance by any particular public sector body and its or their employees with the principles set out in section 8(1)(c).

#### FIREWORKS DISPLAYS, LICENCES

1791. Mr PENDAL to the Minister representing the Minister for Mines:

- (1) Is it correct that the Department of Minerals and Energy licences or approves applications for the use of all fireworks displays in Western Australia?
- (2) If so, what number of licences have been issued in each of the past five years, including 1999-2000?
- (3) What conditions, if any, are imposed on the proximity of fireworks displays to residential areas?
- (4) Has the department received complaints about the growing number of displays and if so how many such complaints?
- (5) What other licences/applications are currently being assessed?

Mr BARNETT replied:

- (1) The Department of Minerals and Energy issues fireworks display permits for all displays involving aerial firework pieces. A licensed operator with an approved operating procedure may conduct small ground level displays without such a permit.
- (2) The number of permits issued in each of the past five years is as follows -



1996 138 permits;  
 1997 132 permits;  
 1998 178 permits;  
 1999 186 permits; and  
 2000 45 permits.

- (3) Firework operators when conducting firework displays must comply with the Explosives and Dangerous Goods (Explosives) Regulations 1963 and Australian Standard 2187.4-1998. Both of these documents prescribe separation distances to houses, spectators and other protected works. The regulations require a 60 metre separation distance to permanent buildings and public roads. The separation distances required by AS2187.4 are as follows -

Minimum clearance Distance - Aerial Shells Single Break

Size of aerial shell - mm	Minimum clearance distance - m	Size of aerial shell - mm	Minimum clearance distance - m
75	30	175	120
75	30	200	140
100	50	250	170
125	70	300	200
150	100	>300	*

\*Satisfactory to the regulatory authority

- (4) The department has received no complaints on the growing number of fireworks displays.
- (5) All applications received by 23 March 2000 have been assessed and permits have been issued for the forthcoming fireworks displays -

Sir James Mitchell Park	South Perth	25/03/2000
Adventure World	Bibra Lake	25/03/2000
Sam Miragliotta	Fremantle	25/03/2000
City of Joondalup	Joondalup	26/03/2000
Claremont Speedway	Claremont	31/03/2000
Guildford Grammar	Guildford	01/04/2000
Kalgoorlie-Boulder	Kalgoorlie	08/04/2000
Reynolds and Associates	Subiaco Square	20/04/2000
Peter Mannion	Jarrahdale	22/04/2000

INDUSTRIAL RELATIONS, UNITED NATIONS HUMAN DEVELOPMENT INDEX

1814. Mr KOBELKE to the Minister for Labour Relations:

- (1) Is the Minister aware of an article published in *The West Australian* on 25 September 1999 about "Productivity Western Australia" in which her predecessor stated that "Western Australia was already second on a United Nations Human Development Index"?
- (2) Was it stated by the Minister that it was the intention of the Western Australian Government to move Western Australia to the top spot on the Human Development Index?
- (3) If yes, will the Minister provide details of the monitoring of Western Australia's progress up or down the index?
- (4) What was the title and date of the publication of the United Nations Human Development Index referred to by the Minister for Labour Relations in 1996?
- (5) Was Western Australia specifically cited in the list of States or Countries in the United Nations Human Development Index?
- (6) If no, on what basis could the Minister claim that Western Australia ranked second on the United Nations Human Development Index?
- (7) Were there any other reports from the United Nations containing a Human Development Index and, if so, what were the dates of publication?

Mrs EDWARDES replied:

- (1) I am not aware of an article published in *The West Australian* on 25 September 1999. However, I am aware of an article in *The West Australian* on 25 September 1996, in which the then Minister for Labour Relations referred to Western Australia ranking second on a United Nations Human Development Index.
- (2) Yes
- (3) No. Information regarding Western Australia's progress on the Index is not currently available.
- (4) The United Nations Development Program, Human Development Report 1995.
- (5) No.
- (6) A detailed analysis was conducted on how Western Australia would measure on the Human Development Index using the same methodology and information as that used for the countries listed.

- (7) Yes. The United Nations Development Program publishes a Human Development Report each year, which contains a Human Development Index for a number of countries. The latest available report is for 1999.

# DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS, EMPLOYEES

1823. Mr KOBELKE to the Minister for Labour Relations:

- (1) As at the most recent date for which figures are available, what is the total number of employees of the Department of Productivity and Labour Relations and how many of these employees are being paid at each broad salary level?
- (2) As at 30 June 1999, what is the total number of employees of the Department of Productivity and Labour Relations and how many of these employees are being paid at each broad salary level?
- (3) As at 30 June in each year from 1990 through to 1998, what was the total number of employees of the Department of Productivity and Labour Relations and how many of these employees were being paid at each broad salary level?

Mrs EDWARDES replied:

- (1) As at 13 March 2000 the total number of staff employed by the Department is 107. The number of employees paid at each broad salary level is:

Level 1: 3	Level 2: 23	Level 3: 14
Level 4: 15	Level 5: 20	Level 6: 12
Level 7: 6	Level 8: 10	Level 9: 1
Class 1: 2	Special 3: 1	

- (2) As at 30 June 1999 the total number of staff employed by the Department was 114. The number of employees paid at each broad salary level was:

Level 1: 5	Level 2: 24	Level 3: 20
Level 4: 13	Level 5: 19	Level 6: 16
Level 7: 5	Level 8: 7	Level 9: 2
Class 1: 2	Special 3: 1	

- (3) Departmental records of staff by salary level are not readily available for the pre-1993 period.

- (a) As at 30 June 1993 the total number of staff employed by the Department was 110. The number of employees paid at each broad salary level was:

Level 1: 11	Level 2: 24	Level 3: 17
Level 4: 14	Level 5: 15	Level 6: 14
Level 7: 6	Level 8: 6	Level 9: 1
Special 3: 1	Tea Attendant: 1	

- (b) As at 30 June 1994 the total number of staff employed by the Department was 102. The number of employees paid at each broad salary level was:

Level 1: 8	Level 2: 24	Level 3: 18
Level 4: 14	Level 5: 11	Level 6: 10
Level 7: 9	Level 8: 6	Level 9: 1
Special 3: 1		

- (c) As at 30 June 1995 the total number of staff employed by the Department was 105. The number of employees paid at each broad salary level was:

Level 1: 10	Level 2: 18	Level 3: 20
Level 4: 15	Level 5: 10	Level 6: 14
Level 7: 9	Level 8: 7	Level 9: 1
Special 3: 1		

- (d) As at 30 June 1996 the total number of staff employed by the Department was 118. The number of employees paid at each broad salary level was:

Level 1: 9	Level 2: 30	Level 3: 22
Level 4: 15	Level 5: 12	Level 6: 13
Level 7: 10	Level 8: 5	Level 9: 1
Special 3: 1		

- (e) As at 30 June 1997 the total number of staff employed by the Department was 105. The number of employees paid at each broad salary level was:

Level 1: 10	Level 2: 25	Level 3: 19
Level 4: 17	Level 5: 9	Level 6: 8
Level 7: 9	Level 8: 4	Level 9: 1
Class 1: 2	Special 3: 1	

- (f) As at 30 June 1998 the total number of staff employed by the Department was 107. The number of employees paid at each broad salary level was:

Level 1: 7  
Level 4: 14  
Level 7: 3  
Class 1: 2

Level 2: 28  
Level 5: 15  
Level 8: 8  
Special 3: 1

Level 3: 18  
Level 6: 10  
Level 9: 1

#### INDUSTRIAL RELATIONS, INQUIRIES ON COMPLIANCE WITH EMPLOYMENT LAWS

1824. Mr KOBELKE to the Minister for Labour Relations:

- (1) For the calendar year 1999, how many formal enquiries were received in relation to compliance with relevant State and Federal employment laws?
- (2) For 1999, what were the number of such formal enquiries by each significant industry or industry sector?
- (3) For the calendar year 1995, how many formal enquiries were received in relation to compliance with relevant State and Federal employment laws?
- (4) For 1995, what were the number of such formal enquiries by each significant industry or industry sector?
- (5) For the calendar year 1994, how many formal enquiries were received in relation to compliance with relevant State and Federal employment laws?
- (6) For 1994, what were the number of such formal enquiries by each significant industry or industry sector?
- (7) For the calendar year 1993, how many formal enquiries were received in relation to compliance with relevant State and Federal employment laws?
- (8) For 1993, what were the number of such formal enquiries by each significant industry or industry sector?
- (9) For the calendar year 1992, how many formal enquiries were received in relation to compliance with relevant State and Federal employment laws?
- (10) For 1992, what were the number of such formal enquiries by each significant industry or industry sector?
- (11) For the calendar year 1991, how many formal enquiries were received in relation to compliance with relevant State and Federal employment laws?
- (12) For 1991, what were the number of such formal enquiries by each significant industry or industry sector?

