

LEGISLATIVE ASSEMBLY

Thursday, 9 May 1991

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

PETITIONS

Parliamentary Process

THE SPEAKER: Order! Each Thursday when I call for petitions that seems to be a signal for meetings to occur in the House - it is not. The calling for petitions in this Parliament is a very important part of the parliamentary process and I would appreciate it if members would treat it accordingly.

PETITION - FISHING LICENCES

General Fishing Licence Opposition

MR GORDON HILL (Helena - Minister for Fisheries) [10.03 am]: I have a petition in the following terms -

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

We, the undersigned, strongly object to the recommendation by the State Government's Fishing Advisory Committee that a general fishing license to cover all fresh water and salt water fishing be introduced.

We believe, that this recommendation, if introduced, would severely effect the local tourism industry, specifically those relating to the communities located on our coastal areas.

Whilst supporting appropriate conservation measures to protect the recreational fishing industry, we believe that this recommendation, is no more than a disguised revenue raising measure, will not contribute to the conservation of fish stocks in any way, and will create a larger bureaucracy within the Fisheries Department.

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

The petition bears 101 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 39.]

PETITION - AIDS

Blood Transfusion - Compensation Payment

MR WILSON (Dianella - Minister for Health) [10.05 am]: I have a petition in the following terms -

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

We, the undersigned strongly urge the State Government to pay compensation of \$9M to the 22 Western Australians who have contracted the AIDS virus, either;

- (a) as haemophilia sufferers who, as part of their treatment injected blood products manufactured from blood donated by AIDS carriers;
- (b) as recipients (or the spouses of recipients) of surgical transfusions of blood donated by carriers of the AIDS virus.

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

The petition bears 6 491 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 40.]

PETITION - MANDURAH CITY PUBLIC TRANSPORT SYSTEM

Daily Service to 10 00 pm

MR NICHOLLS (Mandurah) [10.07 am]: I have a petition couched in the following terms -

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

We, the undersigned

Draw the Government's attention to the rapid population growth rate of Mandurah City.

We call on the Minister and the Government to provide a comprehensive public transport service for Mandurah residents, seven (7) days per week until 10.00 pm.

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

The petition bears 197 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 41.]

PETITION - DUCK SHOOTING

Prohibition Legislation Support

MRS WATKINS (Wanneroo) [10.08 am]: I have a petition couched in the following terms -

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

We, the undersigned petitioners of Western Australia and residents, urge you not to declare Duck Shooting Seasons and to legislate for the prohibition of any future Duck Shooting in this State because of the cruelty inflicted on our wildlife, the loss of significant waterbird breeding habitat; the pollution of the wetlands from lead pellets, cartridges and other rubbish, and community disapproval of recreational shooting of wildlife.

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

The petition bears 1 099 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 42.]

STANDING ORDERS SUSPENSION - MEMBER FOR GERALDTON

Maiden Speech

On motion without notice by Mr Pearce (Leader of the House), resolved with an absolute majority -

That so much of the Standing Orders be suspended as is necessary to allow the member for Geraldton to address the House for a period not exceeding 30 minutes.

MAIDEN SPEECH - BLOFFWITCH, MR ROBERT

MR BLOFFWITCH (Geraldton) [10.10 am]: Mr Speaker, I thank you for the opportunity

to address the Assembly for the first time. It would be most unfair of me not to express my deep appreciation to the many Geraldton people who supported me in my campaign. I have previously stated that it is their victory. So, to my campaign chairman, Reg Tubby, his wife, Marg, and his magnificent committee I extend thanks. Reg was a former, well respected member of this Assembly. I would also like to compliment the former member for Geraldton, Jeff Carr. My sympathy goes out to him over his treatment after so many years of faithfully supporting the Labor Party. I wish him well in his retirement. Jeff worked hard in the Geraldton electorate.

I come from a different background than Jeff. He was a teacher and I have a commercial and small business background. I have been described as a used car salesman and, more recently, "boxer Bob". I have no quarrel with both labels as my background in recent times has been in owning and operating two motor dealerships, a service station and employing up to 55 people. This background gives me a clear picture of what I intend to accomplish in my parliamentary career. I have also been a State and national chairman of automotive associations and that has given me an understanding of the frustrations that small and medium businesses have endured over recent years. I come from a background of successfully building a small business into a larger and more successful enterprise. My role as chairman of the automotive cooperative, Capricorn, gives an idea of this background. Capricorn started some 17 years ago with a turnover of \$30 000 per month with only 11 members operating in Western Australia. Today, the association has a turnover of \$3.5 million per month and just on 1 200 members from all States in Australia.

I mention the cooperative not only because I am proud of its success, but also to illustrate that small businesses getting together can rival their larger competitors. However, without both State and Federal Government help the cooperative would not have flourished. For example, at the Federal level the Trade Practices Act prohibits exclusivity and so frees service station owners to buy tyres, batteries and parts from any supplier. That is an example of the positive help that has been provided for small business. Before that oil companies dictated from what suppliers these small businesses would buy. The State Parliament has also recognised the difficulties of these small businesses and held a Royal Commission to identify their problems. As a result, the Parliament enacted laws such as the Petroleum Retailers Rights and Liabilities Act to allow freedom of choice for proprietors in choosing a supplier of motor spirit and to restrict the companies from exploiting small businesses. I congratulate the Assembly on looking after the small business sector in this respect and it is my belief that this is the Government's role; that is, not to operate businesses but to create an environment that will allow them to operate on a level playing field.

Among my first letters written after I was elected was one to the Minister for Agriculture, Ernie Bridge, who is the member for Kimberley, requesting him to be careful in his move to deregulate the milk distribution industry. Such a move may not be in the interests of small business. I remind the Minister that antitrust laws were first set up in America to prevent large enterprises from gaining a monopoly. The Minister should remember whom we are here to foster and support.

My electorate is quite small in land area in comparison with other electorates and the people in that electorate are my major concern. Geraldton is located at the water's edge, 424 kilometres north of Perth. Geraldton is a progressive, cosmopolitan seaside resort with about 28 000 residents and is emerging as one of Australia's fastest growing and most dynamic areas of urban development. It is a bright star on a golden coastline. Geraldton is also the gateway to the north of the State. It is located at the junction of major highways leading north, south and east. It has rail links through the agricultural districts to Perth, is a major export port, and is just 40 minutes by air from the State's capital. Geraldton is the capital centre of Australia's mid west region. It is a vast area of pastoral and agricultural industry, gold and base metal mining, and one of Australia's most lucrative fishing grounds. Much of the city's recent population growth is attributed to mining throughout the mid west. Mining companies have established administrations in the city, with many employees commuting to the mines on a fly in, fly out basis, although they choose to live in a coastal environment.

Geraldton has few equals as a tourist destination. Sunshine is its biggest feature. The city enjoys an average of eight hours sunshine each day. Geraldton is tailor made as a world class water sports venue and destination, ideally placed to capitalise on the growing world

popularity of wind surfing and sailing. Offshore, and within easy reach, is the Houtman Abrolhos, the southernmost coral reef formation in the world and an area of outstanding marine beauty with many hundreds species of unique marine life. The Houtman Abrolhos consists of dozens of small islands and reefs and is the watery graveyard of many early sailing ships, including the one to which the name of this outstanding coastline is dedicated - the Batavia coast.

At the start of my campaign I sent out a questionnaire to every household in my electorate and received a positive response to that questionnaire. Members would not be surprised to hear that jobs, or rather, employment, topped the list of problems facing Geraldton. Education was next and law and order and health were among the four main issues concerning the Geraldton people. Of course, many other issues were raised ranging from cycleways to bus services for the elderly, which services have been cut recently. These and many other issues I will follow up in the future in reply to the people who took the time to communicate their views to me. I will now address the four main topics that were outlined in that survey.

I could write a book on what we are doing wrong in regard to employment. I have, on discussing this problem with concerned Geraldton electors, said that if we sat down and designed a set of taxes, charges and stamp duties we could not think of a more negative and draconian system than the one that exists. Payroll tax, stamp duty on property transfers, stamp duty on mortgages - which in a lot of cases are to finance people entering businesses - bank account duties, fringe benefits tax and removal of equipment depreciation incentives combine to paint a bleak scene. I am sure that Wesfarmers and Elders Pastoral representatives find it hard to understand why they attract fringe benefit tax on their vehicles. Surely they are not expected to walk! I realise many of these charges are Federal charges and that our income tax system is sheer madness at the personal and company level.

I have outlined some of the problems of which we should be aware; however, the solutions to those problems are not easy. We must consider a type of consumption tax to replace the madness of the sales taxes and also to reduce Federal taxes to breathe incentive back into us all. Less personal tax is needed to encourage the creation of more spendable income, sales, business and jobs. It may sound easy, but it is not. Like all things, we must start somewhere. My suggestion for that start would be to support a change to the tax system. Taking the Geraldton area in particular, the proposed public works program must be brought forward. This will give a kick start and create employment, which is essential. In giving a kick start I am not asking for any extra commitment, just an earlier commitment to provide the employment of many of our young unemployed.

The most alarming fact concerning education is that while I constantly hear from the Government that as a result of language programs in our schools Australia will no longer be a one language nation, I am disappointed that this does not apply to Geraldton schools. No second language is taught in years 11 and 12 and, with this fact in mind, the years 8, 9 and 10 numbers in these courses are dropping because these subjects do not count in the tertiary entrance examinations. I realise that services will suffer as a result of the moneys that have been lost, but we cannot afford to neglect our education facilities. We must remedy this situation immediately and I will, for this purpose, be seeking talks with the Minister for Education.

During my election campaign, my leader announced that within four years we would commence the development of university education in Geraldton. This is of tremendous importance not only to Geraldton but to the mid west and northern parts of Western Australia. With the right blend of career paths, this campus will draw students from all over Australia as well as from overseas. My role will be to organise a steering committee to have policies and direction ready for the start. I have already issued an invitation to interested parties in my electorate to contact me should they be interested in being part of this marvellous opportunity for Geraldton.

Law and order was the third issue in the survey. There is plenty of news in the media every day and we in Geraldton have our share of problems. Law and order at our terror corner of Fitzgerald Street and Marine Terrace is improving. I compliment the police on the more visual presence which has helped. This is not the solution in itself and I have been heartened by recent reports of juvenile rehabilitation control, and an extension of the pastoral project

for young people is a step in the right direction. I have also asked the Premier to support the establishment of a Holyoake centre for drug abuse in Geraldton. She responded by saying that I had not given her the exact costings. As her Government already funds such centres in other areas, the funds that are required are known by the Government departments concerned. Nonetheless, I have asked Holyoake executives to supply the Premier with this information. I seek the support of the House for this worthy cause. My thoughts on law and order are basically one law for all, with the punishment fitting the crime and suitable rehabilitation centres for juvenile offenders. I believe tougher action is required with car thieves and I believe we should look to implementing programs of compulsory rehabilitation and detention time. The Bail Act, which makes it so easy for offenders to hit the streets within hours of being arrested for assault and violent crimes, makes a joke of the system. These issues must be addressed for us to have any positive influence on the subject.

Great controversy surrounds our regional health and hospital services. When I look at what I pay under the Medicare levy and for private health cover, it is little wonder that people are angry. Many of the problems are caused by the system. However, on a local level, I compliment my colleague, the member for Greenough, Kevin Minson, for putting forward a plan for our region which involves a local board to administer our regional hospitals. I recommend that submission to the Government, as I believe this committee or board would better reflect community needs for the hospital than that which is occurring currently.

I have spoken very little about the past and much about what we need to do in the future. As I become more known to the House you will see, Mr Speaker, that it is the future that we are in charge of, not the past. We should learn from it. We have a resource rich State that needs to be encouraged to develop to its full potential. That will be my challenge and in doing so I will make sure that my electorate and the people of Geraldton prosper with a share of that development. I thank the House for its courtesy to me.

[Applause.]

LOAN (FINANCIAL AGREEMENT) BILL

Second Reading

DR LAWRENCE (Glendalough - Treasurer) [10.24 am]: I move -

That the Bill be now read a second time.

This Bill provides authority for the Government to borrow money so that it can assume responsibility for debt raised on its behalf in the past by the Commonwealth. This represents a sensible rationalisation of Commonwealth-State financial arrangements and provides the State with increased autonomy in the management of its finances. Under the 1927 financial agreement between the Commonwealth and the States, the Commonwealth undertook to borrow money on behalf of the State Governments. This was the main source of loan funds for State capital works until the 1970s. The importance of these borrowings has diminished over time as State authorities have undertaken increased borrowings in their own right. Indeed, the last financial agreement borrowing undertaken by the Commonwealth for Western Australia took place in 1983-84. The State's outstanding financial agreement debt currently stands at around \$1.5 billion. While the debt borrowed by the Commonwealth on the States' behalf is in the Commonwealth's name, the States are responsible for interest payments on the outstanding debt. The States also make sinking fund payments to repay the principal outstanding as does the Commonwealth, though its payments into the sinking fund are significantly less than State payments. These sinking fund arrangements provide for about 10 per cent of debt maturing in any one year to be repaid so the remaining 90 per cent must be refinanced.

In the past the Commonwealth has arranged this refinancing. However, at the last meeting of the Australian Loan Council held in June 1990, the States agreed that they would assume responsibility for refinancing their financial agreement debt as it matures each year between 1990-91 and 2005-06. This will involve the States each year making additional sinking fund payments to pay out the maturing financial agreement debt, with these sinking fund payments being financed through State borrowings. The Commonwealth has agreed that to facilitate these additional borrowings, the State's annual global borrowing limits would be increased. The Commonwealth has also agreed to compensate the States both for the higher interest costs they face on their borrowings compared with Commonwealth borrowing rates

and for the fact that under the new arrangements the Commonwealth's sinking fund contributions will be lower than they otherwise would have been. Arrangements for these compensation payments have recently been agreed, in principle, between the States and the Commonwealth and they will be formalised later this financial year. The compensation arrangements are designed to leave the States no worse off than if the Commonwealth had continued to refinance the debt. However, the States have been successful in persuading the Commonwealth to make up-front compensation payments at the time a borrowing is undertaken for the higher interest costs rather than progressively over the life of the borrowing. This is clearly to the States' advantage.

The Bill provides for borrowings of \$160 million. This is to refinance maturities of around \$95 million in 1990-91 and around \$65 million in the early months of 1991-92. The Loan Act for 1990-91 does not provide for borrowings for this purpose and this Bill will enable the State to honour its commitment to the Loan Council to commence assuming responsibility for its financial agreement debt from 1990-91. The normal annual Loan Act for 1991-92 and later years will make provision for borrowings for this purpose in the future. To ensure a proper level of accountability and disclosure over the borrowings and their disbursement, the Bill provides for a trust account to be established with the purpose of the account being strictly limited to the redemption of Commonwealth financial agreement debt serviced by borrowings from the Western Australian Treasury Corporation. I commend the Bill to the House.

