



Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
THIRD SESSION
1999

LEGISLATIVE COUNCIL

Wednesday, 13 October 1999

Legislative Council

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THE PRESIDENT (Hon George Cash) took the Chair at 4.00 pm, and read prayers.

DENMARK AGRICULTURAL SCHOOL

Petition

Hon Muriel Patterson presented the following petition bearing the signatures of 663 persons -

To the Honourable the President and members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We the undersigned respectfully request that you will give consideration to the retention of the brick and tile buildings (dormitory and administration/dining) which have housed the Denmark Agricultural School since the 1940s and approve their use as a centre for the 21st century, where the heritage buildings are integral in the promotion of community education and innovation for sustainable living.

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

[See paper No 244.]

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS

Report on the Prisoners (International Transfer) Bill 1999

Hon Murray Nixon presented the forty-second report of the Standing Committee on Constitutional Affairs in relation to the Prisoners (International Transfer) Bill 1999, and on his motion it was resolved -

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

[See paper No 245.]

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Membership

On motion by Hon Norman Moore (Leader of the House), resolved -

That Hon N.D. Griffiths be discharged from membership of the Joint Standing Committee on Delegated Legislation and Hon Tom Helm be appointed as a member of that committee.

GOVERNMENT PRIORITIES AND FUNDING COMMITMENTS

Motion

Resumed from 23 September on the following motion moved by Hon Tom Stephens (Leader of the Opposition) -

That this House -

- (a) condemns the Government for its misplaced priorities and funding commitments to projects such as the belltower and the convention centre at the expense of core areas of state government responsibility such as health, education, community safety and public transport; and
- (b) calls upon the Government to remedy its failure to deliver government services at affordable rates and give priority to hospitals, schools, police and public transport.

HON PETER FOSS (East Metropolitan - Attorney General) [4.08 pm]: I was surprised by this motion when it was moved by the Leader of the Opposition because he had just been appointed opposition spokesperson on the arts. I found it extraordinary that his first task after having been appointed to that position was to attack -

Hon Tom Stephens: The belltower.

Hon PETER FOSS: No, it was to attack, among other things, what he saw as non-essential, non-core expenditure. The Leader of the Opposition included the maritime museum in that non-essential, non-core expenditure which does not fit into the areas of health, education and policing. One of the struggles the arts always has and one of the problems I believe I must try to get across to the people of Western Australia is an understanding that life consists of more than health, education and policing.

Hon Tom Stephens: Belltowers, that is your preoccupation

The PRESIDENT: Order! The Leader of the Opposition will cease interjecting so I can hear the Attorney General who is less than three minutes into his speech.

Hon PETER FOSS: I was not intending to speak at length on the belltower. I thought the Leader of the House had eloquently pointed out to the House the support that this project has from people involved in tourism. I would point to the

taxi industry. Perth is a lovely place, probably one of the most pleasant cities in the world to live in; it looks beautiful and clean and has wonderful weather. However, cab drivers showing people around Perth find that it is a little lacking in features. They can take tourists to Kings Park to show them the beautiful view. They can take them to the DNA tower, but they are running out of features at that stage. It is strange that tourism works on such things as single icons.

When I was Minister for the Environment, the Government had built the very important tourism addition of the treetop walk at Nornalup-Walpole. Given the sort of criteria used by the Leader of the Opposition, that would never have been built. Has it anything to do with health, education or police measures? No. Some people were certainly highly critical of that treetop walk when it was constructed, because after all what is the big attraction? The big attraction is nature at Walpole and the beautiful trees that are there. The problem we had when we left it to nature was that people were loving it to death. They walked all round the trees and compacted the soil, so they would die from being looked at. More importantly, for some reason, which I have never fully understood in human nature, it was not until we put something man-made there which gave people a different way of looking at the trees that they started to pour in in their thousands. We calculated how long it would take for us to recover the costs of building the treetop walk. We expected that it would take between three to six years. I had ceased to be the minister by then, but I think it was paid for in about one and a half years, which was quite extraordinary.

Not only did the treetop walk change Walpole, so that people are now flooding in to see it, which I think is wonderful because it is a real asset, and they can do so without damaging the environment, but also it has made an enormous difference to the community. I go to Walpole every year for my holidays. Walpole is a phenomenal place, but, generally speaking, it was largely undiscovered. I stay at the Coalmine Beach Caravan Park. Previously one could drive into town and always find somewhere to park. One cannot find anywhere to park in the main street of Walpole now, even in the off season, because people are coming through in their thousands. Everything is named, treetop this, treetop that or treetop something else. Everybody is using that icon as a means of promoting their particular tourist attraction, and these are emerging in their thousands.

It has not only affected Walpole. People used to drive down the coast, get as far as Pemberton and then turn around and come back. Now there is no way that people will miss travelling further on through Walpole. They then travel along the south coast through Denmark and Albany. The whole of that southern part of Western Australia is benefiting from that one small icon. It cost \$3m. In some respects that is a lot of money, but in other respects it is a very small amount when one looks at the economic and environmental benefits which have flowed from it. I wonder if the Leader of the Opposition really understands what Government is all about.

Hon B.K. Donaldson: It is about leadership.

Hon PETER FOSS: Yes. It is a matter of having some vision and trying to make sure that all aspects of life are balanced. It is an easy, cheap shot to get on the bandwagon and say that we should not build the belltower. I suppose some people said that the Sydney Opera House should not have been built. I am sure that had the Leader of the Opposition been around in that State, he would have been one of the most vehement objectors. I suppose that for a period he would have had many supporters in the community - those people who would criticise the vast quantities of money that went into the opera house. However, even though there were detractors, like the Leader of the Opposition, and people carped in exactly the same way about the opera house and said that a lot of money was being spent on the arts and what about hospitals, police stations and schools, and why spend the money on an opera house, it was built. One could almost substitute the carping and criticism about the opera house for the Leader of the Opposition's carping and criticism of the belltower and the maritime museum.

I had not been born when the Sydney Harbour Bridge was built, but I am sure that some people said it should not be built. They would have said that it was a disgraceful waste of money and what would it do for hospitals, schools and police stations, and it was merely allowing more cars to enter the city. I can almost hear Hon Jim Scott by inference saying that nothing should be done for traffic, because all it will do is encourage more people to get in their cars and drive across the Sydney Harbour Bridge. There will always be knockers. If I was permitted to pinch what I think was a very clever campaign, I would say, "Knock, knock. Who is there? The Leader of the Opposition." In this case the Leader of the Opposition is Hon Tom Stephens. All he is capable of doing is knock, knock, knock. We know who is there. In this community there will always be people who will criticise anybody who has an idea and is prepared to carry it out.

One of the interesting aspects of the belltower is that we should ask who decided that we should accept the St Martin-in-the-Fields bells. It is an interesting question because it happened to be the Opposition when it was in government. Presumably at some stage it was intended that rather than merely be stuffed in a warehouse, they would be properly housed, hung and rung. That can be done in a number of ways. One of the reasons that I am a great supporter of the belltower is that it is part of an integrated development which must occur. The Barrack Street development must occur because it is probably one of the most important developments that can be carried out for the proper enjoyment of Perth. I have not heard any criticism of the Barrack Street development. I have no doubt that Hon Tom Stephens has checked the opinion polls and found that the people of Western Australia, and those in Perth in particular, are in favour of the Barrack Street development. They do not have a problem with that. To the extent that they have any concern, it is about the belltower. Hopping on that bandwagon is the Leader of the Opposition.

Hon Greg Smith: They follow the opinion polls.

Hon PETER FOSS: That is right. They did it when in government. When they were in government, we need not have bothered to have a Government. All we had to do was to contact a market research company and whatever it indicated, the Labor Government did. That was one of the hallmarks of the Labor Government. They did not need to make decisions at all. It was probably safer that way because when they did make decisions it cost the State billions. There was that wonderful

decision made over a weekend that Petrochemical Industries Co Ltd was worth half a billion dollars. They were sitting around a swimming pool. I do not know whether it was at Alan Bond's or Laurie Connell's home. We need to have Hon Max Evans here to let us know which particular luminaries of the Labor Party supporters were there. Basically they sat around the pool and said, "PICL must be worth half a billion dollars. We sold it a short time ago. It must have gone up a bit in price. Half a billion dollars sounds about pretty right, and we will split it up, because Dallas needs \$50m, and poor Laurie is in deep trouble and needs \$350m, and that sounds like a pretty good way of working out the price"! It is pretty essential. A petrochemical plant goes right in there with health, education and police! Interestingly, if we are to strike a balance, one of the things I have always said is that the real cost of WA Inc was not the \$1.5b that was corruptly spent on all those things but was the loss of that money to health, education and police. Had that \$1.5b been spent on those families which are the most involved in the justice system, hopefully those families would have had their social and economic positions improved and would no longer be involved in the justice system. One of the reasons that we have problems in health, education and police is the enormous amount of money that was lost by the former Labor Government due to its poor capital expenditure policies.

Hon Tom Stephens: This preselection speech may have worked before but it will not work now! You are in strife!

Hon PETER FOSS: I do not have a problem. It is fascinating to debate this matter, because I have been following the member's speech with considerable interest. We can only imagine what this State could have done with that \$1.5b that the former Labor Government did not spend but burnt!

Hon Tom Stephens interjected.

The PRESIDENT: Order! Will the Leader of the Opposition stop interjecting, because he is preventing me from hearing what is going on and what other members are saying.

Hon PETER FOSS: The amount of money is so large and the consequences are so significant that we wonder what sort of State we would have if we could have spent that \$1.5b to help those families to lift their socioeconomic positions so that we would not have the problems in health, education and police that we have today. That has never been sheeted home to the former Labor Government. It got away with that. People have forgotten the massive amounts of money that it wasted.

Hon W.N. Stretch: Premier Carmen Lawrence was putting the State in debt at \$2.74m a day when she lost office.

Hon PETER FOSS: Yes. The sorts of figures we are talking about are amazing. What was never sheeted home to the former Labor Government was the social ill that it caused, which has not only put us behind the eight ball but has also meant that we now have an even greater need for that money. Because the former Government did not spend that money on health, education and police, we have had to spend enormous amounts of money on hospitals and schools. We have built new police stations. One of the major successes of this Government is the enormous amount of money we have spent on police. One only needs to drive around the metropolitan and country areas to see those police stations. In Hon Tom Stephens' electorate, there are some fantastic police stations. The best one of all is at Roebourne, which now has a fantastic new police station.

Hon N.F. Moore: What about the one at Kununurra?

Hon PETER FOSS: Yes; it won an award. The police all had manual typewriters when we came into government. We did not just replace their manual typewriters but bought them fax machines, computers and all sorts of high-tech devices. The police now have modern police stations. That did not come cheap. We have spent an enormous amount of money.

Hon Tom Stephens is complaining about the fact that we are trying to achieve some balance by creating another tourism icon. The belltower is interesting, and I will tell members about the belltower, because it interests me as Minister for the Arts as it will have an arts component. Various suggestions have been made that the bells will be tucked away in a corner somewhere where people cannot see them, or that they will be put up in the cheapest possible way. We believe the belltower will be a positive tourism icon. We need a positive tourism icon in Western Australia. The belltower will be part of the Barrack Street redevelopment, which the Leader of the Opposition's opinion polls will tell him is supported by the people of Western Australia. However, the belltower will be much more than simply hanging the bells and ringing the bells. People will be able to look through the transparent walls and see the bells being rung.

Hon Tom Stephens: It is a pity your Government is not transparent in its dealings with the people of Western Australia!

Hon W.N. Stretch: You silly man! Why don't you just listen!

Hon PETER FOSS: Hon Bill Stretch is one of the wisest members in this Parliament, and whenever he speaks, he always says something that is worth listening to. Hon Bill Stretch has carefully done it again.

Hon Tom Stephens: He is the ringleader of the four wise monkeys!

Hon PETER FOSS: All Hon Tom Stephens can do is come up with smart alec remarks. He cannot deal with the facts. This belltower will be an incredible tourism attraction, in the same way that people worldwide, not just locally, have been attracted to the treetop walk at Walpole - an extravagant waste of money, I can hear Hon Tom Stephens saying. People will be able to see the bells ringing, in an artistic building. The essential thing about life and about government is the need to strike a balance. If we were to spend everything on police, health and education, we would need to spend a lot more, because one of the things about life is that it must be complete and whole. If we leave out the arts, tourism, employment and business, we will end up with a lot of people who are mendicant and dependent on government handouts. The Opposition seems to be convinced that money should be spent in such a way that people become dependent. The Opposition likes to do that because historically those people who are mendicant and dependent on government have been the people who have

voted for it. The Opposition is rather like a dingo hunter. Dingo hunters are very good at shooting dingoes and collecting their ears, but they always shoot the male dogs, because if they were to shoot the female dogs they would be out of a job. The Opposition likes handing out money for these things, because if it can make people dependent, those people will be more likely to vote for it. The Opposition does not want people to become independent and self-reliant, because when they become independent and self-reliant they tend to vote Liberal, and that is not a good idea from the Opposition's point of view. Our philosophy has always been to try to give people opportunities to get jobs where they can earn good incomes and can tell the Government that they are not interested in its hand outs and are independent. The reason the Opposition does not like to spend money on creating jobs and tourism is that it likes to maintain people in a mendicant state.

The other matter that the Opposition criticised was the proposed maritime museum in Fremantle. However, I am pleased that having criticised it, the Opposition took the opportunity in another debate to change its position, because it realised that it had made an absolute gaffe and had stuck its foot in it thoroughly. I must say that this whole motion must be considered a gaffe on the Opposition's part. However, as part of that gaffe, it made a bigger gaffe -

Hon B.K. Donaldson: It gave us a heaven sent opportunity!

Hon PETER FOSS: Yes. As part of that gaffe, it made a bigger gaffe, because in his first speech as Labor spokesman for the Arts, the Leader of the Opposition criticised our spending of money on museums - the Arts! I do not know if he realises -

Hon Greg Smith: He probably cannot wait to get into government to abolish the Arts.

Hon PETER FOSS: That is probably so. An interesting press release about the Effie Crump Theatre, which criticised the Government, was put out by the Leader of the Opposition. Under the Labor Government, do members know how much money Effie Crump received? It is an exact round sum.

Hon B.K. Donaldson: \$100 000?

Hon PETER FOSS: Absolutely nothing!

Hon Tom Stephens: We did not kill it off like you are about to do.

Hon PETER FOSS: This Government gave Effie Crump \$179 000. If that is killing it off, perhaps I should follow the Labor method and not give it anything. If Labor fostered it by giving it nothing, which seems to follow from the Leader of the Opposition's criticism, we mistakenly killed it off by giving it \$179 000 - and we have gone and done it again; we have given it another \$40 000. How wrong can we be? It is not a police station, it is not a hospital and it is not even a school; it is the arts, and we have gone and done it again by bringing the amount up to \$219 000. That really is a bit much! Here we are spending all this money on the arts. I get this criticism from the Leader of the Opposition that I am killing people off by making sure that they get money.

Hon Tom Stephens: The ballet, the opera and the West Australian Symphony Orchestra will all be nearly dead if you are left as Minister for the Arts for much longer.

Hon PETER FOSS: I will start with the opera, because it is a good example.

The PRESIDENT: Order! The Leader of the Opposition should not interject because it is obvious what is now happening; we are on another tangent.

Hon PETER FOSS: The Western Australian Opera Company is a good example. What was the first thing that I, as Minister for the Arts, had to do for the Opera Company? The Opera Company was in trouble because somebody had cut its funding. Some Government had been so nasty as to cut its funding. It did not increase it; it cut it.

Hon J.A. Scott interjected.

Hon PETER FOSS: Mine was in a commercial production. I do apologise.

The problem for the arts was that most companies received a cut in funding under Labor. That includes the Opera Company. It was in the doldrums. It had not had a chairman for two years. I managed to find it a chairman. The Opera Company submitted a proper business proposition, and the Government gave the funding back to the Opera Company. That is one thing I did.

Hon Greg Smith: And that is a misplaced priority.

Hon PETER FOSS: Yes, a totally misplaced priority; it should have gone into police stations.

Another interesting example is the West Australian Symphony Orchestra. I will take the opportunity to explain its situation. I did a deal with the Federal Government whereby it put in an extra \$250 000 per annum and the Western Australian Government put in an extra \$250 000 per annum. Therefore, we gave it \$500 000 a year more. However, I stipulated that we should get rid of the concert bonus. Under that concert bonus, it did not matter whether a person was playing a great deal or not; if the Symphony Orchestra was playing, a person was deemed to have earned his concert bonus. I hoped that we might be able to split the Symphony Orchestra when it was playing in the pit for the ballet or the opera and send the rest of the orchestra on country tours. I was concerned that the Symphony Orchestra had stopped touring country areas. Therefore, we arranged to get rid of the concert bonus. I arranged for \$500 000 extra funding. We increased the size of the orchestra so that it could be more easily split. As I said, we got rid of the concert bonus, and one of the stipulations I made was that as a result of that, the Symphony Orchestra should tour regional areas, which it has been doing. I think we have heard from some members in this place how pleased they are that the Symphony Orchestra has been able to resume touring.

Hon Greg Smith interjected.

Hon PETER FOSS: Exactly. After years and years of the Symphony Orchestra not being able to tour, it has now gone back to touring, to the great benefit of regional Western Australia. It shows how much the Leader of the Opposition knows about his shadow portfolio when he accuses me of having cut the money to the Symphony Orchestra.

Hon Muriel Patterson: You have brought culture to our towns.

Hon PETER FOSS: Exactly. I am glad that Hon Muriel Patterson mentioned that. Previously there were two organisations. One was the Arts Council of Western Australia and the other was the Performing Arts Touring Information Office. They were duplicating their efforts considerably. I arranged for them to be amalgamated into Country Arts (WA) Inc. I increased and delegated all the funding. Country people now make decisions about country arts. I have handed over to them the decision making, and I have increased the funding. The shadow spokesperson obviously knows nothing about this because he has accused me of cutting the funding when in fact the funding has increased. I find this disturbing. Every time he puts out one of his press releases, he cannot make up his mind what he will say. Usually he ends up saying something schizophrenic. I am accused of giving money and not giving money; I am accused of knocking things out. He really does not know from where to come. He does not know whether he should applaud arts funding or criticise it. He is always in a schizophrenic state of mind about whether it is good or bad that I have spent this extra money.

I have been accused of knocking out business companies which disappeared before I was minister. The Hole in the Wall was a classic example of which I was accused. The Hole in the Wall disappeared under Labor. It was amalgamated with the State Theatre Company under Labor in an extraordinarily bad way. I will not go into the details of that disaster. Labor got rid of it. It revived itself later, but it was not able to get enough funding to continue operating; it revived itself and then disappeared. The people who removed it were Labor, and I am blamed for that. I have done a tremendous amount to assist in various areas of the arts.

Hon Tom Stephens: What about the State Theatre Company?

Hon PETER FOSS: Would the Leader of the Opposition like to hear about the State Theatre Company?

Hon Mark Nevill: Tell us about how much support the mining industry has given to the arts in country areas.

Hon PETER FOSS: Hon Mark Nevill has made a good point. The mining industry has been excellent in its support of the arts. As minister, I have started the state sponsorship scheme.

Hon Mark Nevill: I hope you are not taking credit for what the mining industry has done.

Hon PETER FOSS: No. However, I have recognised what it is doing. The state sponsorship scheme recognises the contribution that has been made by not only the mining industry but private industry generally. The mining industry has been very good, particularly in the north west, and we have recognised the contribution it is making. Labor used to treat private industry as an intruder in the arts. Mining companies have recognised the true role of the arts. They are not contributing to it as a sort of sop; they are doing it because they see that the arts are important to the quality of life in remote areas. I insist that the ballet and the opera conduct regional tours. The mining companies have seen that they are not handing out money for no benefit; they see it as being a positive contribution to the quality of life in regional Western Australia. Hospitals, schools and police stations are important, but that is not the end of life. Life goes much further than that. I have gone out of my way to congratulate and recognise the achievements of all private industries in working together with the arts. It is not just a matter of patronage and handouts; it is a matter of the arts showing to people that it can deliver something worthwhile.

I want the Leader of the Opposition to understand that the arts is not an add-on; it is not a whimsical idea. It provides a major contribution to the quality of life in Western Australia. That is why the maritime museum is so important. The maritime museum shows that we recognise how important the sea has been to this State. The majority of western settlement is on the sea.

Hon Mark Nevill: When will you build my museum of palaeontology?

Hon PETER FOSS: I would not mind talking to Hon Mark Nevill about a museum of palaeontology; it sounds like a very good idea.

Hon Mark Nevill: I can be bought off for about \$30m.

Hon PETER FOSS: The member and I should speak to the Premier to see what we can do about that.

The sea has had an important role to play, especially for western civilisation. The museum at Fremantle will not start with western settlement; it will start with the important role that the sea has had for Aboriginal people. It will deal with other aspects as well; for example, immigrants came across the sea; and fishing, sport and war have been important. I do not know how many people know that the biggest submarine base in the southern hemisphere was at Fremantle. One of the reasons people have not been aware of it is that it was surrounded by secrecy and it was not made public. There was a bit of a hangover from that because I remember someone being prosecuted for doing a sketch of the *Diamantina* at Fremantle. At the same time, the USS *Enterprise* was off Fremantle as well as the rest of the American fleet, and people were taking photographs of it. It seemed an excessive reaction to people doing a sketch of the *Diamantina* at the same time as people could take photographs of the US fleet. One of the reasons these rules were in place was that Fremantle was the major submarine base in the southern hemisphere.

The role of the arts, and in particular the role of the sea, in Western Australian history is vital. Members should talk to the settlers at Fremantle. As part of the development of this museum, we hope to have an area which the local Fremantle fishermen will feel is there for them. We want them to take a custodial and a caring role over that area. I can speak for my ethnic group. Portuguese fishermen sailed to Western Australia. They came from Madeira, travelled to South Africa, stayed there for a period, and then came across the Indian Ocean in small fishing boats. They arrived in Western Australia three years after my mother, who was also from Portugal. To them, the sea was not only their livelihood, but also their way of getting here in their fishing boats. The connection with the sea for the Italian community, which is a major part of the population of Fremantle, is similarly very important and remains so to this day. The role that the fishing industry plays in the Western Australian economy is vital. These issues must be recognised, recorded and celebrated. We are putting the museum where the first European settlers landed. We intend to mark that place and occasion. Those things are essential to the heart and soul of the people of Western Australia.

I am very pleased, as would be any Arts minister, when I receive money for what some people in the community would see as light-hearted frippery. I am pleased to say that I have a Treasurer who does not see the arts as light-hearted frippery. I am disappointed that not only does the Opposition see it as light-hearted frippery, but also a member of the Opposition who has been given responsibility for the arts sees it as light-hearted frippery. That is one of the most disappointing aspects of this. I have enjoyed many functions with some of the opposition members who are interested in the arts. I say that because some members of the Opposition are intensely interested in, and supportive of, the arts. I have always acknowledged their presence at any arts function. I have not only acknowledged their presence, but also gone out of my way to point out what great supporters they are. I do not just say that they are at the function; I say that they are always at these functions. They are always supportive; they are among the real supporters of the arts community in Western Australia. I pay them that due and they are entitled to it. It has always been a great encouragement to me. Despite the fact that one could make cheap shots at arts projects because it is easy to get the rednecks on side, I have always had great support from the Labor Party's spokespersons for the arts and they know it would be all too easy to get the rednecks stirred up. They had not tried that cheap shot until the latest appointment to that position. The current spokesperson could not wait even half a day before moving a motion criticising this Government for putting its money into things which deal with the quality of life.

Hon Tom Stephens: You are like Marie Antoinette: When the people want bread, you say give them belltowers.

Hon PETER FOSS: The Leader of the Opposition is unreconstructed. I gave him the opportunity to retract and say that he supports the arts, that he will not get involved in cheap shots and that he is there to help me get the money out of Treasury. However, what does he do? He says, "Let them eat belltowers." That was a good shot! I can just hear him in Forrest Place making that point. It was a good, cheap shot. It would go down well with the rednecks; it would go down well with the people who do not think the arts have any part to play in our community. I will give it to the Leader of the Opposition. If he wants a good political catchcry and wants to make cheap political points and get the rednecks behind him who do not want to spend any money on the arts, it is easy. The arts is probably the easiest shot around. If the Leader of the Opposition wants to make political capital out of it, he can. However, it is a sad day for the arts when the Labor spokesperson makes cheap political shots and has a go at expenditure on the arts. I am disappointed that the Leader of the Opposition is so unreconstructed that given the opportunity, he still does not withdraw.

I had hoped to speak at great length about the immense amount of money we have spent on courts, because we have designed new courts and replaced the unbelievably outdated stock that was left behind. We established the new King Street Arts Centre. We have been spending money on a wide range of things and it is wonderful to have this opportunity to give a short understanding of these issues to the people.

Although I no longer hold the portfolio, I will mention the environment. I know Labor is very long on talk on the environment, but I was very proud of setting in place some very important environmental measures. The most important one is the massive effort of Western Shield. I do not know how many people realise that the moment that westerners stepped on the ground in Western Australia, they brought with them a dreaded interference with our environment: The fungus on their feet, the plants they brought and the animals that escaped from their ships. We do not realise how our environment has been changed by introduced plants and fauna. I had the opportunity to go to Barrow Island -

The PRESIDENT: I am reading the motion and until the Attorney General turned his speech in its current direction, he was certainly within the scope of the motion. He must come back quickly to the motion.

Hon PETER FOSS: It was the motivation behind my support for a major capital expenditure program implemented by the Court Government to deal with the environment; that is, Western Shield. I should also mention the salinity action plan, but I cannot deal with it in detail. Western Shield was a very important government policy. By spreading poison across the south west of Western Australia and selected places elsewhere, we have allowed the native fauna to return in great numbers.