Mrs EDWARDES replied:

- (1) 1999: 862 formal enquiries were received.
- (2) Hospitality: 122; Retail: 135; Construction: 36; Metal Trades: 37. The remaining 532 formal enquiries are dispersed amongst the remainder of industry in lesser numbers.
- (3) 1995: 733 formal enquiries were received. These enquiries related to State laws only.
- (4) Hospitality: 150; Retail: 84; Construction: 45; Metal Trades: 36. The remaining 418 formal enquiries are dispersed amongst the remainder of industry in lesser numbers.
- (5) 1994: 875 formal enquiries were received. These enquiries related to State laws only.
- (6) Hospitality: 188; Retail: 105; Construction: 52; Metal Trades: 46. The remaining 484 formal enquiries are dispersed amongst the remainder of industry in lesser numbers.
- (7)-(12) The data requested is not available prior to 1994. The total number of enquiries for the financial years 1991/1992 to 1993/1994 inclusive is available and is as below.  

1991/1992: 790	1992/1993: 872	1993/1994: 886
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 Data on the industry incidence of enquiries is not available for these years.

#### DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS, COMPLAINTS AND INVESTIGATIONS

1825. Mr KOBELKE to the Minister for Labour Relations:

For each calendar year from 1991 through until 1999, with respect to the Department of Productivity and Labour Relations -

- (a) how many formal enquiries did the Department receive in relation to observance of the provision of the Industrial Relations Act 1979, Industrial Agreements or orders enforced thereunder;
- (b) in how many of these cases were investigations undertaken;
- (c) how many of these matters were resolved without resorting to legal proceedings;
- (d) how many prosecutions were commenced;
- (e) how many prosecutions were concluded;

- (1) A formal enquiry is a complaint received in writing alleging a breach or breaches of relevant industrial legislation or of any award, industrial agreement or order.
- (2) January 1997.
- (3) 1997: 773; 1998: 959; 1999: 862.

- (4) Not applicable. The Department does not recognise or use this term.
- (5)-(6) Not applicable.
- (7) A complaint is notification received in writing alleging a breach or breaches of relevant industrial legislation or of any award, industrial agreement or order.
- (8) Definitive date unknown, but for at least the last 10 years.
- (9) In effect a complaint is the same as a formal enquiry. See 3 above.

#### DEPARTMENT OF PRODUCTIVITY AND LABOUR RELATIONS, INQUIRIES AND COMPLAINTS

1830. Mr KOBELKE to the Minister for Labour Relations:

- (1) Who and by what means is the decision made as to whether enquiries are “formal enquiries”, “informal enquiries” and “complaints”?
- (2) In the calendar year 1999, how many of the complaint files opened by the Department actually involved a complainant who had previously had a complaint lodged and closed only to be re-opened as a new complaint?

Mrs EDWARDES replied:

- (1) Formal enquiries and complaints are defined in the same way. The Department does not recognise the term “informal enquiries”. Complaints are in effect formal enquiries.
- (2) The Department does not record such incidences. It is estimated, however, that 3 or 4 complaint files may have been closed and re-opened during 1999, for reasons particular to each case.

#### WORKERS COMPENSATION AND REHABILITATION SCHEME, CLAIM PAYMENTS

1833. Mr KOBELKE to the Minister for Labour Relations:

Under the Workers' Compensation and Rehabilitation Scheme, what have been -

- (a) the total of all claim payments, including for self-insurers, for the period from the 1st July 1999 to 31 December 1999;
- (b) the total claim payments by the standard categories used in past annual reports for the period from 1 July 1999 to 31 December 1999; and
- (c) the total premium income, including for self-insurers, for the period from 1 July 1999 to 31 December 1999?

Mrs EDWARDES replied:

- (a) The total of all claim payments for the period from 1 July 1999 to 31 December 1999 is not yet available. I will forward the information to the member as soon as it is available. The information is available for the period from 1 July 1999 to 30 September 1999 and the total payments for the scheme was \$128 938 382.
- (b) The total of all claim payments by the standard categories used in past annual reports for the period from 1 July 1999 to 31 December 1999 are not yet available. I will forward the information to the member as soon as it is available. The information is available for the period from 1 July 1999 to 30 September 1999 as follows:

Weekly Payments	\$35 941 858
Redemptions	\$549 782
Specific Injuries (2nd Schedule)	\$3 829 108
Fatal	\$176 795
Medical Practitioners and Specialists	\$13 009 175
Hospital Expenses	\$3 727 486
All Other Treatment	\$6 071 908
Vocational Rehabilitation	\$5 022 608
Miscellaneous (eg. Transport, maintenance)	\$5 176 295
Legal Expenses	\$8 323 773
Common Law and Other Acts	\$47 109 594
Scheme Total for the Quarter	\$128 938 382

- (c) The total premium income, including for self-insurers, for the period from 1 July 1999 to 31 December 1999 is not yet available. It will be available post 1 July 2000 and I will forward the information to the member as soon as it is available.

#### WORKERS COMPENSATION AND REHABILITATION SCHEME, CLAIM PAYMENTS

1834. Mr KOBELKE to the Minister for Labour Relations:

Under the Workers' Compensation and Rehabilitation Scheme, what have been -

- (a) the total of all claim payments, including for self-insurers, for the period from 1 July 1999 to 29 February 2000;

- (b) the total claim payments by the standard categories used in past annual reports for the period from 1 July 1999 to 29 February 2000; and
- (c) the total premium income, including for self-insurers, for the period from 1 July 1999 to 29 February 2000?

Mrs EDWARDES replied:

- (a)-(c) See Question number 1833.

#### INDUSTRIAL RELATIONS, WORK-RELATED FATALITIES

1835. Mr KOBELKE to the Minister for Labour Relations:

For each financial year from 1988-89 through until 1998-99 according to the recorded date of death, what was in each year -

- (a) the number of deaths investigated as each was a potential work related fatality;
- (b) the number of declared work related fatalities;
- (c) the number of fatalities for which a compensation claim was made even if not accepted;
- (d) the number of work related fatalities that were compensable; and
- (e) the number of compensable fatalities that were journey claims?