Adjournment of Debate

MR BLAIKIE (Vasse) [10.27 am]: I move -

That the debate be adjourned.

I move that motion having tried to understand the garbled version of the Premier's speech.

Dr Lawrence: Can't you read?

Mr BLAIKIE: The Premier should take a bit more trouble in reading the second reading speech of such an important Bill.

Dr Lawrence: You have it in front of you; you can read it.

The SPEAKER: Order! I remind members that it is the practice of this House, when moving the adjournment of debate, to do that only. Any comments by the mover constitutes the member's contribution to the second reading debate and that member will not get the call again.

Question put and passed.

FOOT AND MOUTH DISEASE ERADICATION FUND REPEAL BILL

Second Reading

MR BRIDGE (Kimberley - Minister for Agriculture) [10.28 am]: I move -

That the Bill be now read a second time.

This Bill repeals two Acts and puts into place consequential amendments to a further Act. It updates the procedures associated with the provision of funds to control exotic animal diseases like foot and mouth, should this State ever have to deal with an outbreak. In 1959 the Parliament enacted an initial Foot and Mouth Disease Eradication Fund Act. This provided for the establishment of a fund to be used principally to assist the eradication of this disease and for the compensation to owners for animals and property which may be destroyed in order to eradicate or prevent its spread. The Act was not proclaimed as it was decided that there would be no point in establishing a fund for the specific purpose of foot and mouth disease eradication until the disease was detected.

The 1959 Act was amended in 1966. In this Statute the definition of foot and mouth disease was extended to include vesicular exanthema and vesicular stomatitis. These two diseases are also exotic to Australia and, like foot and mouth disease, are members of a group of vesicular diseases that are difficult to distinguish in the field. Although not as serious as foot and mouth disease, if exanthema and stomatitis were allowed free entry into the State and became established it would make the quick identification of foot and mouth disease much

more difficult. The 1966 Act was written to come into effect on the day on which the 1959 Act came into operation. As I mentioned previously, neither Act has been put into effect, nor is it intended that they be.

With the passage of time it became clear that exotic diseases in addition to foot and mouth disease would present problems to the State's animal industries should they ever be introduced and become established. For this reason in 1969 the thrust of the legislation was widened with the enactment of the Exotic Stock Diseases (Eradication Fund) Act. The purpose of this Statute was principally to establish a fund for the payment of compensation to owners of animals and property destroyed and of animals dying in the course of steps taken to eradicate or to prevent the spread of exotic diseases in livestock. The fund is intended to receive moneys payable to the State by the Commonwealth as a result of agreements that are now in place, as well as moneys appropriated by this Parliament for the control of exotic diseases. In general, the Act establishes the mechanisms that must apply to the expenditure of moneys from the fund. Thus, the 1969 Act extends the range of exotic diseases to include all vesicular diseases and others such as rinderpest, blue tongue and swine fever. Diseases can be added by proclamation from time to time.

As the three Acts stand an anomaly exists because the 1969 Act also has not been proclaimed. Like its predecessor, this awaits detection of an exotic disease in the Commonwealth or in a State. However, both the 1959 and the 1966 Acts provide for the establishment of an eradication fund, with this action to be repealed on proclamation of the 1969 Act. The Bill now before the House seeks to remove this anomaly. It is a simple piece of legislation which has three effective purposes -

- (1) it repeals the Foot and Mouth Disease Eradication Fund Act (No 4 of 1959);
- (2) it repeals the Foot and Mouth Disease Eradication Fund Amendment Act (No 3 of 1966); and
- (3) it repeals section 3 and the schedule to the Exotic Stock Diseases (Eradication Fund) Act (No 13 of 1969), which otherwise would have no meaning, referring to the repeal of the earlier Acts.

The net effect of the Bill is to remove two redundant pieces of legislation from the Statute books and to clearly bring financial support for the eradication of all exotic animal diseases under a single Act. It is worthy of the full support of all members of this Assembly.

I commend the Bill to the House.

The SPEAKER: My previous statement was incorrect; the situation is even worse than I suggested. If a member takes the action to which I referred previously he is not able to move the adjournment.

Debate adjourned, on motion by Mr Blaikie.

HOME BUILDING CONTRACTS BILL

Second Reading

MRS HENDERSON (Thornlie - Minister for Consumer Affairs) [10.34 am]: I move -

That the Bill be now read a second time.

The Home Building Contracts Act 1991 will ensure that for the first time new home buyers and those undertaking home building work on an existing house will have adequate contractual protection. At the same time builders will be secure in the knowledge that public confidence in the building industry cannot be adversely affected by the irresponsible actions of a very small section of that industry.

This Bill results from an extensive process of consultation between the Government, various industry groups, and consumer representatives. It represents the culmination of an exhaustive process of investigation and the fulfilment of a commitment made to the people of this State to provide better consumer protection to those building a home or undertaking major improvements to an existing residence. It also fulfils a commitment to the home building industry to ensure certainty and equity in home building contracts with a view to restoring and maintaining consumer confidence in the industry. This confidence was

severely diminished when the home building boom of 1988 revealed problems that resulted in some widely reported failures in sections of the industry. These failures and a concern that they were due to underlying problems led the Government to establish a panel which was charged with carrying out an independent review of the home building industry. The report of the home building industry inquiry was submitted to the Ministers for Housing and Consumer Affairs in March 1989. The inquiry panel reported that while boom conditions had exacerbated difficulties in the industry, it considered that the underlying problems had existed for many years and would continue to occur. Therefore, recurrence of these industry problems could not be ruled out. Legislation to provide consumer protection and industry stability was recommended. The panel was of the view that some contracts in use within the home building industry were unsatisfactory and disadvantaged consumers.

For most Western Australians the acquisition of a home is, without doubt, their single greatest financial commitment. It is therefore essential that a contract for domestic building work should be fair and equitable and should not place one party at an unfair disadvantage relative to the other. Such contracts should ensure that both parties are protected from financial loss that may be suffered inadvertently when a contract is not clear or is not fully committed to writing. This legislation arises out of the recommendations of the 1989 home building industry inquiry which found that existing consumer legislation did not provide adequate practical protection for consumers who were entering into domestic building contracts. The panel noted, in particular, the complexity of the industry and the special circumstances that exist. It pointed out that inadequacies in the contractual arrangements have resulted in drawn out disputes that have benefited neither party.

The provisions of this Bill also take into account the views of the major industry bodies and other parties with whom I have consulted. For the past two years I have had regular and ongoing meetings with the representatives of the Housing Industry Association, Master Builders Association, and the new home buyers action group. Although negotiations with the industry have been protracted, they have also been very productive. As a result this legislation will ensure that both parties to a contractual arrangement for home building work will be well protected against unfair or inequitable practices.

The Bill addresses deficiencies in the existing legislation by requiring -

- all contracts for home building work with a value between \$6 000 and \$200 000 to be in writing;
- all variations of such contracts to be in writing; and
- all contracts covered by this legislation to be a fixed price. Rise and fall clauses are not permitted.

Cost plus contracts are excluded from the provisions of this Act except insofar as they must clearly be identified as such and acknowledged in writing by both parties to be cost plus contracts. Other key features of the legislation are -

- a 6.5 per cent limit on deposits;
- progress payments are to be made only for work that has been performed or materials that have been supplied;
- builders must quote the minimum reasonable amount for provisional sums and prime works;
- the defects liability period is extended from 90 to 120 days; and
- the clear responsibilities of owners and builders for obtaining all necessary approvals are defined.

The responsibilities of owners include satisfying the builder that they have clear title to the land and the finance necessary to complete the home building work as set out in the contract.

The home building industry inquiry also pointed out the need for there to be an effective, inexpensive and speedy dispute resolution procedure. This Bill provides for the establishment of a disputes committee to which disputes about home building work can be referred by either party. Provision for the establishment of the building disputes committee which will operate in a manner similar to the Commercial Tribunal but which will be located within the Builders Registration Board is made in the Builders' Registration Amendment Bill

which is currently before this House. In order to ensure that home owners are not involved in unnecessary expense or delay in relation to a home building dispute, builders and owners will be required to approach the building disputes committee rather than the court system if the dispute is within the jurisdiction of the Home Building Contracts Act. An important feature of this specialised disputes committee is that it will have the power to deal with both workmanship and contractual matters relating to home building work throughout the State. This provision will be of considerable assistance to consumers who have previously been required to refer workmanship disputes to the Builders Registration Board while dealing with the Ministry of Consumer Affairs, the Small Claims Tribunal or the court system on contractual matters. Where a home building contract is for work with a value of less than \$6 000 and the dispute is a contractual one, the Ministry of Consumer Affairs will continue to assist consumers. Furthermore, the jurisdiction of the Small Claims Tribunal has been extended to allow it to deal with contractual disputes where the value of the contract is less than \$6 000.

In emphasising that this Bill is designed to meet the needs of both consumers and the home building industry, I bring to the attention of the House the fact that this Bill differs from the Home Building Contracts Bill 1990, passed by this House during the 1990 spring session, in that it incorporates a number of changes suggested by the industry associations and other interested parties. Home building work contracts with a value of more than \$200 000 will not be covered by the provisions of this Bill. A limit has been set to make it clear that this legislation is designed to regulate contracts between home owners and builders, and it does not cover commercial buildings, multi-units and multistorey developments that are characteristically commercial enterprises. Any confusion that might arise if a matter brought before the disputes committee were already before a court has been clarified, and it is now not possible for the same matter to be dealt with simultaneously in two different jurisdictions. Legal representation is now permitted in any dispute brought before the Building Disputes Committee where the committee considers that a party not so represented might be disadvantaged.

A new provision makes it clear that the Builders Registration Board is responsible for instituting proceedings for an offence committed under the Home Building Contracts Bill. This is consistent with the board's existing responsibilities under the Builders' Registration Act. Following representations from the industry associations, I have also agreed to seek an amendment to the Builders' Registration Amendment Bill to change the name of the Building Disputes Tribunal to the Building Disputes Committee. This proposed change is reflected in the Home Building Contracts Bill before the House.

The legislation also provides for a review after two years of operation. Consultation with both the Housing Industry Authority and the Master Builders Association, as well as consumer groups, will form part of this review and is provided for in this Bill. Furthermore, in my discussions with other associations and individuals who have concerns about some of the provisions in the Bill, I have made clear my willingness for the particular issues raised to form part of the terms of reference for this review so that the need for the modification of certain provisions sought can be assessed. I emphasise again that the provisions contained in this Bill represent the outcome of a long period of negotiation and consultation with industry and consumer groups. Both the Master Builders Association and the Housing Industry Association have assured me that they support the Bill in its present form. In summary, the principal objectives of the Bill are -

- to provide adequate contractual protection for new home buyers and consumers making major additions to an existing house; and

- to provide reputable builders with an assurance that confidence in the housing industry will not be eroded by an irresponsible minority.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

RETAIL TRADING HOURS AMENDMENT BILL 1990

Council's Message

Message from the Council notifying that it did not insist on its amendments Nos 1, 2 and 3 to

which the Assembly had disagreed, it insisted on its amendments Nos 5, 6, 7, 8, 9 and 10 to which the Assembly had disagreed, and returned its amendment No 4 with an alternative amendment thereto, now considered.

Committee

The Chairman of Committees (Dr Alexander) in the Chair; Mrs Henderson (Minister for Consumer Affairs) in charge of the Bill.

The amendments on which the Council insisted were as follows -

No 5.

Clause 11.

Page 8, lines 5 and 6 - To delete ", other than a filling station,".

No 6.

Clause 12.

Page 8, line 10 - To delete "12" and substitute "15".

No 7.

Clause 12.

Page 8, line 13 - To delete "11" and substitute "14".

No 8.

Clause 12.

Page 8, after line 13 - To insert the following subparagraph to stand as subparagraph (ii) -

- (ii) by deleting "one person" in subparagraph (i) and substituting the following -
"2 persons"

No 9.

Clause 12.

Page 8, line 26 - To delete "3" and substitute "4".

No 10.

Clause 12.

Page 8, line 29 - To delete "4" and substitute "5".

The alternative amendment to amendment No 4 was as follows -

No 4.

Clause 10.

Page 7, line 26 - To delete "Where" and substitute the following -

Without limiting the operation of section 16, where

Mrs HENDERSON: I move -

That amendments Nos 5 to 10 and the alternative amendment No 4 be agreed to.

I am particularly pleased that, after very lengthy debate and delay of this Bill, all the provisions sought by the Government have now been agreed to by the other place. The amended provisions arose from the Government's review of the legislation and they will correct some anomalies, particularly with regard to Saturday afternoon trading by petrol stations. Although it has taken some time, I am pleased that these amendments will be incorporated in the Bill, and also that the Legislative Council has agreed to the amendment which provides protection to petrol station proprietors against possible coercion by oil companies to open during those hours. It is a very important issue, and I thank the Opposition in the upper House for its somewhat belated support for this provision.

Question put and passed; the Council's amendments agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

STATE ENERGY COMMISSION AMENDMENT BILL*Second Reading*

Debate resumed from 8 May.

MR COURT (Nedlands) [10.49 am]: The big challenge for the State Energy Commission is to become a more productive organisation to enable it to offer more competitive electricity prices. The Minister will argue that the measure being introduced is one of the means of making it not so much more productive as rather slightly more profitable. Yesterday I canvassed concerns the Opposition holds about the timing of this move. It surprises me that we are considering this sort of matter when the Government is having considerable trouble bringing about required changes to productivity; for example, in its power stations. I was concerned that SECWA, having gone to the Industrial Commission on its own initiative to ensure it could guarantee continuity of supply to its customers, was directed by a Minister to back off when the heat was applied. That matter then went off to a committee never to be heard of again. Perhaps the Minister in his reply will tell us what happened to that attempt by SECWA, because if there is one thing that upsets energy users it is that they are paying high prices but are not guaranteed continuity of supply. Does the Minister think it is proper that he become involved in those sorts of industrial issues?

Dr Gallop: If it is a matter of principle and Government policy, of course; if it is a matter of day to day management, no.

Mr COURT: The Minister says that if a matter is one of principle or Government policy he does not become involved. To a degree I agree with him. However, when it comes to day to day matters, I do not think that the Minister's office should become involved. Yesterday SECWA went to the Industrial Relations Commission because two employees were disputing termination of their employment. SECWA had to go to the Industrial Commission and defend its ability to terminate their employment! Late yesterday Industrial Commissioner Parks handed down a decision that it was within SECWA's rights to terminate the employment of those people. During the afternoon the Minister's office contacted SECWA saying, "We want one of those people given a job again at SECWA." The Minister talks about not interfering in day to day operations of SECWA, but how can SECWA run a competitive electricity operation when the management went to the commission about a day to day matter, had its actions confirmed and then had that action overruled by the Government saying that it wanted one person given another job? Why would the Minister want to interfere in that sort of day to day operation?