I am very familiar with a place called Dryandra - my wife comes from there. My father-in-law told stories about how many woylies there were when he first went there in the mid-1930s. When I went there first in the mid-1960s, they were gone; they had been eaten by foxes and cats. Western Shield has allowed them and other animals to return to the area.

People do not realise that most of the native animals Australians talk about have vanished from the eastern States; they exist only in this State. Not only are they surviving in this State, but Western Shield has ensured that their numbers have increased. Western Australia is very lucky because its native fauna is resistant to the 10,80 poison. It occurs naturally in Western Australian plants and the fauna has developed a natural resistance to it. By spreading that poison, we have been able to kill off all the introduced animals while not harming the native animals. The Government takes no credit for that part of it; it is a fortunate feature of nature. However, it does take credit for utilising that feature in a massive campaign to save the fauna of Australia, which is being effectively saved only in this State.

When looking back on some of the goals I have achieved in addition to the Treetop Walk and the salinity action plan, the work done through Western Shield is a great legacy to leave the people of Western Australia. I know it might seem an inconsequential bit of frippery as far as the Opposition is concerned - it does not build a hospital or assist in education, and it probably does not help the police - but I believe it is a very important part of the heritage of Western Australia and our environment. I take great pride in having been associated with actively encouraging and promoting it. I will now allow other speakers to dwell on the Government's achievements.

HON B.K. DONALDSON (Agricultural) [4.54 pm]: I will give credit where it is due - to the Leader of the Opposition.

Hon Tom Stephens: Thank you, but I suspect this is a prelude to a blast.

Hon B.K. DONALDSON: I do so because he provided this side of the House with a heaven-sent opportunity.

Hon Tom Stephens: You have been unleashed!

Hon B.K. DONALDSON: I know he is a very generous, caring and compassionate person. I have always respected that. I also realise he has a great deal of intelligence.

Hon Max Evans: I would not agree with that.

Hon B.K. DONALDSON: I have been puzzled about the Leader of the Opposition's motive in moving this motion. I have worked it out. For three hours we heard the Leader of the Government spell -

Hon Tom Stephens: Over four days.

Hon B.K. DONALDSON: That is even better. The leader said at times that he had only begun his introductory remarks; he had not dealt with the substance of the debate. Hon Peter Foss has now detailed other government priorities. I now know why the Leader of the Opposition has moved this motion. He sees it as an opportunity to learn about all the successful programs and priorities that the people of Western Australia have readily accepted, given the last state election result. He wants to find out how the Australian Labor Party can put together a policy that will be acceptable to the people. This debate has saved him extensive research. However, it has been a wonderful reminder for members on this side of the House. We have been given a complete audit of what this Government has achieved to establish a better quality of life for all Western Australians.

I turn to the convention centre and the Barrack Street development, which includes the belltower.

Hon Ljiljanna Ravlich: That will make life better for everyone!

Hon B.K. DONALDSON: I hope all members saw the very good, feel-good movie *Field of Dreams*. The most important line in the movie - which was repeated often - was, "Build it and they will come." The reference was to a baseball pitch. This State is very much like a field of dreams. We talk about a convention centre and a belltower. If we build them, they will come; people will utilise those facilities. I will refer first to the convention centre.

Several members interjected.

The PRESIDENT: Order! One member should speak at a time. Hon Bruce Donaldson has the call.

Hon B.K. DONALDSON: In 1987-88, the then president of the Country Shire Councils Association of Western Australia, Rich Maslen from the Shire of Greenough, rang Jeff Carr in the middle of the night from Rio de Janeiro, where he was attending a meeting of the International Union of Local Authorities. He wanted to know whether the Government would underwrite a conference of the IULA. It would be the first time the union had gathered in Australia. To the credit of the then Government, it agreed. Jeff Carr said that he would talk to the Premier, and at 5.00 am he telephoned back and told the Western Australian representatives to submit Perth as a host city. Western Australia was successful in attracting that conference.

Members will remember the 1989 airline dispute. Over 2 000 delegates were registered for the conference, but just over 1 500 attended because others could not get flights in. Some were flying to Singapore from the eastern States to get to Perth. It was still a very successful conference. The Burswood convention facility was struggling. Some of the break-out sessions and the opening and closing ceremonies were held at the Perth Concert Hall. I went to the Cavalieri Hilton in Rome for the 1987 world conference. Its facility was designed to accommodate 2 500 to 3 000 people. The Perth conference dinner was held in the Dome and it was magnificent. However, it was difficult to accommodate 1 500 people.

We have groups wanting to hold conferences for 3 000 to 5 000 delegates. We cannot accommodate a function of that size with the facilities we have at the present time. The Western Australian Municipal Association conference dinner this year was held in the Dome because well over 1 000 people wanted to attend the conference and the dinner. Even on the domestic scene we need a convention centre that can accommodate anywhere up to 3 000 or 4 000 people. That is important for Western Australia. The Real Estate Institute of Western Australia wants to hold a conference for 5 000 delegates, but we do not have a facility that will accommodate them. I say build it and they will come. If we build a convention centre, we will attract very large conferences to Perth. We have a wonderful State with a good climate.

Hon Ljiljanna Ravlich: What about the belltower?

Hon B.K. DONALDSON: I am getting to the belltower. Hon Ljiljanna Ravlich should not rush me; I have plenty of time.

Debate adjourned, pursuant to standing orders.

[Questions without notice taken.]**JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION***Shire of Northampton Signs Local Law*

Hon Ray Halligan presented the forty-third report of the Joint Standing Committee on Delegated Legislation in relation to the Shire of Northampton Signs Local Law, and on his motion it was resolved-

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

[See paper No 247.]

SHIRE OF LEONORA, LOCAL LAW RELATING TO DOGS*Motion for Disallowance - Order of the Day Withdrawn*

HON RAY HALLIGAN (North Metropolitan) [5.36 pm]: I seek leave of the House to discharge Order of the Day No 5. By way of brief explanation I advise that the Joint Standing Committee on Delegated Legislation has had its concerns addressed by the Shire Of Leonora.

Leave granted.

ADDRESS-IN-REPLY*Amendment to Motion, As Further Amended*

Resumed from 12 October after Hon Ken Travers had moved the following amendment -

That the following words be added to the motion, as amended -

And further we advise His Excellency that the Legislative Council is opposed to an international nuclear waste dump in Western Australia, such as the one proposed by Pangea, and is disappointed that the Liberal National coalition Government has failed to progress legislation to prohibit such a facility and calls upon the Government to advise when they intend to do so.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [5.37 pm]: I thank the House for providing this early opportunity to speak to this amendment to the Address-in-Reply and give it some priority because it does represent on the part of the Labor Opposition a plea to the Government that we hope will be understood loud and clear and supported by all non-government members to give the House and the Parliament the opportunity of expeditiously dealing with much needed legislation in the State that will put beyond question an issue of considerable concern to an overwhelming majority of Western Australians. That concern is that the State could be utilised by the international nuclear energy industry as a dumping ground for nuclear waste. When we see such a concerted and well-connected campaign wage war on the State to secure permission from the Government to position a nuclear waste dumping facility here it makes it all the more cogent and urgent that legislation should be brought forward that would rule out any such prospect. The passage of the amendment would be an unequivocal statement of the House expressing the support of the House for the legislation to be brought forward and considered and enacted in such a way as to put the question beyond dispute. As Hon Ken Travers has said by way of his introductory remarks before he gave notice of this amendment, wider community debate on the issue has reached a climax. The community is demanding that protection be available to the people of Western Australia from any sleight of hand on the part of the Government - of which they have become increasingly aware and about which they are increasingly concerned.

The people of Western Australia fear that the protestations of the Government that it has no intention of positioning a nuclear waste facility in this State count for naught, and they want guarantees in place that will protect the community from that possibility. They have watched this Government renege on previous assurances and commitments made in election and pre-election contexts in the past. The pre-election commitments that it would not introduce a gold royalty were forgotten immediately after the election. The protestations of the National Party that it would look after rural interests on questions such as the impact of the uniform tariff and the electricity tariff upon businesses and communities in regional parts of Western Australia have been forgotten since the issues have finally been dealt with by government.

There has been a litany of similar breaches of trust on the part of this Government that can no longer be tolerated. There is now an opportunity for this House, in a multi-partisan way, to agree to the final amendment to the Address-in-Reply proposed by the Labor Opposition, through the good offices of Hon Ken Travers. Despite its being the final amendment, nonetheless it is as important as any of the earlier amendments, if not more important than some. Increasingly, the public is clamouring for this legislation, and this House should echo that clamour by supporting, I hope unanimously, ideally tonight, the expeditious passage of this amendment. The Labor Opposition does not require any adjournments. It would be happy for the amendment to be passed immediately, with the unanimous support of all members of the House. In that way the Government can indicate that, yes, it is serious about its claims that it is opposed to a nuclear waste facility in this State, and that it is happy to put that commitment on record through the carriage of this amendment and the expeditious treatment of the legislation in the other place.

The Government has had a clear opportunity to put this issue beyond dispute and to make sure that Western Australia does not have a nuclear dump positioned in its backyard. All it must do is put its clear intentions on record by making sure that the -

Hon N.F. Moore: If you sit down, I am happy to do that right away. We have heard this rubbish before.

Hon TOM STEPHENS: Is the Leader of the House indicating that the Government will support this amendment?

Hon N.F. Moore: I am happy to put on record the Government's position if you will sit down and give me a chance.

Hon TOM STEPHENS: I want to make sure that the Government's position is not ill-founded and wrong-headed. Despite the extremely clear and vocal opposition to a Western Australian-based nuclear dump, the Government has so far been equivocal in its handling of this issue.

Hon N.F. Moore: That is not true. The Premier has told the company concerned that it is not on. The Parliament, on a motion of the Government, has passed a resolution through the Assembly saying it is not on, and the Government has also responded to the Opposition's legislation in the Assembly today. The Leader of the Opposition knows that, so he should stop trying to stretch the untruths he has been telling.

Hon TOM STEPHENS: I want to make sure that the Government will make a commitment in this place to the expeditious handling of this important legislation through this Parliament and through this place.

Hon N.F. Moore: You are the one who controls the Notice Paper.

Hon TOM STEPHENS: No. Hon Norman Moore is the Leader of the House.

The PRESIDENT: Order! If the Leader of the Opposition addresses me, in a moment I will call the Leader of the House and he will have the next opportunity to speak.

Hon TOM STEPHENS: Mr President, I say, through you, to the Leader of the House that he controls the Notice Paper and it is upon him -

Hon N.F. Moore: I cannot expedite anything.

The PRESIDENT: Order! The Leader of the House should let the Leader of the Opposition finish his comments.

Hon TOM STEPHENS: We would be delighted to provide the Government with whatever opportunity it needs to ensure that this legislation is dealt with expeditiously in this Parliament. The Labor Opposition would be delighted if it were dealt with expeditiously today in the Assembly, and could be dealt with in this place in double-quick time so that the assurances sought by the public of Western Australia can be obtained. It is absolutely essential that the Government move in this way to ensure the expeditious passage of this legislation. Labor's position on this question is unequivocal: There should never be a nuclear waste dump in Western Australia - not on the basis of the whim, fancy or mood of the Government of the day.

Hon N.F. Moore: As a matter of interest, how do we pass legislation that is binding on future Parliaments?

Hon TOM STEPHENS: We should make sure that in the future both Houses of this Parliament must give consent before any Government can establish in this State a nuclear waste facility of the type proposed by Pangea Resources Australia Pty Ltd. I understand that the Senate has unanimously supported a proposal opposing the Pangea proposal; yet some Liberals are still willing to lend support to this idea.

Hon Ken Travers: Over 50 per cent of the Caucus, according to Senator Lightfoot.

Hon N.F. Moore interjected.

Hon TOM STEPHENS: I presume he was either asleep, not present or did not understand what was going on.

Hon N.F. Moore: Why don't you just stick to the facts occasionally?

Hon TOM STEPHENS: I am not sure what happened. I was not in the Senate on that occasion.

The PRESIDENT: Order! The Leader of the House will get the next call.

Hon TOM STEPHENS: This Government has the opportunity to settle this issue and reassure all of the people of Western Australia, including those people in regional Western Australia, in the Pilbara and other parts of outback Western Australia, who are determined not to allow a waste facility such as this to be established in their backyard. The Government should take this issue seriously; yet to this point there seems to have been a lot of talk and no action to facilitate the passage of this legislation, ideally through both Houses very quickly.

Local councils have expressed their views. At local government level, motions have been moved and carried at council meetings. This Parliament should not only pass motions but also follow the lead of councils which have amended their town planning schemes in order to declare their areas nuclear-free zones. That shows the serious intent of those local authorities. I think the City of Geraldton and the Shire of Chapman Valley, two country shires, have clearly indicated their view and effectively put into the legislation of their local authorities this prescription regarding no nuclear waste facility being located within their boundaries. That is the type of leadership now sought from the Government, in response to the Labor initiative to advance this legislation. The amendments to the town planning scheme will state that the councils do not support the establishment of nuclear industries and associated activities, and that is a sensible and productive move by those councils.

It is unfortunate that state government ministers have criticised and attacked those local authorities as if that is some indication of perhaps the attitude of the government ministers and some elements of the Government to the initiatives of the Labor Opposition in this regard. Any steps taken by local government towards ensuring that Western Australia remains a nuclear-free zone should be applauded and given encouragement by supporting the passage of legislation such as that which

is called for in this motion. By failing to do that, the Government is burying its head in what could soon be the radioactive sand of Western Australia. It would be a travesty for the Government to proceed in that way. It should recognise and act on the public mood concerning nuclear waste, rather than criticise local governments, the Opposition and others who have taken a stand in defence of the posterity of the Western Australian community, and who do not want to see our State and its future adversely affected by a facility of this type. I commend the motion to the House. I hope that it has the support of the Government.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [5.49 pm]: The Australian Labor Party is engaging in a most disgraceful deception in respect of this matter. The Bill promoted by Dr Gallop in the Assembly has so many holes in it that we could drive a bus through it - not just a bus, but a nuclear-powered truck. It is an absolutely appalling piece of legislation which will not do what the Labor Party says it will. It has gone out into the world and said that it will bring in legislation to stop any Government from doing certain things. However, it does not do that. I wonder why that is the case. Why would the Labor Party tell us that its legislation will do something when it will not? It is a gross deception of the community. I suspect that the Labor Party is telling a few porkies on this issue.

Let us look at a bit of history. If Dr Gallop's great friend the Prime Minister of the United Kingdom is such a great friend, why would Dr Gallop not contact the Prime Minister and ask him to call off his government agency. British Nuclear Fuels Ltd is an agency of the British Government and, in fact, is a 70 per cent owner of Pangea Resources Australia Pty Ltd. Not only has Dr Gallop not contacted his friend the Prime Minister and said, "Call them off", he has done nothing at all. What is happening to British Nuclear Fuels? It is being privatised by the Blair Labour Government. Perhaps Mr Blair does not want to get involved in Pangea because it might affect his privatisation program. I have been told that it will be worth billions of dollars when it is flogged off. The different approach to government from Mr Blair on one hand and his great mate Dr Gallop on the other is extraordinary. To my knowledge, Dr Gallop has not opened his mouth publicly to the British Prime Minister to ask him to call off Pangea and save Western Australia from this dreadful nuclear holocaust. However, he has come into Parliament with a Bill. He could at least ask, because he is asking for a lot of other advice on how to be the Leader of the Opposition and how to win government. He spends his time at Chequers having a nice time. Did he ask whether Pangea should be called off? He certainly has not told us. Dr Gallop has come to Parliament with a private members' Bill and then said, "I will save the world." However, the Bill has holes in it so big that it does not do what he says it will. It will not have the effect of stopping a nuclear waste dump in Western Australia at all. That was pointed out to the Labor Party in the other House today.

The PRESIDENT: Order! It may have been pointed out in another place, but the Leader of the House can generalise on a Bill that apparently exists, the content of which I am not aware, but he certainly cannot debate the merits or otherwise of the Bill.

Hon N.F. MOORE: The Labor Party leader is proposing a course of action which he says will save us from Pangea. I am saying that the course of action he is proposing will not save us from Pangea at all. His course of action is full of great big holes through which we could drive a nuclear-powered ship, power station or truck or any amount of nuclear waste we want to drive through it. I wonder why the Labor Party has done it. If it is so adamant that it is on the side of the Greens (WA) and the side of righteousness, why has it taken that course of action? It does not make any sense to me. I would have thought that if a person with Dr Gallop's standing in the community wants to take a course of action to save Western Australia from Pangea, he would at least make sure the processes he was putting forward would work. However, he has done nothing of the sort. He is just grandstanding on a political issue and has done nothing of substance to solve it.

The Government has done a number of things. Firstly, it proposed and had passed a motion in another place -

Hon Tom Stephens: Proposed?

Hon N.F. MOORE: We proposed and had passed a motion in another place.

Hon Tom Stephens: It was our motion.

Hon N.F. MOORE: The Government proposed and had passed a motion in another place stating categorically that this Government was not interested in, and would oppose, any attempt by Pangea to have a nuclear dump in Western Australia. Secondly, the Premier wrote to British Nuclear Fuels Ltd telling that company what the Parliament of Western Australia had stated. He then visited the company, which involved a fair amount of trouble. I had the pleasure of accompanying him when he met British Nuclear Fuels representatives in Manchester. We told them in no uncertain terms that Pangea was not welcome in Western Australia.

Hon Tom Stephens: You will be the Agent General by that time.

Hon N.F. MOORE: This is the sort of dork with whom we must deal in this place. He simply wants to change the subject.

Withdrawal of Remark

The PRESIDENT: Order! The point on which I am calling the Leader of the House to order is on the reference he made to the Leader of the Opposition.

Hon N.F. MOORE: I apologise. I withdraw that.

Debate Resumed

Hon N.F. MOORE: He uses inane interjections to avoid the issue he has raised. The Premier and I met British Nuclear

Fuels personnel in Manchester and told them in no uncertain terms that they were not welcome in Western Australia and that we could not imagine any future Government having a different point of view.

Hon Ken Travers: That is not what Barry Haase said.

Hon N.F. MOORE: I do not care what Barry Haase says. I am telling members what the Premier of Western Australia said, and I was there to witness it. I also made my point of view well and truly known to the people from British Nuclear Fuels.

The PRESIDENT: Hon Ken Travers will come to order. He moved the amendment and has spoken. Now it is time for other members to speak.

Hon N.F. MOORE: British Nuclear Fuels is, and I repeat it for the benefit of the Leader of the Opposition, a statutory authority of the British Government, and if Dr Gallop were to get on to his mate the Prime Minister and ask him to call off Pangea, it could happen just like that. However, it has not happened because Dr Gallop wants to milk this as a political issue. He is almost as bad as the Greens (WA). The Greens ask questions in this House assuming that there will be a nuclear fuel repository in Western Australia. They know that is incorrect. A question was asked today based on the same assumption, and it is incorrect. As far as this Government is concerned, it is incorrect and will not happen. I do not know what the Labor Party might do in the future. Members must ask themselves what the Labor Party will do in the future. Why would it bring in a piece of legislation, which I have heard about and which is a course of action being taken by the Leader of the Opposition, which has great big holes in it? Does it have some plan? Do members recall what the Labor Party said about uranium mining before it became the Federal Government? It said that it was opposed to uranium mining. What did it do when it came into office? It created the three mines policy. That is the uranium mining we have when we are not having uranium mining; it is called Clayton's uranium mining. Those uranium mines dug up uranium ore, which was used by nuclear power stations around the world, under a Labor Government which told us that it was opposed to uranium mining. The Labor Party is now saying that it is opposed to a nuclear waste dump in Western Australia. How can we believe what it will do in the future when we see the course of action being taken by its leader, and which is so full of holes that one must wonder what on earth its strategy is all about? Knowing how pedantic and academic Dr Gallop is, I cannot believe he would make a mistake by bringing in a course of action that has holes in it so wide that it does not achieve the purpose for which it was intended. I cannot work that out without coming to the conclusion that there is something much more to this than has crossed my mind. Perhaps the Labor Party will tell us what it is about. Perhaps it is keeping it up its sleeve for when it sends the country broke next time. However, it does not always tell us how it is, and the record of the Labor Party is testimony to that.

The Leader of the Opposition talked about broken promises a moment ago. I recall when the Burke Government told all public servants who earned above a certain amount that they would receive a 10 per cent cut in their pay. The Labor Party never mentioned that before the election. It did not tell anybody that it would cost the taxpayers \$1b through WA Inc. The most outrageous action was the 10 per cent pay cut. This party which calls itself the party of the working class, gets elected to office and cuts the salaries of a stack of people who work for the Government. What a wonderful way to start a term in office!

Sitting suspended from 6.00 to 7.30 pm

Hon N.F. MOORE: Prior to the suspension I was making the point that the Labor Party's position on the issue is one of deception and one needs to try to understand why it is taking this course of action. There are two options for us to consider. The first is that it is a straight out political stunt, and the second is that something much more sinister is attached to it. As I explained to the House, Dr Gallop has introduced legislation in another place through which one could drive a bus and it does not achieve any purpose at all. Dr Gallop is a good friend of the British Prime Minister, who could, if he wished, direct British Nuclear Fuels to desist from getting Pangea involved in Australia. All Dr Gallop has done is introduce a Bill into the Assembly, which as I have said, is defective. He has done nothing in respect of his relationship with the British Prime Minister, although he may have done and has not told us about it. However, I suspect he would have told us if he had.

The Labor Party is suggesting that the Government of Western Australia in some way supports the Pangea proposal. I have explained to the House what the Government has done and it included a visit to Manchester by the Premier and me to meet with senior executives of British Nuclear Fuels to tell them that their proposal is not welcome in Western Australia. The message was delivered loudly and clearly.

The Government is now trying to fix up the legislation that was initiated by Dr Gallop to make it work.

Hon Bob Thomas interjected.

Hon N.F. MOORE: Hon Bob Thomas can be as cynical as he likes about this but I am cynical about his position on this. Dr Gallop is not the sort of person who would bring into the Parliament legislation that he wants passed which is fundamentally flawed and which will not achieve his objective. Why would he do that? He should answer that question. He should tell us why he has not been to see his mentor and great mate, Tony Blair, to ask him to get a British Government department out of Western Australia. He could have at least asked! If I were Dr Gallop trying to score a political point as he is, it would have been the first thing I would have done. I would have got on the telephone and said, "Look mate" - that is how they talk in the Labor Party.

Hon M.J. Criddle: Comrade!

Hon N.F. MOORE: Mr Blair does not use the word "comrade" - he is too smooth for that. He is New Labour.

Hon Greg Smith: Darling!

The CHAIRMAN: Order members! Let us get back to the substance of the debate.

Hon N.F. MOORE: He should have said, "Tony, mate, I would like you to call off Pangea so that I can tell everybody around the world that I, Dr Gallop, have saved Western Australia and Australia from a nuclear fuel dump." With Mr Blair's great capacity to get messages across to the people of the United Kingdom, that message would have flowed very quickly to the rest of the world and Dr Gallop would have been a hero. He could then say, "I saved Western Australia from Pangea with the help of my mate Tony Blair"! However he has not done that. He has introduced a Bill that does nothing about Pangea. Members should contrast that with what the State Government has done. It has done what has to be done knowing full well, as the Labor Party and every member of Parliament knows, it does not matter how many Bills are passed through Parliament and become Acts, they can be changed by a future Parliament. A thousand Bills can be passed here tonight stating that there will be no nuclear fuel dumps in Western Australia, but that will not stop some future Parliament from changing them. That is the nature of our laws. To say that because it has not done certain things the Liberal Party is supportive of Pangea is plain political cynicism. The Government has gone to the company proposing this and told it that it is not welcome in Western Australia under any circumstances. It has told it to go away. I understand from the letter written to the Premier that it is indeed going away.

Hon N.D. Griffiths: That is until Mr Barnett replaces the member for Nedlands.

Hon N.F. MOORE: Some of the interjections are just ridiculous. Pangea is not welcome here. It can set up an office wherever it likes. Would the Opposition like to have the executives of Pangea decapitated as the Leader of the Opposition would have ministers who do not answer questions decapitated? We do not have a law that says it cannot set up an office. Anyone who wants to set up an office in Western Australia can, provided he meets all the normal statutory requirements. However, he cannot set up a nuclear fuel dump in Western Australia. We have told the company that it will not be able to set up one while we remain in government. I do not know what it will get under a future Labor Government. The question has to be asked whether the Labor Party will have a different view if and when it gets into government, especially when one considers what it has done in Opposition - it is as weak as water. Maybe it wants us to pass legislation in the hope that a future Labor Government will not be able to change it - to put it in the position of not being able to do anything.

Hon Simon O'Brien: They would be short of cash for one thing.

Hon N.F. MOORE: We can bet on that!

Several members interjected.

The CHAIRMAN: Hon Greg Smith! Do not bother about the interjections because I cannot hear them.

Hon N.F. MOORE: British Nuclear Fuels is in the process of being privatised.

Again I contrast New Labour in the United Kingdom with the Australian Labor Party in Western Australia. The Western Australian Labor Party - and its federal colleagues - says it opposes privatisation of any description, until it wins government, and then it does it. At least, Tony Blair privatises organisations and says it is good. It is fascinating that he is about to privatise British Nuclear Fuels Ltd - I understand it is worth billions of pounds - when Pangea Resources Australia, an agent of British Nuclear Fuels, is in Australia looking for a place to dump its nuclear waste. Bearing in mind the future of British Nuclear Fuels and what it will be worth in the privatisation process, finding a place to dump its waste will have a significant impact on its value. Not having somewhere to dump it -

Hon Greg Smith: The Australian Labor Party will be broke.

Hon N.F. MOORE: The country will be broke. It is strange, one can paint a funny scenario with two Oxford graduates. One is the Prime Minister of Great Britain and the other is the Leader of the Opposition. Actually, one is the Leader of the Parliamentary Opposition, I do not think he is actually the Leader of the Opposition. The guy who runs the Opposition now has the initials B.B.