Mrs EDWARDES replied:

- |     |         |                                  |
|-----|---------|----------------------------------|
| (a) | 1988/89 | 20                               |
|     | 1989/90 | 21 – includes 4 natural causes   |
|     | 1990/91 | 15 – includes 2 natural causes   |
|     | 1991/92 | 13                               |
|     | 1992/93 | 17                               |
|     | 1993/94 | 15 – includes 2 natural causes   |
|     | 1994/95 | 21 – includes 1 suicide          |
|     | 1995/96 | 18 – includes 4 not work related |
|     | 1996/97 | 15 – includes 3 not work related |
|     | 1997/98 | 18 – includes 5 not work related |
|     | 1998/99 | 19 – includes 8 not work related |

The total number of deaths investigated for 1988/89 to 1998/99 is 192

- |     |         |    |   |
|-----|---------|----|---|
| (b) | 1988/89 | 20 |   |
|     | 1989/90 | 17 |   |
|     | 1990/91 | 13 |   |
|     | 1991/92 | 16 | includes 3 not investigated (1 homicide, 1 investigated by DME and 1 farmer reported too late to investigate)           |
|     | 1992/93 | 19 | includes 2 not investigated (1 homicide and 1 farmer reported too late to investigate)                                  |
|     | 1993/94 | 16 | includes 3 not investigated (1 homicide and 2 deaths in extremely remote areas not notified until well after the event) |
|     | 1994/95 | 21 | includes 1 not investigated (1 homicide)  |
|     | 1995/96 | 14 |   |
|     | 1996/97 | 12 |   |
|     | 1997/98 | 13 |   |
|     | 1998/99 | 11 |   |

The total number of declared work related fatalities for 1988/89 to 1998/99 is 172

- |     |         |    |
|-----|---------|----|
| (c) | 1988-89 | 35 |
|     | 1989-90 | 37 |
|     | 1990-91 | 44 |
|     | 1991-92 | 33 |
|     | 1992-93 | 52 |
|     | 1993-94 | 62 |
|     | 1994-95 | 57 |
|     | 1995-96 | 38 |
|     | 1996-97 | 48 |
|     | 1997-98 | 52 |
|     | 1998-99 | 35 |
- 
- |     |         |    |
|-----|---------|----|
| (d) | 1988-89 | 33 |
|     | 1989-90 | 34 |
|     | 1990-91 | 42 |
|     | 1991-92 | 32 |
|     | 1992-93 | 47 |
|     | 1993-94 | 56 |
|     | 1994-95 | 50 |
|     | 1995-96 | 34 |
|     | 1996-97 | 44 |
|     | 1997-98 | 45 |
|     | 1998-99 | 29 |

- (e) 1988-89 14  
 1989-90 11  
 1990-91 13  
 1991-92 6  
 1992-93 8  
 1993-94 3  
 1994-95 -  
 1995-96 1  
 1996-97 -  
 1997-98 -  
 1998-99 -

Notes (c-e)

1. Data are summarised by year of receipt by insurer, as date of death is unreliably recorded in the workers' compensation data.
2. Data include dust and other disease claims for fatalities.
3. The data verification process changed from 1994-95 data onwards – data for years prior to this received minimal verification.

#### WORKERS COMPENSATION AND REHABILITATION SCHEME, PREMIUM INCOME

1836. Mr KOBELKE to the Minister for Labour Relations:

For each financial year from 1988-89 through to 1998-99 under the Workers' Compensation and Rehabilitation Scheme, what was -

- (a) the total premium income according to the returns lodged by insurers;
- (b) the total premium income according to the returns lodged by self-insurers;
- (c) the total premium income according to the returns lodged over the whole scheme;
- (d) the number of employees covered under these premiums by insurers;
- (e) the number of employees covered under these premiums by self-insurers;
- (f) the number of employees in total covered by the scheme;
- (g) the number of lost-time claims lodged with insurers;
- (h) the number of lost-time claims lodged with self-insurers; and
- (i) the number of lost-time claims lodged in total?

Mrs EDWARDES replied:

	(a) Total Premium Income for Approved Insurers (\$ million)	(b) Total Notional Premium Income for Approved Self Insurers (\$ million)	(c) Scheme Total for Approved Insurers and Self Insurers (\$ million)
1988/89	\$298.506	\$24.683	\$323.189
1989/90	\$297.525	\$27.459	\$324.984
1990/91	\$278.032	\$27.042	\$305.074
1991/92	\$258.734	\$26.302	\$285.036
1992/93	\$276.001	\$23.025	\$299.026
1993/94	\$323.500	\$24.494	\$347.994
1994/95	\$347.315	\$18.013	\$365.328
1995/96	\$346.531	\$25.840	\$372.371
1996/97	\$375.324	\$34.435	\$409.759
1997/98	\$401.007	\$37.026	\$438.003
1998/99	\$463.282	\$48.344	\$511.626

(d)-(f) Data not available.

	(g) Total Lost Time Claims Lodged for Approved Insurers	(h) Total Lost Time Claims Lodged for Approved Self Insurers	(i) Scheme Total of Lost Time Claims Lodged for Approved Insurers and Self Insurers
1988/89	31 067	1 221	32 288
1989/90	31 319	1 202	32 521
1990/91	31 619	1 299	32 918
1991/92	27 972	1 128	29 100
1992/93	28 271	1 148	29 419
1993/94	27 086	852	27 938
1994/95	27 816	1 045	28 861
1995/96	27 277	1 303	28 580
1996/97	26 569	1 362	27 931
1997/98	26 101	1 392	27 493
1998/99	24 344	1 581	25 925

GOVERNMENT DEPARTMENTS AND AGENCIES, ONSITE CHILD CARE

1870. Mr BROWN to the Minister representing the Minister for Mines:

- (1) What departments and agencies under the Minister's control offer or provide on-site childcare facilities for employees?
- (2) What is the nature of the facilities offered?
- (3) Are any departments or agencies under the Minister's control giving consideration to offering such on-site childcare facilities?
- (4) If so, what departments and agencies?
- (5) Do any departments and agencies under the Minister's control have the plans to offer or provide on-site childcare facilities to employees?
- (6) If so, when?
- (7) What is the nature of the facilities that will be provided?

Mr BARNETT replied:

The Department of Minerals and Energy's position regarding on-site childcare facilities is:

- (1) It is not currently offered.
- (2) While on-site childcare facilities are not provided, the Department of Minerals and Energy does have an equipped 'Carer's Room'.
- (3) The provision of on-site childcare facilities is not currently being considered.
- (4) Not applicable.
- (5) There are no plans to offer on-site childcare facilities.
- (6)-(7) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, ONSITE CHILD CARE

1871. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) What departments and agencies under the Minister's control offer or provide on-site childcare facilities for employees?
- (2) What is the nature of the facilities offered?
- (3) Are any departments or agencies under the Minister's control giving consideration to offering such on-site childcare facilities?
- (4) If so, what departments and agencies?
- (5) Do any departments and agencies under the Minister's control have the plans to offer or provide on-site childcare facilities to employees?
- (6) If so, when?
- (7) What is the nature of the facilities that will be provided?

Mr COWAN replied:

Office of Racing, Gaming and Liquor  
Burswood Park Board  
Totalisator Agency Board

- (1) Nil.
- (2) Not applicable.
- (3) No.
- (4) Not applicable.
- (5) No.
- (6)-(7) Not applicable.

Western Australian Greyhound Racing Authority (WAGRA)

- (1) No.
- (2) Not applicable.
- (3) The Authority is being requested to provide a facility by the Community and Public Sector Union - Civil Service Association CPSU (CSA) in the current round of Enterprise Bargaining Agreement negotiations.
- (4) WAGRA.



(5) Not yet determined.

(6)-(7) Not applicable.

#### POKER MACHINES AND ELECTRONIC GAMING MACHINES

1922. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

(1) Does the Government have a policy on poker machines in Western Australia?

(2) What is that policy?

(3) Does Government policy support-

- (a) poker machines; and
- (b) electronic gaming machines,

being allowed in-

- (i) Clubs; and/or
- (ii) licensed Clubs; and/or
- (iii) hotels?

(4) Is Government policy on poker or electronic gaming machines under review?