Dr Gallop: There was no direction given on that matter; that is a load of nonsense.

Mr COURT: Is the Minister saying that his office did not contact SECWA and say, "Give this person a job"?

Dr Gallop: If it happened yesterday afternoon, I do not know the answer to that question.

Mr COURT: What a waste of resources when SECWA management has gone through the Industrial Commission to defend its right to terminate employment only to receive such a request.

Dr Gallop: The member for Nedlands knows what the definition of "direct" is under SECWA's legislation. I do not direct SECWA, the member knows that.

Mr COURT: I would be interested to know what happened yesterday. Perhaps the Minister can explain why that wasteful exercise occurred, if his office wanted to override what SECWA's management was trying to achieve. Unfortunately, we have seen a lot of political direction in the way in which SECWA has operated in recent years. Some of those matters will be raised at the Royal Commission. The timing of the move proposed by this legislation is absolutely appalling because of the huge pressures that businesses are currently facing. The Minister would have heard the unemployment figures released this morning: I am told we now have an unemployment level of 11 per cent. One should look where that unemployment comes from.

[Quorum formed.]

Mr COURT: The point I was making is that this move could not be proposed at a worse time for the business community. As I have mentioned, the unemployment figure released today shows that 11 per cent of the Western Australian work force is unemployed. That is a situation of great concern and the last thing that business requires is an added burden introduced through this legislation. I therefore express Opposition concern about the timing of the introduction of this legislation.

MR COWAN (Merredin - Leader of the National Party) [10.58 am]: This is a simple amendment which could have some quite significant consequences. A range of subjects have been discussed in relation to SECWA's capacity to charge interest on overdue accounts. In addition to that debate on SECWA's charges -

The DEPUTY SPEAKER: Order! Five minutes ago there was hardly anyone in the Chamber and there was no problem hearing the speaker on his feet. The problem was that no quorum was present. We now clearly have a quorum, but I think that no more people are listening now than were listening before. If members wish to have conversations they should tone them down or have them outside the Chamber, remembering the requirement for a quorum to hear the remarks of the Leader of the National Party.

Mr COWAN: I do not believe, given common accounting practices and the need for efficiency, that anyone could realistically oppose a move which would give SECWA the capacity to charge interest on overdue accounts in excess of \$1 000. Other statutory authorities have this capacity; I know the Water Authority does. However, there are some practices of SECWA which must be questioned. Those practices are in many respects quite discriminatory and should be reviewed by the commission; and if it is necessary that an instruction be given by the Minister that that review take place, the Minister should issue that instruction as quickly as possible. One of those practices was referred to earlier by the member for Nedlands; that is, the practice of applying a security charge. If the section in the principal Act which is being amended by this Bill - section 124 - were dealing with the security charge, I can assure the House we would move another amendment to make some changes to the capacity of SECWA to apply that charge. That security charge is a very serious impost on small business. A business with a turnover of between \$2 000 and \$5 000 a week, with a small profit margin, may be asked by SECWA to pay a security charge of \$4 000, and it is often impossible for such a business to come up with that amount of money. The Minister stated that a security charge could be satisfactorily dealt with by a small business obtaining a bank guarantee. However, in many cases the operators of that business are just starting off and have liquidity problems, and even though the bank may have assisted them to buy into the business it may not be prepared to lend them any more money. It sounds very easy to say that a security charge can be successfully resolved by the business acquiring a bank guarantee, but in reality there are difficulties associated with the securing of a bank guarantee. I understand from some of the cases I have dealt with that SECWA has accepted time payments for the security charge, but in many instances the fact that a small business operator has to find that amount of money in a short time when his business is already very close to the line between profit and loss can be enough to tip him into the situation where his business is running at a loss. I do not know of any business which has closed its doors as a consequence of this requirement, but I know of a number of people who have felt it was not worth their while to continue in business because of these security charges.

I am also aware - just to put some balance into this debate - that security charges are reviewed only where a company or a business has been late in paying its accounts to SECWA. However, I do not think that is any justification for a review of the security charge and a subsequent increase in the charge. One example which supports my view is a butcher in Kellerberrin who had been a customer of SECWA for 43 years. I am sure he would not mind my saying that he had a regular history of being told that his account was overdue, but he had an equally regular history of paying that account within two weeks to one month. His security charge was reviewed, and it was doubled.

Dr Gallop: Do you acknowledge that SECWA is losing revenue from people like him?

Mr COWAN: I have no doubt that SECWA is losing revenue, but that brings me to the next point. The tariff structure of SECWA is one of the highest in Australia. One of the reasons

is that SECWA has huge borrowings, and in order to service its debts and to pay the interest on those borrowings it has to structure its tariffs accordingly. I acknowledge that SECWA is losing money because small businesses are not paying their accounts on the due date, but I believe the amount of money it is losing by that means would be minuscule compared with the cost it is incurring in servicing its debts. SECWA needs to put that issue into perspective.

Dr Gallop: It is easy to argue that. It is not a very commercial approach to an organisation.

Mr COWAN: I hope that when the Minister responds he will argue that case. I hope also that in his argument he will indicate very clearly that he is on the side of small business. The point I make is that SECWA already has a high level of debt servicing. It is one thing to say that in order to be efficient SECWA must have its accounts paid promptly, but the Minister should not lose sight of how that stacks up against the overall debt structure of SECWA and what it is costing SECWA in interest charges for those debts, because the revenue lost through overdue accounts would not be a substantial amount of money compared with that amount.

I want to take up a point relating to the way in which the State Energy Commission applies its charges. This relates more to country areas than to the city, and it deals with those people who have a property, whether it is a commercial property, a business or a farming property, upon which they reside. In many instances these people have been persuaded by the State Energy Commission's regional office to instal only one meter. With the installation of that meter comes a tariff structure which gives a certain volume of electricity at a standard domestic tariff. As members are aware, domestic tariffs are the same, whether one is an SEC consumer in Kununurra, in one of the suburbs of Perth or anywhere else. Where one has just one meter on a commercial property, one is given a tariff for domestic consumption up to a limit, and once that limit is exceeded the tariff automatically increases by 50 per cent. Invariably those who have meters on properties used for both residential and commercial purposes pay a much higher electricity tariff over the full year. That is something which needs to be reviewed as much as anything else. I do not know what the commercial tariff is for businesses established for strictly commercial purposes where there is no residential base, but if electricity is being charged on a commercial basis for premises with a multiple use, I can understand the reluctance -

Dr Gallop: The issue there is to work out a reasonable figure for domestic consumption.

Mr COWAN: I agree with that, but in addition the Minister should work out what is a reasonable commercial tariff. I really do not think the commercial tariff should be 50 per cent higher than the domestic tariff. If we want to encourage manufacturing, down stream processing and value adding, those things which we have heard so much about, we will not do it with a commercial energy tariff structured 50 per cent higher than the domestic tariff. There is no doubt at all that the State will be dependent in the future upon its capacity to add value to its primary products. It does not matter whether those products are of an agricultural or mineral nature, it will be dependent upon that process. Whether the Minister is talking about microeconomic reform or any other reform, when we talk about the development of the State, invariably we will only make progress when we can add value to the primary products we are producing. Every member will agree that that cannot be done without a properly structured energy tariff. The member for Nedlands has claimed, and I am sure he is right, that the tariffs in Western Australia are 40 per cent higher than in any other State. When the Government or the State Energy Commission is dealing with high consumers of power I am sure an agreement is negotiated to offer power at a much cheaper rate than that available from published commercial tariffs. Nevertheless the energy costs are still far too high. Until those costs come down there will be no realistic move by companies which have the technology and the ability to add value to primary products ever to come to Western Australia.

I shall deal with charging, efficiencies, and one other area before going back to the provisions of this Bill. I refer to the demands placed by the Government on the coalminers in Collie in recent times. By that I do not mean the miners themselves only; I mean the mining companies. The Government attempted to renegotiate the contracts held by the two companies in a way which would reduce the price and the tonnage of the existing contracts. We are really asking the coal companies to deliver the impossible. It may have been that with a potential for an increased tonnage they would have been capable of reducing the price,

but to have asked them to reduce both the price and the tonnage without any other factor being involved was a very difficult task. I do not think the Government would have achieved any of that without the final decision which had to be made on the new coal fired power station, because that gave the companies an opportunity to increase their tonnage and bring about greater efficiency with that increased tonnage.

At the same time that the Government was asking the coal industry to reduce its tonnage and reduce its price within a prescribed period of time, which has already elapsed - the option the company was given was spread over no more than six months from the time the negotiations were commenced - it went to the State Energy Commission and said, "We want a 15 per cent productivity gain." While the Government was asking the coal companies for a 20 per cent price reduction and a 10 per cent tonnage reduction it was asking SECWA for a 15 per cent productivity gain. While the Government was asking the companies to deliver by mid April, it was asking SECWA to deliver by 1995.

Dr Gallop: Yes, but -

Mr COWAN: I can see some inconsistency there. It does not matter how many "yes buts" the Minister may have to say, it is inconsistent.

Dr Gallop: The first point I make is that we agreed to allow them to phase in their price decrease.

Mr COWAN: Over what period of time?

Dr Gallop: I did not specify the period of time.

The DEPUTY SPEAKER: Two points here: I have noticed that the member has said he will be coming to the substance of the amendment Bill, and I have not really wanted to restrict the debate. However, we are getting into an area right outside the purpose of the amendment Bill. I am sure there will be plenty of other opportunities in this session to debate the matter the member wants to raise. I ask him to wind up his remarks and move to the amendment Bill itself.

Mr COWAN: I shall. The Bill deals with the capacity of the State Energy Commission to apply its charges. If the State Energy Commission applied itself more diligently to tackling other areas which increased its costs and the tariff structure which we face, it might not need to apply this measure which is brought about by this amendment. Perhaps it may not proceed with it. However, I shall wind up on this issue.

While the Government is asking for a 15 per cent productivity gain over a four year period, it has decided to confine the matter to two power stations, not to the State Energy Commission as a whole.

Dr Gallop: That is being looked at.

Mr COWAN: I hope so. I am encouraged to hear the Minister say that it is being looked at. I would be more encouraged if the Minister were able to say some time in the future that the Government had looked at it, had agreed it was ridiculous, and the 15 per cent productivity gain would be applied to the State Energy Commission right across the board. I believe that if the Minister looked at the administration of other areas of the State Energy Commission of Western Australia he would find that some efficiencies could be put in place. I would be interested in the Minister's giving us some indication of how much money will be saved. It is some time now since he made his second reading speech; perhaps I should have referred back to that to see if a figure was given.

Mr Fred Tubby: It was \$1.2 million.

Dr Gallop: Given changes in interest rates, it now represents about \$951 000 in increased financing costs to SECWA's customers. At present there are over 2 000 customers with outstanding arrears of \$6.6 million.

Mr COWAN: That indicates to me that this measure does provide better housekeeping by the State Energy Commission, to the extent that it will recover about \$1 million. The State Energy Commission should examine some of the issues I have raised, which would allow it to either save or recover much greater sums of money than that; alternatively, it should find new customers, which will give it economies of scale. The volume of electricity consumed in this State is another reason why the commission is forced into a very high tariff structure.

If the State Energy Commission can do those things it will either generate revenue or save far larger sums of money than the \$1 million this measure will produce.

DR TURNBULL (Collie) [11.21 am]: The objective of this Bill to amend the State Energy Commission Act 1979 is to permit the State Energy Commission of Western Australia to raise an interest rate levy on overdue accounts of more than \$1 000. The reason given for this by the Minister in his second reading speech was to improve SECWA's cash flow and reduce its requirements; he said also that it would stop unfairness to those customers who paid promptly.

What will this measure achieve? Apparently it will achieve a saving of about \$1 million per annum and help improve the efficiency of SECWA, as the Minister has just pointed out. I support this objective, as does the National Party. We definitely support any moves that will improve the efficiency of SECWA. As the Leader of the National Party has said, the saving of \$1 million is minuscule when compared with SECWA's total debt funding problems at the moment. SECWA must improve efficiency in multiple areas, to the tune of multiple millions of dollars. The objective of improving efficiency is to reduce the price of electricity to consumers.

I point out just one small area where \$1 million could have been saved. In the past few years the offices at the Muja power station have been refurbished three times and it is reputed that the cost of those three refurbishments totalled up to \$1 million. However, the absolute irony of those refurbishments is that a new administration centre has recently been constructed. I am not pointing this out to say anything about the internal management of Muja in that area, because I am sure other offices throughout Western Australia have also been refurbished, and that refurbishing has occurred in the Wellington Street office as well; it is just an indication of the fact that \$1 million could be saved in many areas. I know it is a huge administrative problem, and I acknowledge that sections of SECWA are beginning to apply themselves to some of these areas where \$1 million could be saved.

I turn now to the much larger picture, which has been accentuated recently by the Federal Government's Industry Commission inquiry into energy generation and distribution. The summary and draft recommendations of that committee have just been released, and deal with two very distinct matters - pricing efficiency, and improvements in productivity. I want to speak very briefly to both of those subjects as they are very relevant to this debate, which concerns the improvement in efficiencies of SECWA's management. In relation to pricing, the Industry Commission's summary refers to the need to eliminate cross-subsidies. In many cases these cross-subsidies are referred to as community service obligations of SECWA. One of the community service obligations is to provide rebates to low income household consumers. I agree that at the moment that is a necessary requirement. With the price of household electricity in Western Australia as high as it is - higher than that in the Eastern States - our low income householders do have an extra charge. I know that all householders in Western Australia are subsidised, and this is another of the cross-subsidies referred to; but talking in particular about the cross-subsidy for low income earners or receivers, I do not believe the Western Australian Government should heed this recommendation by the Industry Commission. It is the Federal Government's responsibility to ensure that people who need income support have adequate support to cover their costs of survival, and electricity now is an important ingredient in survival, especially in places like Collie where it is very cold. Until the Federal Government factors into the low income support system an item for increased electricity costings, the support must be provided by the State. If the State Government pays that out as a subsidy, either through SECWA by allowing SECWA to debit the Government with a rebate charge, or something like that, we must take into account the fact that this subsidy actually benefits the people who use more electricity. It does not give any reward to the people who are careful with their electricity usage, and that is another factor to be considered.