Hon Greg Smith: Brian Bullock!

Hon N.F. MOORE: No, it is not Brian Bullock.

Hon Peter Foss: What about the former minister of SGIO?

Hon N.F. MOORE: I do not think he would want to know about that. I do not know who runs the Labor Party anymore, but we will learn as the newspapers unravel that fascinating story. We will soon know about it. However, the Parliamentary Leader of the Labor Party put forward a piece of legislation that is grossly defective and will not achieve what he says it will. That is unusual because, as I said earlier, Dr Gallop is pedantic and makes sure that he does the right thing. One must start asking questions in the context of all these things; that is, the future of British Nuclear Fuels and how important Pangea Resources Australia is to British Nuclear Fuels. We must start asking some questions about the Labor Party's credentials on this issue. I suspect it has no credentials at all. The Labor Party got on the bandwagon only after the Greens (WA) raised the issue. It is the same old story of the opposition parties seeing who can be the greenest. Who will be the greenest, the Greens (WA), the Australian Democrats or the Labor Party? At times it is an unholy alliance, but it is amusing to sit on this side of the House and watch them all try to out-green, out-red or out-brown each other, depending on which side of the argument they want to be.

Hon Tom Stephens: The minister's colleagues want to see the end of Pangea.

Hon N.F. MOORE: I do not know that Pangea Resources Australia would go under a Labor Government. The Opposition

has left a doubt in my mind about its credentials on the issue because of what it has already done. It has sought to make a political issue of this when one does not exist; it is an absolute disgrace.

The amendment to the Address-in-Reply moved by Hon Ken Travers creates two difficulties for me. I will explain these and hope the House understands. Although I once put up my hand to vote for an amendment to the Address-in-Reply, I do not support the proposition of amending the Address-in-Reply. It is a process in Parliament whereby people move amendments to the Address-in-Reply as a means of debating an issue, but usually the amendment is not passed so the Address-in-Reply goes to the Governor unamended. A number of years ago our party had the numbers in this House and amended the Address-in-Reply. Subsequently I have come to think that is an inappropriate use of the motion. I am the first to admit I had my hand up on that occasion. The scenario now is that we are on the third amendment to the Address-in-Reply. The House could move amendment after amendment if it wanted to. If every member wanted to move one, it could have 34 amendments. Every member would therefore be allowed to speak for 34 hours. We would never do anything else under that scenario. I prefer that the House reach an agreement that it will not amend the Address-in-Reply, but use the other processes to deal with the issues that are raised through an amendment to the Address-in-Reply.

Hon Tom Stephens: I would love to recommend that to my party, on the basis that the Government gives the Opposition time in which non-government business can be considered and brought to resolution. I would recommend it if the Government gave the Opposition a fixed time frame each week where matters advanced by the non-government parties are brought to resolution.

Hon N.F. MOORE: I will give some thought to moving an amendment to the standing orders about the Address-in-Reply. I need to discuss that with members of the House to see whether they agree. I am happy to contemplate some amendment to what the House already does, if that is required. However, things have changed over recent times and the Opposition gets a fair amount of time. It is prime time right up-front of the business of the House. It is used in a way that it was never used before. I am happy to talk about that in the future.

This amendment puts me in a position in which, if we vote against the amendment on the ground that we do not support amendments to the Address-in-Reply, the Press will write a story, because the Opposition will tell them, saying that the Government supports Pangea. That happened to the Government in the other House. The Government voted against an amendment that it supported, on the ground it did not support amendments to the Address-in-Reply as a matter of principle. Tonight I will suggest to my party that it support an amendment to this amendment. We will agree to some of the amendment. My second problem is that the amendment also says -

And is disappointed that the Liberal National coalition Government has failed to progress legislation to prohibit such a facility and calls upon the Government to advise when they intend to do so.

That is already happening. The Government is dealing with the legislative process required.

Hon Bob Thomas: The Government has been dragged kicking and screaming.

Hon N.F. MOORE: If Hon Bob Thomas says that again, I must spend another hour or two explaining to him what I have just explained to the House ad nauseam for the past hour. I sometimes think that Hon Bob Thomas is so thick that he either does not understand or he deliberately ignores what is being said.

Hon N.D. Griffiths: It is tedious repetition.

Hon N.F. MOORE: It is tedious repetition but my problem is Hon Bob Thomas will not understand if I do not say it 17 times.

Hon Tom Stephens: We enjoy listening to the Leader of the House and Hon Bob Thomas knows what he is saying.

Hon N.F. MOORE: Thank you.

The PRESIDENT: Order!

Hon N.F. MOORE: I have already explained the Government's credentials on this matter and they are impeccable. The Government has never said it supports the proposal. The Premier said up-front that Pangea is not welcome.

The PRESIDENT: Order! Hon Bob Thomas does not seem to have heard me calling to order.

Hon N.F. MOORE: Ever since the issue was raised, the Premier has publicly and categorically said that the Government will not support the dumping of nuclear waste in Western Australia. It has been our position all along and we have stood by that. There may well be some people who belong to the Liberal Party, the Callithumpian party or the Baptist Church or whatever who want this facility built. For all I know, there may be some people in the Labor Party, Greens (WA) and the Australian Democrats who want this nuclear waste dump in Western Australia. However, the Western Australian Government does not want it and has told it to get lost. It said that from the very beginning and it is now fixing the legislation that was introduced by Dr Gallop to make sure it works. That is the Government's position.

Therefore, the section of the amendment that talks about the Government failing to progress legislation is a nonsense because it is doing that. The amendment is written in such a way that the Government cannot support it. We will not express disappointment in ourselves! It is another sneaky trick by the Leader of the Opposition. He uses tactics to put the Government in a position where it must vote against this particular amendment so that he can say the Government supports Pangea. I tell anybody who is listening that the Government will vote to delete all the words after "Pangea". In the event that the House does not agree to that, then the Government will have to vote against the amendment. However, anybody

who says the Government supports Pangea because of that will fail to understand the way this amendment has been written. It has been deliberately written to put the Government in this position. I appeal to the House and the Labor Party to accept an amendment to this amendment to delete the words after Pangea. That would leave a statement that the whole House can agree with unanimously -

And further we advise His Excellency that the Legislative Council is opposed to an international nuclear waste dump in Western Australia, such as the one proposed by Pangea.

One cannot get a clearer statement than that. The Government will accept that amendment, even though, as a matter of principle, I do not accept amendments to the Address-in-Reply.

Hon Tom Stephens: I am very interested in that proposal, and I am happy to consider it. Will the Bill being debated in the other place advance to this Chamber?

Hon N.F. MOORE: I am coming to that.

Hon Mark Nevill: Not without substantial amendment.

Hon N.F. MOORE: Indeed. The Bill in the other House, the substance of which I am not permitted to discuss, will not achieve the purposes for which it was written. The Government has drafted amendments to the Bill to make it work. That Bill will be progressed through the Assembly, and then it will come to this place. I do not know its progress - someone might be able to tell me.

Hon Norm Kelly: It will be at the Consideration in Detail stage next week.

Hon N.F. MOORE: I thank Hon Norm Kelly. Once it has been fixed up and passed by the Legislative Assembly, it will come to this place. I will put it on the Notice Paper in a position which will see it dealt with expeditiously. However, I cannot make things be dealt with expeditiously. As Leader of the House, I can only put them on the Notice Paper in a prominent position. I cannot stop members opposite talking. I cannot stop the Leader of the Opposition, Hon Kim Chance and Hon Jim Scott talking if they want to. For the past five weeks members have not stopped talking, except for a couple of hours in which I had a bit of a go.

Hon N.D. Griffiths: It was for three hours over four days!

Hon N.F. MOORE: That made no difference to government or other legislation. The Leader of the Opposition rushed off to the Press claiming that the Government was wasting the time of the House by talking on motions. I had to explain to the Press that motions go for an hour every day in this House anyway, and have no effect on government business at all. If the House was not talking to Motion No 1, it would talk to Motion No 2; if not to Motion No 2, members opposite would not want to talk to Motion No 3! Do members remember that motion? It will cause the Labor Party some trouble.

Hon Tom Stephens: No, it will not.

Hon N.F. MOORE: It caused it trouble last time.

Hon Tom Stephens: It will be a conscience vote.

The PRESIDENT: Order! Let us get back to the substance of this amendment. The Leader of the House seems to indicate that he wants to move an amendment to the amendment. We would make some progress if this debate were not like some internal House committee meeting about what we should do about what might arrive in this House.

Hon N.F. MOORE: To the extent that I am capable of determining these matters, we will deal with the legislation expeditiously. I hope we will get it through quickly without a 27-hour debate about Pangea. The debate will not be necessary as I understand that the unanimous view of the House is that the legislation should be passed. The difficulty is that we have passed four Bills in five weeks and are making virtually no progress on other measures. I give an undertaking here and now: When the Bill comes from the other House, I will deal with it as quickly as I possibly can.

Hon Tom Stephens: Thank you. On that basis, I am happy to accept the amendment.

Several members interjected.

The PRESIDENT: Order! Hon Greg Smith, I want to make some progress. We are going around in circles. If the Leader of the House wants to move his amendment to delete certain words, I will put the question and we will move on.

Amendment on the Amendment

Hon N.F. MOORE: I move -

That all words after the word "Pangea" in line 2 be deleted.

I look forward to the support of the House.

HON MARK NEVILL (Mining and Pastoral) [7.56 pm]: A classic lesson in recent years is that bad opposition makes bad government. We have seen that with the forest policy and debate, in that it goes to the lowest common denominator. We do not worry about jobs, balance and the real issues in the community, as we deal with cerebral issues which have no direct relevance to people in Western Australia.

The PRESIDENT: Order! Before Hon Mark Nevill develops his line, as he has already spoken on the Address-in-Reply,

he is permitted to speak only on the question of whether words should be deleted. He may not even discuss the Pangea debate. We will then go back to the amendment in due course. I do not tell Hon Mark Nevill what to say. I make my point before the member heads off in another direction: It is a very restricted debate.

Hon MARK NEVILL: I will restrict my comments to the amendment.

The PRESIDENT: The amendment is that the words be deleted. We are not talking about Hon Ken Travers' amendment.

Hon MARK NEVILL: Absolutely, Mr President. I am refocusing my thoughts.

Hon N.F. Moore: May I suggest that you do not talk to the amendment on the amendment, but speak to the amendment?

Hon MARK NEVILL: I can still speak on the substantive issue. I am intrigued that, in view of Standing Order No 91, we are referring to a Bill which is being debated in the other House. It is private members' business Order of the Day No 8 on the Notice Paper of the other House. I am surprised that we are even entertaining this amendment as it is in breach of standing orders.

Hon N.F. Moore: Is that the amendment to the amendment or the amendment?

Hon MARK NEVILL: Both. That matter will be dealt with in due course and will arrive in this House. I am amazed - not amused, but more annoyed - that we have reached this ridiculous situation of discussing a Bill which will eventually be dealt with here. The debate seems to be out of order. I support the amendment on the amendment moved by the Leader of the Government.

The PRESIDENT: Hon Mark Nevill has indicated that he believes that the debate is in breach of Standing Order No 91. To those members who may not have heard my earlier comments, I raised the problem of Standing Order No 91. I warned one earlier speaker not to breach that standing order and, in general terms, as difficult as it may be given the amendment motion, that was complied with. The amendment moved by Hon Ken Travers does not breach Standing Order No 91 at all, although it may be on the same topic as a Bill which exists in the other House. However, we are dealing with this amendment in this House, certainly not a Bill in the other House. I indicated that to members prior to the dinner suspension, and Hon Mark Nevill may not have heard me raise that subject.

Amendment on the amendment put and passed.

Amendment, as Amended

Debate adjourned, on motion by Hon Bruce Donaldson.

ORDER OF THE DAY No 9

To be Taken before Order of the Day No 1

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [8.00 pm]: I move -

That Order of the Day No 9 be taken forthwith.

In moving this motion, I am aware that Order of the Day No 1 is a disallowance motion and must be dealt with today. It is my understanding that all sides of the House agree to the disallowance and that in the event that the matter is not dealt with today, it will be automatically disallowed. Therefore, on the basis that I have been advised that no member wishes to talk about the matter, I propose that we deal with the Rail Freight System Bill, and at 10.00 pm Order of the Day No 1 will automatically be taken and the regulation will automatically be disallowed.

The PRESIDENT: Order! For the benefit of the House, if Order of the Day No 1 has not been debated prior to 10.00 pm, at 10.00 pm I will call Order of the Day No 1 and put the question.

Question put and passed.

RAIL FREIGHT SYSTEM BILL 1999

Second Reading

Resumed from 12 October.

HON BOB THOMAS (South West) [8.02 pm]: Yesterday I had a couple of minutes in which to introduce my remarks on this Bill, and I indicated that I would be opposing this Bill, for a number of reasons, but mainly because the general community is very much opposed to this legislation. I pointed out that the steering committee had visited a couple of towns in my electorate - Bunbury and Albany - and held public meetings, at which there was overwhelming opposition to the proposal. People were opposed to this proposal for a number of reasons. Principally, people felt that the Government did not have a mandate for this proposal; people felt there was a false presentation of a profit in Westrail's books through the mechanism of transferring maintenance onto the balance sheet; people were sceptical about any interest savings from the sale, because it was said that a private operator would have a debt to equity ratio of about 50 per cent and, therefore, the size of that debt would be fairly similar in a private setting; people did not accept the argument that this was the only way to guarantee the future of Westrail and felt that the only way to guarantee the future of Westrail was to keep it in government hands; many people felt that the Government had not been able to demonstrate the benefits of privatisation; and people were very sceptical about the Government's claim that this was the best way to get third party access onto rail. Many grain

growers were very concerned about the five-year guarantee for the grain network and felt that meant that at some future date there would be some diminution of the network in those areas. Excuse me while I blow my nose.

Hon Simon O'Brien: That was the best part of your speech!

Hon BOB THOMAS: It is obvious that Hon Simon O'Brien has not taken any notice of the feelings of people in country areas about this issue, because if he had, rather than take a flippant attitude towards this Bill, he would stand in his party room and say, "We have a problem here, and we should back off from this legislation."

Hon M.J. Criddle: We have a problem with you blokes. That is about all.

Hon BOB THOMAS: I am pleased to hear that, because we are acting on behalf of the people in country areas, and we will stand up for their views and listen to what they say.

Hon M.J. Criddle: How will you pay for it this year, next year and the year after?

The PRESIDENT: Order! Hon Bob Thomas has the call; let us listen to one member at a time.

Hon BOB THOMAS: We will make sure the Government does not make the same sort of mistake it is making with its vehicle fleet lease fiasco, as we have witnessed in the past few days.

Hon Simon O'Brien: You are a joke if you are peddling that line!

The PRESIDENT: Order, Hon Simon O'Brien!

Hon BOB THOMAS: It was interesting to be at those public meetings in those country areas and see people who come from the other side of politics and traditionally support the National and Liberal Parties argue against this proposal, which at that stage was supposed to be a consultative process. They are very upset about this Government's attitude to privatisation in general -

Hon M.J. Criddle: Can you name 10 people?

Hon BOB THOMAS: The minister was at those meetings and saw that nearly everyone stood up and argued against this proposal.

Hon M.J. Criddle: No they did not. They discussed it with us.

Hon BOB THOMAS: They did not discuss it. They told the Government that they were opposed to it. The minister was there and he heard them. One point that was made was that the Government does not have a mandate for this proposal.

I have looked at the Government's transport policy which was presented to the public at the last state election. It is publicly available from the Parliamentary Library and is in the fiction section! The coalition's policy on rail and regional transport services comprises only one page, and I will read the majority of it into *Hansard*. It states -

Massive new investment in Westrail's track maintenance and the purchase of new equipment is a demonstration of the Coalition Government's commitment to modernising Westrail under the Right Track Program. This three year modernisation program which commenced in July 1995, will see Westrail focus on core activities of bulk freight and passenger transport. In addition to the \$20 million a year in savings from structural changes involving the Midland Workshops and Head Office, the modernisation program will achieve savings of approximately \$47 million per year.

It then refers to the significant achievements made under the program, which include awarding contracts to John Holland Construction for maintenance of the network and to Clyde Industries Ltd for the construction of 24 new locomotives; fitting "Locotrol" technology to 10 narrow gauge locomotives, and there are some problems with that; and rationalising Westrail's wagon fleet. It states also that, in addition, a new industrial agreement with Westrail locomotive operators has resulted in savings in crewing costs; the new grain freight rates which were effective from 1 October 1996 have led to a 23.4 per cent decrease in rates in real terms; and during its second term, the coalition will review transport regulations to ensure consistency with national competition policy. Nowhere in that policy did the Government propose to privatise the Westrail freight division. The Government was saying that Westrail would focus on core activities of bulk freight and passenger transport; yet it came into this House two years later with a proposal to sell off the Westrail freight division.

The Government has misled the public again. In 1992, it went to the public with the Midland Workshops' proposal. It intended to invest in the Midland Workshops to make them internationally competitive. What did the Government do? One of the first things that Hon Eric Charlton did was to announce in this House that the Government would close down the Midland Workshops. The Government has done it again. It indicated in the policy that it took into the last election that it would concentrate on those core activities of bulk freight and passenger transport, and then it said in this place that it would sell off the Westrail freight division. No wonder the people are sceptical about the claims the Government makes; no wonder the people in the country do not believe the Government when it says things; no wonder the Government has so many problems in the bush.

The Government should go back to the electorate at the next election with this proposal, and the Labor Party will debate this issue with it. If the electorate says that it is convinced by the Government's argument, that it accepts that by privatising Westrail it will get a more efficient rail system, and that investment in the system will be accomplished, with the introduction of innovations and efficiencies, as well as open access for other competitors, in the Caucus the Labor Party will consider supporting that. However, the public will not accept it.

Hon M.J. Criddle: Your argument is flawed in the fact that there would be access and anybody could come over and cherry pick any part of the Western Australian freight business and you could be left with nothing.

Hon BOB THOMAS: I will come to that, because that is a major flaw in the Government's argument.

Hon M.J. Criddle: There is a flaw in your argument too.

The PRESIDENT: Order! The minister will get his opportunity in due course.

Hon BOB THOMAS: I suggest that the coalition should go to an election and argue this legislation with the Labor Party. I will go around the countryside and debate this legislation with the minister. We will then accept the umpire's verdict - that is, the public's verdict - in the next parliamentary sittings. The reason I say that is that there is ample evidence throughout Australia that the general public has a distinct antipathy towards any further privatisation of these types of government instrumentalities.

One of the major issues in the recent Victorian state election related to the previous privatisation of power generation distribution in Victoria. A significant number of people in rural areas changed their vote from the coalition to the Labor Party because since the power industry there has been privatised, the cost of power has increased significantly in country areas. There was a major debate in country Victoria about privatisation of power, and the public spoke loudly and clearly. It said it did not want any more privatisation and it did not like what it already had. I suggest to the coalition that before it makes a major mistake and does significant electoral damage to itself, it should go back to the public, talk to it, present its arguments during the next election campaign, argue the issues in front of the public and let it decide whether it wants this to occur.

This is what happened in New South Wales. The opposition leader there, Kerry Chikarovsky, proposed the privatisation of the New South Wales electricity commission. The Opposition even threw in the bribe of \$1 000 per customer if people accepted the privatisation of the power industry. The Carr Government was travelling very badly 12 months out from the New South Wales poll, yet it was returned with an increased majority. It is unheard of for Governments to significantly increase their majority at the first election after which they came into power. Usually seats are lost. However, there was a massive increase in the Labor vote in New South Wales, and principally it was on the back of privatisation. The public in New South Wales was not prepared to accept the privatisation of the power industry, and it voted against it in overwhelming numbers. Fortunately, the lay membership of the party and the unions in New South Wales convinced the State Government that it should not go down the path of privatising the electricity commission. Unfortunately for the coalition, it was not able to read the public's mood; it made a major mistake and was blown away.

This is what will happen in Western Australia. The Government does not have a mandate for this legislation. I suggest that it go back to the public and get a mandate before we deal with it. I will be voting against this legislation so that the Government has the opportunity to test the water, which will hopefully prevent it from making a major election mistake.

Many people to whom I have spoken do not believe the Government's claims that there will be significant interest savings through the sale of the Westrail freight division. Today, we heard an answer to a question without notice from Hon Norm Kelly, asking what level of debt Westrail is currently carrying. I think it is \$647m or \$627m. That is an increase of over 50 per cent in the past six years.

I listened carefully to the presentation given by Dr Chris Whittaker at the two public meetings in Bunbury and Albany. In that presentation, he indicated that Westrail was spending something like \$126 000 per day on interest payments because of that debt. He speculated that there would be significant savings through the sale of this asset. He suggested that those interest costs would be lower to a private operator, and therefore that would be reflected in lower freight rates. That is an interesting argument, but it is not plausible, because at the same time Dr Whittaker indicated in the presentation that it is usual for these types of private operators to have a debt to equity ratio of about 50 per cent. In various forums, members of the Government and other people have suggested that a possible sale price for Westrail would be \$1b. If one looks at asset sales elsewhere for other government assets throughout Australia, one sees that quite often these types of assets realise far higher prices than people expected. Therefore, it may not be unreasonable to say that the Government could receive \$1b for the sale of this asset. If there is a debt to equity ratio of 50 per cent, the private operator will be servicing a debt of about \$500m. By making just a back-of-the-envelope calculation, I estimate that it would carry interest costs on that capital of about \$100 000 a day. I cannot see how there will be any significant reductions in prices for any of the customers through that measure. There will still be a significant interest cost to the private operator. I do not think the argument is relevant, nor one that the public bought in any event. People were not convinced by that argument.

The minister indicated to members of the public at those meetings that he felt the only way to guarantee the future of Westrail in a competitive environment was to privatise its operation, and by doing that the private operator would be given the ability to attract investment in the system, and it would be the only way to introduce innovation, efficiency and open access to the system. In the 1993 election, the state coalition went to the public with a slogan - most of what those opposite said during that campaign were glib slogans - of "more jobs, better management". Now that it is in government it has divested itself of a whole range of these agencies so that it does not have to undertake management of them. Under this Bill, the Government intends to divest itself of Westrail so that it does not have to manage it. It is saying that if it is not sold and it remains in private hands, someone could cherry pick the eyes out of it. Basically it is abrogating its responsibility to manage that agency. If the Government is not up to managing it, it should tell us, walk away at the next election and let those of us who think we can, do so. I think the public will request those opposite to walk away at the next election. I reiterate that they should walk away if they do not have the ability to manage this agency.

A surprising issue for me, but one about which people have spoken to me frequently, is that of third-party access. A bloke

who speaks to me about rail issues quite frequently is an avid rail buff, Mr Noel Inglis of Albany. A pet issue of his is third-party access. A number of people at those meetings talked about third-party access. The general consensus is that there is more chance of third-party access to our rail network under a government monopoly than there would be under a private monopoly. If members want to test that, they can look at the argument between Hamersley Iron Pty Ltd and the Robe River group about its wanting access to the Pilbara iron ore rail network of Hamersley Iron.

Hon M.J. Criddle: It is not even relevant.

Hon BOB THOMAS: It is built on government land, but the network is owned by Hamersley Iron and was the subject of some dispute between those companies at the beginning of this year or the end of last year after Hamersley Iron was reluctant to allow access to it. I suggest that would be the same if a private operator were approached by a competitor who wanted access to the network. Notwithstanding the flimsy legislative safeguards which the minister says are in the Bill, that operator would do everything possible to make sure he minimised his advantage, and that would be good commercial sense on his part. I accept the argument that people put to me and to the minister at those meetings that there is less chance of having third-party access in a private monopoly than in a government monopoly. Hon Kim Chance put the case of the Opposition accurately, succinctly and very well. I will not go over the ground that he covered in his contribution.

Hon Kim Chance: They might like to debate the use of the word "succinctly"!

Hon M.J. Criddle: What about "extensive"?

Hon BOB THOMAS: I will leave the Government with this bit of advice: Those opposite should think very carefully before proceeding with the Bill and should look at the 1998 federal election results, particularly those in the south west in places like Albany, Denmark, Manjimup, Kirup and Nannup, which had 15 and 20 per cent swings against the Government. One of the major issues at that federal election was the further sale of Telstra. People were particularly angry about the coalition's proposal to sell a further portion of Telstra. They were upset about a number of other things, such as the nursing home policy and the loss of commonwealth dental benefits, but the two major issues in that election were the goods and services tax and privatisation.

A significant factor in those two-party preferred swings to the Labor Party was the preferences from One Nation. The Labor Party got more than 50 per cent of the preferences in those areas. I asked some people about it. In country areas we know, and are friends with, people from other political parties and political movements. I spoke to a number of people from the One Nation movement and I said that I was very interested to see that the Labor Party got more than 50 per cent of their preferences. I asked whether it had anything to do with their funny how-to-vote card, the glossy side of which gave preferences to Labor and the photocopied side gave preferences to the coalition. They said, no, that I had underestimated their intelligence by suggesting that. They said they were particularly concerned about the privatisation policy of the coalition, and they did not discern between the federal and state coalition parties. That was a major factor in determining where their preferences would go. Before members opposite make a mistake, I suggest they talk to those people. If they do not, they will burn those people and do themselves significant and severe electoral damage at the next election. This is one issue that has got people in the country extremely angry. The minister must be picking that up as he talks to people in the bush. He knows they are angry about privatisation, and those opposite will be doing a lot of damage to themselves if they persist with -

Hon B.K. Donaldson: Are you talking to me or the minister?

Hon BOB THOMAS: I am talking to both sides - the National Party and the Liberal Party.

Hon M.J. Criddle: The member is now the political adviser to the National Party!

Hon BOB THOMAS: Yes, I am; I am giving some advice. As I was saying, those opposite are doing a lot of damage to themselves. I suggest that they go back to the drawing board and talk to the people who put members opposite where they are, and listen to them. Otherwise, they will be sitting over here in about nine months. I oppose this Bill.