(5) Is it true that the Government is giving serious consideration to supporting the proposal by Clubs WA to allow a specified number of poker machines in Clubs and/or certain Clubs?

(6) Is it true that the Government is giving consideration to changing its policy to allow poker and/or gaming machines in-

- (a) Clubs; and/or
- (b) certain Clubs; and/or
- (c) hotels?

(7) Is the Minister aware of the position being advocated by Clubs WA in relation to poker machines and/or electronic gaming machines being allowed in Clubs?

(8) Has the Government supported the position advanced by Clubs WA?

(9) Is the Government giving consideration to the proposal advanced by Clubs WA?

(10) Is the Government giving consideration to any proposals which would see poker and/or electronic gaming machines permitted outside the Burswood Casino?

(11) If so, what is the nature of the proposals under consideration?

Mr COWAN replied:

(1) Yes.

(2) Government policy is, not to introduce gaming machines into hotels and licensed clubs.

(3)-(6) No.

(7) Yes.

(8)-(10) No.

(11) Not applicable.

#### GAMBLING, LEGISLATION FOR HARM MINIMISATION

1923. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

(1) Is the Government interested in introducing harm minimisation arrangements that may assist individuals with a gambling problem?

(2) Has the Government given any consideration to legislating to make it compulsory for all electronic gaming and/or poker machines to clearly show-

- (a) the amount invested;
- (b) the amount the gambler has lost; and
- (c) the amount the gambler has won on their total investment rather than on a particular bet?

(3) If not, why not?

(4) Has the Government investigated the degree to which the psychology of the gambler will be affected if electronic gaming and/or poker machines are required to display the amount lost?

- (5) If not, why not?
- (6) Is the Government prepared to examine the degree to which players will be psychologically influenced if electronic gambling or poker machines are required to display the amount lost?
- (7) If not, why not?

Mr COWAN replied:

- (1) Yes.
- (2)-(3) Under the Casino Control Act and the Gaming Commission Act, the Gaming Commission of Western Australia has the legislative authority to implement harm minimisation strategies appropriate for the regulation of the 1,180 blackjack, draw poker and keno gaming machines at Burswood Casino, and 600 Video Lottery Terminals outside the casino.
- (4) No.
- (5) The Gaming Commission of Western Australia, the authority responsible for formulating and implementing policies for the scrutiny, control and regulation of the gaming machines at Burswood Casino and Video Lottery Terminals, has not considered it necessary given the small number of machines in Western Australia and the nature of the games played. This position is supported by the Productivity Commission's Inquiry Report on Australia's Gambling Industries. Western Australia, where people spend the least on gambling, is reported as having one of the lowest incidents of problem gambling in Australia due to Western Australia, compared to the other States and Territories, having the most limited access to gaming machines –
 

NSW	99,700 machines
Victoria	29,600 “
Queensland	32,400 “
South Australia	12,900 “
ACT	5,000 “
Tasmania	2,500 “
Northern Territory	1,250 “
- (6)-(7) The Minister for Racing and Gaming is confident that the Gaming Commission will implement harm minimisation strategies appropriate for Western Australia. However, the Minister will be participating with other State and Territory Gaming Ministers in the Prime Minister's Ministerial Council on Gambling which is scheduled to hold its first meeting on 19 April 2000. The Ministerial Council is expected, *inter alia*, to consider national harm minimisation strategies together with nationally funded research on gambling issues.

#### KENSINGTON PRIMARY SCHOOL, CLEANING CONTRACT

1942. Mr PENDAL to the Minister for Education:

- (1) Will the Minister confirm that the Kensington Primary School has again failed its cleaning test and that cockroaches and foodscraps were found in the staff room?
- (2) Will the Minister also confirm that this is not the first time that contractors have failed to properly clean the school?
- (3) If so, how many occasions have the department's cleaning inspectors declared the school to be unclean?
- (4) How many other schools in Western Australia have failed cleaning tests in each of the past three years?
- (5) What action is taken against contract cleaners who either fail to turn up or fail to adequately clean a school?

Mr BARNETT replied:

- (1) Education Department technical officers visited the school on 14 March 2000. Most areas were rated at 3 or 4, with 5 being the best rating achievable. A small number of areas were rated at 2, indicating they needed attention. As these areas are considered hygiene sensitive the overall rating was 2.
- (2)-(3) On two other occasions in March and September 1999 technical officers have rated the overall cleaning standard at 2. On all other occasions since March 1997 the school has been rated at 4.
- (4) In the past 12 months 66 schools have, on occasion, had their cleaning standard rated as in need of attention or unsatisfactory. This represents 13 per cent of schools currently contract cleaned. Information prior to 1999 is not readily available, but will be compiled and provided to the member at a later date.
- (5) The process for managing cleaning contracts ensures that problems are resolved quickly and to the Department's satisfaction at the school level. At Kensington Primary School the follow-up inspection conducted on Monday 20 March 2000 rated the school at 4. The Principal has also indicated to the Department that he is confident the contractor will address issues raised by the staff. The Contract Disputes Resolution Procedure has 3 levels for resolving disputes. Should a problem not be resolved at Level 3, the Department has the right to terminate the contract. To date only one contractor has had contracts terminated for non-performance. That occurred in 1996.

## CALM, BURNING PROGRAM IN WALPOLE DISTRICT

1944. Mrs ROBERTS to the Minister for the Environment:

- (1) Has the Department of Conservation and Land Management (CALM) reduced controlled burning in the Walpole District?
- (2) If so, what are the details?
- (3) Has CALM reduced staffing in the Walpole District?
- (4) If so, what are the details?
- (5) Has the strategic burning program been increased or decreased in the Walpole District?
- (6) What are the proposals for the immediate future?
- (7) Is the Minister aware of local concerns with regard to irreparable damage to forests, property, livestock or even the possible loss of life?
- (8) If so, what is the Minister doing to address those concerns?

Mrs EDWARDES replied:

- (1) Yes.
- (2) The planned program has not been achieved in each year for the past five years due to smoke management restrictions, which have greatly reduced the number of suitable burning days available during the Restricted Burning Season. In addition, burning in the karri and tingle forests was curtailed in December 1999 due to severe weather conditions.
- (3) Yes.
- (4) The officer staffing level at Walpole was recently reduced by one. This occurred when the Roding Officer's position within the Hardwood Business Unit was abolished. Walpole District currently have 24 fire fighters (including 3 National Park Rangers) and 10 staff (not including administration staff) compared with the model benchmark of 25 fire fighters and 11 fire operations staff.
- (5)-(6) It is planned to increase the strategic burning programs in the coming seasons in the endeavour to catch up on the backlog. However, the success of this will depend greatly on suitable burning days where conditions are not likely to lead to smoke accumulation in Perth and other major centres.
- (7) Yes, and I share those concerns.
- (8) Additional funds are expected to be available for hiring of seasonal fire crews that can be used to achieve an enlarged burn program in the south-west forests during the limited number of suitable burning days.

## KALGOORLIE-ESPERANCE, MINERAL RESOURCE INVENTORY

1958. Mr BROWN to the Minister representing the Minister for Mines:

- (1) Has the Government prepared a mineral resource inventory for the Kalgoorlie/Esperance region to clarify the land available for future townsite expansion?
- (2) Does the Government plan to prepare such an inventory?
- (3) If so, when?
- (4) If not, why not?

Mr BARNETT replied:

- (1) The Department of Minerals and Energy has an extensive inventory of mineral resources for the State, including the Kalgoorlie-Esperance region, within its MINEDEX database. In addition, the Department has extensive geological information on mineral occurrences within the Geological Survey's WAMIN database. These data, when combined with geological maps of the Geological Survey and other relevant information, are routinely used for land-use planning purposes.
- (2) The Department of Minerals and Energy is assisting the Department of Resources Development with a planning study of the mineral development potential and future infrastructure requirements for the mining industry in the Southern Cross – Norseman – Esperance region. The project is being undertaken on a partnership basis between the Commonwealth, State Government and industry, as part of the Federal Government's Regional Minerals Program. Funding support is shared equally.
- (3) The project has already started and a report is planned to be completed during June 2000.
- (4) Not applicable.