The other cross-subsidy referred to in the Industry Commission's summary and draft recommendations relates to country service costs. Some of the submissions presented to the Industry Commission inquiry indicated that they regarded country service costs as community service obligations. This was mentioned in the Victorian submission to the inquiry. Western Australia must completely reject the assertion that this is a community service obligation which must be passed on to the user. The National Party's policy is definitely that there must be equity of pricing in the provision of electricity to rural areas, and

any national policy which suggests that costings should be passed on to the user in the country should be rejected by this State. Western Australia is the largest, most sparsely populated area in the world and also the most urbanised, and in that situation we must take into account the distribution costs. Industries cannot set up in country areas if they must pay excessive charges for country services.

The second aspect of the Industry Commission inquiry relates to improvements in productivity and efficiency. At page 12, under the heading "Going beyond administrative reform: the need for structural change", the document states -

The Commission considers that administrative change on its own will fail to lift the performance of the electricity and natural gas supply industries to the fullest extent possible. This is mainly because administrative reform does not directly address the major factor underlying inefficiency - the lack of effective competition.

The document states that the commission considers that administrative reforms will not address the area where greatest efficiency gains are possible. That area is a reduction in production costs brought about by effective competition with a private power station. The Industry Commission recommendations are largely based on the introduction of effective competition and privatisation.

I am disappointed that the member for Pilbara is not present because I am about to do something which he bet that I would not do. I commend the Government on its recent efforts to improve productivity and to introduce competition. I commend the Government for achieving a reduction in the price of coal, the improvement in productivity at the coal mines, and the promise by State Energy Commission unions to introduce a 15 per cent productivity improvement over the next four years. These improvements have been achieved in a very difficult situation; it has taken a great deal of pressure to encourage these improvements in productivity. When consumers in Western Australia receive their slightly reduced electricity bills it is unlikely they will remember that the reduction in charges has come about through the sacrifice of the coal companies and many people in Collie. Jobs have been lost and wages have been reduced; these are the factors which will have an effect on people for a number of years. However, I give a warning regarding productivity. The Industry Commission points out that the improvement in productivity due to work practices will not be effective without the introduction of the effective competition of private operation.

The DEPUTY SPEAKER: Order! I have already drawn to the attention of the previous speaker that while second reading debates, by convention, are reasonably wide ranging, the necessity is to relate one's remarks to the subject matter of the Bill. I understand the member's special interest in the topic, as she represents the area very strongly. However her remarks should not continue without relating to the subject matter of the Bill.

Dr TURNBULL: Returning to pricing, which relates to competition and privatisation, I warn the Government by referring to an item in *The West Australian* on 2 May which includes comments by Mr Rob Meecham, the Assistant Secretary of the Trades and Labor Council. He warned that the union movement had not given up its fight to prevent private ownership of utilities such as power stations. He said that the unions would mount future campaigns for public ownership of the new stations. I hope that in the next few months, or even years, Mr Meecham will change his attitude and will not continue those efforts. The power station must be privately operated to create competition. In this way, we will achieve greater efficiencies within SECWA because its administration and production will improve; therefore, Western Australia will reap the benefits of reduced electricity costs.

This amending legislation will play a small part in achieving an improvement in efficiency within SECWA. As a result of the sacrifices made by the Collie coal companies, the miners, and the workers at the power station we will be able to achieve a 25 per cent reduction in electricity costs by the year 2000. We must all remember that at the same time that we are reducing costs by 25 per cent the Eastern States will be reducing costs to a much larger extent.

Transmission costs have a significant effect on electricity costs. Western Australia has one of the longest and least efficient transmission systems. Integration of the transmission system with the Eastern States would reduce costs by a large margin. The Industry Commission's recommendations suggest that transmission sections be privatised as well.

The National Party view, and my view, is that the transmission system in Western Australia should continue to be Government-owned. The transmission system could be operated in many ways. Its costs could be costed-out separately. Perhaps it should be completely separated from the production section. The possibility of the transmission systems' transporting power for private companies generating power is very exciting. It would be an important method of reducing the cost of electricity for consumers in Western Australia.

The National Party supports the Bill. It will be difficult for a few customers to deal with this measure, and when customers manage to rearrange their budgets, and so on, the State Government will not save very much at all. Therefore, I hope that the State Government will apply itself to all the other areas in which efficiencies can be achieved.

MR FRED TUBBY (Roleystone) [11.39 am]: I support the legislation in principle. However, I agree with the remarks made yesterday by the member for Nedlands. He stated that this measure could not have been introduced at a worse time. The member for Collie pointed out that the passage of this legislation will increase the income of the State Energy Commission of Western Australia by \$1 million. Considering the size of the financial structure of SECWA, \$1 million is not a large amount. However, this amending legislation will impact severely on small business particularly because small business people will be required to contribute towards that \$1 million. I do not understand why SECWA could not have delayed this matter for a couple of years until the economy turns around and the State comes out of the recession. Perhaps by then the companies that will be affected will be able to afford such a measure. I emphasise that the introduction of this legislation could not have come at a worse time for small business people.

The Minister stated in his second reading speech that the legislation would not affect small business; but it will. A small coffee shop has a bill of \$3 500 a month for electricity. I spoke to an orchardist in my electorate on the weekend who told me that due to a lack of rain, he was spending \$1 000 every five days for electricity to pump water. These people are not involved in big business; these are small business operations and they are feeling the pinch of the recession. These are the people from whom the Government will draw the \$1 million, and the measure should not be introduced at this time.

I support this legislation on the same principle as I support the legislation I introduced yesterday. Will the Minister support my legislation which will introduce a level playing field? Consumers must pay interest to SECWA on overdue accounts but Government agencies such as SECWA do not have to pay interest on their overdue accounts.

Dr Gallop: My colleague, the Minister for Consumer Affairs will put that position.

Mr FRED TUBBY: That is not an answer.

The DEPUTY SPEAKER: Order! That is not an appropriate line to be pursuing anyway.

Mr C.J. Barnett: One would think that the Minister for Microeconomic Reform would support the proposal.

Dr Gallop: We pay our bills on time.

Mr FRED TUBBY: Rubbish! I spoke to the Minister for State Development, who is responsible for small business, and asked him whether he would support my legislation; he said that he would not. The Government is saying that it is okay for it to impose on business interest charges on overdue accounts, but when it comes to its own operation it will not play by the same rules. This Government has grave credibility problems in the electorate, and with small and large business. One cannot operate with two sets of rules; a level playing field is required and the same rules should apply to business as apply to Government agencies. SECWA deals with private enterprise and it should pay interest in exactly the same way that others pay interest on overdue accounts.

Mr C.J. Barnett: That is particularly true when promoting the idea of corporatisation.

Mr FRED TUBBY: Exactly! It wants an even playing field, but -

Dr Gallop: You are not saying that you want an even playing field; you are saying that this legislation is badly timed.

Mr FRED TUBBY: This facility has not been available previously to SECWA. I agree in principle with the legislation, but it is being introduced at the wrong time. It should be

considered in a couple of years' time, but it is being introduced in the middle of a recession to take another \$1 million a year from private enterprise. This Government is not renowned for helping small business; it is renowned for helping a few of its big business friends. But if it wants to do something to help small business during this recession, it should pay its own bills on time. If the Government does not pay its accounts on time it should at least obey the same rules as those imposed on private enterprise. It is hypocritical for the Government not to do this, and it is no wonder that it has a credibility problem.

The Opposition has introduced legislation into this House to create a level playing field by which the same rules will apply to both parties; if it is good enough for the goose it is good enough for the gander. However, the Government is saying, "We will do it our way and make up the rules to our satisfaction." If the Minister has any principles at all, and wants credibility in the business world, he will support the Opposition's legislation. I will support the Government's legislation because I agree with it in principle, although the timing of it is chronically bad.

MR STRICKLAND (Scarborough) [11.45 am]: I concur with the member for Roleystone's comments regarding the level playing field. This Bill concerns the raising of \$1 million. We have an interesting situation whereby business in recent times has had to provide security deposits for its electricity supply. Will the Minister, if possible, spell out on the record the sort of criteria and procedures which might apply for the State Energy Commission to draw down those security deposits?

Dr Gallop: That is not the issue we are debating today. That is ridiculous. If the member raises the issue at another time, I will take it up. We are discussing interest on overdue accounts.

Mr STRICKLAND: A business with outstanding accounts will be charged interest at the rate of 10 per cent by the State Energy Commission. Also, SECWA holds security deposits - money belonging to other people - and I would be interested to know how the Bill is related to the reduction of security deposits; what arrangements are in place?

Dr Gallop: That is a minor point. Each individual firm can talk to SECWA about that matter if it feels it has a problem. Alternatives are available such as gaining a bank guarantee, reducing the deposit or adjusting the time period for payment. All such things are possible.

Mr STRICKLAND: That is fair enough. A number of alternatives may be available, but members of Parliament should understand what is happening.

Recently, an upset constituent came into my office complaining that his SECWA bill contained advertising regarding SECWA's gas appliance installation activities - that is the nature of the constituent's business. The constituent, as I did, wrote to the Minister and in the reply the Minister indicated that SECWA was interested in making a profit from gas appliance installation. This seems to indicate that SECWA is going beyond its charter.

The DEPUTY SPEAKER: Order! I believe the member may also be going outside his charter. This debate is regarding interest rates on overdue accounts. However, we have heard very little discussion on that topic this morning, except perhaps from the member for Roleystone. It is not possible to restrict the second reading debate closely to the subject matter of the Bill, but the member is raising a particular incident which sounds more like a grievance than a relevant point to the debate. If the member can show its relevance to the Bill, I will allow him to continue - but only on that basis.

Mr STRICKLAND: My interpretation of the Bill is that it is designed to raise money by applying an interest charge. I am relating to the House that SECWA has undertaken other means of raising money. In conclusion, I have put 10 questions on notice to the Minister regarding the nature of the situation to which I referred. The Opposition is concerned that SECWA is raising money by entering into business activities which are normally the confine of small business, and we are concerned about whether a level playing field exists in this area.

MR SHAVE (Melville) [11.50 am]: I refer to the second paragraph of the Minister's speech which says -

Members will no doubt be familiar with various department store credit cards, bank cards, and so on, that charge interest if accounts are not paid within the due time.

There is no relationship between running a Government and the operations of a finance company. Is the Minister suggesting that there should be some sort of corollary with the right of department stores to operate finance companies and to extract interest payments at the rate of 23 or 24 per cent interest and the State Energy Commission's right to charge interest on overdue accounts?

Dr Gallop: It is the principle I am referring to.

Mr SHAVE: It is the principle, which is exactly what I am referring to.

Dr Gallop: There are two ways of dealing with an overdue account. We could take a draconian view and cut off the power, which is not the desirable way to go, or we could try to provide an incentive for people to pay their bills on time.

Mr SHAVE: The principle is that in a time of economic recession and high unemployment the Government should be moving to support small business. When the Minister shows the sort of stupidity that he is showing at the moment, it is very distressing for people in the private sector who are trying to keep people in employment.

Dr Gallop: The State Energy Commission of Western Australia is moving to reduce its tariffs.

Mr SHAVE: I commend the Government on the initiative to reduce SECWA charges by 25 per cent over the next 10 years - that is terrific. When that concession is considered on a yearly basis of 2.5 per cent, any savings are offset by increased security deposits so businesses can have electricity.

Dr Gallop: If they pay their bills on time there is no problem.

Mr Clarko: What is the reason behind SECWA's putting a security deposit figure of \$1 500 on each of two doctors' surgeries, when there is no evidence of their being behind in SECWA accounts?

Dr Gallop: If the member for Marmion writes to me about that, I will look into it. Deposits should not be increased on doctors or any other person who has no record of a bad debt.

Mr SHAVE: I am glad the member for Marmion has raised that because someone supplied me with a copy of a letter they received from SECWA. I would like to discuss this individual case, so I will read that letter. It said -

Periodically SECWA reassesses security deposit levels to ensure they are in line with energy requirements. A recent review indicates that your security deposit amount is inadequate.

SECWA's general policy is normally to require commercial and industrial customers to provide security at a level which approximates two billing cycles. At this level SECWA's financial exposure is minimised and all customers are protected from the flow through effects of defaulting customers.

SECWA therefore requires that your security be increased from \$4,000 to \$13,400.

It just plucks a figure out of the air.

Dr Gallop: They do not pluck it out of the air. The circumstances need to be understood. I am not willing to comment.

Mr Blaikie: Is that the increased fee for the refinery in Kwinana?

Mr SHAVE: This is the deposit factor that will help pay for it. The SECWA letter continues -

The difference between your current security and the reassessed figure is \$9,400. This amount can be paid at any SECWA business office by 20 April 1991.

A guarantee from a bank or another financial institution acceptable to SECWA is an alternative to a cash deposit.

Well, they are easy to get at this time! That is a great relief!

If you have any queries regarding this matter, please contact Mr Philip Hands on telephone number 240 0608.

I will give you a little background on this company to which the Minister's officers were so

gracious as to write. It recently spent in excess of \$1 million upgrading its facilities. It is a small business, and although the Minister may not relate to that, it is in a highly intensive labour market. During the past 12 months it has been experiencing great difficulties, and like all small businesses has been suffering a great deal. This small business wants to contribute to the welfare of Western Australia; it has spent a lot of money. It is keen to employ people - like every small business - and it is presently looking at whether it should rationalise its operations with regard to the staff it employs. Then, bingo, it receives a letter from our Minister -

Dr Gallop: They did not get it from the Minister; that is an improper statement.

Mr SHAVE: I will correct that by saying that the Minister did not write the letter but people under -

Dr Gallop: I will look into it fully to make sure the circumstances are appropriate.

Mr SHAVE: The problem is, Minister, that your people go and do these things without looking at them logically. Other speakers have been trying to tell the Minister -

Dr Gallop: You do not know the circumstances.

Mr SHAVE: It is a pity the Minister has never been involved in business or he would understand some of the problems that businesses have. The Minister should have a talk to the Premier about the possibility of giving someone with business experience the job as Minister for Fuel and Energy. If the Minister were doing his job properly we would not have SECWA writing to small businesses trying to squeeze extra money out of them at a time when this State is in very severe economic difficulties. The people who are employed by small businesses used to vote for the Government. The Minister is kicking the very people he should be helping - the single mother who works down at the local hotel as a barmaid; she is a very nice lady; she might not be very skilled. The Minister has referred to people like her when discussing issues relating to businesses and hotels with which I have been involved. When the Minister comes up with these sorts of proposals, businesses will have no alternative but to lay off these people.

Mr Pearce: When you are talking about these people who used to vote for us, do you put yourself in that same category?

Mr SHAVE: The Leader of the House will be pleased to know that I have never voted for him.

Mr Pearce: Not for me personally, but certainly for the Labor Party.

Mr Clarko: You once belonged to the Liberal Party.

Mr Pearce: That is true.