HON LJILJANNA RAVLICH (East Metropolitan) [8.29 pm]: I oppose the Rail Freight System Bill 1999. In doing so, I am amazed that this Government is moving to privatise the rail freight system, given that clearly there is community objection to privatisation. If the Government could draw nothing from the recent results in Victoria, it should be able to draw very loudly and clearly that most people in this country do not see the sense in the privatisation of strategic state assets. Certainly the Australian Labor Party opposes the privatisation of key strategic state assets and core services. My colleague Hon Bob Thomas hit the nail on the head when he said that the Government does not have a mandate to privatise Westrail freight. Clearly, the Government has never sought the opinions of the members of the Western Australian public in any real meaningful way. On the occasions when it has conducted meetings in the regional areas, it seems as though it has not taken on board the community's concerns. It has just gone along with its gung-ho approach to privatisation and fully disregarded community sentiment by bringing this Bill into this place.

Once again we find ourselves in a situation in which there is very little detail. I will go through some points later and I will put them to the minister, so if I were him, I would not be sitting there grinning. Every time we ask for details, information on costings and long-term projected savings and every time we ask fairly simple economic questions, the bottom line is that the Government never produces the goods. When we get that sort of response to fairly straight forward questions, the only thing we on this side of the House can conclude is that either the Government has not done that detailed work or it is trying to hide something from the Western Australian people generally. I would think that it is probably a bit of both. I do not think for a moment that the Government does a thorough enough analysis prior to making the decisions to privatise or to contract out. There is a secret way in which this Government operates, and in doing so, it denies the public access to key

information. The community attitude to privatisation has changed over the past decade, and the community is now attaching a much higher value to public assets and to their retention. The Western Australian public is opposed to the sale of Westrail freight, because I do not believe that the mums and dads hold the view that they are winners from the Government's privatisation programs. This Government has a number of key pieces of legislation which are all about selling off the State's assets. Currently we are looking at Westrail freight, but there is also AlintaGas, court security and the prisons privatisations. One might ask why the Government is going down this path.

Hon M.J. Criddle: Because it is a very good business deal.

Hon LJILJANNA RAVLICH: No, it is not a good business deal; it is a nonsense argument. The Government has put nothing to us in this place to demonstrate that it is a good business deal. I will tell the minister what is the driver of this. The Government has so far sold off more than \$4b worth of state assets; yet it has a budget deficit in the vicinity of \$640m. This Bill is about the further sell off of public assets so that the Government can retire debt, which it never seems to be able to retire, because it does not have any ability to rein in its spending.

Several members interjected.

Hon LJILJANNA RAVLICH: Listen to members opposite bite. Send them a line and away they go.

Hon Simon O'Brien: You are telling lies.

Hon LJILJANNA RAVLICH: I do not tell lies, Hon Simon O'Brien.

Withdrawal of Remark

The PRESIDENT: Order! Hon Simon O'Brien will withdraw that comment.

Hon Simon O'Brien: Mr President -

The PRESIDENT: Members must stand up to withdraw a remark.

Hon SIMON O'BRIEN: I withdraw.

The PRESIDENT: Order! There are certain rules in this House. Just because a member has not read all the rules does not mean they do not have to be complied with.

Debate Resumed

Hon LJILJANNA RAVLICH: Thank you, Mr President. In my view one of the areas that causes the Government some difficulty is its inability to rein in spending by government agencies. This has been a criticism by the Western Australian Chamber of Commerce and Industry. It is certainly a problem that I can see in the work that I do in the area of public sector management. With devolved purchasing authority to government agencies and the fact that they can enter into multimillion dollar long-term contracts without too much accountability, it is becoming more difficult for the Government to be able to rein in their spending. This is causing the Government a much more serious problem than it will admit to.

One thing I know is that prior to the last election, this Government did not tell Western Australians that it was its intention to privatise Westrail freight, AlintaGas, court security or to build private prisons. The Government has been less than open and honest with Western Australians about its intention on privatisations. Its privatisation and its contracting-out agenda will adversely impact on it when we next go to the polls. Clearly the Government does not have a mandate to do this.

The Australian Labor Party does not support privatisation. It holds the view that privatisation in this State has gone too far. It opposes the privatisation of core government services and key strategic public assets that supply essential services to our community.

I made the point earlier that insufficient information has been provided to this place in support of the Government's proposal. I will take the opportunity a little later during my speech to put some questions to the Minister for Transport.

The Government did not go to the last election with a pro-privatisation policy. One of the reasons it did not advise the Western Australian public of its intentions on privatisation is that it knew what would be the response from the community.

Hon Simon O'Brien: Its policy was more jobs and better management and the public has both. That is what was offered.

Hon LJILJANNA RAVLICH: Hon Simon O'Brien may be able to make that claim when he can table evidence on some contractual arrangements. Until such time as the member opposite is prepared to do that, he has no right to make that claim. About 15 000 public sector jobs have been lost, and many people have gone from full-time employment to part-time employment. As I have said repeatedly, many people work only four or five hours a week but are not officially registered as unemployed. We have seen evidence in the past week of one of the Government's contractual arrangements, although we have not seen the contract as yet. There are thousands of contracts about which there is absolutely no detail. Until members opposite are prepared to substantiate the fact that this Government is committed to achieving more jobs and better management by tabling information in this place, their claims have a very hollow ring.

The sale of Westrail's freight business is unique in that it involves the sale of a public sector monopoly. There is no reason for the Government to go down that path. It is planning to sell the Westrail freight business, the track infrastructure, the rolling stock and the terminals to an individual operator as a vertically-integrated operation. I have read Westrail's annual reports for last financial year and this financial year and I still cannot understand why the Government would want to off-load an asset that makes a profit. The more efficient way to go would be for the Government to look closely at Westrail and to

come up with more creative options to ensure that it makes an even greater profit or improves its operations so it can remain in public hands.

A number of aspects of the Government's proposal are wrong. Selling the track and the business to an individual operator will deliver a virtual monopoly.

Hon Dexter Davies: Selling what?

Hon LJILJANNA RAVLICH: Selling the tracks and the business.

Hon Dexter Davies: It is not selling the track, just the business. The track and the ground under it are not being sold.

Hon LJILJANNA RAVLICH: That was the original proposal.

Hon Dexter Davies: That was before we started the consultation; the proposal has been changed.

Hon LJILJANNA RAVLICH: That was certainly the original proposal.

Hon Dexter Davies: It is not the proposal now.

Hon LJILJANNA RAVLICH: I admit that I have not gone through the detail of this Bill. Nevertheless, I oppose -

Hon Dexter Davies: You oppose it anyway.

Hon LJILJANNA RAVLICH: I oppose it because I am ideologically opposed to any such sale. Members opposite argue that the Government is selling off this asset to retire debt. My argument is that it has already sold \$4b worth of assets and it still has not retired debt. Irrespective of the detail, that is the bottom line. If it had retired debt it would not have a \$640m budget deficit. Something is wrong somewhere, and because of that the Government wants to do more of the same. The Government should ask why it has this problem even though it has sold all these assets. It should realise that this is not a smart way to go. Instead of doing that, it wants to do more of the same. That makes about as much sense as the Government's running up the \$30m loss on the Matrix deal by having access to a \$250m funding facility. It has done that so badly that it wants to enter into a deal that draws a further \$500m of borrowing. Members opposite should try to prove me wrong by tabling the information. The Government consistently does not provide the detail.

The fact sheet provides the following information about Westrail freight and the decision to sell it -

After consideration of a number of options, and extensive consultation, the Government has decided to sell Westrail's freight business and lease the freight railway corridor and track to a private rail operator.

The Government will be looking for a strong rail operator to continue the reform process commenced by Westrail and deliver a world class, competitive rail freight service to Western Australia. This operator will be expected to contribute to continued downward pressure on freight rates and improve service delivery.

A private operator will:

- introduce innovation and operating efficiencies;
- grow the business both in Western Australia and elsewhere; -

I do not why it wants to grow it elsewhere -

- invest in both the railway track and the rolling stock and equipment to an extent not possible with the limited resources available to Government.

This will supposedly result in a number of benefits. According to this plan, some of this might happen. However, it is just as likely that none of it will. We might end up with a bigger mess than the Government has foreseen. When we on this side of the House ask for any of this information it is not provided.

Supposedly this will result in competitive freight rates and service quality. I would love to see the figures demonstrating that. That is the throwaway rhetoric and business line that people often use - more competition, service and quality. On what is that based? According to the Government, it is based on a rapid response to customers' needs. How does it know it will be rapid? It may well be hopeless. What analysis has the Government done to demonstrate this will result in a rapid response to customer needs? One has only to look at what happened with the privatisation of buses, which has hardly been a rapid response to customer needs. A passenger passed away on a bus and the driver finished his route before he did anything about it. When bus drivers go on strike or buses do not roll up according to timetables, it is not the minister's responsibility. Will we see the same thing with the minister's claim of a rapid response to customer needs? Only time will tell. I hope that the Minister for Transport will not get his way with this legislation.

The minister also states that other benefits will include the attraction of freight from road to rail leading to less road congestion, better road safety and less pollution. I would love to know what figures were produced or studies undertaken for the Government to claim that this would be one of the benefits. The minister's fact sheet contains a heap of rhetoric and nothing more. No report has been tabled in this place. If work has been done to assess all of those benefits, surely the Government would want to skate about it. Government members would be throwing their arms up in the air and saying what a fantastic lot they are if all this were true. We have not seen that. The minister stated this will also result in support for regional development, because a good rail service can attract new industry and more competitive exports, which will allow Western Australia's industries to expand. That is another major claim. I would love to see the figures and the research the

minister has done on that. The minister also refers to improved career prospects and benefits to all staff. Those claimed benefits are unsubstantiated.

Several members interjected.

Hon LJILJANNA RAVLICH: I cannot believe that I must put up with such stupid -

Hon Greg Smith: Intelligent?

Hon LJILJANNA RAVLICH: We could call Hon Greg Smith many things, but intelligent is definitely not high on the list. We do not have the detail on any of this.

Hon Dexter Davies: You told us we were going to sell the track a minute ago.

Hon LJILJANNA RAVLICH: It does not matter what I told the House; the bottom line is that the Government is making a range of claims about the benefits that we will receive, but there is no evidence. If I were going to get all those benefits, I would be jumping up and down and wanting to share the news with the world. I would be telling the Western Australian people that we had done all of these reports - on competitive freight rates, on rapid response and on consumer needs; here they are, they are banked up on the Table in Parliament - and the whole of the Western Australian community could share our joy and glee. However, all we get are a few throwaway lines, and the Government wants to sell the Westrail freight business based on those lines. What an absolute disaster. The fact sheet goes on to say that a number of conditions will be attached to both the sale of the business and the lease of the rail network. This is also interesting because none of this detail has been made public.

Hon M.J. Criddle: What are you talking about?

Hon LJILJANNA RAVLICH: It states -

Maintenance of track condition - the terms of the lease -

Hon M.J. Criddle: Where have you been? You should have listened to your mate.

Hon LJILJANNA RAVLICH: The fact sheet also lists third party access to the rail track and later states -

Rail safety - the new operator will be bound by the Rail Safety Act, and will need to be accredited to own and operate the railway. This will be monitored and enforced by the Rail Safety Regulator, with heavy penalties applying for breaches of safety requirements.

Do we have a rail safety regulator?

Hon Simon O'Brien interjected.

Hon LJILJANNA RAVLICH: I am just asking the question. It says "will need to be accredited". We will have one operator who will be accredited, but by whom will it be accredited and who is the rail safety regulator? The Government is not into regulation. It wants to deregulate everything - the hairdressers -

Hon M.J. Criddle: Didn't you see the Rail Safety Bill go through the House? Where were you?

Hon LJILJANNA RAVLICH: I am asking very simple questions about who will be accredited, who will provide the accreditation and where is the rail safety regulator. These are fundamental questions. The fact sheet states -

Freight rates - the recent trend in rail freight rates has been downward, and post-privatisation experience in Tasmania and South Australia has been that this trend continues under private ownership. Prospective purchasers will be asked to explain their intentions for freight rates as part of the bidding process.

I wonder whether any preliminary work has been done in this area. I am trying to ascertain how much of this rhetoric has been worked on and how many of the claims being made by the Government - about not only about the supposed resultant benefits of having a private operator but also the conditions attached to both the sale of the business and the lease of the railway network - have been made public. How much of this information has been the subject of intense analysis by the Government rather than simply being claims about benefits?

Hon M.J. Criddle: The committee received about 200 pages of detail from the task force. I also sent a thick file to the task force on all the detail that you are asking about.

Hon LJILJANNA RAVLICH: Everything is in there?

Hon M.J. Criddle: Yes, everything is in there.

Hon LJILJANNA RAVLICH: Do I have to go to the committee to get it?

Hon M.J. Criddle: I would not advise you to go anywhere near it.

Hon LJILJANNA RAVLICH: I do not believe this privatisation, or any of the Government's privatisations, has been driven by the right motives; they are being driven by the wrong motives. Clearly there is widespread opposition to the Government's privatisation agenda. I refer to the Standing Committee on Public Administration's inquiry into the Government's proposal to sell or lease Westrail's freight operations. One of the parties which appeared before the committee was the Public Transport Union. The union objected to the sale in its submission to the committee. Apart from the concerns

about the effect on Westrail employees, the union feared that rural towns and industries' transport needs would not be met by a private operator whose primary objective is profit making. The union anticipated that the privatisation would lead to heavier road use at the expense of rail. That is a very important point as I do not know whether the Government has considered the impact of heavier road use as a result of this government initiative.

Hon Dexter Davies: There has been work done.

Hon LJILJANNA RAVLICH: Work has been done? Once again, it would be interesting if that information could be made available. I would be interested to know who carried out that work and what that investigation found because this is a commonly shared view. Because it is a concern that is generally felt by the community, the public would want to know of the studies in that area.

Hon M.J. Criddle: I can tell you in my area, where the railway line is shut, it is 100 per cent on road. That is occurring currently with Westrail. We are shutting down lines.

Hon LJILJANNA RAVLICH: Was a report done on this?

Hon M.J. Criddle: You do not need a report for that, my dear!

Hon LJILJANNA RAVLICH: Hang on! Surely it is a consideration.

Mr President, the Western Australian Farmers Federation also had concerns and it worries me that farmers, who are supposed to be the beneficiaries of this Government's initiative, also have concerns. I refer to the summary of the proponent's arguments about this privatisation initiative because, once again, there is not much to demonstrate the claim that privatisation will introduce innovation and operating efficiencies, or that privatisation will expand rail business and investment. If it does it will obviously come at the expense of a loss of control. There is no evidence that privatisation will increase competitiveness with road transport.

In summing up, the Australian Labor Party does not support privatisation. We obviously oppose privatisation of key strategic public assets. We are concerned about the claims made by the Government and the lack of information to substantiate those claims -

Hon Simon O'Brien: Have you been making claims publicly that the Government is going to sell the rail network?

Hon LJILJANNA RAVLICH: No, I do not talk about it publicly because nobody has asked me to express my opinion on this. I am the opposition spokesperson - if Hon Simon O'Brien had not noticed - for public sector management, higher education and employment and training.

Hon Simon O'Brien: You certainly don't know what you are talking about.

Hon LJILJANNA RAVLICH: At least I am talking, so I am happy about taking my pay cheque. I am not so sure about Hon Simon O'Brien. Perhaps one of these days he might contribute to a debate. I look forward to the day when he does make a contribution in this House.

Several members interjected.

The DEPUTY PRESIDENT: Order! I thank members for their contributions but Hon Ljiljanna Ravlich has the floor.

Hon LJILJANNA RAVLICH: The community does not support privatisation. At the moment 1.8 million Western Australians have a share in Westrail freight. As a result of privatisation, our community would be stripped of that general ownership. I believe that increasingly the public is recognising the value of public assets and of public services. In the past decade the full impact of privatisation has been felt, with a disproportionately negative impact on regional Western Australia. This legislation will make it even more difficult for regional communities to survive. They have already had substantial cuts in services, poorer service quality and little accountability from this Government.

Our view is that privatisation is bad economics. I always liken it to selling the house to pay off the Bankcard. I have some real problems with it because something is simply not working. The Government has made \$4b from the sale of assets and still has a problem. It has told us that if it gets rid of Westrail freight, it will be able to retire debt.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon LJILJANNA RAVLICH: The sums do not add up and there is no evidence that Western Australians are better off through this Government's privatisation agenda. As I say, our view is that privatisation is bad economics. The financial mismanagement of the Court Government has become the driving force of its privatisation plan. That the Court Government has mismanaged the State's finances is clearly shown in the record general government deficit of \$638m for the period 1999-2000. That record deficit is the motive behind the Court Government's privatisation plans. Whichever way one looks at it, the State's future is being jeopardised by the Court Government's plans to sell off strategic public assets, of which Westrail is simply one, and there are others to follow. I am amazed that the Government is pulling this on at this time.

Another point I make relates to the Government's continual claim that a social dividend has resulted from its privatisation agenda. If there is one thing that Western Australians have not received, it is a social dividend. When we debated the School Education Bill in this place, I thought the Government might have some appetite for delivering to Western Australians voluntary fees in both primary and high school; therefore, it would finally deliver the social dividend about which

it has continually talked but on which it has taken no action. It was not prepared to do that. Taxes and charges have increased by \$360 for the average family over the past two budgets, yet there is no social dividend despite the massive privatisation agenda of the Premier.

People are waiting way too long for hospital treatment, country schools are still experiencing staff shortages and crime is escalating. This is despite the Government selling \$4b-worth of assets, which I believe to be an underestimation; if one looks closely at privatisation values, it is more like \$5b or \$6b. The Court Government cannot be trusted on privatisation. It has betrayed all Western Australians by pursuing its privatisation agenda. Hospitals have been privatised, and other areas have been earmarked for privatisation. I am amazed that the Government believes it can just sell off the assets so flippantly. The Government never, in my memory, placed on the public record that it intended to sell assets belonging to Western Australians. Instead, the Government's privatisation policy has been described by the Premier as follows -

The Government's policy on privatisation has been clear. That is, if an agency is to be privatised, an announcement is made well in advance and we go through the proper processes.

This response from the Premier was to a question without notice on 16 June 1998 on page 4018 of that year's *Hansard*. This is the man Western Australians trust to look after their interests. I do not know these proper processes, but most Western Australians do not feel they have been part of any proper process on privatisation of Westrail freight; indeed, I am sure they feel the same about the other proposed privatisations. This Government's actions have been shrouded in secrecy. Insufficient information has been provided by the Government about its privatisation agenda. Most Western Australians would be extremely disappointed in this Government, as I am, about its lack of consultation and honesty in its intent about its privatisation agenda.

On behalf of Western Australians generally, I express my concern that the Government has chosen to bring this Bill to this place. I do not support it, the Australian Labor Party does not support it, and I assure members that Western Australians do not support it.

HON JOHN HALDEN (South Metropolitan) [9.10 pm]: In considering what the Government is proposing in the Rail Freight System Bill, the Government expects the Opposition, however we may define that, to give it an enormous amount of latitude and to place in its hands an enormous amount of trust. This proposition is for a contract for 49 years, but the Government does not tell us what price will be paid, what requirements will apply to the private owner to invest in the network and retain the lines, what employment arrangements will be put in place for current employees, what commitment will be required of the new owners to regional economies and communities, what ongoing financial contribution will be required of the State Government towards the private railway system, what impact things like agreement Acts will have on this proposed privatised system, and what will be the contributory liability of the State.

Hon M.J. Criddle: That is not quite right. We do tell you that.

Hon JOHN HALDEN: We will not know. The whole basis of this is that we will not know. The Government expects us to sell a \$5b public asset for what will hopefully be in the vicinity of \$850m to \$1b, but we will never know, and the Government thinks this is good government! Well, I am sorry! Realistically, how does the Government expect the Opposition or the community to trust it when it wants us to agree to this legislation sight unseen? I compare this proposal with the privatisation of our prison system. Under the privatisation legislation for our prison system, we will get to see the contract a week after we have passed the Bill. At least we will get to see it at some point. At least we will get to know its provisions.

Hon Ljiljanna Ravlich: I bet we do not get to see it.

Hon JOHN HALDEN: We may not, but I am imbued with confidence that the Minister for Justice will adhere to the commitments that I know he has made.

Hon Dexter Davies: Where do you get the figure of \$5b from?

Hon JOHN HALDEN: What is it worth? It does not matter. It is an abstract figure. It is worth a damn sight more than the Government will sell it for. It may be worth \$6b or \$4b.

Hon Dexter Davies: You used the same details that Hon Ljiljanna Ravlich used, and they are wrong.

Hon JOHN HALDEN: What would Hon Dexter Davies know about the details? What is it worth? Tell me! Hon Dexter Davies laughed at me. Tell me the answer!

Hon Dexter Davies: That amount of \$5b is the value that is put in the annual report for the entire Westrail system. As I have just explained, we are selling the Westrail freight business.

Hon JOHN HALDEN: Hon Dexter Davies wants to play smart games in here. He asked me the question, I said I did not know, and he proceeded to laugh at me. Tell me the answer! If Hon Dexter Davies wants to make smart comments and cheap points, he should know the facts, because I do not know the facts, and neither does he. The reality is - and this is the point I was making at the beginning of this debate - that nobody knows the facts, yet we are expected to agree with the Government! I thank Hon Dexter Davies for his interjection and his smart comments, and I thank him for pointing out exactly what members on this side of the House will not do. We will not be blindly led by the nose, as is the backbench of the National Party. On the basis of blind trust, the National Party will suffer from this more than anybody else. I thank the member for his kind, ill-considered interjection.

Hon Simon O'Brien: It shows you do not know what you are talking about.

Hon JOHN HALDEN: Neither does Hon Simon O'Brien. Nobody in this place would be better at talking nonsense than Hon Simon O'Brien.

After making those few quiet comments, I will now address the implications of what the Government is doing. When I was the shadow Minister for Transport many years ago, I remember that in this place the Government told us that the future for Westrail was that it would basically deal with seven commodities and that the Government would get rid of the back-loading of fertiliser and the system of distribution of diesel and fuel to the country regions. The Government would do that because it was unprofitable, and the new seven-commodity focus would be the panacea for fixing up Westrail. The former Minister for Transport told us that, and members on the other side agreed with it.

The Government is now telling us that one of the options open to the private sector to make this line work better and to ensure its profitability is that it will have the opportunity to do things such as back-loading fertiliser, delivering fuel and going into the other areas that, under its policy, the Government deliberately blocked Westrail from doing. Come on! Where is the consistency? The Government has managed this system now for six and a half years. It has gone from a position of making Westrail a seven-commodity distributor to saying that it can distribute anything it likes. Pardon? How can that work? Where is the consistency of policy there?

I return to the point which I raised by way of interjection. We were told in this place that Westrail was profitable. However, we know that the debt component of Westrail has blown out from \$320m to \$610m or \$620m. The amount that the Government will get for Westrail will not be spectacular. I am sure it will be in the realms of what I have suggested. It will not get a lot of money. I concede that the Government will pay off the Westrail debt. However, the former Minister for Transport deliberately hid that from us. I remember having argument upon argument with him that what he was telling us was not the correct financial position of Westrail. He sat over there, as did some members a few moments ago, and laughed at me, told me I did not know what I was talking about and that I was an idiot. I am such an idiot that I always knew what he was saying to me was wrong. It was factually wrong in any accounting sense, and it was an unsustainable position; yet every government member supported him. Now, in this blind request for us to support the privatisation of Westrail, based on misinformation and distortion of fact, we are supposed to believe the Government. Come on! The Government does not have a track record which would warrant such an outrageous request for trust. The former minister led us around by the nose. This system was not -

Hon M.J. Criddle: All those facts are available now.

Hon JOHN HALDEN: Is Hon Murray Criddle suggesting the former minister was telling fibs? I am glad he agrees with me. We always knew it.

Hon M.J. Criddle: No. Those figures were around.

Hon JOHN HALDEN: Okay. In fairness to the current Minister for Transport, I will concede the point. It is unfair to blame him for that. However, I still make the point that the Government has treated members on this side of the House like mushrooms. Now, while treating us like mushrooms, it is bringing forward a long-term proposal and expects us to support it blindly. I concede that the current minister has been a damned sight more open than his predecessor. There has been a lot of water under the bridge since then. Lots of statements were made in this House where supposed fact turned out to be absolute fantasy. Every government member who was here at the time supported the fantasy because it was a bit of a game with a limp Opposition that did not have the numbers. Those opposite thought they were having great fun playing with the reality of the situation, absolutely lording it over us, telling us about how they could deliver profits in Westrail. Those profits were nothing more than accounting procedures. Now we are supposed to have trust in them. I am sorry; the trust cannot come from me.

Government members told us that they would have a great system under seven commodities. Now they are telling us it could be any number of commodities. Which statement is right? Which will deliver the outcome that will provide to the private sector enough money to run this line profitably so there is no government subsidy? Is it the seven commodities, or any number of them? I can remember when the Government removed the ability for people to back-load fertiliser on the trains. I was in my office with a very new member of Parliament at the time, Hon Kim Chance. I remember the number of people who had businesses in country communities, such as Goomalling and Dowerin, who employed a significant number of people to take the fertiliser off the trains and put it into trucks and either deliver it to farms or take it to farms and have it spread there. The Government took away their livelihood immediately with that decision. We want to know what will be the impact of this Bill in regional and rural communities.

As the metropolitan-based party, why would we make this request? Surely it is a request that is natural, sympathetic and in tune with the people in the seats of National Party members and, of course -

Hon E.R.J. Dermer: The Australian Labor Party is now a country-based party in both New South Wales and Victoria.