INTERIM FOREST INDUSTRY MINISTERIAL ADVISORY COMMITTEE, MR MACKENZIE'S RESIGNATION

1981. Dr EDWARDS to the Minister for the Environment:

- (1) Will the Minister table Mr Ian Mackenzie's letter of resignation from the Interim Forest Industry Ministerial Advisory Committee (IFIMAC)?
- (2) If not, why not?

Mrs EDWARDES replied:

- (1) Yes. [See paper No 815.]
- (2) Not applicable.

STATEWIDE TELECOMMUNICATIONS ENHANCEMENT PROGRAM, CONTRACTS

2008. Mr BROWN to the Minister for Services:

- (1) Did the Department of Contract and Management Services (CAMS) advertise a request or proposal for the Statewide Telecommunications Enhancement Program in 1999?
- (2) Was the closing date for the proposal 20 April 1999?
- (3) How many proposals were received?
- (4) What proposals have been accepted by the Department/Government?
- (5) What contracts have been entered into or arrangements made following the proposal?
- (6) What is the detail of each contract or arrangement?
- (7) What company or companies has the Government entered into arrangements or contracts with following the proposal?
- (8) What is the name of each company?
- (9) What is the price of each contract?
- (10) What is the nature of each contract?
- (11) What is the completion date for each contract?
- (12) Within what time frame (dates) will each contract provide equipment and services?

Mr JOHNSON replied:

- (1)-(2) Yes.
  - (3) Four.
  - (4) Two proposals were accepted:

Cable and Wireless Optus (Optus) with AlphaWest offered a high throughput managed data carriage service delivered via satellite to anywhere in country Western Australia. A contract has been signed with Optus Networks Pty Ltd.

Telstra Corporation Ltd (Telstra) offered traditional terrestrial (land-based) data carriage services, a network management service and a video-conferencing tariff. Telstra has signed a letter of commitment, and contract negotiations are continuing.
  - (5) On 26 October 1999 Optus signed the Statewide Telecommunications Enhancement Program (STEP) contract and a Development Deed. On the same day Telstra signed a Letter of Commitment.
  - (6) Optus has been contracted under STEP to provide a high throughput managed data carriage service delivered via satellite to anywhere in country Western Australia. Pricing and throughput capacity is independent of distance. AlphaWest subcontracted to Optus to provide network management, helpdesk and reporting services. By way of a Development Deed the State provided Optus with a capital contribution of \$6 million. The outcome of this contribution has been the provision of a new central high throughput satellite earth station hub facility that is available to all Government domestic and commercial customers. This was commissioned during March 2000. The contribution also provided a tariff arrangement for Western Australian Government agencies such that the remote earth station equipment and installation is provided at no capital cost.
- Telstra's data carriage services, and video-conferencing tariff which are currently in-place, or being marketed for country Western Australia through the CAMS Basic Telecommunications Service Contract, will transition to the STEP contract following signing.

STEP contracts with both suppliers contain service timeliness restoration targets and penalties.

- (7)-(8) Optus Networks Pty Ltd and Telstra Corporation Ltd.
- (9) The terms and conditions of the head agreements provide a panel contract framework for Western Australian Government agencies to purchase telecommunication services throughout country Western Australia. As agencies have the choice of the services and supplier they use, it is not possible to determine the price of the contracts.
- (10) See response to Question 6
- (11) Both contracts expire 31 December 2004 with one-year extension options available
- (12) The agreement with Optus was signed on 26 October 1999 while the Telstra agreement is yet to be signed. Both contracts expire 31 December 2004 with one-year extension options available.

To date Optus has installed satellite equipment at ninety-one (91) WA Police Service sites, and one (1) Ministry of Justice site and has commissioned the new central high throughput hub. In March 2000 in anticipation of signing the STEP Head Agreement, Telstra announced the installation of three 'Digital Regional Nodes' which will reduce the price in regional areas to Western Australian Government agencies. Both Optus and Telstra advise that the network facilities installed to provide services to the Western Australian Government agencies under the STEP contract are, or shortly will be used to provide services to private and commercial customers in country Western Australia.

#### STATEWIDE TELECOMMUNICATIONS ENHANCEMENT PROGRAM, AGREEMENTS

2016. Mr BROWN to the Minister for Services:

- (1) Under the Statewide Telecommunications Enhancement Program, (STEP), how many heads of agreement have been entered into between the Department of Contract and Management Services and contractors and customer contracts between agencies and contractors?
- (2) On what date was each heads of agreement entered into?
- (3) What does each agreement provide?

Mr JOHNSON replied:

- (1) One head agreement and three customer agreements. The head agreement is between the Department of Contract and Management Services and Optus Networks Pty Ltd (Optus). Three agencies have signed customer agreements with Optus.
- (2) Optus signed the head agreement on 26 October 1999.
- (3) For the Head Agreement, Optus has been contracted under STEP to provide a high throughput managed data carriage service delivered via satellite to anywhere in country Western Australia. Pricing and throughput capacity is independent of distance. AlphaWest has been sub-contracted to Optus to provide network management, helpdesk and reporting services. By way of a Development Deed, the State provided Optus with a capital contribution of \$6 million. The outcome of this contribution has been the provision of a new central high throughput satellite earth station hub facility that is available to all Government, domestic and commercial customers. This was commissioned during March 2000. The contribution also provided a tariff arrangement for WA Government agencies such that the remote earth station equipment and its installation is provided at no capital cost.

For the Customer Agreements; three customer agreements have been signed between Optus and agencies. These agreements provide for satellite station equipment for robust, high throughput data circuits to 91 regional sites for the WA Police Service and one site each for Ministry of Justice and for the Department of Land Administration. Many of these sites are located where terrestrial data services infrastructure is currently not available, or restricted in throughput. The agencies using the satellite service can now provide high quality intranet and internet services to those remote locations. Under the agreement, Optus also provides wide area network management, monitoring and helpdesk facilities operated from Perth.

## QUESTIONS WITHOUT NOTICE

### FINANCE BROKERS, ROYAL COMMISSION

**692. Dr GALLOP to the Leader of the House:**

Given the leader's belief that a royal commission into the finance brokers scandal is inevitable, when will the leader introduce a Bill into this House to facilitate such an inquiry?

**Mr BARNETT replied:**

I do not know whether the question is in order but I will comment on it. I do not have responsibility for finance brokers. I have made no public comment and I have given no interviews on the issue of finance brokers. The important thing is to ensure that all that needs to be done is done to ensure that the people affected can retrieve as much of their funds as possible. The Gunning inquiry is now underway and the indications from the first few days are that it has been very robust. The Leader of the Opposition will find that it has extensive powers, as has been made clear by the counsel assisting the inquiry, and that will continue. Let us focus on the issue, not on what the Opposition might think are some of the side games that some people might play.

### LAND FOR WILDLIFE SCHEME

**693. Mr BRADSHAW to the Minister for the Environment:**

As the Land for Wildlife scheme has just completed its third year of operation, is the minister in a position to indicate what has been achieved?

**Mrs EDWARDES replied:**

I am pleased to advise the House that this is one of those quiet success stories. The fact that it is a voluntary program underlines the important role that the scheme plays in adding to Western Australia's conservation estate. The program started some three years ago and now has 580 members, including 397 whose properties have been fully assessed. Between them, those 397 landholders manage 354 477 hectares of land, of which 70 911 hectares are now being managed primarily for nature conservation. That represents a combined area equivalent to more than 25 John Forrest National Parks or about 175 Kings Parks. That is a tremendous achievement by people of Western Australia. In the next 12 months we expect to pass the mark of 500 properties registered and 100 000 hectares conserved.