Mr SHAVE: If the Leader of the House tells me outside that he will be voting for us next time, I will not tell anyone, but I do understand why he would want to.

Mr Blaikie: The Leader of the House is making a valid offer to join the Liberal Party.

Mr Pearce: I have had approaches - don't you worry!

Mr SHAVE: I told the member for Vasse yesterday that the Leader of the House is looking around for another seat, and I am bit worried he is after mine!

Mr Pearce: You shouldn't be worried because you don't want your seat, you're after the member for South Perth's seat.

Mr SHAVE: The member for South Perth is a very competent member of this House, and there is no way I would even consider taking the member's seat.

Mr Clarko: He was one of the best debaters this House has ever seen.

The DEPUTY SPEAKER: I am not convinced this is one of the best debates the House has ever heard. Order! We are debating the State Energy Commission Amendment Bill.

Mr SHAVE: This is a classic example of overadministration. On the one hand the Government recognises that electricity charges are too high, which is a disincentive for people to open businesses in this State and a cause of some large businesses going to Queensland - and I commend the Government for trying to address that problem; on the

other hand the Government is increasing charges in other areas. The Government seems to think that the people do not know what it is doing. The bloke who received this letter can read and he would ask himself what was the point. Do not these people -

Dr Gallop: He should talk to the State Energy Commission about the alternatives and write to me so that I can ensure I can appropriately address the matter.

Mr Court: I have written on a number of cases and the response is that those people have been slightly overdue with payments. They have been long term customers. Once they become slightly overdue that is the excuse for SECWA to impose that big increase in the security deposit.

Dr Gallop: They need to talk it through with SECWA.

Mr Court: We did that a year ago and got a commitment that if a customer had been a long term customer and a good payer -

Dr Gallop: They have that commitment; that is why -

Mr Court: It is your definition of a good payer -

Dr Gallop: My definition is clear. I want to know the circumstances of the case referred to by the member for Melville so that if I believe SECWA is acting inappropriately, I can take action on the matter.

Mr SHAVE: It is not good enough for the Minister to say he is prepared to resolve the problem. As a result of this stupidity there is further lack of confidence in this Government's administration on the part of the small business sector. The Government may well save itself \$1 million. However, the person in the street who is deciding whether to improve the facilities on his premises, or to lay someone off, or to expand, or to send a traveller to the country to look for extra business -

Dr Gallop: How will he be affected by the Bill before Parliament? He will not be.

Mr SHAVE: Those people are affected when they receive letters like the one I referred to earlier which say that the Government does not have enough funds now; it wants more. How much more can small business pay? That is what small business is faced with today. For 10 years Government charges have been leap frogging. That may be all right while inflation is running wild and prices are increasing. However, in a depressed market everyone must look at exactly where they are going. The Minister can say that is what the Government has done; it has worked out that if it implements the proposals in the Bill it can save \$1 million. However, before the Government does something like that, it should examine the downside of that action. The downside of the Government's action is that it further erodes the confidence of small business in this State. It is further discouraging any belief of small business that the Government is interested in helping it. That is a very sad thing. The Government should not look at issues from only the perspective of an administrator who has the ability to read figures. The Minister is a learned man; I commend him for that. However, from a business point of view, he must widen his horizons. Everything that occurs cannot be learnt only in books. The Minister must go out on the street and talk to a few business people. He should not get into his chauffeur driven car, pull out a book and read another novel. On a Friday night, the Minister could go into one of the hotels or clubs he speaks of and have a chat with one of the ladies behind the counter.

Dr Gallop: They are good ladies.

Mr SHAVE: They are very nice ladies. The Minister did not speak too highly of them on a previous occasion.

Dr Gallop: I was referring to your attitude.

Mr SHAVE: No; he made some very derogatory comments about them. He should refer to *Hansard*. I thought his comments were very unkind because those people -

Dr Gallop: I was referring to your attitude, not the ladies.

Mr SHAVE: The Minister may care to say now that he did not make derogatory comments about them.

Dr Gallop interjected.

Mr SHAVE: He implied they were second class citizens.

Several members interjected.

Dr Gallop: Rubbish.

Mr SHAVE: Yes, he did.

Mr Minson interjected.

Mr SHAVE: Absolutely. The Minister must remember that although those people may not be as well off as he is or enjoy the financial stability he enjoys, many of them are very fine people. One of these afternoons, rather than sitting in front of the fire with a good book, he should visit the local hotel and have a talk with some of them; they will broaden his view.

Mr Blaikie: When the Minister goes out there, he shouldn't say he is from the Government and he is there to help them.

Mr SHAVE: The people know that is not true because the bloke for whom they work could have just given them a copy of the letter I referred to earlier and said he was sorry but they have lost their jobs because he has had to fork out another \$9 500 to keep the Government going. Every time a Government or one of its people brings in this sort of proposal, it further erodes the incentive for small business to grow. Small businesses are the biggest employers of people in this State. If the Government wants to continue increasing the unemployment queues it is creating through these measures, all the Minister needs to do is keep reading the books and sending out letters.

DR GALLOP (Victoria Park - Minister for Fuel and Energy) [12.07 pm]: I thank the members of the Opposition for their wide ranging contribution to this debate which deals with the introduction of interest charges on overdue energy accounts. The Bill is intended to make those customers supplied under general conditions of supply pay their energy accounts in a more timely manner. It is to encourage people to pay their bills on time. Of course, the vast majority of customers pay them on time, but there are some who delay payments for extended periods and take an unfair advantage of a free credit facility. I will quote the figures so the situation is clear to members. At present more than 2 000 customers have outstanding arrears worth \$6.6 million. This represents about \$951 000 in increased financing costs to SECWA's customers. In previous instances, that figure has been as high as \$8.4 million with the associated financing costs of \$1.2 million.

I take the point of the Opposition that the timing of this legislation can be seen to be awkward. However, I wonder whether there is any perfect time to introduce this legislation. The reasons given for the so called bad timing are, first, the recession, and secondly the fact that over the last 12 months SECWA has also been examining the security deposits paid by businesses. The difficulty with the argument of the Opposition is that SECWA itself is a business which is responsible for running as best it can along commercial lines. Some of the speakers in the debate today have noted that SECWA's overall operation is already committed to many non-commercial functions. I believe that in 1989-90, the cost to SECWA of non commercial functions amounted to \$198 million, or 7.5 per cent of its total revenue. SECWA already plays a very important role in the community by providing a service throughout the State to ensure adequate provision of electricity. It already helps with rebates to some of its domestic customers with special needs, and it provides a very important community service. However, at the same time it is a business and in its dealings with other businesses it wants to encourage the prompt payment of accounts.

Mr Bloffwitch interjected.

Dr GALLOP: Give them a deposit?

Mr Bloffwitch: I have to give SECWA a deposit; they deal with me, so they should give me a deposit.

Dr GALLOP: That is right, but they pay all of their bills on time.

Mr Bloffwitch: I pay all of my bills on time.

Dr GALLOP: The member can raise the matter with me later and I will follow it up. I have received, and I know the previous Minister also received, a good deal of correspondence concerning this matter. Since the State Energy Commission of Western Australia began the

review of payment reports into 75 000 commercial customers about 400 have been asked to make larger security deposits. I insisted that those firms asked to increase their security deposits be firms which have a record of late payments. As a consequence, less than one per cent of commercial customers have had their security deposits increased. I will follow up any allegations that SECWA is not carrying out that particular function properly.

Mr Fred Tubby: What about new businesses that do not have a credit rating?

Dr GALLOP: They will have to make a deposit based on their estimated account. That figure will then be doubled to arrive at a figure for a security deposit.

Mr Bloffwitch: What do other businesses do, other than the Government?

Dr GALLOP: They have other means by which they can protect their position and SECWA does not.

Mr Shave: Is that right?

Mr Fred Tubby: Like what?

The DEPUTY SPEAKER: Order!

Mr Court: There is nothing stronger than cutting off the power.

Dr GALLOP: That is an option the Government does not want to take. A complaint has been made that this measure will provide for the charging of interest on overdue accounts and it has been suggested that that should be placed into the broader context of SECWA's endeavour to cut electricity tariffs and to create an efficient operation. I acknowledge that we need to examine the broader issue. The Government has brought about some savings through the coal price and tonnage agreements with the coal companies. That was an important step and it comes with the beginning of a program of award restructuring within the SECWA organisation. The first step of that procedure will be in place next Monday when the various work place representatives begin their work. The Government hopes that a wide range of reform in work practices will result from that procedure and that SECWA will be able to achieve real savings.

Mr Fred Tubby: What will those savings be, because I understand that the savings are not going to be passed on to the increased charge at the full rate of inflation, but only half of it.

Dr GALLOP: The Government has already made a performance agreement with SECWA that there will be real reductions in the price of electricity to the tune of half of the consumer price index figure. In answer to a question last night I said that as a result of these improvements, and agreements on the power station, the Government will be able to do better than that. I cannot say at what precise level that will be at this stage because the Government has not received all the figures.

Mr Cowan: The increases will not be as great as they have normally been.

Dr GALLOP: That has always been the case.

Mr Fred Tubby: You are misleading everybody.

Dr GALLOP: The Government has never misled people on that. It has talked about a real reduction in the price of electricity. An improvement in the productivity of the organisation has been achieved and the Government will ensure that achievements are also made within the management levels of the organisation. Productivity will also be improved. The member for Nedlands raised the issue of the proceedings of the Industrial Relations Commission last year. What happened was that under the facilitation of Mr Don Cort, who was previously with the Industrial Relations Commission, a new dispute settlement procedure was agreed to by all of the parties involved. That dispute settlement procedure will go back to the Industrial Relations Commission next month as part of the agreement that was entered into last year. All of those matters are being dealt with within the organisation. The Government is not trying to penalise small businesses in Western Australia by proposing this Bill. The Government believes that it is not appropriate for the Government to encourage small businesses to pay their bills late. Most people involved in small businesses or, indeed, in the large business sector, would agree that we ought to encourage the prompt payment of any account.

Mr Fred Tubby: It sounds like you are quoting from my Bill. Why not include the Government and make it a level playing field?

Dr GALLOP: There is no evidence that the Government does not pay its bills on time. The Bill will encourage businesses to pay their bills on time. That will mean, in practical terms, that a meter is read and within a couple of days the bill is sent out. The small business has 21 days in which to pay that bill. After that 21 days has expired the small business will be issued with a reminder notice. So, three weeks is given from the point at which the meter is read to the point at which the interest is charged. A few days' grace is also allowed. That is a reasonable measure. If the business does not pay by the day the reminder notice is issued interest will be charged. That will be subject to regulation and will come back to the Parliament.

Mr Court: Have you a computer program for the interest payments?

Dr GALLOP: I am not sure about that. The Bill proposes reasonable measures. The Government is not trying to punish small businesses, it is simply trying to introduce a system that provides an incentive for those businesses to pay on time.

Dr Turnbull: It does not provide an incentive, it is a disincentive.

Dr GALLOP: It provides a disincentive to pay an account late.

Mr Court: Why do you not do it the other way?

Dr GALLOP: The Opposition has never suggested an alternative approach. Members may be surprised that those businesses that do not pay their bills on time are often not small businesses but large businesses, and they are earning free credit facilities from the rest of us. This is a reasonable measure. I take into account all of the points made by the Opposition about the difficulties facing small businesses in the current recession. I certainly believe that the Government should respond to those difficulties but I am not sure that allowing people not to pay their bills on time is a good way to deal with the difficulties being faced by those small businesses.

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Dr Alexander) in the Chair; Dr Gallop (Minister for Fuel and Energy) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 124 amended -

Mr COWAN: On what basis was the interest figure of \$1 000 determined? What proportion of those businesses would fall into that category? Why has the Government established the figure of \$1 000? That does not mean that I am opposed to it. I do not want people with accounts of less than \$1 000 suddenly brought within the terms of this provision.

Mr COURT: Do all people receive their accounts at the same time? Are they monthly accounts or three monthly accounts, or do they relate to the amount of electricity one uses? If the amount owed is above a certain figure, is the account sent out earlier? I remember when we received electricity accounts once a year. We then received them twice a year and now we receive them every two months. It is a common practice in business to provide a genuine discount if an account is paid promptly. Local government has implemented some novel ways to get its rates paid early. It sets down clearly that if the account is paid by a certain time there will be so much discount and if the account is paid early the ratepayer is eligible for a raffle for a trip. Surely there must be a better way than this provision to encourage people to pay their bills on time.

Dr GALLOP: It was calculated that the amount of interest applicable to smaller overdue accounts would be unlikely to recover the administrative costs of collection. The amount of \$1 000 is a reasonable figure. It means that the costs associated with the collection process will be met properly. We have no intention of lowering that figure. I cannot answer the member for Nedlands' question about the periods chosen for payment of accounts. I know that subject has a history and I know that some firms have reduced their security deposits by reducing their billing periods. That option has been put to some firms.

Mr Cowan: Do you know that that is contrary to the provisions of the Act?

Dr GALLOP: I will follow up that also. I am happy to discuss with SECWA management the suggestion that a discount be offered for the early payment of accounts. However, members should understand that there is a cost to SECWA when firms do not pay their bills on time. One thing we are trying to do is put SECWA on a proper commercial foundation.

Mr SHAVE: In view of the fact that the Minister wants to place SECWA on a commercial foundation, will the Government consider paying people a fair interest rate on the deposits that it retains? It is inequitable for the Government to hold moneys on someone's behalf without paying interest. Sometimes the deposits total \$13 000. The Government should pay commercial interest rates on those deposits. If the Government is not prepared to pay that interest rate, will it consider abolishing the deposits for businesses that have a track record of paying their accounts on time? Section 16 of the State Energy Commission Act states that the commission shall pay or give credit for interest on money held by the commission by way of security "on behalf of any person or body in such manner and at such rate as may be prescribed". I assume from that that the Government is paying interest on moneys it holds as deposits.

Dr GALLOP: Even though this subject does not pertain to this legislation, interest is paid on security deposits held and credited annually to the customer's energy account. The rate paid relates to SECWA's borrowing costs for the previous year. For the year ended June 1991, interest will accrue at the gazetted rate of 14 per cent.

Mr SHAVE: That makes me feel a lot better. The Minister referred to the deposits being similar to commercial dealings.

The CHAIRMAN: Order! This is outside the scope of clause 3. It is incumbent on members in the Committee stage to be specific.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Dr Gallop (Minister for Fuel and Energy), and transmitted to the Council.

PUBLIC WORKS AMENDMENT BILL

Second Reading

Debate resumed from 21 March.