Hon JOHN HALDEN: I will get to that; I will not miss that opportunity. This decision relates to members of the Liberal Party who are based in the country. How could they implement that as policy in the life of this Government and now turn around and say that we can go back to that system? Again I say that the consistency of their policy position is absolute muck. I will go one step further: We want to know about what will happen with employment in this agency. I am told that Westrail runs a very lean country freight system, and I believe that. When the national rail system was privatised - sold off - the average loss of employment within that operation was 30 per cent across the system. In some rural communities, it was 50 per cent.

Hon M.J. Criddle: It did not have the rationalisation that we will have.

Hon JOHN HALDEN: I know that.

Hon Dexter Davies: Hon Kim Chance explained that in his speech.

Hon JOHN HALDEN: I am pleased he did, because it is an important point. We want to know the safeguards and the implications of what is being proposed now, not somewhere down the line, not after the contract has been signed. Let us use the prison system model. We want to be shown the contract. Let us see what the Government is up to. We are not interested in the bottom line figure. We are interested only in the implications of the policy. That is not an unreasonable request, bearing in mind the history of this matter. Why would it be?

During the past fortnight I had the opportunity to go to Narrogin. I spent the weekend there and I spoke to people in the local community. They told me about the impact on their community, which is not dying like many rural communities; it is growing and it is being beautified. It is a very pretty country town and having not been there for five or six years, I was pleasantly surprised to see it prospering and growing. Those people told me the story about when the workshops were closed. I know there is justification in that the workshops were predominantly for steam engines, they were antiquated and so on. I am not questioning the issue on that front. However, those people remembered what happened to the town when the workshops closed. A significant blue-collar work force disappeared. Additionally, a significant white collar - significant in terms of the totality of the size of that town - work force disappeared. The consequences on that town in terms of schools, hospital and health provisions, small business and a whole range of other implications - I will not bore people with them - were very severe in the short term. The Government cannot ask us to vote for this, bearing in mind this microcosm of Narrogin to which I am referring, and not tell us any detail. The suggestion of that is either arrogance to the supreme, and I do not suggest it is, or, I suggest, absolute stupidity, because we will not do it. If the Government thinks that this will not have political ramifications, it is wrong.

I have taken a bit of an interest in this matter recently. In the rural and regional communities in Victoria the issue was not about privatisation per se. It was about the impact that either privatisation or, more specifically, the reduction in government services had on the local community. One need not be Einstein to realise that this could have some impact. Perhaps one need not be anything. Maybe if we could see the detail of this, I would be totally wrong. However, I am just as entitled to make assumptions of one degree as I am of another degree, when I have nothing on which to base it.

Hon M.J. Criddle: That is an interesting statement. We have put a fair bit of information into the country. I have travelled to eight meetings. Very detailed information has gone to the committee.

Hon JOHN HALDEN: In terms of this, the devil is always in the detail. If the Government wants to secure any degree of reasonableness in regard to discussing this as a specific issue rather than far more generally, the Government must provide us with the detail. As an example, I do not know the terms of the contract, but members may decide that all country rail lines that exist now will exist into the future, and there is a guarantee that that will continue. However, one does not need to be half smart to work out how to get around that. If a private operator wants to render a line inoperable, all he has to do is raise the price of the transporting of the commodity.

Hon M.J. Criddle: Presently there is very heavy competition with trucks.

Hon JOHN HALDEN: That is exactly my point. Everything goes from rail to road.

Hon M.J. Criddle: That is happening now.

Hon JOHN HALDEN: Yes, I know that.

Hon M.J. Criddle: The only way to solve that is to let the business there grow.

Hon JOHN HALDEN: The motive in private ownership is profit for shareholders. If the new owner has a line that is not profitable or marginal, it could continue to offer a service but it could price itself out of the market for that service and therefore cease to offer it.

Hon M.J. Criddle: Do you agree that under an access regime that exists now, somebody were to cherry pick part of the Westrail freight system now, it would put an enormous amount of strain on the system.

Hon JOHN HALDEN: Yes, it would.

Hon M.J. Criddle: You are absolutely right. That is one of the interesting things with which the Government must deal. If we maintain Westrail we must be prepared to fund that debt.

Hon JOHN HALDEN: I understand that. I cannot argue with the sense of the minister's last comment. We must guarantee to fund into the future. However, I am suggesting that because we do not know the terms of the contract, it is possible for a private operator to not provide the service while saying it will provide it. It need only artificially raise the price and it would be out. I do not know what is in the contract so I am arguing from a position of weakness. If the new owner were carting wheat for \$15 a tonne and it could be carted by road for \$20 a tonne it need only raise the price of cartage for wheat on that line to \$24 a tonne. Who would then use rail? Nobody.

Hon M.J. Criddle: To be fair, that already occurs, regardless.

Hon JOHN HALDEN: Whatever. The issue then would be, when the constituents of Hon Dexter Davies and other members in the country saw the price of cartage increase to \$24 a tonne, assuming the condition in the contract is not about price but about continuity of service, if there is something to transport - I do not know but I am making that assumption - to whom will they complain? They will complain to the private sector operator. What is its basic premise of operation? It is the

bottom line; the profit to shareholders. If rail freight is in government hands, to whom will constituents complain? They will complain to the minister, Hon Dexter Davies, Hon Bruce Donaldson, etc and put them under some pressure.

Hon M.J. Criddle: They must decide between hospitals, schools and the rail system and you also must answer that question.

Hon JOHN HALDEN: I do not want to avoid that. At the end of the day to whom do members opposite want their constituents to be able to turn; to them or the private sector company? If they turn to members opposite they will be angry with them. Members would no doubt make representation to ameliorate the worst effects of it. Depending on what is in the contract, they will have no ability to influence the situation one little bit.

When that occurs it will reap a nasty political revenge upon them. When every other devious method is used to maximise profit out of the privately-owned rail freight system rather than to maximise community service from it, and members opposite have no ability to control it other than through a contract, their constituents will reap their revenge on them at the ballot box.

The minister makes a valid point that the Australian Labor Party made federally about the issue of privatisation. We should be real about this; we must make decisions about the priorities of where to spend money.

Hon M.J. Criddle: Absolutely.

Hon JOHN HALDEN: However, we have been told again in this place that privatisation is about the redirection of government resources into social responsibilities such as schools and hospitals. I ask members opposite to look at their track record and at what they have sold off already and then to look at the state of our hospitals and what is published in the newspapers. I went to Fremantle Hospital a month or so ago. One of the wings was an absolute disgrace. I am not referring to the care provided but to the fact that the curtains were falling to bits off the windows. The facilities were old and in need of upgrading and replacement. I do not know whether the staff knew who I was, but they told me about the pressures under which they work. We look at all the privatisation the Government has undertaken - admittedly it is not as much as has been undertaken in other places - and it is obvious that the Government is not winning on that front. It is not providing a hospital system or an education system in which the people have confidence.

To verify that, members opposite should look at their Government's annual reports and budgetary statements indicating the level of enrolments in public versus private schools. The Government is losing the war, although I do not know whether it wants to win it. More children are being educated in private schools now than ever before. It is cheaper for the Government not to educate children in government schools. As the percentage of government-educated children falls, the quality of facilities and resources also falls, except in new schools. I bet that schools in Liberal Party electorates, particularly those in the bush, although they are not spectacular -

Hon M.J. Criddle: We have a good school in my electorate.

Hon JOHN HALDEN: It is probably a result of non-intervention by the minister. The Government is not winning that war. Its policies regarding the redirection of funds and selling of assets is not winning the war. I am no expert, but I have done a little travelling recently in the bush. I have found that rural Western Australians resent the Government's policy decisions about where money will be spent; they resent the belltower. I was recently privy to some polling results which indicate that the belltower is the No 1 issue by a mile. That is not because it is significant or because it involves the expenditure of \$100m, but because of what it says about the Government and its priorities, which are wrong.

The Government has focused its attention on the central business district; it has spent hundreds of millions of dollars on the CBD. However, in some cases its policy decisions have been extremely discriminatory against the city, particularly in respect of contracting-out. The Government is about to make a statement about itself; that is, it is about to enter into a contract for an extended period with no guarantees about employment, regional economies or the future of these communities - many of which are dying.

Railways are a core component of the Government's responsibilities. Railway lines in the north of this State take one commodity from point A where it is mined and deliver it to a port for the sole benefit of a private sector organisation. That is fair enough, but this is far broader than that. The point I made earlier about the seven commodity policy is that Westrail lost its focus on community service. This is broader than the seven commodity policy, but it is a system that in part is very efficient. The greater Bunbury line is efficient and profitable. Other lines are also very profitable. Other significant railway lines like Koolyanobbing-Esperance and Leonora-Esperance are significant in terms of getting a resource to a port. The other difficulty with the Bill is that if the Government really wanted us to have some confidence in this, why would it not let us know the profitability of the lines? Governments of both persuasions over time have been able to produce figures which identified the cross-subsidisation which occurred from time to time in the past, and probably still does.

Hon Kim Chance: One thing we can be certain of is that a private corporation will know that to the cent and will act on it.

Hon JOHN HALDEN: Exactly; and that is a reasonable interjection. A private corporation will know the cross-subsidisation figure. It will have no desire to support cross-subsidisation unless it is defined in the contract.

Hon Ken Travers: Or they get a good community service obligation for it?

Hon JOHN HALDEN: We do not think that is included in the contract? What happens if the private sector cannot run this network profitably? Where is the statement about what the Government will do? Where does the contract set out where the Government will go if that happens?

I will again refer to the issue of prisons. In Victoria, the Deer Park private prison contracted for the management and

operation of a prison and could not perform. Because it could not perform, the Government was under pressure to provide additional staff at that prison. In the first year of operation, it cost the Victorian Government an additional \$3m. We are not talking about \$3m here. If a private operator who, perhaps, may be required to run the whole network cannot run it profitably, the shortfall might be a little more than \$3m. If it is, does the Government pick up the tab or does the system close? If it closes what is then the consequential costs of doing that? What will the Government do then? Why cannot the Government tell us what these provisions are? That is not a huge request. It is a reasonable request that the Government might want to think about. The Minister for Justice can almost do it, but in this instance the minister cannot do it. It is inconsistent policy. The Government is becoming notorious for its inconsistencies rather than consistency. The Government has not been able to make any of these things work. Where is the significant argument, the proof that we must privatise this system? What are the benefits and the disadvantages? If this was so popular, surely the broad electorate would be clamouring, demanding, screaming, and petitioning the Parliament to privatise our rail network? The best I have heard is deafening silence. The only thing I have heard is people who are concerned about this. I understand the Government's ideological bent and it understands ours.

Hon E.R.J. Dermer: Ours is only commonsense surely.

Hon JOHN HALDEN: I am sure it is on most occasions.

Hon Dexter Davies: To be fair, of the witnesses who fronted up, three were against it and probably 22 were for it.

Hon JOHN HALDEN: Something like that. Having read this report, I thought one of the guarantees the Government might want to consider is that on page 47 of its report the Standing Committee on Public Administration commented on the Transfer of Undertakings (Protection of Employment) arrangement that exists in Europe. I am not suggesting that this needs to be put in legislation. I understand that may not be a particularly wise course. However, on page 47 the report states -

TUPE protects employees' jobs and conditions when their work is taken over by a new employer by requiring the maintenance of an employee's existing terms and conditions. Some of the consequences which apply include:

- the new employer who takes over the work must keep the existing workforce. They cannot pick and choose who will transfer . . . ;
- the new employer must offer a comparable position with the same rates of pay and conditions of service . . . ;
- time spent working for the previous employer counts towards length of service with the new employer;
- any dismissals related to the transfer are automatically unfair . . . ;
- collective agreements and trade union recognition are automatically transferred . . . ; and
- recognised unions have a right to be informed about and in relation to the transfer . . .

I do not suggest this system and I understand that it was advocated that it should exist for five years. I think that is too long, but in trying to minimise the uncertainty, the fear and the anxiety, people should have some sort of guarantee about these matters for a short period, perhaps 12 months. When the national rail system was privatised, I understand that people turned up to work and literally got into their cabins to start their day's work and were provided with their workplace agreement under the condition "sign it or you are dismissed". Does the Government want to run that sort of regime? Does it want its people in the bush that unhappy? In a political sense I invite the Government to do it.

Hon M.J. Criddle: No, that is not right.

Hon JOHN HALDEN: I am sure the Government understands that it would not want to do that. Maybe the Government has this sort of arrangement, but how would we know? Maybe these sorts of arrangements or guarantees should be in the contract. The community might feel a damn sight better or a damn sight less anxious if it knew they were.

Hon M.J. Criddle: They certainly know we will have arrangements in place for the work force.

Hon JOHN HALDEN: Yes, but we have all said that. I believe the minister, but I have heard so many ministers in so many jurisdictions and from so many political parties make the same guarantee and all of a sudden - bang! There is a downsizing; there is a this and there is a that, and people's worst fears come to fruition. The only way in which there can be any guarantees under the system proposed by the Government is by contract. There is nothing else; there is no legislation; it must be by contract. Let us see it. The minister should reassure his own constituency. He might reassure me a bit. That is okay, because I will be wandering around his electorate shortly and I will have the opportunity to point out the error of his ways unless he fixes this.

Hon M.J. Criddle: We have a header up there that you can drive during the harvest.

Hon JOHN HALDEN: I do not think the minister would want to let me on it.

Hon M.J. Criddle: We have trained a lot of people - to work!

Hon JOHN HALDEN: I do not think the comments I make in this area are particularly outrageous or necessarily inflammatory; they are reasonable.

Hon M.J. Criddle: They are reasonable.

Hon JOHN HALDEN: The other thing that must be of concern is that the proposal is for a vertically-integrated system. We will replace a government monopoly with a private sector monopoly. That is a great advance! Government monopolies in the past have had well-documented exposés of their ill doing - as, by the way, have private sector monopolies. We are again being asked on the basis of trust to believe that a private sector monopoly will be better than a public sector monopoly.

Hon M.J. Criddle: We will have an access regime and an independent regulator; they have been ticked off.

Hon JOHN HALDEN: The minister is saying he has a regulator. I do not want to make my Prisons Amendment Bill speech, but I read an article today from, I think, Arizona, about a prison inspector who was recently fined \$10 000 on each of three counts of corruption because he was given shares in the prison of which he was the inspector.

Hon M.J. Criddle: I take your point. However, we have moved a long way from that scenario. We have a ticked off independent regulator.

Hon JOHN HALDEN: If the Government is going down this path, it must consider its regional electorates in Bunbury and Geraldton. I am not too worried about the electorate in Merredin.

Hon B.M. Scott: You don't have to worry about anybody in the South Metropolitan Region either.

Hon JOHN HALDEN: We will do okay, I am sure. Our candidates will be in the field before the Government's. All the Government must do here is open up the process. I have been very complimentary to the Minister for Justice tonight, a rarity that I will probably regret tomorrow. However, it can be done; it is done in the United Kingdom far more so than is being proposed in Western Australia. All the Government must do is remove people's fears. It is an outrageous request, of course, from a militant opposition to want to remove a few fears, have a bit of knowledge and be able to say that we understand the deal! I am not suggesting that we agree with the principle; I am suggesting that the Government's argument is flawed by its own secrecy. It may be a policy flaw. It will certainly be a political problem for the Government and it should think about that long and hard. That is not by way of threat.

Hon N.F. Moore: You are just being helpful.

Hon JOHN HALDEN: That is right; I am like that. It just provides opportunities. If a vacuum is left, someone will fill it. If a vacuum is left in the truth, it will be filled, not necessarily with the truth but with information. That is the situation in which the Government will find itself. That is very smart politics!

Hon Barry House interjected.

Hon JOHN HALDEN: My position with regard to the truth may have cost me \$100 000 - instigated by some of the members opposite - but I think it is now on the public record as being very clear.

Hon N.F. Moore: You started everything that happened to you.

Hon JOHN HALDEN: No, I did not. The Leader of the House's Premier did.

Hon N.F. Moore: You did, because you came in here and you know what you did. You started it. You know that as well as I do.

Hon JOHN HALDEN: Some government members set it up to bankrupt me but they did not succeed.

Hon N.F. Moore: You started it and you got all you deserved.

Hon JOHN HALDEN: The Leader of the House will get more than he deserves if he starts that game, and it will not stop.

The PRESIDENT: Order! Hon John Halden will resume his seat. The Leader of the House will not interject, particularly with the matter he is raising, which has nothing to do with this debate. Hon John Halden has only seconds now on this debate.

Hon JOHN HALDEN: I will conclude by saying that this matter could be resolved to the community's satisfaction and to a large degree to ours by transparency.

Debate adjourned, on motion by Hon Muriel Patterson.

ACTS AMENDMENT (POLICE IMMUNITY) BILL 1999

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Peter Foss (Attorney General), read a first time.

Second Reading

HON PETER FOSS (East Metropolitan - Attorney General) [9.57 pm]: I move -

That the Bill be now read a second time.

In amending the Police Act 1892, this Bill provides clear and unequivocal protection from civil action against a member of the Police Service. This protection is for anything that the member has done, without corruption or malice, in the performance of his or her functions as a member of the Police Service, whether or not under a written or other law. Importantly, this Bill does not preclude an innocent third party from seeking compensation for any injury or loss arising from an action of a member of the Police Service which is negligent but is neither malicious nor corrupt.

A variety of factors have underscored the need to introduce legislation that provides protection for police officers from civil liability claims arising from the performance of their functions as members of the Police Service. First, the existing legislative provision is antiquated and regarded widely as unable to protect adequately police officers who are subject to civil proceedings. Section 138 of the Police Act 1892 invokes Section H of The Shortening Ordinance 1853, which states that no action lies against any "policeman or constable" unless there is direct proof of corruption or malice. In addition, Section 53(K) of the Police Act 1892 seeks to indemnify police officers from civil liability for anything done or omitted to be done in good faith. The second factor is that significant changes have occurred in both statute and common law since the middle of last century, when this provision was enacted, leading to concerns about its applicability today.

Thirdly, this matter, which is referred to commonly as vicarious liability protection, has been one of the principal concerns held by the WA Police Union over the past few decades. In this increasingly litigious society, police are more often finding themselves being sued as individuals for their actions as police officers. It should be noted that other people, such as public servants paid by the State to provide a service to the community, are protected by vicarious liability legislation where their actions are in good faith. This legislation seeks to extend similar protection to police acting lawfully in the performance of their functions as a member of the Police Service, as well as to any person who is assisting a police officer. However, this protection is qualified as follows -

any person who does not cooperate fully with the Crown in defence of such an action may be liable for the cost incurred to defend the action as well as any damages which are awarded;

the Crown will not be liable for any actions deemed corrupt or malicious; and

the Crown will not be liable for exemplary or punitive damages.

In cases where the actions of the member of the Police Service are deemed to have been corrupt or malicious, the Bill provides the opportunity for a claimant to request the Treasurer to pay any damages awarded, other than exemplary or punitive, or costs which are ordered. The Treasurer may pay such entitlements where there is little prospect of recovery from the defendant and where it is unlikely that the defendant will benefit from the payment. Any such payment will be a debt owing to the Crown and recoverable through the courts.

The Acts Amendment (Police Immunity) Bill will provide the protection necessary for police officers to carry out their lawful duties in the firm knowledge that they will not be held liable for the consequences of any of their lawful actions, unless they are acting in a corrupt or malicious manner. It is high time that our dedicated police personnel were granted such basic protection in the execution of their difficult and demanding duties. I commend the Bill to the House.

Debate adjourned, on motion by Hon Bob Thomas.

SHIRE OF NORTHAMPTON LOCAL LAW RELATING TO SIGNS

Motion for Disallowance

Pursuant to Standing Order No 152(b), the following motion by Hon N.D. Griffiths was moved pro forma -

That the Shire of Northampton - Local Law Relating to Signs, published in the *Government Gazette* on 4 June 1999, and tabled in the Legislative Council on 15 June 1999 under the Local Government Act 1995, be and are hereby disallowed.

Question put and passed.

ADJOURNMENT OF THE HOUSE

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [10.01 pm]: I move -

That the House do now adjourn.

Hollister Developments Pty Ltd - Adjournment Debate

HON LJILJANNA RAVLICH (East Metropolitan) [10.02 pm]: I rise on behalf of a constituent, Mrs Shirley Willis, who is the owner of unit 17, 99 Stafford Road, Kenwick, which she purchased in 1993. She has had numerous problems with this property since the date of purchase. She has drawn those problems to the attention of the Builders Registration Board and the City of Gosnells, and she has had an independent assessment carried out on the structural problems with her unit. She is of the view that she is going nowhere with her complaints.

The property is part of strata plan 19251, and the development was carried out in 1989 by Hollister Development Pty Ltd, care of D. J. Gordon and Associates of 981 Wellington Street, West Perth. The builder of the property was Mr Dennis Smart of 45 Ventnor Avenue, West Perth, who has gone broke since Mrs Willis purchased her home. The question arises: What does someone do in that circumstance? The work carried out on her home was particularly poor, and Mrs Willis has cracks in just about every room of her home. I have sighted photographs - unfortunately I do not have them with me this evening - of the damage caused because foundation and other structural requirements were obviously not met by the builder at the time of construction.

In January of this year, Mrs Willis noticed severe cracking in the ceiling and walls. On advice from the managing agent, she contacted Bayside Australia Pty Ltd to inspect the property, which provided her with a report. Bayside found, at an inspection cost of \$728, the following -

Extensive cracking is occurring throughout the house on the inside wall only.

It is possible to poke a rod underneath one of the walls, raising the possibility that the inside leaf of brickwork is not soundly constructed on the slab or footing.

Its advice was that any repair would be temporary and should be delayed until the current movement ceases, and that further investigation should be carried out to determine the cause of the movement. The subsequent report, which was provided by J.R. Bradley and Associates, consulting chartered engineers, which charged \$350 for its services, also found that the cracking of the walls was due to a range of possibilities, including subsidence of the external perimeter footing and portion of the floor slab, edge heaving of the external perimeter footing beam, and inadequate subsoil drainage system. It offered a number of other possible reasons for the damage from which her unit has suffered as a result of the shoddy workmanship of the builder at that time.

Mrs Willis is of the view that someone must be held accountable and that it is not good enough that a builder can go bust and she has no recourse to receive compensation for the costs that she or the body corporate will incur to rectify this problem. It was reasonable for Mrs Willis to raise the issue of the involvement of Gosnells City Council, which does an outstanding job generally; however, this matter goes back some time. That raises the issue of the role of council building inspectors in authorising the quality of buildings which are constructed. It appears fundamental to me, and I suppose to most other people, that if the foundations of a building are not correct, if the amount of concrete that is poured is not sufficient, or if the amount of steel reinforcement is not sufficient, it may result in the sorts of problems that Mrs Willis has ended up with. I do not think it was unreasonable for Mrs Willis to approach Gosnells City Council and ask why action was not taken by the building inspectors to ensure that the quality of the building work was not substandard. This problem has affected not only Mrs Willis, because her unit is one of 64 units, but also it has cost the body corporate well over \$1 000.

Mrs Willis has been advised that she may not be able to do a great deal about this matter. However, she has suffered a major injustice, because for Mrs Willis, like so many other people, her unit represents a lifetime of savings, and no doubt she will need to meet other ongoing costs with regard to paying out her mortgage, yet she has been forced into a situation where she is buying something which is deteriorating before her eyes. I assure the House that the cracks are not hairline cracks but are major cracks, and one does not need to be an expert to know that they are the result of the structural deficiencies and shoddy workmanship that took place when this unit was constructed.

Mrs Willis should have some recourse. I understand that housing indemnity insurance has been compulsory only since 1 February 1997, and this building was constructed long before that. Mrs Willis' situation is one case. However, I suspect that many other people also do not have recourse. Some mechanism should be set up so that people who find themselves in a situation similar to Mrs Willis can obtain support and be entitled to compensation. Somebody must be accountable, and the interests of the consumer must be protected at all times. I hope that there will be an offer of assistance from someone. Although I am happy to assist Mrs Willis in this case, she needs more than just my assistance. I hope that the City of Gosnells will accept some responsibility and that a solution to her problem will be found.

Western Power - Adjournment Debate

HON MARK NEVILL (Mining and Pastoral) [10.11 pm]: I raise the response of the Minister for Energy, Hon Colin Barnett, in yesterday's *The West Australian* in which he rejected my offer to support the Government if it separated the transmission system from Western Power. It is disappointing that the minister has taken that attitude. Western Australia's power costs are now 45 per cent above the Australian average. Our power costs have been fairly constant since about 1991. However, in the other States they have dropped. The differential is increasing, and Western Australia is becoming less competitive, particularly for industry and jobs. I cannot understand why the minister keeps protecting Western Power from competition that would at least keep it honest.

The Chamber of Commerce and Industry of Western Australia and the Chamber of Minerals and Energy of Western Australia have been critical of the power charges of Western Power and have asked for privatisation. That was rejected by the minister over the weekend. However, splitting Western Power does not require privatisation. It was a recommendation of the Carnegie report in 1992 that Western Power be split into generation, transmission and distribution. It was also agreed by this Government at the Council of Australian Governments conference that it would split Western Power, and it has not done that. All it needs to do is to take out the transmission system - that is, the high voltage lines - and put it into a separate statutory body, which is not a difficult job. That statutory body would have its own board so that it could independently manage the transmission system and set tariffs for access to that transmission system. That could also be done by keeping the transmission system within Western Power and setting up a board to undertake those two functions of independently managing the transmission system and setting the access tariffs. Therefore, it is not a big deal.

At the moment Western Power has the capacity to cross-subsidise. It can push up the transmission tariffs to subsidise high generation costs in one particular area. I know that Goldfields Power Pty Ltd has been trying to sell its excess power into the Western Power system, but could not get a straight answer on what the transmission costs for its power would be from Kalgoorlie to Perth. It is now supplying the Perth airport. The problem is that Western Power can cross-subsidise and set its transmission tariffs at such a level that a third party could not compete for a particular power contract. Western Power is also its own regulator. Therefore, all the cards are on its side of the table. That is clearly a conflict of interest. Litigation is before the courts. Normandy Mining Limited has taken on Western Power to try to sort out whether the transmission tariffs are fair. If the transmission section is taken out of Western Power, it becomes transparent and Western Power pays the same tariff as any third-party power supplier. I assure members that will result in lower tariffs very quickly.