### GUNNING INQUIRY, POWER TO REPORT ON MINISTER

**694. Mr McGINTY to the Minister for Fair Trading:**

Yesterday, the Minister for Fair Trading said he would be happy to give evidence before the Gunning inquiry if called upon to do so. Can the minister give a guarantee to this House that the Gunning inquiry has the power to report on and make conclusions regarding his role in the finance brokers scandal? If not, why not?

**Mr SHAVE replied:**

The Gunning inquiry is required under its terms of reference to recommend any administrative or legislative changes considered necessary or desirable to improve the administration and enforcement of relevant legislation. Clearly, the role of the minister in the administration and enforcement of finance broking legislation comes within this part of the terms of reference. The Gunning inquiry is required to report any allegations of criminal, corrupt or improper conduct to the appropriate authorities. Again, the minister's actions would be covered by this part of the terms of reference. Clearly, the Gunning committee can take evidence from the minister, and consider and report on any actions of the minister that come within its deliberately broad terms of reference.

### GUNNING INQUIRY, POWER TO MAKE FINDINGS ON MINISTER

**695. Mr McGINTY to the Minister for Fair Trading:**

I ask the minister whether the Gunning inquiry, as an inquiry set up under the Public Sector Management Act, has the power to make findings in respect of the minister.

**Mr SHAVE replied:**

The member has repeated himself. I have said that the Gunning inquiry has the capacity under its terms of reference to report on any actions of the minister.

### EMPLOYMENT AND TRAINING, INFORMATION ON THE INTERNET

**696. Mr TUBBY to the Minister for Employment and Training:**

Quality and up-to-date information on job requirements and training options is vital for people in my electorate, particularly young people. Is the Government using technology to assist in this regard?

**Mr BOARD replied:**

The Internet provides a tremendous opportunity for the Government to provide accurate and up-to-date information to a wide range of people, not only young people and those requiring training and employment information, particularly those seeking jobs, but also career advisers, parents, teachers, and those in the industry who want to be up to date on what is happening in this State, other States and other countries. From that point of view, two weeks ago the Department of Training launched a web site called Get Access. I mention that today because it is considered nationally as the leader in not just this country but possibly also the world, in providing training and jobs information. It links with hundreds of other work sites and has already been a tremendous success. It links with the .U web site, which has already had one million strikes over the past 12 months. I commend the site to those seeking information on employment and training; they will find it extremely valuable.

**FINANCE BROKERS, DISCIPLINARY ACTIONS****697. Mr McGINTY to the Minister for Fair Trading:**

Will the minister detail all the disciplinary actions taken against finance brokers in this State by either the Ministry of Fair Trading or the Finance Brokers Supervisory Board since January 1998?

**Mr SHAVE replied:**

I am advised that since January 1998 to date the Finance Brokers Supervisory Board has conducted three formal inquiries. One matter has been finalised and resulted in the suspension of the broker's licence plus costs. Of the other two, one is adjourned and the other is proceeding. I am also advised that a number of other matters are currently under investigation which may result in formal inquiries. However, at this stage of the investigation it would be inappropriate for me to comment on them.

**SEWERAGE INFILL PROGRAM****698. Mrs HOLMES to the Minister for Water Resources:**

The 1988 report of the Legislative Assembly Select Committee into Effluent Disposal in the Perth Metropolitan Region stated that the septic tanks still in use in Western Australia at the time posed risks to health and to ground water. Although the then Labor Government ignored this finding, the coalition Government's response to the report was to implement a program, which would run for a decade and cost \$800m, to provide deep sewerage to replace septic tanks. Constituents of mine living in the older areas of Gosnells are very grateful for this initiative. Will the minister please provide me with an update on the benefits of this program and when it is likely to be completed?

**Dr HAMES replied:**

The select committee, chaired by the Minister for Youth, which inquired into the pollution and protection of our precious underground water resources, highlighted concerns about the fact that only 50 per cent of the metropolitan area had deep sewerage. The 1994 figures showed that 2 000 tonnes of nitrogen and about 400 tonnes of phosphorus pollute our ground water system through the sewerage system.

Mr Kobelke: I don't think that is true. The report did not say that.

Dr HAMES: It always amuses me when I get letters or queries from the Opposition about the times that their constituents must wait for infill sewerage. As members know, the Government has announced three-year programs. Sometimes some of those programs are perhaps delayed by six months and members complain on behalf of their constituents. However, they would never have obtained infill sewerage under the previous Labor Government. This Government is spending \$80m to \$90m every year on infill sewerage systems. The Labor Party, in its 10 years of government, spent a maximum of \$3m a year. When I was a councillor with the City of Bayswater, the member for Maylands' area, the council offered to pay \$1m towards the cost of infill sewerage if the Water Authority would match that \$1m. The Water Authority could not do that as \$1m was one-third of its total annual allocation for the whole metropolitan area at that time. This Government has therefore made a strong commitment to fix the problem and to ensure that infill sewerage is reaching suburbs, particularly suburbs that pollute the river with those nutrients. This Government is doing everything possible to ensure that it looks after the environment in this State.

**RECREATION CAMPS AND RESERVE BOARD, WORKPLACE AGREEMENTS****699. Dr GALLOP to the Minister for Labour Relations:**

- (1) Is the minister aware that the Ministry of Sport and Recreation's Recreation Camps and Reserve Board is threatening to sack two of its long-term cleaners unless they sign workplace agreements by Friday?
- (2) Is the minister aware that the board has written to the cleaners' union representative warning that -

I reiterate the Board's position as outlined in letter dated 9 March 2000 that a choice of arrangements for future cleaning work will not be provided; engagements will be on the basis of a Workplace Agreement only.

The letter further states -

. . . unless Ms Watters and Ms Nelson are prepared to consider engagements on the basis of the Workplace Agreement provided to them, they will be removed from work rosters and cease to be engaged by the Board thereafter.

- (3) Is this threat not a breach of the law as well as the minister's promise to provide choice to workers in Western Australia?

The SPEAKER: The Leader of the Opposition is asking for a legal opinion. I will ask the minister to answer the question but to bear in mind that she cannot be asked for a legal opinion.

**Mrs EDWARDES replied:**

- (1)-(3) I do not know the circumstances of the case. However, the law provides that threats cannot be made and can be investigated by the Commissioner of Workplace Agreements.

Mr Kobelke: But the policy of your department is to threaten government workers, minister.

Mrs EDWARDES: That is absolute nonsense.

Mr Kobelke: You threaten workers all the time. It is the Department of Productivity and Labour Relations' policy implementation under your Government.

The SPEAKER: Order!

Mrs EDWARDES: Members of the Opposition have their heads back in the nostalgic memories of the past.

Mr Kobelke: No, we have written evidence of it.

Mr Ripper: We would like to have a fair workplace system.

Mrs EDWARDES: Opposition members are not up to date with where we are going in 2000 and beyond. They are not up to date with what is being achieved by employers and employees working together in the changing place of workplace relations and the changing nature of work. They are living in the past and are soft in this area.

#### RECREATION CAMPS AND RESERVE BOARD, WORKPLACE AGREEMENTS

##### **700. Dr GALLOP to the Minister for Labour Relations:**

Will the minister provide a guarantee that she will protect the rights of these two workers, in addition to their jobs, by ensuring that they will not be sacked if they refuse to sign a workplace agreement?

**Mrs EDWARDES replied:**

I do not know the circumstances of the case. However, if the two individuals have a valid complaint, they can go to the Commissioner of Workplace Agreements who will investigate it.