MR C.J. BARNETT (Cottesloe) [12.32 pm]: This Bill seeks to amend the Public Works Act 1902 which provides for the Minister responsible for Works to delegate powers with respect to property and land transactions to Ministers responsible for Government agencies which have a significant workload in property and land transactions. Such delegation exists for the State Energy Commission of Western Australia, the Main Roads Department and the Water Authority of Western Australia. This Bill seeks to extend that delegated power to the Minister responsible for the Office of Government Accommodation.

On the surface the Bill appears not only to be quite a sensible proposal, but also to be quite an innocuous piece of legislation. However, it raises two serious issues which I intend to address: The acceptance of ministerial responsibility and the cost effectiveness of decisions relating to the acquisition and utilisation of Government accommodation. In discussing these two issues I will draw on two examples; first, the Westralia Square development and, second, the proposal to relocate the Department of Land Administration to Midland.

The Office of Government Accommodation was established under the Public Service Act to be up and running by November 1985 and it was to be operated under the direction of a Government accommodation board. Early in 1990 responsibility for the OGA shifted from that board to the responsible Minister; currently it is the responsibility of the Deputy Premier. The annual report of the Office of Government Accommodation notes two objectives for the

office. The first objective is to provide advice to Government on accommodation policies and strategies.

Mr Blaikie: It's a pity the Minister isn't in the House.

Mr C.J. BARNETT: He may acquire some interest in the debate as it proceeds.

The second objective is to ensure that Government accommodation is delivered and utilised cost effectively and in accordance with the Government's priorities, policies and strategies. In other words, the Office of Government Accommodation and, indeed, its controlling board, has two responsibilities: First, to provide advice to the Government and, second, to ensure that the Government's accommodation requirements are acquired and managed in a cost effective way.

There cannot be any doubt at all that the Westralia Square project is an example of what is now accepted as WA Inc. This project fits within the terms of reference of the Royal Commission and quite a lot has been said about it in this House. I will briefly recap on its history: In November 1987 the State Government Insurance Commission purchased some \$500 million-worth of assets from the Bell Group. Included in that purchase was \$206 million for properties including the old Perth Technical College site - the overall site is now known as the Westralia Square site. To acquire those properties and the other bits and pieces, including the BHP shares, the SGIC borrowed the funds. It discovered that the return on the properties, including the Parmelia Hotel, was about five per cent and the cost of its borrowings was in the order of 15 per cent. The SGIC was clearly bleeding on the arrangement and it had to dispose of the property as quickly as it could.

In June 1988 the SGIC sold those central city properties to Messrs Anderson and Packer for \$270 million which, on the surface, may appear to be quite a good deal. However, the particularities of the vendor financing package offered were extraordinarily attractive. Of the \$270 million, \$90 million was paid in cash at that time; the second \$90 million was interest free for 18 months; and the third \$90 million was interest free for two and a half years. In addition, the SGIC agreed to put \$150 million into a property trust controlled by Anderson and Packer. The final element of the vendor deal which I will concentrate on was that the SGIC entered into a rental agreement. It agreed to take 32 000 square metres of office space in the Westralia Square project at a rental of \$400 per square metre - a total commitment of \$64 million over five years.

The next stage in this sorry saga occurred in December 1988 when, as part of the renegotiation of the arrangements for the David Jones site, the Westralia Square project was renegotiated. The SGIC and the Government Employees Superannuation Board became partners in the project - the SGIC's share was 70 per cent and the GESB's share was 30 per cent. That time around they agreed to buy back some of the property for \$55 million and to pay \$184 million to purchase one of the Westralia Square towers. In other words, the total commitment was \$239 million. The SGIC tore up the rental agreement to take 32 000 square metres of office space, but instead it and the GESB owned the whole damned building. It went from a commitment of \$64 million to be paid over five years to a commitment of \$239 million to be paid over three years; that was another absolutely brilliant financial deal for the State. The already cash-strapped SGIC and GESB were then in deeper trouble. At that stage the SGIC and GESB owned an office tower about to be built. They had a huge commitment, and they also had another problem; they were the owners of 32 000 square metres of prime office space for which they had no tenants. This situation was of interest to the Auditor General. In his 1990 report he noted that when presenting its accounts the GESB had indicated a valuation of \$31 million for its 30 per cent share in the building on the basis that it was fully tenanted. The Auditor General, quite rightly, questioned this valuation and asked for some proof that the building was fully tenanted. The GESB had some difficulty substantiating the valuation of \$31 million as at June 1989, because it had no tenants for the office space. It needed a white knight, and along came that white knight in the form of the Office of Government Accommodation. On 27 November 1989 - and not in June 1989 when the valuation of the property was made - the GESB produced for the Auditor General documentation from the Office of Government Accommodation indicating that it would lease 53 per cent of the building; that is, 16 000 square metres of the rental space. The OGA was involved in the WA Inc deal up to its eyeballs.

We should also question the amount OGA is paying to rent this office space. I understand that OGA will pay \$420 a square metre for its 16 000 square metres of Westralia Square. I have been making a few inquiries about comparable commercial rates in the central business district. I am advised by people respected within the industry that similar rental accommodation on the open market would attract a rental of approximately \$300 a square metre; some would be available for as low as \$250 a square metre and some for as high as \$350 a square metre. Yet the Government has committed the taxpayers of this State to a rental of \$420 a square metre.

Points of Order

Mr PEARCE: I have not been particularly listening to the debate but, as the Minister dealing with the Bill, I indicate that in the course of the past few months a view has developed that any word that appears in a Bill can be extensively debated. This Bill provides for the Minister responsible for the Office of Government Accommodation to be included among those Ministers to whom powers and duties may be delegated under the Public Works Act. The Opposition apparently sees some problems in the operation of OGA and it appears to think that it can now generally debate that subject. I have sat through the speech being made by the member on the basis that he would deal with this matter in passing, but 10 minutes into his speech he has still not raised the subject matter of the Bill, and he appears to want to speak for an hour on the previous activities of the Office of Government Accommodation and others. I wonder whether our leniency and yours, Mr Speaker, has not been touched upon too extensively in this regard.

The SPEAKER: I did not have a copy of the Bill in front of me and, therefore, I was not aware of its contents. I assumed the member had been talking about the Bill. I now have a copy of the Bill which fully covers half a page, and I suspect it would be very difficult not to rule in favour of the point of order taken by the Leader of the House. Therefore, I do so. That is not to say that the member for Cottesloe may not have a good point which he wishes to raise in this House. I suggest that he conclude his comments in one or two sentences and then speak to the subject matter of the Bill. There are methods in this House by which those sorts of matters can be raised, if they are important enough. The member should contemplate using another vehicle to pursue the course he is trying to pursue in the debate on this Bill.

Mr BLAIKIE: I seek further clarification on this point of order. I draw your attention, Mr Speaker, to the second reading speech by the Minister which, in the second paragraph, states -

The purpose of this Bill is to amend the Public Works Act to provide for the delegation of the powers and duties of the Minister for Works in relation to land and property transactions conducted by the Office of Government Accommodation.

With due respect, I point out that the member for Cottesloe has been relating his comments to the Office of Government Accommodation.

Mr Pearce: Rubbish! You just made my point; thank you. The Bill refers to a change in the delegation of powers and duties. The member for Vasse either has not read the Bill, or he has read it and not understood it.

Mr BLAIKIE: I have read the Bill; it clearly refers to the Office of Government Accommodation, and that was the subject of the member for Cottesloe's speech.

The SPEAKER: I can take a course of action designed to accommodate everybody. I want to consider this matter carefully, but I do not have a copy of the second reading speech in front of me. Since it is close to the luncheon adjournment, I suggest that the member for Cottesloe seek leave to continue his remarks at a later stage of this day's sitting so that we can suspend the sitting. During the break I intend to read a copy of the second reading speech, and I will make a ruling after question time.

Debate Resumed

[Leave granted for speech to be continued.]

Debate thus adjourned.

[Continued on p 1676.]

Sitting suspended from 12.48 to 2.00 pm

[Questions without notice taken.]

PERSONAL EXPLANATION - BY THE MEMBER FOR MANDURAH

Local Government Mandurah Elections

MR NICHOLLS (Mandurah) [2.32 pm] - by leave: On May 4 I received an STD call in my office from a female who suggested she was able to vote in the Mandurah local government elections and that she had been absent and did not know the candidates of the town ward. She asked me for an indication of who were the candidates. I explained who they were and provided their names. In responding to further questions I gave some background on each candidate. At no time did I give any indication of whom to vote for. I reject the assertion made by the Premier against me during question time and I can only assume it was a blatant attempt to try to smear my name and to try to gain some sort of political advantage.

MINISTERIAL STATEMENT - BY THE MINISTER FOR ABORIGINAL AFFAIRS

Royal Commission into Aboriginal Deaths in Custody - National and Regional Reports

DR WATSON (Kenwick - Minister for Aboriginal Affairs) [2.34 pm] - by leave: For the information of members, I present the national and regional reports of the Royal Commission into Aboriginal Deaths in Custody.

[See papers Nos 298 to 300.]

Dr WATSON: This Royal Commission has involved an unprecedented inquiry on a national level into the conditions of Australia's indigenous people. The report is very critical of the operation of the legal and corrective services system for the most disadvantaged group in Australia's society, and of our society for allowing that situation to develop and to persist. The Royal Commission was established on 16 October 1987 in response to concerns of Aboriginal and non-Aboriginal people on a local, national and international level about the number of Aboriginal deaths in custody and the unsatisfactory public explanation given for those deaths. Inquiries were made into the deaths in custody of 99 Aboriginal and Torres Strait Islander people which occurred between 1 January 1980 and 31 May 1989. The Royal Commission has examined in close detail both the lives and the deaths of the individuals concerned, and the huge range of social and historical factors operating to produce the situations these people faced. Public hearings were held, families were represented by legal counsel, relevant people were interviewed wherever possible, and all aspects of custodial care and legal processes were examined. Reports on the circumstances of individual deaths have been presented in the relevant jurisdictions and tabled as they become available. Six commissioners were involved in the investigations.

The national report submitted by Mr Elliot Johnston, QC, summarises the findings of the reports on the individual deaths prepared by the individual commissioners and addresses the underlying social, cultural, legal and economic issues which were seen to have contributed to those deaths. All specific recommendations - of which there are 339 - are confined to the national report. In addition to the national report, are the reports by Commissioner O'Dea who discusses the individual deaths in custody in Western Australia and identifies a number of factors contributing to those deaths, and Commissioner Dodson who has specifically examined these underlying issues and discussed in depth means of addressing those issues. There are in all nine volumes of the report.

I know I can speak on behalf of all of us in expressing deepest sympathy to the relatives of the deceased. The fundamental thrust of the national and regional reports is that the principal and immediate explanation for the deaths in custody is the disproportionate rate at which Aboriginal people are detained, arrested and imprisoned in Australia. In Western Australia Aboriginal people constitute 2.7 per cent of the population, yet 54.2 per cent of all police custodies in Western Australia are Aboriginal. Aboriginal people are over-represented by 43 times in police custody and 26 times in prison settings. Thirty-two of the 99 deaths which occurred nationally were here in Western Australia. Western Australia has had more Aboriginal deaths in custody per head of the Aboriginal population than any other State, in

fact approximately twice the national average. Commissioner O'Dea found that deaths investigated in Western Australia fell roughly into three categories:

Natural causes/medical cases	19
Suicide/hanging/self harm	9
Other cases involving violence	4
Total	32

In general the Commissioners did not find evidence of deliberate violence or foul play by custodians. However, what was found was that in many cases deaths were contributed to by a general lack of care by custodial authorities. Commissioner O'Dea stated -

In particular, police officers appeared indifferent to procedures designed to meet the legal responsibilities of those having a duty of care over people in custody, and assessment and screening of Aboriginal detainees for injury, illness or mental well-being was often minimal or non-existent.

He also expressed concern that emphasis is continually placed on security rather than on prisoner welfare.

The commissioners have found that Aboriginal people in custody do not die at a greater rate than non-Aboriginal people in custody. Instead, the number of Aboriginal deaths is directly related to the over representation of Aboriginal people in custody. Commissioner Dodson points out the importance of considering not only the premature deaths in custodial settings, but also the number of premature deaths which have occurred and which continue to occur among the Aboriginal population outside custodial settings. The "most striking feature" of the Aboriginal deaths in custody was the chronic ill-health of most of the prisoners. Three men in their twenties died from ischaemic heart disease.

The median age of those who died in custody in Western Australia was only 28. Aboriginal people in 1985-86 had a mortality rate of nearly three times that of the general Australian population and have a life expectancy of 18 years less than the average Western Australian. Alcohol has been shown to be a significant factor in the high detention rate, the poor health and ultimately the deaths of many Aboriginal people. All of the deaths in custody cases in Western Australia were in some way associated with alcohol. The average post mortem blood-alcohol levels of those who died by their own hand in police custody was 0.223 per cent. It is important to note, however, that 22 of the 32 deaths in Western Australia had a post mortem blood alcohol level of zero. A significant observation is that in some areas where hundreds of arrests are made for alcohol related offences there have been no hanging deaths in custody, while other places which do not have a public drinking problem have experienced deaths in custody. Alcohol is only one of a number of interrelated factors, such as the custodial environment, which contribute to Aboriginal deaths in custody. Alcoholism must be seen as a symptom rather than a cause of the disadvantaged and unequal cultural, social and economic position in which Aboriginal people find themselves in today's society.

An analysis of the nine Aboriginal people who died by their own hand establishes a number of common factors contributing to their deaths -

- (1) eight of the nine had been separated from their families during childhood;
- (2) eight of the nine had been committed to the care of the Child Welfare Department;
- (3) eight of the nine had convictions for alcohol-related offences;
- (4) all nine had convictions as juveniles, some as early as 10 or 12 years old;
- (5) all were single or separated;
- (6) all were unemployed.

On a national scale, the vast majority of the 99 people who died in custody had early and usually repeated contact with the criminal justice system.

Juvenile justice has been the subject of considerable debate in this State. Western Australia has twice the national average of juvenile detention. Sixty-eight per cent of children in

custody are Aboriginal, yet Aboriginal youth constitute only 4.1 per cent of the population. Only one of the deaths investigated by the Royal Commission in WA was a juvenile. However, 75 per cent of those who died commenced their involvement with the criminal justice system as juveniles. Despite significant changes in the treatment of juvenile offenders since 1982, the Royal Commission has identified the need for further urgent reforms - in particular, in reference to the over representation of Aboriginal offenders in custody and the ineffectiveness of incarceration as a deterrent. There is a need to continue developing alternative sentencing options and to review police policies and practices, as well as the role of the Department for Community Services in the juvenile justice process. The involvement of Aboriginal people, organisations and communities in the sentencing and supervision of Aboriginal defendants is a vital factor, not only affecting the future of juvenile justice issues, but also in addressing the whole criminal justice system.