The Government is not doing enough in the area of power reform. I am differentiating that from gas reform which, in my view, is lagging. It is rather silly of the minister to reject my offer to support the Government doing that in this House. In my view, the Minister for Energy has clearly failed the very first step that can be taken to get some competition into the

power generation system. I ask a few of his colleagues to have a word in his ear in an attempt to get a bit of sense into his head. That minister must show a bit of imagination and political will. He cannot go on protecting Western Power forever. Under the national competition rules Western Power, increasingly, will be subject to third-party competition from other generators. For as long as transmission tariffs are not transparent, a lot more cases will come before the courts. It will happen, and sooner rather than later, and the Office of the Gas Regulator, under the control of Dr Ken Michael, should be converted into an office which covers the regulation of power, water and third-party access to rail. The principles are fairly similar in all those issues.

It is about time that minister started to put a bit of effort into this area. He did well for the first year, but he has dropped the ball during the next couple of years. He could have done this very simple thing and got my support; however, according to the reports in yesterday's press, he has rejected it.

Question put and passed.

House adjourned at 10.17 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

CYCLONE VANCE, ONSLOW

44. Hon TOM STEPHENS to the Leader of the House representing the Premier:

Can the Premier confirm or deny the accuracy of the following reported statements, allegedly made by the Member for Ningaloo, Mr Rod Sweetman, to various Onslow residents that the -

- (a) Shire of Ashburton was offered by the State Government significant funds to restore the foreshore; and that the shire had declined this offer;
- (b) State Government offered to base in Onslow a State Government recovery co-ordinator, but that the shire declined;
- (c) State Government offered to make available to the Onslow community additional heavy earth moving plant and equipment to assist the community with foreshore restoration and road reconstruction, but the shire declined;
- (d) State Government has not so far received from the Ashburton Shire any detailed costing for the restoration that would need to be done in Onslow following *Cyclone Vance*;
- (e) State Government had not received from the Ashburton Shire Council any application for funds from the State Government to assist in the restoration process in Onslow; and
- (f) applications for business recovery grants from the Onslow Community to the State Government had been sent by the Ashburton Shire Council to Tasmania?

Hon N.F. MOORE replied:

- (a)-(f) The State Government through the State Recovery Coordination Committee, the Cyclones Elaine and Vance Trust Fund and other Government Departments and Agencies has provided considerable assistance and guidance for the restoration of Onslow. Individual State Government agencies have borne the costs of restoring services that they provide.

The Local Recovery Committee, in conjunction with the Ashburton Shire Council provided the Cyclones Elaine and Vance Trust Fund with a claim for assistance for the restoration of various town facilities and services. In addition to the \$670,000 provided in business recovery grants, the Trust has also allocated \$66,000 for clean up and \$522,000 for a number of community projects. The Trust has provided \$30,000 towards a storm surge study and when this study is completed further consideration will be given to funding for the foreshore restoration.

The State Recovery Coordinator continues to work with the local committee and the Shire to facilitate the recovery process.

GOVERNMENT DEPARTMENTS AND AGENCIES, LEAVE LIABILITY

48. Hon LJILJANNA RAVLICH to the Leader of the House representing the Government:

In an effort to reduce leave liability, Circular to Ministers No 5/98 required all agencies to reduce their leave liability by 10 per cent by no later than June 30, 1999 -

- (1) What was the average cost of leave liability per FTE in each department or agency in each Minister's portfolio as of June 30, 1999?
- (2) Does this represent a 10 per cent reduction from June 30, 1999?
- (3) If not, what percentage reduction in leave liability was achieved in each department or agency in each Minister's portfolio between June 30, 1998 and June 30, 1999?
- (4) When will each department or agency in each Minister's portfolio be able to meet the required leave liability reduction?
- (5) How much does a 10 per cent reduction in leave liability equate to in number of days, for each FTE employed in each department or agency in each Minister's portfolio, that will have to be taken to reach the desired reduction?
- (6) How much of this will be paid out in money in lieu of leave?
- (7) Is any department or agency, or any section of it, in each Minister's portfolio considering closing down at any period in the next twelve months in an attempt to reduce leave liability?

Hon N.F. MOORE replied:

- (1)-(7) Please refer to answers provided to questions in the range 279 to 322 inclusive.

ABORTION, BREAST CANCER RISK

56. Hon E.R.J. DERMER to the Minister for Finance representing the Minister for Health:

I refer to the Health Department of Western Australia 1998 publication entitled "A Summary of Medical Risk of Induced Abortion and of Carrying a Pregnancy to Term - Information for Women" -

- (1) Why does this publication make no reference to the scientific studies which show association between induced abortion and increased risk of breast cancer?
- (2) Does the assumption that research reviews have concluded that it is premature to draw a definitive conclusion about the relation between induced or spontaneous abortion and breast cancer risk, and the possible risk entailed in this assumption, oblige the Health Department of WA to explain this possible risk in literature which it publishes for the purpose of advising women of medical risk of induced abortion?
- (3) If this assumption does not lead to this obligation, why not?
- (4) Is the Minister for Health at all concerned that the circulation of this publication without reference to this risk, may expose himself, the State or the Health Department of WA to potential legal liability?
- (5) Has the Minister for Health sought advice with respect to this possible exposure to legal liability?
- (6) If the Minister for Health has sought such advice from whom has he sought the advice?
- (7) If the Minister for Health has not sought such advice, why not?
- (8) Has the Minister for Health read the medical research publications -
 - (a) Brind J, Chinchilli VM, Severs WB, Summy-Long J. Induced abortion as an independent risk factor for breast cancer: a comprehensive review and meta-analysis. *Journal of Epidemiology and Community Health*; 50(5), 481-96 (1996); and
 - (b) Newcomb PA, Storer BE, Longnecker MP, Mittendorf R, Geenberg R, Willett WC. Pregnancy termination in relation to risk of breast cancer. *JAMA*; 275, 283-287 (1996)?
- (9) If the Minister for Health has read these publications, when did he read them?
- (10) If the Minister for Health has not read these publications, why not?

Hon MAX EVANS replied:

- (1) This publication was intended to be an easy to read summary of medical risks of induced abortions and of carrying a pregnancy to term for women. It was not intended to comprehensively deal with all research relating to possible risks of abortion, no matter how remote. In 1998 the Health Department of Western Australia did however develop a more comprehensive publication entitled "Medical Risk of Induced Abortion and of Carrying a Pregnancy to Term - Information for General Practitioners". This publication for general practitioners does contain a summary of research relating to the relationship (if any) between induced abortion and breast cancer risk and notes the conclusion expressed by the two medical research publications mentioned in question 8, namely an increased risk of breast cancer. The summary proceeds to note possible deficiencies in the methodology of such studies and states with reference to Melbye M, Wohlfahrt J, Olsen J et al; Induced Abortion and the Risk of Breast Cancer; *The New England Journal of Medicine*; 336, 81-85 (1997):

"In a landmark study of 1.5 million Danish women, information derived from registries showed no increased risk of breast cancer who had undergone induced abortions."

The summary concludes by noting that the American Medical Association released a statement in 1996 noting that there was insufficient evidence to support a relationship of induced abortion with either reduced or increased risk of breast cancer. It is the responsibility of the medical practitioner to properly advise the woman of all relevant medical risks.

- (2) No.
- (3) As stated in answer to question (1), the summary brochure developed by the Health Department for women was designed as a summary and was not intended to be substituted for detailed advice from and discussion with a medical practitioner relating to relevant medical risks. The Health Department has through its General Practitioner publication sought to assist medical practitioners in counselling women as to relevant medical risks by drawing research relating to the relationship (if any) between induced abortion and breast cancer to their attention. It is the responsibility of the medical practitioner to advise the woman of all relevant medical risks
- (4)-(5) No.
- (6) Not applicable.
- (7) It is the responsibility of the medical practitioner to advise the woman of all relevant medical risks.
- (8)
 - (a) The Minister has read the Abstract and Conclusions sections of the article.
 - (b) The Minister has read the Abstract and Comment sections of the article.

The Minister has also read the Abstract of the Article by Melbye et al referred to in the answer to (1).

(9) 4 October 1999.

(10) Not applicable.

GOVERNMENT VEHICLES, NUMBER LEASED AND OWNED

98. Hon NORM KELLY to the Minister for Finance representing the Minister for Works:

As of June 30, 1999, for all agencies under the control of the Minister for Works -

(1) How many vehicles are leased or owned by those agencies?

(2) Of these, how many are -

- (a) passenger vehicles; and
- (b) commercial vehicles?

(3) Of the total number of vehicles, how many are -

- (a) petrol or diesel powered;
- (b) LPG powered; or
- (c) powered by other means?

Hon MAX EVANS replied:

(1) Seventy seven.

(2) (a) Seventy four.
(b) Three.

(3) (a) Fifty three.
(b) Twenty four.
(c) Nil.

GOVERNMENT VEHICLES, NUMBER LEASED AND OWNED

100. Hon NORM KELLY to the Minister for Finance representing the Minister for Youth:

As of June 30, 1999, for all agencies under the control of the Minister for Youth -

(1) How many vehicles are leased or owned by those agencies?

(2) Of these, how many are -

- (a) passenger vehicles; and
- (b) commercial vehicles?

(3) Of the total number of vehicles, how many are -

- (a) petrol or diesel powered;
- (b) LPG powered; or
- (c) powered by other means?

Hon MAX EVANS replied:

(1) Seven.

(2) (a) Seven.
(b) Nil.

(3) (a) Seven.
(b)-(c) Nil.

GOVERNMENT VEHICLES, NUMBER LEASED AND OWNED

121. Hon NORM KELLY to the Minister for Transport:

As of June 30, 1999, for all agencies under the control of the Minister for Transport -

(1) How many vehicles are leased or owned by those agencies?

(2) Of these, how many are -

- (a) passenger vehicles; and
- (b) commercial vehicles?

(3) Of the total number of vehicles, how many are -

- (a) petrol or diesel powered;
- (b) LPG powered; or
- (c) powered by other means?

Hon M.J. CRIDDLE replied:

Albany Port Authority

- (1) Six.
- (2) (a) Three.
- (b) Three.
- (3) (a) Six.
- (b)-(c) Nil.

Bunbury Port Authority

- (1) 15.
- (2) (a) Five.
- (b) Ten.
- (3) (a) 15.
- (b)-(c) Nil.

Esperance Port Authority

- (1) 14.
- (2) (a) Four.
- (b) 10
- (3) (a) Nine.
- (b)-(c) Five.
- (b)-(c) Nil.

Dampier Port Authority

- (1) Five.
- (2) (a) Three.
- (b) Two.
- (3) (a) Five.
- (b)-(c) Nil.

Eastern Goldfields Transport Board

- (1) One Sedan, One Utility and 24 Buses.
- (2) (a) One Sedan
- (b) 24 Buses.
- (3) (a) All 26 vehicles.
- (b)-(c) Nil.

Fremantle Port Authority

- (1) 60.
- (2) (a) 20.
- (b) 40.
- (3) (a) 60.
- (b)-(c) Nil.

Geraldton Port Authority

- (1) Leased vehicles 3.
- Owned vehicles 11.
- (2) (a) Leased passenger vehicles 2.
- Owned passenger vehicles 4.
- (b) Leased commercial vehicles 1.
- Owned commercial vehicles 7.
- (3) (a) 14.
- (b)-(c) Nil.

Port Hedland Port Authority

- (1) Seven.
- (2) (a) Three.
- (b) Four.
- (3) (a) Seven.
- (b)-(c) Nil.

MetroBus

- (1) Four.
- (2) (a) Four.
- (b) Nil.
- (3) (a) Four.

Department of Transport

- (1) 1 059 (164 vehicles and 895 buses).
- (2) (a) 1 011 (116 vehicles and 895 buses).
- (b) 48 vehicles.
- (3) (a) 1 002 (161 vehicles and 841 buses).
- (b) Five (Three vehicles and two buses).
- (c) 52 buses.

Westrail

- (1) 366.
- (2) (a) 154.
(b) 212*.
- (3) (a) 366.
(b)-(c) Nil.

*Includes 23 road coaches.

Main Roads Western Australia

- (1) 445*.
- (2) (a) 239.
(b) 206.
- (3) (a) 445.
(b)-(c) Nil.

*This figure relates only to passenger and light commercial vehicles.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXEMPTIONS FROM PURCHASING PROVISIONS OF THE ACT

208. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) Which departments or agencies in the Minister for Education's portfolio have been granted partial exemptions in -
 - (a) Class 1 - Autonomous purchasing up to \$50 000 per total contract value. Higher value purchasing to be arranged by a third party designated by the State Supply Commission;
 - (b) Class 2 - Autonomous purchasing up to \$250 000 per total contract value. Higher value purchasing to be arranged by a third party designated by the State Supply Commission;
 - (c) Class 3 - Autonomous purchasing up to \$1m per total contract (or to a value as agreed by the Commission). Higher value purchasing to be arranged by a third party designated by the State Supply Commission; and
 - (d) Class 4 - Autonomous purchasing with no upper limit?
- (2) For each department and agency in the Minister's portfolio which have been granted partial exemptions from the operation of section 19(1) of the *State Supply Commission Act 1991*, which departments or agencies have reviewed their supply activities and assessed its risk in accordance with the commission's accreditation process each 12 months or at intervals determined by the commission?

Hon N.F. MOORE replied:

- (1)-(2) Please refer to the answer given in response to question on notice 196 of 18 August 1999.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF RECRUITMENT

241. Hon LJILJANNA RAVLICH to the Attorney General:

For each department or agency in the Attorney General's portfolio can the Attorney General provide the following information -

- (1) How many staff were recruited to each department or agency in the Attorney General's portfolio in each of the following categories in 1997/98 and 1998/99 -
 - (a) Chief Executive Officers;
 - (b) Senior Executive Service; and
 - (c) Level 1-8?
- (2) Of those staff how many were recruited internally and how many were recruited by, or with the aid of, external recruitment agencies?
- (3) What are the names of the external agencies that were utilised?
- (4) What was the cost of using external recruitment agencies in 1997/98 and 1998/99?

Hon PETER FOSS replied:

- (1)(a) Recruitment of Chief Executive Officers is managed by Public Sector Management - Please refer to answer given in response to question on notice 52.

| (1)(b) | Financial Year | MOJ | Office InfoCom | DPP | EOC | LRC |
|--------|---------------------|-----|-------------------|-----|-----|-----|
| | 1997/98 (contract) | - | - | - | - | - |
| | 1997/98 (permanent) | - | - | - | - | - |
| | 1998/99 (contract) | 3 | - | - | - | - |
| | 1998/99 (permanent) | 1 | - | - | - | - |

| (1)(c) | Financial Year | MOJ | Office InfoCom | DPP | EOC | LRC |
|--------|---------------------|-----|-------------------|-----|-----|-----|
| | 1997/98 (contract) | 330 | 2 | 10 | 3 | 1 |
| | 1997/98 (permanent) | 61 | 1 | 1 | 2 | 0 |
| | 1998/99 (contract) | 439 | 2 | 24 | 2 | 1 |
| | 1998/99 (permanent) | 43 | 0 | 0 | 0 | 0 |

- (2)-(4) Whilst the Ministry of Justice has invested in an automated Human Resource Information System, detailing such recruitment details, the information required for these three questions, in the period specified, can only be accessed manually, and the resources required to access this information are not justifiable.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF RECRUITMENT

242. Hon LJILJANNA RAVLICH to the Minister for Justice:

For each department or agency in the Minister for Justice's portfolio can the Minister provide the following information -

- (1) How many staff were recruited to each department or agency in the Minister's portfolio in each of the following categories in 1997/98 and 1998/99 -
 - (a) Chief Executive Officers;
 - (b) Senior Executive Service; and
 - (c) Level 1-8?
- (2) Of those staff how many were recruited internally and how many were recruited by, or with the aid of, external recruitment agencies?
- (3) What are the names of the external agencies that were utilised?
- (4) What was the cost of using external recruitment agencies in 1997/98 and 1998/99?

Hon PETER FOSS replied:

As it is not possible to readily separate those staff who work for the Minister for Justice from the Attorney General, I refer the Hon Member to the answer to Question 241.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF RECRUITMENT

243. Hon LJILJANNA RAVLICH to the Minister for the Arts:

For each department or agency in the Minister for the Arts' portfolio can the Minister provide the following information -

- (1) How many staff were recruited to each department or agency in the Minister's portfolio in each of the following categories in 1997/98 and 1998/99 -
 - (a) Chief Executive Officers;
 - (b) Senior Executive Service; and
 - (c) Level 1-8?
- (2) Of those staff how many were recruited internally and how many were recruited by, or with the aid of, external recruitment agencies?
- (3) What are the names of the external agencies that were utilised?
- (4) What was the cost of using external recruitment agencies in 1997/98 and 1998/99?

Hon PETER FOSS replied:

- (1) (a) Recruitment of Chief Executive Officers is managed by Public Sector Management - Please refer to the answer given in response to question on notice 52.
- (b) None.
- (c) 1997/1998 Data is not available. No records are available from the agencies who undertook recruitment during this period, which precedes the centralisation of corporate services (including HR).

1998/1999 147

- (2) Internal 146
- External 1

- (3) Morgan & Banks

- (4) 1997/1998 Data is not available
- 1998/1999 - \$3,500

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF RECRUITMENT

258. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Parliamentary and Electoral Affairs:

For each department or agency in the Minister for Parliamentary and Electoral Affairs' portfolio can the Minister provide the following information -

- (1) How many staff were recruited to each department or agency in the Minister's portfolio in each of the following categories in 1997/98 and 1998/99 -
 - (a) Chief Executive Officers;
 - (b) Senior Executive Service; and
 - (c) Level 1-8?
- (2) Of those staff how many were recruited internally and how many were recruited by, or with the aid of, external recruitment agencies?
- (3) What are the names of the external agencies that were utilised?
- (4) What was the cost of using external recruitment agencies in 1997/98 and 1998/99?

Hon N.F. MOORE replied:

- (1)
 - (a) Recruitment of Chief Executive Officers is managed by Public Sector Management – Please refer to the answer given in response to question on notice 52.
 - (b) Nil.
 - (c) 1997/98 – 1
1998/99 – 7
- (2)

| | |
|--------------|--|
| 1997/98 | |
| Internal – 1 | |
| External – 0 | |
| 1998/99 | |
| Internal – 6 | |
| External – 2 | |
- (3) Morgan and Banks
- (4)

| |
|--------------------|
| 1997/98 - \$6,781 |
| 1998/99 - \$20,284 |

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF RECRUITMENT

263. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Lands:

For each department or agency in the Minister for Lands' portfolio can the Minister provide the following information -

- (1) How many staff were recruited to each department or agency in the Minister's portfolio in each of the following categories in 1997/98 and 1998/99 -
 - (a) Chief Executive Officers;
 - (b) Senior Executive Service; and
 - (c) Level 1-8?
- (2) Of those staff how many were recruited internally and how many were recruited by, or with the aid of, external recruitment agencies?
- (3) What are the names of the external agencies that were utilised?
- (4) What was the cost of using external recruitment agencies in 1997/98 and 1998/99?

Hon MAX EVANS replied:

LandCorp

- (1)
 - (a) Recruitment of Chief Executive Officers is managed by Public Sector Management – Please refer to the answer given in response to question on notice 52.
 - (b) Nil.
 - (c) 1997/98 8
1998/99 6
- (2)

| | |
|---------------------------|--|
| 1997/98 | |
| Internal 6 | |
| External 2 | |
| 1998/99 | |
| Internal 3 | |
| External 3 | |
- (3) 1997/98
Morgan & Banks Ltd.
Kelly Recruiting.

1998/99
Morgan & Banks Ltd.
Dillinger Group Development Pty. Ltd.

(4) 1997/98 \$5,387.
1998/99 \$6,780.

Department of Land Administration.

(1) (a) Recruitment of Chief Executive Officers is managed by Public Sector Management – Please refer to the answer given in response to question on notice 52.

(b)-(c) Staff recruited:

| | 1997/98 | 1998/99 |
|--------------------------|---------|---------|
| Senior Executive Service | 3 | 1 |
| Level 1 – 8 | 62 | 44 |

(2) Staff recruited internally, or with the aid of, external recruitment agencies were as follows:

| | 1997/98 | | | 1998/99 | | |
|--------------------------|----------|----------|-------|----------|----------|-------|
| | Internal | External | Total | Internal | External | Total |
| Senior Executive Service | Nil | 3 | 3 | Nil | 1 | 1 |
| Level 1 - 8 | 50 | 12 | 62 | 16 | 28 | 44 |

(3) Names of recruitment agencies utilised:

Clements HR Consultants
CP Resourcing P/L
Morgan & Banks P/L
Sector Vision Consulting
Workplace Agreements Development Services

(4) Cost of recruitment agencies:

1997-98 \$14,307
1998/99 \$72,664

GOVERNMENT DEPARTMENTS AND AGENCIES, LEAVE LIABILITY

288. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Federal Affairs:

In an effort to reduce leave liability, Circular to Ministers No 5/98 required all agencies to reduce their leave liability by 10 per cent by no later than June 30, 1999 -

- (1) What was the average cost of leave liability per FTE in each department or agency in the Minister for Federal Affairs' portfolio as of June 30, 1999?
- (2) Does this represent a 10 per cent reduction from June 30, 1998?
- (3) If not, what percentage reduction in leave liability was achieved in each department or agency in the Minister's portfolio between June 30, 1998 and June 30, 1999?
- (4) When will each department or agency in the Minister's portfolio be able to meet the required leave liability reduction?
- (5) How much does a 10 per cent reduction in leave liability equate to in number of days, for each FTE employed in each department or agency in the Minister's portfolio, that will have to be taken to reach the desired reduction?
- (6) How much of this will be paid out in money in lieu of leave?
- (7) Is any department or agency, or any section of it, in the Minister's portfolio considering closing down at any period in the next 12 months in an attempt to reduce leave liability?

Hon PETER FOSS replied:

- (1)-(5) Circular to Minister No 5/98 requires all agencies to reduce their leave liability by 10 per cent *compared to the figure published in the 1998/99 budget papers* by no later than 30 June 1999. To make an accurate comparison it will be necessary to compare the actual employee entitlement figures for 1998-99 for each agency, as stated in their annual reports, which are currently being audited. The audited annual reports for each agency are tabled in Parliament in accordance with the *Financial Administration and Audit Act 1985* and provide the relevant details. These figures can be compared with the estimated employee entitlement liabilities for 1998-99 that appeared in the 1998-99 Budget Papers. It is the responsibility of each agency to monitor its leave liabilities in accordance with this policy.
- (6)-(7) The strategy outlined in Circular to Minister No 5/98 is aimed at reducing leave liability that has been incurred by the Government over many years, and is designed not to adversely affect the service delivery of agencies.

GOVERNMENT DEPARTMENTS AND AGENCIES, LEAVE LIABILITY

294. Hon LJILJANNA RAVLICH to the Leader of the House representing the Premier:

In an effort to reduce leave liability, Circular to Ministers No 5/98 required all agencies to reduce their leave liability by 10 per cent by no later than June 30, 1999 -

- (1) What was the average cost of leave liability per FTE in each department or agency in the Premier's portfolio as of June 30, 1999?
- (2) Does this represent a 10 per cent reduction from June 30, 1998?
- (3) If not, what percentage reduction in leave liability was achieved in each department or agency in the Premier's portfolio between June 30, 1998 and June 30, 1999?
- (4) When will each department or agency in the Premier's portfolio be able to meet the required leave liability reduction?
- (5) How much does a 10 per cent reduction in leave liability equate to in number of days, for each FTE employed in each department or agency in the Premier's portfolio, that will have to be taken to reach the desired reduction?
- (6) How much of this will be paid out in money in lieu of leave?
- (7) Is any department or agency, or any section of it, in the Premier's portfolio considering closing down at any period in the next 12 months in an attempt to reduce leave liability?

Hon N.F. MOORE replied:

Please refer to the answer given to question on notice 288.

GOVERNMENT DEPARTMENTS AND AGENCIES, LEAVE LIABILITY

303. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Treasurer:

In an effort to reduce leave liability, Circular to Ministers No 5/98 required all agencies to reduce their leave liability by 10 per cent by no later than June 30, 1999 -

- (1) What was the average cost of leave liability per FTE in each department or agency in the Treasurer's portfolio as of June 30, 1999?
- (2) Does this represent a 10 per cent reduction from June 30, 1998?
- (3) If not, what percentage reduction in leave liability was achieved in each department or agency in the Treasurer's portfolio between June 30, 1998 and June 30, 1999?
- (4) When will each department or agency in the Treasurer's portfolio be able to meet the required leave liability reduction?
- (5) How much does a 10 per cent reduction in leave liability equate to in number of days, for each FTE employed in each department or agency in the Treasurer's, that will have to be taken to reach the desired reduction?
- (6) How much of this will be paid out in money in lieu of leave?
- (7) Is any department or agency, or any section of it, in the Treasurer's portfolio considering closing down at any period in the next 12 months in an attempt to reduce leave liability?

Hon MAX EVANS replied:

Please refer to the answer given to question on notice 288.

GOVERNMENT DEPARTMENTS AND AGENCIES, LEAVE LIABILITY

304. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Public Sector Management:

In an effort to reduce leave liability, Circular to Ministers No 5/98 required all agencies to reduce their leave liability by 10 per cent by no later than June 30, 1999 -

- (1) What was the average cost of leave liability per FTE in each department or agency in the Minister for Public Sector Management's portfolio as of June 30, 1999?
- (2) Does this represent a 10 per cent reduction from June 30, 1998?
- (3) If not, what percentage reduction in leave liability was achieved in each department or agency in the Minister's portfolio between June 30, 1998 and June 30, 1999?
- (4) When will each department or agency in the Minister's portfolio be able to meet the required leave liability reduction?
- (5) How much does a 10 per cent reduction in leave liability equate to in number of days, for each FTE employed in each department or agency in the Minister's portfolio, that will have to be taken to reach the desired reduction?