#### CENTRAL BUSINESS DISTRICT, GOVERNMENT INITIATIVES

##### **701. Mr BARRON-SULLIVAN to the Minister for Planning:**

I refer to the Leader of the Opposition's farcical claim that the Government is focused solely on the central business district. Further to the minister's comments yesterday, can he inform the House of any other recent government initiatives outside the CBD which also enhance this State's magnificent natural environment?

**Mr KIERATH replied:**

I thank the member for some notice of this question. As a result of work by the members for Mitchell and Bunbury, the Minister for Housing and the Western Australian Planning Commission, a working party has been set up to look at the tuart forest south of Bunbury. The funding for the working party of \$60 000 is made up of \$20 000 each from the Ministry of Housing, the WA Planning Commission and the Dalyellup joint venture. As the minister I have requested further advice from the Planning Commission on a proposed amendment to the Bunbury planning scheme to determine the boundaries of the Shearwater housing development and the parkland that contains tuart forest. I congratulate all of the parties involved in the negotiation so far, especially the members for Bunbury and Mitchell for their participation. It has shown that with a willingness to compromise we will get the best possible outcome. This is another example of how the Government balances the needs of people with the need to protect our precious environment. That is something the Labor Party could never do.

#### PERRY LAKES STADIUM, REPLACEMENT PLANS

##### **702. Dr CONSTABLE to the parliamentary secretary to the Minister for Sport and Recreation:**

- (1) Has the Minister for Sport and Recreation or his representatives approached the Town of Cambridge regarding the possibility of the town providing funds for a new athletic stadium to replace the Perry Lakes Stadium?
- (2) If yes, approximately what amount will be required from the Town of Cambridge and how is it proposed the town will find the required funds?



- (3) What is the minister's proposed time line for the establishment of a new athletic stadium, and where will this state facility be built?

**Mr MARSHALL replied:**

The minister has supplied the following response.

- (1)-(3) The Minister for Sport and Recreation and his representatives had discussions with the Town of Cambridge about the future of the sporting facilities located at Perry Lakes. These discussions are continuing and there is no finality on any of the matters that are being examined.

PROSTITUTION, LEGISLATION

**703. Mrs ROBERTS to the Acting Premier:**

As the Acting Premier and chairman of the cabinet subcommittee on Safer WA can the member explain -

- (1) Why will the Government not agree to deleting clause 57 from its Prostitution Bill 1999 in return for the Labor Party agreeing to the passage of the rest of the Bill?
- (2) Why is the reversal of the onus of proof so important that its omission renders the rest of the legislation worthless.
- (3) Why, as the Premier claims, is clause 57 essential to combat child prostitution?

Dr Gallop: I do not think he knows the answer to that question.

Mr House: In fairness you could have given him a bit of notice; don't be such a smarty all the time.

Dr Gallop: You're grumpy.

Mr House: You're just being a smart alec.

Dr Gallop: The minister doesn't have a sense of humour.

Mr House: Neither have you. You wouldn't know what a sense of humour was.

Dr Gallop: Go and catch a few more fish; it might cheer you up.

Mr House: Grow up and stop frightening the children.

The SPEAKER: Order! I sympathise with the Acting Premier. He has not even had a chance to start. Perhaps the Minister for Primary Industry could contain himself and we might get an answer.

**Mr COWAN replied:**

- (1)-(3) Although I am not familiar with the precise wording of clause 57 of the Bill, my understanding is that it affords some protection to children in this State. On that basis, and in the words of the Premier -

Mr Ripper: I would not quote him if I were you.

Mr COWAN: I am going to. The Premier said there would be no circumstances in which this Government would ever do anything that would not maintain the protection and the rights of children in this State. If I looked at clause 57 I am sure I would find that the Premier is right. I suggest to opposition members that it would be in their best interests and the best interests of the State of Western Australia if they were to pass the legislation. This will ensure that we can provide greater protection not only to the citizens of the Northbridge area, where street prostitution takes place more than anywhere else, and those in other parts of Western Australia, but also to juveniles, and we can prosecute those people who are either kerb crawling or offering themselves for prostitution on the streets.

PROSTITUTION, LEGISLATION

**704. Mrs ROBERTS to the Acting Premier:**

Are we to understand from his answer that the Acting Premier has not been consulted about the Opposition's very genuine and generous compromise offer?

**Mr COWAN replied:**

I have not been consulted directly but I have no doubt that if, as the member inferred, this is a matter of importance to the Safer WA Council and to the cabinet standing committee dealing with law and order issues including the Safer WA Council, I am sure it will be on the agenda of the next meeting of the cabinet standing committee on law and order.

COX BAY, ROTTING WEED

**705. Mr MARSHALL to the Minister for Water Resources:**

Rotting weeds 60 metres from the Cox Bay shoreline created obnoxious odours during the peak tourist holiday period at Falcon. High tides were used as the reason that weed harvesters could not be used to get rid of the weed. Will the minister inform the House why machinery able to work in 1 metre deep water has not been purchased for the Peel waterways and why the rotting weed was not detected earlier?

**Dr HAMES replied:**

The member for Dawesville will be well aware of the problem that rotting weed used to cause in the Mandurah-Dawesville region because for many years it was a significant problem. The efforts of the Labor Government and our Government in putting the Dawesville Channel through have made an enormous difference.

Mr Graham: Your Government opened it. It was the Labor Government's idea.

Dr HAMES: It was not the idea of the Labor Government but of a bureaucrat who was given an award for doing it. Nonetheless, Cox Bay is still a significant problem. The harvesters will only operate in 1 metre deep water. They cannot operate in shallower water because to do so would cause significant damage to the environment. When the tides were right, 140 tonnes of weed were removed from that shoreline to try to address the problem. The Water and Rivers Commission is still looking at it because the cost of the equipment for removing weed in shallower water is extremely high. We are trying to do the best we can to keep that bay clear with the equipment we have.

## PROSTITUTION, CHILDREN

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

- (1) Has the minister, as part of her responsibility for the care and protection of children, inquired about the likely number of children involved in prostitution in Western Australia?
- (2) If so -
  - (a) What is the estimated number of children engaged in prostitution in Western Australia?
  - (b) What program or policies have been implemented to try to support or protect these children?

**Mrs van de KLASHORST replied:**

- (1)-(2) I assure the member that I, like most members in this place, am very concerned about child prostitution. I am absolutely appalled at the behaviour of the Opposition on this issue. We have an opportunity to do something about children in this State who are in prostitution -

Several opposition members interjected.

Mrs van de KLASHORST: Members of the Opposition should honestly be ashamed of themselves. There are young children out on the streets who are prostitutes -

Mr Kobelke: How many?

Mrs van de KLASHORST: I would need some notice of the question to find out exactly how many.

Mr Kobelke: You have not been interested until now.

Mrs van de KLASHORST: Family and Children's Services has set in place many actions to try to reunite these children with their families. I do not have the particular case histories at the moment, but Family and Children's Services has a series of plans in this State to get these young children back with their families. The Opposition is just trying to cover up the fact that as a party it is neglecting the children of Western Australia, and that is absolutely disgusting.

## PROSTITUTION, CHILDREN

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

I ask a supplementary question. Given that the minister appears to have failed in her responsibilities to children engaged in prostitution -

The SPEAKER: Order! With a supplementary question, a member is not meant to make statements. The member should just ask the question; and, if he cannot do that, he will not get a supplementary. Ask the question.

Mr CARPENTER: Will the minister undertake to make a statement before the Parliament rises tomorrow outlining her department's response to this problem?

**Mrs van de KLASHORST replied:**

I will contact the department this afternoon and find out about a statement. I cannot promise that it will be made today, but I will get a statement out as soon as possible.