The Royal Commission makes a number of recommendations addressing the criminal justice system with a view to reducing the number of Aboriginal people in custody. A number of options are available to police at the time of arrest and to courts at the time of sentencing to divert people away from the prison system and into community based corrections. The report stresses the need to make better use of these options, as well as the importance of appropriate training and the creation of new options to meet particular needs and circumstances. Commissioner Johnston recommends the establishment of an independent Aboriginal justice advisory committee in each State and Territory to provide the respective Governments with advice on Aboriginal perceptions of criminal justice matters, and on the implementation of the recommendations of this report. I think this recommendation is worth very careful consideration.

I fully concur with Commissioner O'Dea's statement that -

There can be no reasonable expectation of lessening the risk of Aboriginal deaths in custody unless recommendations designed to reduce the numbers in custody or to ameliorate its effects are fully implemented.

The significant gains made over recent years since the implementation of many of the recommendations of the Vincent report and of the Royal Commission interim report are recognised and welcomed. Improvements in relations between Aboriginal communities and custodial authorities and in the care of detainees have been commended by the commissioners. One of the more successful initiatives has been the establishment of the Aboriginal visitors scheme. This scheme provides a roster of Aboriginal people to provide support and counselling to Aboriginal detainees. It is now operating in Kalgoorlie, Broome, Geraldton, Albany and in the Perth metropolitan area. Other initiatives include -

- (1) the establishment of Aboriginal-police liaison committees in a number of centres;
- (2) the decriminalisation of drunkenness;
- (3) the establishment of sobering up centres;
- (4) the enactment of legislation enshrining the principle that imprisonment is a sanction of last resort;
- (5) the modification of cells to reduce the risk of suicide;
- (6) better assessment of the physical and mental health of detainees;
- (7) revised training of custodial officers in the care and management of detainees;
- (8) increased penalties for supplying alcohol to intoxicated people and juveniles;
- (9) increased recruitment of Aboriginal people in the Police and Corrective Services Departments;
- (10) improvements in the standard of post-death investigations and a review of the Coroners Act.

However, as Commissioner O'Dea states, "despite the initiatives which have already been taken it is clear that much more needs to be done to remedy inadequate systems and practices which have for too long been ignored."

Many of the Commissioners' recommendations propose better use of existing facilities and

policies. There is a need to continue improving the standard of training for police and prison officers, to provide adequate resources for health care and to take proper account of cultural differences. Special attention must be paid to effectiveness of post-death investigations. In 20 of the 32 cases investigated by the Royal Commission, the coronial-sudden death investigation conducted by police was found to be inadequate and in some cases seriously so. As I have stated, much has already been done to address deficiencies identified in the Royal Commission's interim report.

The criminal justice system is only one of two levels at which the problem of reducing the number of Aboriginal people in custody is tackled. The other level addressed by the Royal Commission is the reasons that Aboriginal people come into contact with the criminal justice system in the first place. These underlying issues are identified as the fundamental causes for the over-representation of Aboriginal people in custody and are the issues on which we as a community must focus. The most significant contributing factor is as stated by Commissioner Johnston, "the disadvantaged and unequal position in which Aboriginal people find themselves in the society - socially, economically and culturally."

The national report, and in particular Commissioner Dodson, discusses the devastating effects that 200 years of European domination has had on Aboriginal society. The historically oppressive and discriminatory nature of the legal system has meant that Aboriginal people have been excluded from the fair and equitable exercise of their rights in relation to due processes of the law. Deliberate and systematic Government policies of dispossession of land, institutionalisation, assimilation and integration have all served to disempower Aboriginal people and make the Aboriginal population dependent upon Government and other authorities. Commissioner Johnston acknowledges that despite considerable experience in Aboriginal issues, he had no real idea of the degree of "pin pricking domination, abuse of personal power, utter paternalism, open contempt and total indifference" which confronted Aboriginal people in their everyday lives, with no personal control over one's own children, one's employment, personal savings and decisions as to whether to buy a car or other personal belongings. He points out that communities today are still faced with a multiplicity of special purpose grants which effectively means that the decisions as to what is best for Aboriginal people are being made elsewhere.

The reports demonstrate the need to address the consequences of the social, economic and cultural disadvantages which have developed in the Aboriginal community as a result of European domination, control and racial inequality. This disadvantage and inequality is both directly and indirectly linked to the disproportionate numbers of Aboriginal people in custody. Proposals to eliminate these disadvantages require an end of domination and a return of control of Aboriginal lives and their communities to Aboriginal hands. Thus, the central issue in the report and of the recommendations is the empowerment of Aboriginal society and Aboriginal people's right to self-determination. The report examines the disadvantaged position of Aboriginal people in relation to health, housing, education, employment and income. It also discusses the land needs of Aboriginal people. Commissioner Johnston states on page 467 -

It was the dispossession and removal of Aboriginal people from their land which has had the most profound impact on Aboriginal society and continues to determine the economic and cultural well-being of Aboriginal people to such a significant degree as to directly relate to the rate of arrest and detention of Aboriginal people.

There is no legislation in Western Australia which appropriately addresses Aboriginal land needs. The proposed Aboriginal land rights Bill was defeated by the Opposition in 1985. Since that time, however, this Government has established a system for granting 99 year leases to relevant communities over Aboriginal reserves now vested in the Aboriginal Lands Trust. The purchase of a number of pastoral stations and the provision of excisions for community living areas on pastoral leases, and more recently in national parks, have also attempted to meet some of the needs of the Aboriginal people. Secure title to land is important not only in protecting sites of significance and preserving cultural life, but in providing an economic base for Aboriginal communities. This Government will continue to do what it can to meet Aboriginal land needs. It is important that all Government agencies recognise how critical land is to the aspirations of Aboriginal people. The commission's report continually stresses the need to include Aboriginal communities and organisations in any negotiations and decisions which affect Aboriginal people. Aboriginal people should not

only be consulted, they must also be involved in setting the agendas for that consultation. This Royal Commission has highlighted the importance of Aboriginal organisations in raising the status of Aboriginal people and in improving relations with the broader community. Of particular benefit is the emergence of organisations which make possible initiatives in Aboriginal police relations. It is vital that such organisations are appropriately funded and that Aboriginal people are involved in setting funding priorities.

The report shows that Aboriginal people have the will and a demonstrated capacity to exercise control over their own lives. Empowerment and self-determination require assistance from Government agencies and the broad society to make up for prior deprivations, and a procedure to supply that assistance without threatening the independent status of the Aboriginal communities. Aboriginal people should be allowed time to assess their position and to set their own directions and timetables rather than be crowded with programs. Advice or assistance should be provided on request.

The commission reminds us of our international obligations in recognising standards relating to custody and racial discrimination. It also addresses the question of reconciliation between Aboriginal and non-Aboriginal Australia. Earlier this year the Federal Minister for Aboriginal Affairs, Mr Robert Tickner, released a discussion paper proposing a strategy "for achieving reconciliation and social justice for Aboriginal and Torres Strait Islander people". The process of reconciliation must carry with it a complete rejection of the concepts of superiority and inferiority which have been evident in Australian society for the past 200 years. It will involve taking concrete measures to tackle disadvantage and to establish a process of self-determination. This will not be achieved overnight. It will require committed bipartisan support from all levels of Government, and from the Australian community in general. This must happen as a matter of urgency.

There are 339 recommendations in the report of the Royal Commission into Aboriginal Deaths in Custody. These recommendations need to be studied in detail, and a whole of Government approach taken in the adoption and implementation of those recommendations. This will be done in full consultation with, and with the maximum involvement of, the Aboriginal community in this State. A Cabinet subcommittee of relevant Ministers has been established this week to review the report and its implications for Government. Departments and agencies will fully examine the recommendations of the report, and priorities for the State Government will be assigned in preparation for the national coordination strategy announced by the Federal Minister to begin in July.

In conclusion, I quote Commissioner Dodson, who said of the 29 Aboriginal men and three Aboriginal women who died in custodial settings in this State throughout the period 1980-89 -

Their lives and deaths should not end with this Commission. They offer to us all, the beginnings of a new and better chapter in our relationship, and in the history of what is now known as Western Australia.

MR MACKINNON (Jandakot - Leader of the Opposition) [2.55 pm]: In responding to the Minister's statement in relation to the report of the Royal Commission I indicate, firstly, it is probably the largest report tabled since I have been a member of Parliament and it is certainly one of the most important. It contains 339 recommendations, and I hope from the outset that the Government will give the report much more attention than just a ministerial statement to the Parliament. I have read a statement indicating that the Government's response will be the appointment of a committee of Ministers; that seems very much of a "Yes Minister" response. I hope the Parliament will have an opportunity to better assess the implications and totality of the report containing 339 recommendations, and which has cost millions of dollars, than just 20 minutes debating time for speakers on either side of the House.

Several points should be made about the report before going into detail. If people use this report to embark on a police or prison officer bashing exercise, it will be a pointless exercise. It would seriously devalue the report and it would not achieve anything. It would reflect an attitude of looking backwards rather than forwards. The findings which apply specifically to the administration of the law, health, housing and education areas must not be ignored. The report contains very many relevant points, and I can assure the Parliament that the Opposition will examine those aspects to ensure as far as possible that its policies reflect the concerns expressed in the report and, to some extent, the recommendations.

The report must also not be seen as just a report into Aboriginal deaths in custody; in fact, it is a much broader report. It identifies the problem of deaths in custody and then quite markedly expands its terms to include all Aboriginal issues, as the Minister indicated in her speech. It is a broad-ranging report which contains widespread coverage of Aboriginal issues. Therefore, the response should not be narrow but should be a broad response.

Finally, and most importantly, lest people be misled by some of the media comment and other individual comments about the report, it must be kept in perspective. I noted carefully the Minister's comment that -

The Commissioners have found that Aboriginal people in custody do not die at a greater rate than non-Aboriginal people in custody.

The rate of deaths among prisoners in custody is no greater for Aboriginal people than for non-Aboriginal people. The report makes the point that many more Aboriginal people are in prison compared with non-Aboriginal people, and that is the predominant reason for the number of Aboriginal deaths in custody being higher as a percentage of the population. By and large, Aboriginal prisoners are not treated markedly differently from non-Aboriginal prisoners. That is a very important comment that should be kept in perspective when we address this whole issue. Any consideration of the treatment of prisoners, irrespective of their background, should centre on the issue of fair treatment. The fact that Aboriginal people represent a higher percentage of prisoners is a different issue, and that aspect of the report should be addressed as a matter of priority.

I turn now to the report and recommendations of the Royal Commission. I would be the first to acknowledge that the Government has made some positive moves in this area. Firstly, it has made changes to the cells in particular - and I have inspected those cells in country areas - to try to remove the possibility of individuals, whether they be Aboriginal or non-Aboriginal, committing suicide. Secondly, there is now a greater level of supervision, and the Government has made some attempt to improve the professional training of prison officers, although it still has a long way to go. Thirdly, the Aboriginal visitors scheme has been a great success. I have spoken to many Aboriginal people who are involved in that program, and they acknowledge that it is working well. I commend the Government for that initiative, and particularly the Aboriginal people who are involved in that scheme. On the other hand, the Government has been very slow to respond in other areas; I refer specifically to the problem of alcohol, which the Minister commented on and which is central to the report. The Minister states on page 6 of her statement that -

Alcohol has been shown to be a significant factor in the high detention rate, the poor health and ultimately the death of many Aboriginal people. All of the deaths in custody cases in Western Australia were in some way associated with alcohol.

That is an important comment, and Mr Justice Muirhead made some recommendations in that regard in his initial report. In this respect I do level criticism at both the State and Federal Governments because I do not believe enough has been done. This is a major area of concern, which by and large has not been given the attention it deserves. Mr Justice Muirhead recommended, first, that we abolish the offence of public drunkenness. That has been done, but - and I heavily emphasise that word - he went on to say the abolition of the offence of public drunkenness should be accompanied by adequately funded programs to establish and maintain facilities for the care and treatment of intoxicated persons; in other words, detoxification centres. That has not occurred. A very poor and half-hearted attempt has been made to address this issue. The Government can say all it likes about its having abolished the offence of public drunkenness, but because there is not an adequate number of detoxification centres alcohol is still a problem. I challenge the Minister to go into the community, particularly into country towns, and find one detoxification centre. Those centres do not exist. The Government has had more than two years to address the recommendations of Mr Justice Muirhead.

The second area where the Government has been irresponsible is that of juvenile crime. The Minister for Community Services is so far out of touch that I do not think he even knows what reality is. Mr Burke said at the airport on his return from Ireland that he thought he had been living on another planet. I think he probably wishes now that he was. I am absolutely certain the Minister for Community Services lives on another planet, given some of the comments he has made.

The Minister for Aboriginal Affairs stated on page 7 of her statement that -

An analysis of the 9 Aboriginal people who died by their own hand establishes a number of common factors contributing to their deaths.

One of those factors was that all had convictions as juveniles, some as early as 10 or 12 years old. That highlights the point we have been making since the last election; namely, the time to address juvenile crime is at the first conviction. We should identify the problem at that stage and do something about it. It is no good waiting, as the Government does, until the person is on his fifth, tenth or fifteenth conviction and then do something about it. That is just too late. The Minister stated that another common factor was that they were all unemployed. How do members opposite feel when they sit behind a Premier who stands in this place today and says she feels very optimistic about the unemployment figures? The figure is 11.1 per cent, and she is optimistic!

Mr Kierath: The worst since the Depression.

Mr MacKINNON: Yes. The Minister also stated -

However, 75% of those who died commenced their involvement with the criminal justice system as juveniles.

We have been making the point over and over again that irrespective of whether the juveniles are Aboriginal, we must look seriously at the issue of juvenile crime. The Government is out of touch, and the community knows it is out of touch. The Government must identify the problem much sooner than it is and give it proper attention, and not continue going down a path which leads to failure.

The third criticism I have of the Government is in respect of consultation. The comments made by the Minister indicate that she must have come down in the last shower, and I can tell her that thousands of Aboriginal people laugh at her when she makes these sorts of statements. The Minister stated -

The Royal Commission reports continually stress the need to include Aboriginal communities and organisations in any negotiations and decisions affecting Aboriginal people.

Aboriginal people should not only be consulted, they must be involved in setting the agendas for that consultation.

The Minister knows that is just not true in Western Australia. The Minister's consultation is with a select group of Aboriginals, and not the people who represent the whole community. Does the Minister deny that recently she has been meeting Clarrie Isaacs, Greg Benn, Robert Bropho and Andy Nebro, to talk about Aboriginal sites and about who should represent the Aboriginal people in that area?

Dr Watson: No, but I have also met many other people.