- (6) How much of this will be paid out in money in lieu of leave?
- (7) Is any department or agency, or any section of it, in the Minister's portfolio considering closing down at any period in the next 12 months in an attempt to reduce leave liability?

Hon MAX EVANS replied:

Please refer to the answer given to question on notice 288.

CHIEF EXECUTIVE OFFICERS, PERFORMANCE ASSESSMENTS

333. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Public Sector Management: I refer to the Minister for Public Sector Management's response to question without notice 328 regarding 19 CEOs who have failed to forward a performance assessment for the second year in a row and ask -

- (1) What are the names of the 19 CEOs?
- (2) How many of the 19 CEOs have never undergone a performance assessment?
- (3) Will the Minister be taking disciplinary action to ensure compliance?
- (4) If so, what form of action will be taken?

Hon MAX EVANS replied:

- (1) The names of the CEOs currently employed are as follows:

Dr Graeme Robertson
Dr Syd Shea
Dr Leslie Farrant
Mr Peter Rogers
Mr Peter Cook
Mr Alan Bansemer
Mr Jeff Gooding
Mr Ross Holt
Mr John Langoulant
Mr David Singe

Of the 19 CEOs, 6 CEOs are no longer employed, 3 are no longer employed as CEOs, and 1 of the remaining 10 was not a substantive CEO during the full assessment cycles. Additionally, the compliance rate for CEO performance agreements and assessments has risen from just over 50% in 1997 to approximately 92% and 83% respectively.

- (2) Of the 10 CEOs named in (1), 6 have never undergone a performance assessment.
- (3)-(4) All CEOs and responsible authorities will continue to be reminded of their obligations under Section 47 of the Public Sector Management Act. This has led to the significant increase in compliance rates detailed in 1.

MARITIME MUSEUM, ACCESS TO FERRY TERMINALS

334. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Treasurer:

- (1) Can the Minister confirm that the report prepared by M P Rogers and Associates for the architects at the new maritime museum site, have reported that because of climate and wave action, ferry terminals at the site will only be accessible for 50 per cent of the time?
- (2) Can the Minister advise whether this will affect the financial viability of the project?
- (3) If not, why not?

Hon MAX EVANS replied:

- (1) A study carried out by Port and Harbour Consultants using Marina Design Guidelines as the criteria, advised that at times of rough weather, the wave climate would be unsatisfactory for the berthing of small boats. It also said however, the ferries that would be expected to be berthed at the terminal are larger than the applicable range for guidelines for small boat harbours. It is not intended to allow the berthing of small craft in this location. A study carried out by M P Rogers and Associates indicated that the operation of the ferry terminal may be affected approximately 10% of the time. Having said that, there has been a ferry service operating from this location for some years.
- (2)-(3) Not applicable.

MR R.J. HUOT, CONSULTANCY SERVICES

338. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Treasurer:

In relation to Gold Corporation's consultancy with R J Huot as part of the Sydney 2000 Olympic Coin Program -

- (1) What services are provided by R J Huot?

- (2) Who is R J Huot?
- (3) What is the total value of this consultancy?
- (4) When was it awarded and when does it cease?
- (5) Were tenders called for this consultancy?
- (6) If yes, how many firms or individuals tendered?
- (7) If not, why not?
- (8) How much has been paid to R J Huot since the commencement of this consultancy?

Hon MAX EVANS replied:

- (1) Consultant in the Sydney 2000 Olympic Coin Program.
- (2) R J Huot is a former Vice-President, Marketing with the Royal Canadian Mint, the former Director of the International Olympic Committee Centenary Coin Program 1992-1996, and is currently an adviser to the IOC on Olympic coin programs.
- (3) The total value of this consultancy is USD100,000 per year.
- (4) The contract was awarded in March 1997 and will cease in December 2000. However, either party may terminate the contract subject to three months' prior written notice.
- (5) No.
- (6) Not applicable.
- (7) Mr Huot has unique experience and skills in a highly specialised area.
- (8) USD243,389.88.

GOVERNMENT DEPARTMENTS AND AGENCIES, INFORMATION TO PEOPLE OF NON-ENGLISH SPEAKING BACKGROUNDS

375. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Federal Affairs:

- (1) For all Government departments and agencies under the Minister for Federal Affairs' control, what was the budget allocation for the provision of information to people of non-English speaking backgrounds in -
 - (a) 1994/95;
 - (b) 1995/96;
 - (c) 1996/97;
 - (d) 1997/98; and
 - (e) 1998/99?
- (2) Have any Government or departments under the Minister's control utilised the services of radio 6EBA non-English print media as media to provide information for people of Cultural and Linguistic Diverse backgrounds?
- (3) If not, why not?
- (4) If yes to (3) above, how much was spent on -
 - (a) electronic media; and
 - (b) print media, in -
 - (i) 1994/95;
 - (ii) 1995/96;
 - (iii) 1996/97;
 - (iv) 1997/98; and
 - (v) 1998/99?

Hon PETER FOSS replied:

Please refer to the answer given to question on notice 381.

GOVERNMENT DEPARTMENTS AND AGENCIES, INFORMATION TO PEOPLE OF NON-ENGLISH SPEAKING BACKGROUNDS

390. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Treasurer:

- (1) For all Government departments and agencies under the Treasurer's control, what was the budget allocation for the provision of information to people of non-English speaking backgrounds in -
 - (a) 1994/95;
 - (b) 1995/96;
 - (c) 1996/97;
 - (d) 1997/98; and
 - (e) 1998/99?

- (2) Have any Government or departments under the Treasurer's control utilised the services of radio 6EBA non-English print media as media to provide information for people of Cultural and Linguistic Diverse backgrounds?
- (3) If not, why not?
- (4) If yes to (3) above, how much was spent on -
 - (a) electronic media; and
 - (b) print media, in -
 - (i) 1994/95;
 - (ii) 1995/96;
 - (iii) 1996/97;
 - (iv) 1997/98; and
 - (v) 1998/99?

Hon MAX EVANS replied:

Please refer to the answer given to question on notice 381.

GOVERNMENT DEPARTMENTS AND AGENCIES, INFORMATION TO PEOPLE OF NON-ENGLISH SPEAKING BACKGROUNDS

391. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Public Sector Management:

- (1) For all Government departments and agencies under the Minister for Public Sector Management's control, what was the budget allocation for the provision of information to people of non-English speaking backgrounds in -
 - (a) 1994/95;
 - (b) 1995/96;
 - (c) 1996/97;
 - (d) 1997/98; and
 - (e) 1998/99?
- (2) Have any Government or departments under the Minister's control utilised the services of radio 6EBA non-English print media as media to provide information for people of Cultural and Linguistic Diverse backgrounds?
- (3) If not, why not?
- (4) If yes to (3) above, how much was spent on -
 - (a) electronic media; and
 - (b) print media, in -
 - (i) 1994/95;
 - (ii) 1995/96;
 - (iii) 1996/97;
 - (iv) 1997/98; and
 - (v) 1998/99?

Hon MAX EVANS replied:

Please refer to the answer given to question on notice 381.

HIGHWAY 1, JERRAMUNGUP-RAVENSTHORPE, WHITE LINE MARKINGS

416. Hon BOB THOMAS to the Minister for Transport:

- (1) Is the Minister aware that many of the white line markings on Highway 1 between Jerramungup and Ravensthorpe are almost invisible?
- (2) When were they last repainted?
- (3) What plans does Main Roads WA have to repaint them?

Hon M.J. CRIDDLE replied:

- (1) Yes.
- (2) I am advised the lines were last repainted in May 1997.
- (3) The lines were due to be repainted in May 1999 but the work was deferred due to wet weather. The lines are now scheduled to be repainted in October 1999.

WESTRAIL, SALE OF THE "FISH PONDS", ALBANY

425. Hon BOB THOMAS to the Minister for Transport:

- (1) What is the size of the area known as the "Fish Ponds" in Albany which Westrail is attempting to sell?
- (2) What heritage assessment was undertaken before the decision was made to sell this property?
- (3) What were the findings of that/those surveys?

(4) Who is selling the land on behalf of Westrail and what stage is the sale at?

Hon M.J. CRIDDLE replied:

(1)-(3) The fish ponds site, which is 1.9738 hectares in area, has been determined surplus to Westrail's requirements and it intends to dispose of the land. Accordingly, Westrail has carried out extensive work to determine if some suitable development could occur on the fish ponds site. As part of that work, consultants' reports, including flora and fauna surveys, archaeological and ethnographic heritage studies and heritage reports were obtained and all indicate that some form of development can occur. However no formal heritage assessment has been carried out.

Expressions of interest were recently sought by Westrail for development of the fish ponds site. Only two expressions of interest were received, which were considered low and did not adequately address the potential heritage issues, so Westrail has not proceeded with the matter at this stage. However, Westrail intends proceeding with the sub-division of the land if only into a minimum number of residential lots, with the balance of the land being created as public open space. A condition of any development would be that a conservation plan be developed.

(4) Not applicable.

GOVERNMENT CONTRACTS, AUSTRALIAN PROPERTY CONSULTANTS AND ROSS HUGHES & CO

474. Hon TOM STEPHENS to the Minister for Transport:

(1) Have any departments or agencies under the Minister for Transport's portfolio awarded any contracts to -

- (a) Australian Property Consultants; and
- (b) Ross Hughes and Company,

since January 1, 1999?

(2) If yes, can the Minister state -

- (a) the name of the contractor;
- (b) the project the contract was awarded for;
- (c) the date the contract was awarded;
- (d) the value of the contract;
- (e) whether the contract went to tender; and
- (f) if the contract did not go to tender, why not?

Hon M.J. CRIDDLE replied:

(1) (a)-(b) No.

(2) Not applicable.

GOVERNMENT CONTRACTS, AUSTRALIAN PROPERTY CONSULTANTS AND ROSS HUGHES & CO

484. Hon TOM STEPHENS to the Attorney General representing the Minister for Police:

(1) Have any departments or agencies under the Minister for Police's portfolio awarded any contracts to -

- (a) Australian Property Consultants; and
- (b) Ross Hughes and Company,

since January 1, 1999?

(2) If yes, can the Minister state -

- (a) the name of the contractor;
- (b) the project the contract was awarded for;
- (c) the date the contract was awarded;
- (d) the value of the contract;
- (e) whether the contract went to tender; and
- (f) if the contract did not go to tender, why not?

Hon PETER FOSS replied:

(1) (a)-(b) No.

(2) Not applicable.

GOVERNMENT CONTRACTS, AUSTRALIAN PROPERTY CONSULTANTS AND ROSS HUGHES & CO

492. Hon TOM STEPHENS to the Leader of the House representing the Minister for Education:

(1) Have any departments or agencies under the Minister for Education's portfolio awarded any contracts to -

- (a) Australian Property Consultants; and
- (b) Ross Hughes and Company,

since January 1, 1999?

- (2) If yes, can the Minister state -
- (a) the name of the contractor;
 - (b) the project the contract was awarded for;
 - (c) the date the contract was awarded;
 - (d) the value of the contract;
 - (e) whether the contract went to tender; and
 - (f) if the contract did not go to tender, why not?

Hon N.F. MOORE replied:

Education Department of Western Australia

- (1) (a)-(b) No.
- (2) (a)-(f) Not applicable.

Department of Education Services

- (1) (a)-(b) No.
- (2) (a)-(f) Not applicable.

Curriculum Council

- (1) (a)-(b) No.
- (2) (a)-(f) Not applicable.

GOVERNMENT CONTRACTS, AUSTRALIAN PROPERTY CONSULTANTS AND ROSS HUGHES & CO

498. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Health:

- (1) Have any departments or agencies under the Minister for Health's portfolio awarded any contracts to -
- (a) Australian Property Consultants; and
 - (b) Ross Hughes and Company,
- since January 1, 1999?
- (2) If yes, can the Minister state -
- (a) the name of the contractor;
 - (b) the project the contract was awarded for;
 - (c) the date the contract was awarded;
 - (d) the value of the contract;
 - (e) whether the contract went to tender; and
 - (f) if the contract did not go to tender, why not?

Hon MAX EVANS replied:

Office of Health Review

- (1) (a)-(b) No.
- (2) Not applicable.

Health Department

- (1) (a)-(b) No.
- (2) Not applicable.

Healthway

- (1) (a)-(b) No.
- (2) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, LAND SALES IN EXCESS OF \$500 000

549. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Works:

Can the Minister for Works provide the following details of land sales in -

- (a) rural and metropolitan; and
- (b) commercial and residential,

undertaken by departments and agencies in the Minister's portfolio areas, since September 1, 1998, which had a sale value of \$500 000 or more -

- (i) name and location of the land sold;
- (ii) date sold;

- (iii) nature of sale and name of buyer;
- (iv) the names of any non-Government agents involved in the sale;
- (v) proceeds received from the sale;
- (vi) associated revenue from the sale, such as stamp duty; and
- (vii) any associated costs incurred in the sale process?

Hon MAX EVANS replied:

(a)-(b) Nil.

(i)-(vii) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, LAND SALES IN EXCESS OF \$500 000

550. Hon Tom Stephens to the Minister for Finance representing the Minister for Services:

Can the Minister for Services provide the following details of land sales in -

- (a) rural and metropolitan; and
- (b) commercial and residential,

undertaken by departments and agencies in the Minister's portfolio areas, since September 1, 1998, which had a sale value of \$500 000 or more -

- (i) name and location of the land sold;
- (ii) date sold;
- (iii) nature of sale and name of buyer;
- (iv) the names of any non-Government agents involved in the sale;
- (v) proceeds received from the sale;
- (vi) associated revenue from the sale, such as stamp duty; and
- (vii) any associated costs incurred in the sale process?

Hon MAX EVANS replied:

(a)-(b) Nil.

(i)-(vii) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, LAND SALES IN EXCESS OF \$500 000

551. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

Can the Minister for Citizenship and Multicultural Interests provide the following details of land sales in -

- (a) rural and metropolitan; and
- (b) commercial and residential,

undertaken by departments and agencies in the Minister's portfolio areas, since September 1, 1998, which had a sale value of \$500 000 or more -

- (i) name and location of the land sold;
- (ii) date sold;
- (iii) nature of sale and name of buyer;
- (iv) the names of any non-Government agents involved in the sale;
- (v) proceeds received from the sale;
- (vi) associated revenue from the sale, such as stamp duty; and
- (vii) any associated costs incurred in the sale process?

Hon MAX EVANS replied:

(a)-(b) Nil.

(i)-(vii) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, LAND SALES IN EXCESS OF \$500 000

552. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Youth:

Can the Minister for Youth provide the following details of land sales in -

- (a) rural and metropolitan; and
- (b) commercial and residential,

undertaken by departments and agencies in the Minister's portfolio areas, since September 1, 1998, which had a sale value of \$500 000 or more -

- (i) name and location of the land sold;
- (ii) date sold;
- (iii) nature of sale and name of buyer;
- (iv) the names of any non-Government agents involved in the sale;
- (v) proceeds received from the sale;
- (vi) associated revenue from the sale, such as stamp duty; and
- (vii) any associated costs incurred in the sale process?

Hon MAX EVANS replied:

- (a)-(b) Nil.
(i)-(vii) Not applicable.

PATIENT ASSISTED TRAVEL SCHEME

566. Hon BOB THOMAS to the Minister for Finance representing the Minister for Health:

- (1) How many patients received assistance under the Patients Assisted Travel Scheme from each of the following hospitals for the period 1997/98 -
- (a) Albany Regional;
 - (b) Denmark District;
 - (c) Mt Barker District;
 - (d) Manjimup Warren District; and
 - (e) Bunbury Regional?
- (2) What was the total cost of that assistance in 1997/98 for each hospital listed in (1) above?
- (3) How much has been allocated to the Patients Assisted Travel Scheme for each of the hospitals listed in (1) above for 1998/1999?
- (4) What new specialist services were offered at those hospitals and how many patients accessed those services at that hospital rather than travelling to Perth?

Hon MAX EVANS replied:

I thank the member for notice of this question.

- | | | | |
|-----|--|--------------------------|-----------|
| (1) | (a) | Albany Regional | 1,373 |
| | (b) | Denmark District | 299 |
| | (c) | Mt Barker District | 253 |
| | (d) | Manjimup Warren District | 1,494 |
| | (e) | Bunbury Regional | 2,387 |
| (2) | (a) | Albany Regional | \$243,300 |
| | (b) | Denmark District | \$ 38,900 |
| | (c) | Mt Barker District | \$ 25,900 |
| | (d) | Manjimup Warren District | \$ 81,627 |
| | (e) | Bunbury Regional; | \$156,533 |
| (3) | (a) | Albany Regional | \$243,300 |
| | (b) | Denmark District | \$ 35,500 |
| | (c) | Mt Barker District | \$ 25,900 |
| | (d) | Manjimup Warren District | \$ 65,000 |
| | (e) | Bunbury Regional | \$ 81,600 |
| (4) | In 1997/98 Albany Regional Hospital commenced Plastic Surgery with 37 patients accessing this service. People living in the Denmark, Mt Barker and Manjimup Warren Districts access specialist services through Albany and Bunbury Regional Hospitals. In 1997/98 development of the South West Health Campus was progressed and the campus was opened in March 1999. The South West Health Campus now offers a new Psychiatric Residential Unit, an expanded Intensive Care Unit and Emergency Department and an increased activity in urology and general surgery. | | |

INFORMATION TECHNOLOGY

575. Hon E.R.J. DERMER to the Leader of the House representing the Minister for Commerce and Trade:

I refer to the Government publication entitled "Budget 2000 - Securing Our Future - Commerce and Trade" which refers to "\$2.3m for information projects, the majority of which are focused on the development of online services that facilitate electronic commerce". What progress to date has been made with the development of these projects?

Hon N.F. MOORE replied:

The figure represents part of the budget allocation for the Office of Information and Communications within the Department of Commerce and Trade. Programs and projects under way relate to removing barriers to electronic commerce, awareness raising and skilling of small business in regional Western Australia, establishment of electronic trading networks, and the Information Communication Services Development Scheme.

Information Communication Services Development Scheme (ICSD)

Funding grants under the Information and Communications Services Development (ICSD) Scheme:

To 24/9/99, four projects relating to e-commerce processes and online activities have been funded.

Further applications are currently being assessed for funding.

Online Programs

The following Online Programs directly facilitate the State's development of online services and electronic commerce:

Online WA Smartbusiness Roadshows
Local Government Awareness Programs, and
Small to Medium Enterprises (SMEs) Electronic Commerce Awareness and Training Programs.

Online WA Smartbusiness Roadshow is a follow up to the Perth based Smartbusiness '99 Expo. To date the Office of Information and Communications has worked with the Regional Development Commissions to mount expos where people can improve their understanding of the current and future importance of using electronic commerce in their business. Electronic commerce questions are answered in a series of information forums. These forums are run in conjunction with Local Government workshops.

The Local Government Awareness Programs will provide forums and information tools to emphasise how local government may deliver a higher quality service while streamlining its operations. Both of these comprehensive awareness programs are rolling out in regional areas currently. It is expected that, by the end of this year, these awareness programs will be delivered in the nine regional areas of Western Australia.

The SMEs awareness and training program was successfully piloted with 30 businesses in the Peel region. Given the success of the pilot program, the Office of Information and Communications is working with Regional Development Commissions to progress the roll-out of SMEs awareness and training programs in other regional areas. This program will ensure that SMEs have the knowledge and skills to adopt and benefit from e-commerce.

OnlineWA Communities

The Office of Information and Communications (OIC) has been involved in a Statewide project to assist regional people to get onto the Internet.

The OnlineWA Communities program is designed to help address the gap between the country and metropolitan areas in terms of access to telecommunications infrastructure and the Internet. While the State Government is not a telecommunications carrier and will not supply services to the country, it will assist in proving and creating demand to make the supply of services attractive to a commercial carrier.

OnlineWA Communities comprises four components, which combine to create awareness about the Internet and online technologies including e-commerce. This is on the premise that, once people know what is available and how it can be of use to them in their family, business or community, they will demand the infrastructure to deliver this service, thus proving demand for a commercial solution.

OnlineWA Communities has been conceived and developed by OIC in conjunction with local software company, Harvest Road. The project is believed to be leading the world in the approach to bringing communities online – whether they are communities of location (such as a town or region) or virtual communities (people or businesses with common interests but widely dispersed).

The project also incorporates other websites being developed in the State including the Peel eCommunity, Albany GateWay and other regional “portals” or “gateways”.

Single Doorway

A key initiative of the online services strategy being implemented by the Office of Information and Communications is the OnlineWA ‘Single Doorway’, which is an Internet portal providing a single point of access to a range of government information and services, including payments. The ‘Single Doorway’ has been developed and the pilot is currently available for review and comment by participating stakeholders. Community testing will be conducted in rural and metropolitan Western Australia.

It is expected that the formal launch of this initiative will take place in November, following pilot testing, refinement and readying for a production environment. It is planned that Contract and Management Services will undertake operational and contract management of the Single Doorway.

World E-Commerce

The Department of Commerce and Trade will host the inaugural Global E-Commerce Conference WORLD E-COM 1999 between 8-10 November 1999. This conference will bring to Western Australia decision-makers from government regulatory and technology bodies, global banking and multi-nationals engaged in e-commerce. The European Commission, Office of Economic Community Development, US Federal Trade Commission, The United Nations and The World Trade Organisation will be represented. Sponsorship of this globally significant event will provide demonstrable commitment and leadership from the Western Australian Government in support of the advancement of electronic commerce and its presence in the global information economy. It will provide an opportunity to showcase Western Australia's online achievements and industry capability.

WAGE RATES

576. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Disability Services:

- (1) Is the Minister for Disability Services aware that people doing similar work receive vastly different weekly wages depending on who their employer is?
- (2) Is the Minister aware that this is caused by a failure to fund non-Government agencies for award safety net increases if they have an enterprise agreement with their staff?

- (3) Is the Minister aware that non-Government agencies which entered into enterprise agreements at an early stage with their staff have been penalised compared to other agencies which did not?
- (4) Is the Minister aware that for many staff the only recent increases in net income have been through salary packaging?
- (5) Is the Minister aware that the GST and proposed changes to FBT make salary packaging a less favourable option?
- (6) What action has the Minister taken to address these issues and does the Government intend to provide additional funding to agencies to address these inequities?

Hon MAX EVANS replied:

- (1) I am aware that some differences exist between employee wages, but these differences are not vast and work that appears similar to other work is often significantly different in practice.
- (2) If agencies have an enterprise agreement with staff, that should be the source of any wage increases.
- (3) No. Such agreements would presumably have provided some provision for wage increases or other benefits for staff in exchange for agreed productivity initiatives.
- (4) I am aware that many staff receive benefits under salary packaging that approach or exceed other wage increases.
- (5) Yes. I am also aware that most staff with access to salary packaging will have packaged amounts that fall within the capped amount, and will still receive an overall benefit.
- (6) Funding has been provided in the past to assist some agencies to meet their legal commitments to staff. Since 1 July this year the funds provided to agencies have been indexed. This will assist agencies in the future to manage their staffing arrangements with more flexibility. The impact of proposed new Federal tax system is still being assessed. The Disability Services Commission will continue working with agencies to determine its effect.

GOVERNMENT CONTRACTS, CHAMBER OF COMMERCE AND INDUSTRY

589. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Works:

- (1) Have any of the Government agencies for which the Minister for Works is responsible had contracts with, or made payments to, the Chamber of Commerce and Industry in each of the following years -
 - (a) 1996/97;
 - (b) 1997/98; and
 - (c) 1998/99?
- (2) If yes, what was the nature of each of the contracts and what was/were the payments made?

Hon MAX EVANS replied:

- (1) The Department of Contract and Management Services made payments to the Chamber of Commerce and Industry in each of the years 1996/97, 1997/98 and 1998/99.
- (2)

| | |
|---|----------|
| 1996/97 Annual Membership for 1996/97 | \$525.00 |
| Annual Membership and Journal for 1997/98 | \$600.00 |
| 1997/98 Attendance at course run by | |
| Chamber of Commerce and Industry | \$240.00 |
| 1998/99 Annual Membership for 1998/99 | \$550.00 |

GOVERNMENT CONTRACTS, CHAMBER OF COMMERCE AND INDUSTRY

590. Hon KEN TRAVERS to the Leader of the House representing the Minister for Education:

- (1) Have any of the Government agencies for which the Minister for Education is responsible had contracts with, or made payments to, the Chamber of Commerce and Industry in each of the following years -
 - (a) 1996/97;
 - (b) 1997/98; and
 - (c) 1998/99?
- (2) If yes, what was the nature of each of the contracts and what was/were the payments made?

Hon N.F. MOORE replied:

Education Department of Western Australia

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

| | | |
|---------|----------|--|
| 1997/98 | \$180.00 | WA International Traders Lunch with Deputy Prime Minister. |
| | \$240.00 | Course Registration – Public Speaking Presentation Skills. |

- (c) 1998/99 \$275.00 Room and Equipment Hire (Workshop).
\$372.00 Room and Equipment Hire (Workshop).

Department of Education Services

- (1) (a)-(c) Nil.
(2) Not applicable.

Curriculum Council

- (1) (a)-(c) Nil.
(2) Not applicable.

ALBANY REGIONAL HOSPITAL, ECG HEART MACHINES

601. Hon BOB THOMAS to the Minister for Finance representing the Minister for Health:

Given the poor response to Mr Randall's public appeal, is the Government prepared to fund the purchase of two ECG heart machines for the Albany Regional Hospital?