Mr Carpenter: Tomorrow will do.

## ST JOHN AMBULANCE, FUNDING FOR SERVICES IN MANDURAH

**708. Mr NICHOLLS to the Minister for Health:**

Has St John Ambulance received any funding this financial year for services to be delivered in the Mandurah area? If so, what is the level of funding, and for what services?

**Mr DAY replied:**

I thank the member for some notice of the question. St John Ambulance is one of a large number of organisations which is provided with funding through our Health budget to assist in providing health services generally. About \$166m is allocated through a total of approximately 600 contracts to non-government organisations to provide assistance in that way. Some of the larger contracts include the Australian Red Cross (Western Australia) Blood Service, \$18.7m; the Cancer Foundation of Western Australia Cottage Hospice, \$1.7m; the Murdoch Community Hospice, \$1.6m; and the Royal Flying Doctor Service of Australia, \$8m.

With regard to St John Ambulance, funds are provided to enable all centres that have paid ambulance officers to make a timely response to emergencies, and Mandurah is one of those centres. Under the contract with the Health Department of Western Australia, St John Ambulance will receive \$12.141m for this purpose in the current financial year; and, in addition, it will receive approximately \$300 000 to assist in the training of volunteers throughout the State to provide emergency responses. As a result of the 1995 review of ambulance services, St John Ambulance has been provided with additional funding for an extra four paid ambulance officers at Mandurah, although the Health Department does not allocate funds specifically for Mandurah; that is the responsibility of St John Ambulance, of course. The growth in funding to St John Ambulance has increased substantially since 1996-97, when about \$10m was allocated for this purpose. In the current financial year, approximately \$12.5m will be allocated. St John Ambulance is one organisation that has received a substantial growth in funding from our Health budget.

## FLOODS, NORTH WEST, ASSISTANCE TO BUSINESSES

**709. Mr GRAHAM to the Acting Premier:**

Today I gave the Acting Premier a letter from a constituent of mine who operates the Eighty Mile Beach Caravan Park. In that letter he accurately describes the problems he is confronted with in trying to maintain his business since the floods in the north west. Last week in question time, I asked the Minister for Emergency Services what action the Government would take to assist people in those circumstances, and the minister indicated that the matter would be addressed at the cabinet meeting on Monday and I should wait for announcements. To date, no announcement has been made, and I ask -

- (1) What initiatives were taken to the cabinet meeting on Monday?
- (2) What initiatives were endorsed by the Cabinet on Monday?
- (3) Why has no announcement been made by the Government on this matter?
- (4) What direct assistance will the Government make available to the people in those businesses in the north west that have been seriously affected by the floods?

**Mr COWAN replied:**

- (1)-(4) I did have some advance notice from the member about this question and it enabled me to peruse the matter a little further. The issue of cabinet decisions will be the subject of a statement tomorrow by the Acting Minister for Emergency Services, but I can preface some of that statement by saying that Cabinet did agree to a package of support for those people affected by the consequences of cyclone Steve.

Ms MacTiernan: Did it include the truck drivers?

Mr COWAN: Yes, it did. I will leave it to the minister to give an outline of the level of support. However, as a consequence of representations made to me by both the member and the Kimberley Development Commission, I asked the Department of Commerce and Trade to assess the viability of, and the potential for loss of, that business in order to identify what might be needed to allow that business to carry on. When I receive a full report I will be in a position to identify whether there are programs that can offer support to that particular business. Once it is done, one must identify a whole range of businesses that have been affected, and I am sure the member will tell me: Exmouth, Moora and Carnarvon. There is no doubt there will be forms of personal relief. We will need to deal with that as we get an assessment of the impact cyclone Steve has had on each business.

## MINISTER FOR FAMILY AND CHILDREN'S SERVICES, CAR IN DISABLED BAY

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

Can the minister explain why she has parked her ministerial car in one of only two parking bays provided for people with disabilities here at Parliament House?

**Mrs van de KLASHORST replied:**

When I arrived this morning I parked there to unpack, because my office is nearby. I walked around to have a look, and those lines had been rubbed out, so I parked in the area that had been rubbed out. As far as I am aware they are not marked.

Mr McGinty: No, they are not rubbed out.

Mrs van de KLASHORST: The member should have a look. I got out of the car especially to have a look, and they are rubbed out. If I have inadvertently parked in a disabled persons bay I apologise, but I did not know. I got out of the car especially to have a look. It is close to my office and I had four bags to carry.

## EDUCATION, NORTHERN SUBURBS

**711. Mr MacLEAN to the Minister for Education:**

I am delighted at the recent announcement of a \$30m investment in education in the northern suburbs. Parents are very happy with the news and are particularly interested in the process which is to follow. Could the minister please provide me with some details on how the parents may be involved in the development? Would the minister also care to comment on the process for the new North Quinns Primary School and the Clarkson Primary School school-in-houses being developed as an off-campus site, which is not part of the \$30m announcement?

**Mr BARNETT replied:**

I thank the member for this question and also for the work he has done with local communities in resolving what has been quite a difficult issue in terms of the long-term planning of secondary education in that part of the northern suburbs. The decision has a lot of community input and, if I can take the member's words as an indication, has very strong community support. Construction of the new Kinross middle school for years 6 to 10 will commence in December of this year and it will be open for the beginning of the 2002 school year. A new senior college for years 11 and 12 at Mindarie will be ready for the 2003 school year. At the beginning of next term the district director will form a steering committee of parent and community representatives which will look at all the immediate issues. The first priority will be the middle school. Issues such as building design, school uniforms, school codes in a range of areas, transport issues - which will be significant - and so on, will have to be decided, and that will start immediately. The parents involved will get into that quickly. There is an urgency because the timetable is for construction to start later this year.

With respect to other schools, Clarkson Senior High School will remain as a year 8 to 12 senior high school. There is intense pressure on numbers at Clarkson Primary School; therefore, a school-in-houses project will be developed, and it is anticipated that will start for the beginning of the next school year or, at the latest, at the beginning of term 2. I am very conscious that there are significant pressures in the area given the rate of housing construction there. It is one of several areas in the State that is under pressure for new school facilities. I think the response of the community has been, as it should be, very positive about these new schools.

## YOUTH SUICIDE

**712. Ms ANWYL to the Minister for Youth:**

As this is National Youth Week, can the minister explain why, after years of glossy brochures, poster campaigns and self-promoting photo opportunities under his ministerial guidance, Western Australia now has the highest youth suicide rate in Australia and a crisis in accommodation for homeless young people? Is it not time that the minister gave up his self-promotion and put his relentless publicity drive on hold so that he can concentrate on issues that really matter to young Western Australians?

**Mr BOARD replied:**

I do not think that question becomes the member for Kalgoorlie. Any death, particularly by a person's own hand, is not welcome in this State. Youth suicide is an issue that preoccupies the Office of Youth Affairs, as it does with Family and Children's Services and the Health Department. The Minister for Health has carriage of this issue. Last year and this year the Office of Youth Affairs put together five pilot projects on intervention in youth suicide - two in regional areas and three in the city. We have put regional coordinating committees in place and we have put regional youth officers in place with the intention of trying to reduce, in any way we can, the incidence of youth suicide and self-harm.

It would do well for the Opposition not to talk up the issue, but to assist the Government in addressing the issue. It should be on the record that the incidence of suicide in the State has not changed in 100 years. Unfortunately, it has been reduced to young males aged between 23 and 30 years of age. Particularly at risk are regional young males, indigenous young males; and if they are also homosexual, they are at very high risk. We have identified all of those issues and we have proactive programs, including those with the Education Department. Through all government agencies, coordinated through the Office of Youth Affairs and the Minister for Health, we are doing everything open to us to reduce the rate.

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