Hon MAX EVANS replied:

Whilst additional ECG machines could be put to very good use at Albany Regional Hospital, they are not essential to the continued operation of clinical services. The hospital's budget contains an allocation for additional and replacement equipment and priorities for the use of these funds will be determined shortly.

IRON AND STEEL (MID WEST) AGREEMENT, VALIDITY

604. Hon GIZ WATSON to the Leader of the House representing the Premier:

With reference to the *Iron and Steel (Mid West) Agreement Act 1997*, No 10 of 1997, and the major restructuring of the original company, its lack of financial backing, the change of major partners, its change of name and the constant changing of time frames, is the original agreement as identified above still valid?

Hon N.F. MOORE replied:

Yes. The *Iron and Steel (Mid West) Agreement Act 1997* is still operative. Clause 31 (1) pertaining to Assignment provides for changes in ownership of the Proponents, subject to the consent of the Minister for Resources Development. Similarly, Clause 34 provides for the Minister, at the request of the Proponents, to extend any period or any date referred to in the Agreement. At the request of the Proponents the Minister has already extended the time under Clause 5 (1) to submit proposals to 31 December 1999.

THERAPEUTIC GOODS LEGISLATION

616. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Health:

- (1) When will the complementary WA legislation to the Commonwealth's *Therapeutic Goods Act 1989* be introduced into the State Parliament?
(2) Has a Bill been drafted to date?
(3) If not, why not?

Hon MAX EVANS replied:

- (1) The Minister for Health is committed to introducing complementary therapeutic goods legislation as soon as possible.
(2) No.
(3) The drafting of the legislation requires consideration of its interaction with other State legislation including the *Poisons Act 1964*.

QUESTIONS WITHOUT NOTICE

BUS FLEET, PLANS TO SELL OR LEASE BACK

329. Hon TOM STEPHENS to the Minister for Transport:

Given that yesterday the Premier confirmed that the Government had given the Matrix Finance Group the go-ahead to come up with a similar leasing plan for the bus fleet to that for the vehicle fleet and given the minister's comments in this place yesterday that the Government is not selling its existing fleet and has no plans to lease back the buses, I ask -

- (1) Why did the minister say yesterday that the Government had no plans to sell or lease back the Government's bus fleet?

- (2) Why did the minister not know of the deal with Matrix about the leasing of the buses?
- (3) Has the Premier or the Under Treasurer ever discussed Matrix and the bus fleet deal with the minister?
- (4) If so, when and what was the nature of those discussions?

Hon M.J. CRIDDLE replied:

- (1)-(4) Obviously there have been quite a few discussions about the Matrix deal and the arrangements which would have been in place. As I said yesterday, the Matrix Finance Group has developed a financial structure to support the acquisition of the new buses, but that will not be put in place until such time as the Australian Taxation Office clears the plan. We are purchasing the buses through normal Treasury arrangements. That is the present situation.

Hon Ljiljanna Ravlich interjected.

The PRESIDENT: Order! Hon Ljiljanna Ravlich, is that your question, because I will strike you off the list if it is.

Hon Ljiljanna Ravlich: No, it was not.

SPEED CAMERAS

330. Hon TOM STEPHENS to the Minister for Transport:

- (1) Can the minister confirm that two weeks ago his staff asked *The West Australian* not to run a story concerning the loophole relating to speed cameras?
- (2) Did the minister authorise or approve of this attempt to have the problem covered up despite the fact that the issue has been on the Government's agenda for some four years?
- (3) Given that the Labor Party supports the necessary amendments, has the minister asked the Premier to call the bluff of those Liberal Party backbenchers who have said they will cross the floor and vote against the legislation? If not, why not?
- (4) Why has the minister not got on with this legislation?

Hon M.J. CRIDDLE replied:

- (1)-(4) The Government has a Bill in front of it concerning the Road Traffic Act which it is giving a great deal of consideration. It is a complex Bill which the Government needs to get right. The Government will not be proceeding with the legislation until it is right. When that is confirmed, I will bring the Bill to the House.

Hon John Halden: When the legislation is right or when you have the numbers?

Hon M.J. CRIDDLE: I will bring the Bill to the House when I am satisfied with the arrangements to be put in place. The Government will make a decision at that time.

Several members interjected.

The PRESIDENT: Order! I cannot hear the answer. If members do not want the answer, they should not ask the question.

MATRIX FINANCE GROUP, TAX RULING

331. Hon N.D. GRIFFITHS to the Minister for Transport:

In view of the Premier's comments that the Government's bus fleet deal with the Matrix Finance Group will proceed only on the condition that Matrix gets a tax ruling from the Australian Taxation Office -

- (1) On what specific issue is a tax ruling being sought from the Australian Taxation Office?
- (2) When was the ruling applied for and who made the application?
- (3) Will the Government proceed with the Matrix bus deal in the event of a favourable tax ruling being obtained?

Hon M.J. CRIDDLE replied:

- (1)-(3) All this is in the realms of possibility and maybe. I will make that decision when confirmation is received that the tax arrangement can be put in place. I could not be expected to make such a decision until that time.

PORT KENNEDY DEVELOPER, PAYMENTS TO LOCAL CREDITORS

332. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

In reply to my question without notice 255 of 21 September 1999 the Minister for Planning stated that he had provided further land grants to the Port Kennedy developer on the condition that "funds raised from the grants are used in the first instance to pay local creditors".

- (1) What powers does the Minister for Planning have to direct the Port Kennedy developer to pay local creditors before others?
- (2) How does the Port Kennedy Development Agreement Act empower the Minister for Planning to direct expenditures of the developer of Port Kennedy resorts?

- (3) Does the developer of Port Kennedy resorts have significant debts? If so, how are those debts impinging on the developer's ability to carry out its responsibilities under the Act?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1)-(2) The Minister for Planning does not have the power under the Port Kennedy Development Agreement Act to dictate how the developer will spend money. The requirement for the developer to pay local creditors was a condition proposed by the developer. Expenditure on the project is directed by the development program for the project.
- (3) The company's debt is a matter of public record, having been reported in the media and through Supreme Court actions in May and August of this year. The minister is currently reviewing the obligations and mechanisms for the release of further land to the developer.

WESTRAIL'S FREIGHT NETWORK DEBT

333. Hon NORM KELLY to the Minister for Transport:

What was the amount of debt for Westrail's freight network as at -

- (a) 30 June 1993;
- (b) 30 June 1994;
- (c) 30 June 1995;
- (d) 30 June 1996;
- (e) 30 June 1997;
- (f) 30 June 1998;
- (g) 30 June 1999?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question. The debt was -

- (a) \$427m;
- (b) \$425m;
- (c) \$440m;
- (d) \$463m;
- (e) \$473m;
- (f) \$546m;
- (g) \$617m.

REPUBLIC REFERENDUM

334. Hon MURIEL PATTERSON to the Leader of the House representing the Premier:

Is the State Government in any way involved with the running of the coming referendum on a republic? If so, how?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

The State Government is not directly involved in the running of the referendum. However, the Constitutional Centre of Western Australia has arranged a series of public forums on the republic referendum to be held at 12 different venues around the State. The purpose of the forums is to provide an opportunity for people to learn about the issues to be voted on. The first forum was held in Narrogin on 13 September. Each forum will follow a strict format and will include addresses by representatives of the Australian Electoral Commission as well as the "Yes" and "No" campaign committees and will be chaired by a representative of the centre. Members of the public are invited to attend the forums and have their say on proposals for constitutional change and the referendum.

PRISONERS, PAROLE

335. Hon JOHN HALDEN to the Minister for Justice:

- (1) How many prisoners in Western Australia were not released on parole at their earliest eligibility date in 1998?
- (2) How many of those prisoners were not released because they had not completed the prerequisite program or course that would have ensured their release?
- (3) How many prisoners in Western Australia were not released on parole at their earliest eligibility date in 1999?
- (4) How many of those prisoners were not released because they had not completed the prerequisite program or course that would have ensured their release?

Hon PETER FOSS replied:

As an answer will take considerable time to collate and prepare, I ask the member to place this question on notice.

Hon Ljiljanna Ravlich interjected.

Hon PETER FOSS: I have explained to the House on a number of occasions that we do not have a system to answer this sort of question. It means going through the records of every prisoner individually to find out these facts and checking them

manually. The answer I could have given is that I was not prepared to devote the required resources to answer the question. That would have been a perfectly legitimate answer in view of the fact that answering the question will require a considerable amount of effort. Asking the member to put the question on notice and saying that the ministry will find the answer is being reasonably generous. I do not think members realise the amount of effort government goes to trying to find answers to questions, many of which are never asked; members give us some notice of them but never get around to asking them.

DALLELYUP HOUSING DEVELOPMENT

336. Hon BOB THOMAS to the minister representing the Minister for Housing:

- (1) What is the time frame for the release of all the blocks in the Dallelyup housing development?
- (2) How many of those blocks will be retained by the Department of Housing for -
 - (a) public housing;
 - (b) Keystart clients; and
 - (c) first home buyers?
- (3) How many people are currently on the department's waiting list for housing within Bunbury?
- (4) What is the date of application of those clients who are currently being offered accommodation?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Pre-release of stage 1A took place in October 1999. With some 2 800 lots in the total development, sales will continue probably over 15 to 20 years.
- (2)
 - (a) Not more than one in 12 lots.
 - (b) No lots are retained specifically for Keystart clients. Persons eligible for Keystart loans will be able to select lots of their choice.
 - (c) Lots are not specifically retained for first home buyers. A major proportion of the traditional size lots are within the first home buyer range. For example, in stage 1A over 80 per cent come within that price range. Larger, ranch-style lots - over 2000 square metres - are not aimed at first home buyers.
- (3)-(4)

| Bedroom Entitlement | 1 Bed Pens | 2 Bed Pens | 1 Bed | 2/3 Bed | 4/5 Bed | Total |
|-----------------------------|---------------|----------------|--------------|-----------|--------------|-------|
| Number of Applicants | 41 | 9 | 84 | 254 | 98 | 396 |
| Current month of allocation | November 1997 | September 1998 | October 1997 | June 1997 | October 1998 | - |

Please note number of applicants as at 21 August 1999 and waiting times as at 30 September 1999.

SIMCOA OPERATIONS PTY LTD, JARRAH ALTERNATIVES

337. Hon CHRISTINE SHARP to the minister representing the Minister for the Environment:

- (1) Is the minister aware of trials conducted by Simcoa Operations Pty Ltd to investigate alternatives to the use of jarrah at its Kemerton smelter?
- (2) Has any government department been involved in trials investigating the use of plantation wood at the Simcoa smelter, or more generally as a source of industrial charcoal?
- (3) What progress has been made in finding alternatives to jarrah?
- (4) Is the replacement of jarrah by plantation wood for use as industrial charcoal at Simcoa a priority for the State Government?
- (5) Will the recent reduction in royalties charged by the Department of Conservation and Land Management for jarrah logs help or hinder the development and use of alternative sources of charcoal for the Simcoa smelter?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Any investigation into using logs other than jarrah is a decision for Simcoa to make. Silicon smelting is a commercial process carried out by Simcoa and the company has to consider a wide range of quality and cost factors

in its choice of a reducing agent. Questions regarding the commercial process are therefore best directed to the company.

- (2) No.
- (3) See (1).
- (4) The Government is committed to further increasing the utilisation and value adding of all lower-value residue logs.
- (5) Charcoal log base royalties are indexed on 1 January and 1 July each year in accordance with movements in the silicon metal price. Indexation of charcoal log royalty is calculated according to clause 4.4 of the deed of variation signed on 20 November 1995, supplemental to contract of sale 769 with Simcoa Operations Pty Ltd. The recent reduction in royalties is not significant in the context of the landed price of logs to Simcoa and is not expected to affect the use of residue logs.

POSITIVE AGEING FOUNDATION

338. Hon CHERYL DAVENPORT to the minister representing the Minister for Seniors:

At the launch of the Positive Ageing Foundation on Friday, 1 October 1999, the minister presented a \$3.6m cheque from the State and Commonwealth Governments as an establishment grant.

- (1) How much of the \$3.6m is the state contribution?
- (2) Is the balance all commonwealth government money?
- (3) Where in the 1999-2000 budget papers does the state contribution appear?
- (4) If it does not appear in the papers, where is it accounted for?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) \$1.2m.
- (2) Yes.
- (3) The state government component is part of output 11 in the budget papers - strategies that facilitate positive ageing. Prior to the Commonwealth providing funding for the total cost of free influenza vaccinations for seniors over the age of 65 years, \$300 000 per annum was allocated to the budget of the Office of Seniors Interests for that same purpose. That allocation over four years was redirected to a one-off grant from the State Government to the Positive Ageing Foundation, which is aimed at facilitating research to improve the quality of life for seniors. In addition to that the State Government negotiated a two to one contribution to the foundation from the Commonwealth Government.
- (4) Not applicable.

MATRIX FINANCE GROUP, RON JARVIS

339. Hon TOM STEPHENS to the Leader of the House representing the Premier:

I refer to the claim in today's *The West Australian* by Matrix Finance Group managing director, Garrick Hawkins, that before Ron Jarvis joined Matrix the Government "was approached at a most senior level to ensure that his appointment would not be of concern".

- (1) Which person within government "at a most senior level" was approached by Matrix and what level and position does that person hold?
- (2) Was the Premier consulted and did he give his consent to the appointment?
- (3) If not, why not?
- (4) What policies are in place to protect the interests of the Western Australian public in the movement of government employees from the public payroll into private enterprise?

Hon N.F. MOORE replied:

I regret that in the time available I have not received an answer to the question, so I ask that it be placed on notice.

Hon Ljiljanna Ravlich interjected.

The PRESIDENT: Order!

Hon N.F. MOORE: I get very angry when members opposite respond the way they do when I ask that a question be placed on notice. As the Attorney General has already said today at least once, we spend an enormous amount of time, as do virtually all government agencies, trying to get answers to questions, some of which are very complex.

Hon Ljiljanna Ravlich: You have had three hours.

Hon N.F. MOORE: I do not care whether we have three hours or three months. The fact of the matter is that in the time available I do not have an answer.

Hon Ljiljanna Ravlich: You are avoiding the question. You are an absolute disgrace.

The PRESIDENT: Order! Hon Ljiljanna Ravlich will come to order. Other members seem to be able to abide by the standing orders except Hon Ljiljanna Ravlich.

Hon N.F. MOORE: I had notice of questions from Hon Ljiljanna Ravlich three weeks ago which have never been asked. An enormous amount of work was undertaken by many government departments and agencies to provide answers to her proposed questions. She then does not ask them. There are occasions when it is not possible for a lot of reasons, such as the person in charge not being in town or the minister being busy doing something else, when the question cannot be ticked off. On this occasion -

Hon N.D. Griffiths: It is a cover-up.

Hon N.F. MOORE: It is not a cover-up.

Several members interjected.

The PRESIDENT: Order!

Hon N.F. MOORE: If that is the way opposition members want to operate, Mr President, I will change the rules about answering questions. We will not answer questions unless they put them on notice. That would be a very good way to go if that is the way they want to operate. We will answer only questions on notice unless a question without notice is directed at the minister responsible for the information from a department. The way members opposite carry on is absolutely pathetic. They get more answers to more questions in this Parliament than any I know of, and I can give them the information to substantiate that statement. I get sick to death of the whingeing and whining of members opposite. On many occasions they ask very detailed questions and expect an answer in a short time and then cannot keep their mouths shut.

The PRESIDENT: Before I call the next member to ask a question, I ask members to reflect on the way in which questions are being asked in this House and the demands that are being placed on those who are required to answer questions. It is not for me to defend a government position, but I say to members that nothing in the standing orders requires a minister to give an answer to any question.

Hon Tom Stephens: We should fix that.

The PRESIDENT: If the Leader of the Opposition wishes to fix it, he should go to the Standing Orders Committee and ask that it recommend a change to standing orders. At times members make comments which do not appear to have been thought through. I have been here long enough - not as long as some, but long enough - to know that ministers have the discretion to answer or not answer questions. All members should be reminded of that. Equally, members have the discretion to ask or not ask questions.

CORAL BAY, DRINKING WATER

340. Hon GREG SMITH to the minister representing the Minister for Water Resources:

- (1) Is the Water Corporation responsible for the provision of drinking water to the Coral Bay settlement?
- (2) Are there any plans to expand the current production?
- (3) If not, who is responsible?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Negotiations are in progress for a private operator to provide water and sewerage services to the settlement.
- (3) Private property owners.

SALINITY REDUCTION AND HYDRO-ELECTRIC DISCUSSIONS

341. Hon MARK NEVILL to the minister representing the Minister for Water Resources:

- (1) Has the Minister recently met with, or spoken to, the Chairman of the State Salinity Council, Mr Alex Campbell?
- (2) During the course of those or any discussions, was the proposal for a salinity reduction and hydro-electric scheme discussed?
- (3) What advice did Mr Campbell give the minister with regard to the proposal?
- (4) Did Mr Campbell provide the minister with any professional support for the advice given?
- (5) Did Mr Campbell provide the names of professional scientists or engineers who have provided him with advice, or did he name their employers?

- (6) To which government minister does Mr Campbell normally report?
- (7) Has the minister sought further advice on the proposal from anyone other than Mr Campbell?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Yes. The minister met with Mr Campbell on Tuesday, 5 October 1999.
- (2) Engineering solutions were generally discussed.
- (3) None.
- (4)-(5) No.
- (6) Reports to the Cabinet Standing Committee on Salinity Management chaired by Deputy Premier Hendy Cowan MLA.
- (7) No.

PANGEA NUCLEAR WASTE DUMP, ESPERANCE PORT AUTHORITY

342. Hon GIZ WATSON to the Minister for Transport:

With regard to the international nuclear waste dump proposed for Australia by Pangea Resources Australia Pty Ltd -

- (1) Have officers of the Esperance Port Authority or any staff thereof had any meetings, formal or informal, with Pangea or its representatives?
- (2) If yes, can the Minister advise what was the purpose of that or those meetings?
- (3) Was any promotional material left by Pangea or other representatives?
- (4) Will the minister table any such promotional material presented?

The PRESIDENT: Order, Hon Greg Smith! I am meant to listen to the question so I can determine whether it is within the standing orders. I cannot hear the question if Hon Greg Smith keeps interjecting.

Hon GIZ WATSON: I ask also -

- (5) At whose request were any meetings convened?
- (6) Who was in attendance at that or those meetings?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) No officers, directors or staff of the Esperance Port Authority have had meetings, formal or otherwise, or any contact whatsoever with Pangea or its representatives.
- (2)-(6) Not applicable.

BUS FLEET, MATRIX FINANCE CONTRACT

343. Hon LJILJANNA RAVLICH to the Minister for Transport:

Further to the Premier's admission that plans to sell and lease back the Government's bus fleet under a contract with Matrix Finance were kept a secret because they were not yet finalised, I ask -

- (1) How far advanced are the plans to sell and lease back the Government's bus fleet?
- (2) Has the minister been involved in such plans; and, if so, at what level, and to what extent?
- (3) Can the minister explain any of the proposed arrangements considered under the plan to sell and lease back the Government's bus fleet?

Point of Order

Hon PETER FOSS: Mr President, the rules are that members do not try to put contentious and argumentative matter in their questions. The question that the member has asked goes against standing orders simply because it seeks to argue a point, it puts argumentative matter into the question, and it puts the minister in an impossible position in trying to answer it.

Hon LJILJANNA RAVLICH: Mr President, can I just say -

The PRESIDENT: There is no need to. Just send the question to me so I can read it. I certainly could not hear the question because of the interjections and conversation in the Chamber. In respect of the point of order, the introduction states -

Further to the Premier's admission that plans to sell and lease back the Government's bus fleet under a contract with Matrix Finance were kept a secret because they were not yet finalised, I ask -

A number of questions are then asked. I do not know whether it is a fact that the plans were kept secret, but given the manner in which the House has condoned questions in the past, I do not see that this question is any more argumentative than a lot that have been asked in this place over a number of years. I certainly recognise the Attorney General's comments as they apply to Standing Order No 140(a)(ii), which deals with arguments, inferences, imputations, etc. The way this question is framed may be marginal, but I do not consider it a problem. I do not know whether the Minister for Transport has been given notice of it.

Hon M.J. CRIDDLE: No.

The PRESIDENT: Does the member have any objection to my giving the question to the Minister for Transport so that he has something to which to refer?

Hon LJILJANNA RAVLICH: No, Mr President.

Questions without Notice Resumed

Hon M.J. CRIDDLE replied:

- (1) I have answered this question many times already.
- (2) When we have the structure in place, perhaps I will get involved in whatever plans are put in place.
- (3) Obviously it falls within my responsibilities, and I will handle it in the appropriate manner.

TELECOMMUNICATIONS ENHANCEMENT CONTRACTS

344. Hon E.R.J. DERMER to the Leader of the House representing the Minister for Commerce and Trade:

- (1) Have the contracts with the telecommunications carriers for the statewide telecommunications enhancement program been signed?
- (2) If not, what has delayed the signing of these contracts?
- (3) By what date is it anticipated that these contracts will be signed?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) No.
- (2) The delay is due to finalisation of commercial and legal details. Extending reasonable speed data services at affordable prices to many remote locations and introducing real competition are complex challenges.
- (3) Late October or November 1999.

FAST FOOD OUTLETS, WANNEROO

345. Hon KEN TRAVERS to the Minister for Transport:

- (1) Is the minister aware that the Government-appointed Commissioners of the City of Wanneroo last night approved the development of fast food outlets at lots 1 and 132 Wanneroo Road, Wanneroo?
- (2) Do the minister and Main Roads WA still oppose any commercial development occurring at that location?
- (3) What avenues are now available to the minister or Main Roads to stop commercial development occurring at this site?
- (4) What actions will the minister or Main Roads be taking to ensure the safety of people around this site?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) I was aware that a commercial development application had been submitted to the council and was being considered.
- (2) Main Roads has an in-principle position of opposing commercial developments that require direct vehicle access to urban arterial roads, such as Wanneroo Road. An increase in the number of ribbon-type commercial developments requiring access can reduce the level of traffic efficiency of the adjacent arterial road. In order to address these issues, Main Roads works closely with local governments and the Ministry for Planning to reduce the number of driveways onto arterial roads by imposing controls on the number of driveways to new developments. In this case, a number of existing driveways are being consolidated into a single left in, left out access point onto Wanneroo Road. Further, it is a condition of the development that the access be designed and built to the satisfaction of Main Roads.

- (3) The issue of land use at this site is a matter for council to determine. However, with regard to access, this must meet Main Roads' accepted standards for safety and maintain the efficiency of the adjacent road network.
- (4) Main Roads will ensure that the access design is acceptable, and the site will be monitored following the completion of the development.

RED LIGHT AND SPEED CAMERA INFRINGEMENTS

346. Hon J.A. COWDELL to the Minister for Transport:

With regard to red light and speed camera infringements for the calendar years 1998 and 1999 to date I ask -

- (1) Will the minister provide figures for the number of offences which occurred as a result of speed and red light cameras?
- (2) Can the minister inform the House of the number of infringement notices that were cancelled because the driver could not be identified for -
 - (a) public sector vehicles; and
 - (b) private sector vehicles?
- (3) Will the minister identify the government departments or instrumentalities involved in the infringement notice cancellations and, further, will the minister identify the private sector businesses involved in significant infringement notice cancellations?
- (4) If the minister is unable to provide this identifying information, will he provide non-identifiable statistics similar to those appearing in the report of the Auditor General in 1996, and indicate if any of the significant business vehicle owners involved in cancellations were motor vehicle traders?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) Offences resulting from speed and red light cameras.

| Year | Speed | Red Light |
|------|---------|-----------|
| 1998 | 370 172 | 33 747 |
| 1999 | 326 245 | 27 295 |

- (2)-(4) This information is not readily obtainable and will take some time to extract. In the case of the public sector, all agencies should have an appropriate mechanism in place to be able to identify drivers of government vehicles. Whether it is a public sector vehicle or private sector vehicle the principle remains that drivers should not speed and if they do they should wear the consequences.

MT BARKER MEATS PTY LTD

347. Hon KIM CHANCE to the Leader of the House representing the Minister for Commerce and Trade:

- (1) Did Mt Barker Meats Pty Ltd approach the Government and request short-term assistance of \$200 000 in order to prevent the closure of its abattoir at Mt Barker?
- (2) Was the request rejected; and, if so, what were the reasons?
- (3) Was the Government aware that the company held \$750 000 equity in the Mt Barker abattoir site and that the first mortgage on the meatworks would be discharged early in the year 2000?
- (4) Was the Government aware that at the time of the request for assistance the company employed 40 people in Mt Barker and 21 at its Osborne Park boning rooms?
- (5) How can the Government justify its assistance to an eastern States-owned abattoir and a winery part-owned by a coalition backbencher but is unable to assist a locally owned meatworks in the same shire?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) The Department of Commerce and Trade was approached some time ago to assist the Mt Barker abattoir overcome cash flow problems. The department is also aware of approaches by third parties to government seeking assistance to avert closure through the provision of short-term loan assistance. The department has not received a specific request from the abattoir operator for short-term assistance of \$200 000.
- (2) Short-term financial assistance to overcome cash flow problems was not considered appropriate by the department at the time of the initial assistance discussions. This was on the basis that the department does not operate schemes that provide assistance for the purpose of maintaining viability or simply ensuring continued operations.

- (3) The department was not aware of the precise detail of equity and security arrangements associated with the Mt Barker abattoir.
 - (4) The department was aware of employment capacity levels at the Mt Barker abattoir of the order of 40 persons and of the employment capacity of the associated Perth boning room of 20 persons.
 - (5) Departmental financial assistance to businesses and private projects is now provided through the Industry and Technology Development Act. The Act provides for schemes with specific guidelines under which funding is provided. Projects and businesses which receive financial assistance in excess of \$10 000 are provided funds on the basis of scheme objectives or through prior written approval of the Treasurer.
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