Mr MacKINNON: Petitions are now being circulated among the Aboriginal communities in this State, expressing outrage that the Minister is trying to deal with a select group of Aboriginal people who do not represent the interests of the majority. The Minister is not prepared to listen to those people. While I am not opposed to the old Swan Brewery development on Aboriginal grounds, and I have never done that - I believe it is wrong for other reasons - how can the Minister sit there and say there has been consultation when she is ignoring totally the claims which have been made by those other Aboriginal people? Those people are entitled to be angry. I am sure that when they see this sort of comment continuing to be made by the Minister their anger will be maintained.

The report of the Royal Commission highlights what we have been saying for some time. The Minister stated -

The report examines the disadvantaged position of Aboriginal people in relation to health, housing, education, employment and income.

We have said consistently that these are the issues which Aboriginal people are predominantly interested in. Our policies will address those issues. The Minister said the report "also discusses the land needs of Aboriginal people." I place on record now, lest there be any doubt from any group in the community, that my party will never support land rights;

it never has and it never will. We believe that will not resolve the problems of Aboriginal people or of Australians in general. However, that does not mean that we are opposed to Aboriginal people's having access and title to, and using, land. We have always indicated that we support that process, but not on a basis that deals with Aboriginal people in a totally different way, ostracises them, and treats them as one separate section of society when we are all Australians together and must live together. That part of the report, which I think is the most important part, will be given proper attention by the Opposition as we develop our policy statements.

Finally, I am very disappointed at the response of the Government at the end of the day, because in response to this massive report, containing 339 recommendations, we have seen Sir Humphrey at it again. The statement of the Minister read in part -

These recommendations should be studied in detail and a whole of Government approach taken in the adoption and implementation of those recommendations.

Mr Ripper: Is that wrong?

Mr MacKINNON: I will come to that in a moment. The Minister's statement continued -

This will be done in full consultation with and with the maximum involvement of the Aboriginal community in this State.

This week a Cabinet Subcommittee of relevant Ministers has been established to review the report and its implications for Government.

In answer to the question by the Minister for Community Services, yes, I believe it is wrong, because there is no opportunity for the public and the non-Aboriginal community of Western Australia to have an input.

Dr Watson: There has been three and a half years.

Mr MacKINNON: The Minister says there has been three and a half years, but not to talk about the 339 recommendations. In the interim report there were 32 recommendations, I think, not 339. The recommendations will impact on all Western Australians, not just Aborigines, and therefore all Western Australians are entitled to have a say. If the Government continues down the path it is taking, I do not believe it is appropriate to freeze out the majority of Western Australians from the decision making process. The people are entitled to have an input, and I give a commitment that when we become the Government they will have that input. The Aboriginal people should be consulted, as should the Government, but so should the rest of the people of this State.

I also believe this Parliament should be addressing the issue in broader terms than it is, and I ask the Government to seriously consider the Select Committee of which Hon Muriel Patterson gave notice in another place yesterday. That is a first class initiative. Hon Muriel Patterson wants a Select Committee to be appointed to inquire into and report upon all steps that can and might be taken by the Western Australian community, and State private and public agencies, to identify and publicise the endeavours and achievements of the indigenous peoples of Australia. That would include people like the Sue Gordons and Robert Isaacs of this world; and people with whose politics I do not agree and never will, such as the Robert Rileys of this world - people who have taken a position of leadership in the community at large. That committee would be a very good vehicle to which we could refer these recommendations, so that it can have a good look at how the Parliament and the people of Western Australia can respond in a bipartisan way - another recommendation of the report of the commissioners - to that proposal. Through that process not only will we consult the Aboriginal people and the Government, as we should, but also we will be able to consult the broader community of Western Australia. They are equally entitled to have a say, yet under the Government's program they will have no say. I do not think that is fair or reasonable.

I conclude where I began: This report is an important report, the biggest I have seen tabled in this Parliament. I sincerely hope that it receives more than just an hour or so of debate in this Parliament; I hope it receives attention by the Government. I hope also that a much broader approach is taken, so that the people of this State - not just the Aboriginal people but all of the people - can be involved and have some input to the recommendations. I hope, too, that as a consequence of that we see a bipartisan approach to what has been the most difficult issue for all Australians, irrespective of their political party, to address over the lifetime of

our country; that is, how to sensibly address the Aboriginal/non-Aboriginal issue and come to terms with it in a way that at the end of the day respects not only the rights of Aboriginal people but those of non-Aboriginal people and all Australians and allows them to coexist in Australia in an ongoing and healthy way.

STANDING ORDERS SUSPENSION - MINISTER FOR ABORIGINAL AFFAIRS' STATEMENT

Leader of the National Party's Reply

MR PEARCE (Armadale - Leader of the House) [3.16 pm]: I move -

That so much of the Standing Orders be suspended as would prevent the Leader of the National Party or one member deputed by him from addressing the House on the subject of the ministerial statement for a period of not more than 10 minutes.

The Government likes to use this ministerial statement model because it puts on the record important things which are happening, it is a good way for the Parliament to be informed about current events, and it is reasonable for the Opposition to have a way to respond. However, it no longer reflects the realities of this Parliament. On each occasion I have moved the suspension to allow the National Party to make a response, but now we have three Independent members in the Parliament as well. In the course of the next day or so, Mr Speaker, I shall write to you requesting that you raise with the Standing Orders Committee a review of this process, to see if we cannot find a way that perhaps more accurately reflects the composition of the current Parliament.

Mr Blaikie: Could you explain that a little further?

Mr PEARCE: The member will understand that someone who speaks as succinctly as I do would find it very difficult to speak for that length of time, but it is important that the National Party's view be put on the record. In the past, people have assumed that where there is a coalition on the Opposition benches both parties will think along the same lines. One does not have to be a member of this Parliament for very long to work out that that is not the way it works on the other side of the House, and in those circumstances it seems reasonable that the National Party be allowed to have a say of its own. That is the reason for my moving that the Leader of the National Party be given the opportunity to speak. It is quite appropriate in terms of the way in which the Parliament currently operates.

Question put and passed with an absolute majority.

MR COWAN (Merredin - Leader of the National Party) [3.19 pm]: I thank the Leader of the House and those people involved in making sure that his motion was passed with an absolute majority. I notice that the members of the National Party were conspicuous by their absence in providing the majority!

I do not think it is my place to comment on the subject of the report of the Royal Commission, other than to say that it confirms what most people already knew; that is, that there is a high rate of incarceration of Aboriginal people and a high incidence of alcoholism amongst those Aboriginal people who have been placed in gaol. As well, the report indicates very clearly that there were some inadequacies in the formal inquiries conducted immediately after the deaths of some of the individuals concerned, and it also highlights some of the areas of concern in relation to the conduct of police officers and perhaps their attitude or the general procedures which they adopted. That has all been made very clear, but one hopes that a \$30 million report - which is what it has cost this nation - will produce more than confirmation of what we already knew. Since the commencement of the inquiry, something like 11 initiatives have been taken - as mentioned in the ministerial statement - and these have had some impact. For that reason the Government and the bodies involved, particularly the police, are to be commended for doing something positive about the problem. However, I would like to concentrate my remarks on what will happen in the future.

The Minister clearly regards the empowerment of Aboriginal society and the right of self-determination by Aboriginal people as two critical factors in achieving something for these people. I would like the Minister to explain to me one day her definition of "empowerment", and how that is expected to be achieved. I certainly agree that Aboriginal people have the right to self-determination, and treatment of that matter will be critical to the whole issue of

the integration of Aboriginal people into society today. It is very important that the Government recognises the prior deprivation of Aboriginal people, and, more importantly, the fact that these people are looking for a process of self-determination. The achievement of that, and it must be seen to be achieved, must be a priority on which assistance and aid is based. It should be done on the basis not of a guilt complex or because somebody has put forward a proposal which may capture the imagination, but because it can be clearly demonstrated to achieve the objective of self-determination. Integration into society should not produce a completely divided community.

The ministerial subcommittee will investigate proposals and make recommendations on which the Government may act. In that case it is important to look at these critical factors when considering the objective of empowerment of Aboriginal society and the right to self-determination. Also, performance must be considered. If initiatives have been undertaken which are clearly being mismanaged or are failing, the committee must do something about that; obviously the provision of funds alone is not the solution. An example of a situation in which somebody thought the solution to the problem was in the provision of funds involved a group within my electorate - the Minister claims she has been misreported on this issue.

Dr Watson: So were you because you were never at any of the meetings.

Mr COWAN: The Minister is wrong - I was.

Dr Watson: It was reported that you were not at the meetings.

Mr COWAN: That is incorrect. I was at two of those meetings. I have never seen it reported that I was not at any of those meetings. In any event, although to a certain extent that project is a reasonable idea, the amount of interest devoted to it by the Minister has given Aboriginal people in that community a level of expectation far beyond that which is achievable.

Dr Watson: They have aspirations, the same as the rest of us.

Mr COWAN: Of course!

Dr Watson: That is what you guys object to.

Mr COWAN: That is not true! That may be the Minister's view, to which she is entitled, but it is untrue.

I now turn to relationships. Most people agree with the need to do something positive for Aboriginal people; however, the trouble is that some initiatives taken by the Government which are seen to be positive do not really wash with the majority of people. The disunity and distrust, which is discussed in the report as though it should not occur, will always exist when we have a very high incidence of, for example, car stealing. Until the Minister does something about that problem, that situation will always exist in reality and in perception. That must be taken into consideration with these initiatives as it is very important. The Cabinet subcommittee has a important task before it. I hope that it applies a modicum of commonsense to the proposals put before the Government for implementation; also I hope that the proposals which involve the expenditure of money will be monitored to ensure that the money is properly spent.

PUBLIC WORKS AMENDMENT BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

Speaker's Ruling

THE SPEAKER (Mr Michael Barnett): Before I call the member for Cottesloe, I indicate that before the luncheon suspension we considered the matter of whether the member was correctly addressing his remarks to the matter before the Chair. Members will recall that after I gave a ruling, several points made in the second reading speech were drawn to my attention. I was asked whether those points allowed the member to continue his speech in the manner he was pursuing. The member's remarks need to relate directly to whether the delegation of administration should take place from Minister to Minister, and I am not yet convinced that the member has related his remarks to that. Nevertheless, if he is able to do so in his remarks, he will be within the guidelines.

Debate Resumed

MR C.J. BARNETT (Cottesloe) [3.29 pm]: Thank you for your ruling, Mr Speaker. This Bill seeks to delegate responsibility for property and land transactions from the Minister for Works to the Minister responsible for the Office of Government Accommodation. Moving that responsibility from one Minister to another means that the Minister receiving that responsibility must accept the overall responsibility for the performance of OGA. In the annual report of the Office of Government Accommodation its objectives were stated as achieving cost effectiveness and providing advice to the Government. I refer the House to the Premier's second reading speech. She said -

Delegation will lead to increased efficiency and economy of operation due to the Office of Government Accommodation's substantial lease transactions.

The argument about whether delegation should occur is very much tied up in the proper conduct of, in the Premier's words, "substantial lease transactions". I have referred to Westralia Square and will not continue with those remarks other than to conclude with the point that the whole history of that deal is that of a WA Inc deal. It is quite correctly being dealt with by the Royal Commission so it is not necessary for me to proceed any further. However, the point I made about the involvement of the Office of Government Accommodation was whether it has achieved its objective of cost effectiveness. By entering into a lease agreement for 16 000 square metres at \$420 a square metre when the market rate was \$300 a square metre, it failed in that objective.

The one good implication of this Bill is that a single Minister will now be responsible for the Office of Government Accommodation. It was the case previously that we did not have a single Minister responsible for OGA. From November 1985 through to December 1990 the office was reporting to an accommodation board made up of five Ministers: Hon P.A. Beggs; Hon J.M. Berinson; Hon Y.D. Henderson; Hon R.J. Pearce and Hon I.J. Taylor. The executive officer was Mr R.K. Johnson.

Mr Pearce: One of those Ministers was always directly responsible for OGA. It varied from time to time, and it was Hon Ian Taylor for a time and then Hon Yvonne Henderson for some time and there was a board.

Mr Blaikie: Tell us which Minister we can blame rather than blaming the quadrella.

Mr Pearce: I was on the board because I was Minister for Planning and I was kept on it because I had some experience of its operations. Although OGA reported to that board it also reported directly to the Minister who then brought the report to the board.

MR C.J. BARNETT: I thank the Minister for that information. The point remains that OGA had a board, which was in place while this Westralia Square transaction was undertaken and the five members of that board must accept some responsibility for that transaction. I said at the outset of my comments that I wished to look at the objectives of OGA because that is a way of assessing the validity of passing on this ministerial responsibility. OGA has two objectives: Advice to Government, and ensuring cost effectiveness in the acquisition and utilisation of the Government's accommodation requirements.

Mr Pearce: Are you aware who introduced that consultation process? The whole business of rationalising Government accommodation was introduced by Hon Ray Young a former member for Scarborough in a previous Liberal Government.

MR C.J. BARNETT: I have no problem with OGA at all, as clearly the Government needs such an entity to coordinate departmental accommodation, but it is incumbent on this House to assess whether the responsible Minister is correctly undertaking his duties and responsibilities in respect of ensuring that OGA meets its objectives: Good advice to Government and cost effectiveness in handling the Government's accommodation requirements. I will now look at a current example of cost effectiveness in respect of OGA, and my comments will be brief.

Mr Pearce: Let us hope they will be relevant as well.

MR C.J. BARNETT: They will be relevant.

Mr Pearce: Not like the last lot.

MR C.J. BARNETT: In November 1989 Cabinet, presumably on the advice of the Office of

Government Accommodation, decided that the Department of Land Administration should be relocated to Midland. I can see merit in that as the department currently employs 900 staff, some 350 of whom are in the Land Titles Office. I understand they are spread over nine different locations and have a total space requirement of 17 000 square metres. Because of the nature of its tasks, such as mapping and storage, it is a very space intensive department. On that ground alone it was a prime candidate for decentralisation, and I applaud efforts to decentralise Government departments both outside and to the extremities of the metropolitan area. There are important social and economic advantages in doing that. One of the objectives of OGA is to be cost effective. The Minister responsible for OGA must give some consideration, as I hope do members of this House, to what is meant by cost effectiveness. For private enterprise organisations cost effectiveness is simply defined. One is cost effective if one has a surplus of direct revenues over direct expenses. However, when one is concerned with Government departments it is incumbent upon Government Ministers to look at social costs and benefits. But, first, what are the direct advantages and disadvantages of relocating the Department of Land Administration? I am advised that the Minister responsible expects to save \$1 million a year in rental payable by the department. That is a significant saving and one that should not be disregarded. However, it must be borne in mind that the cost of operating a computer land line from Midland into the city - which will be necessary because transactions will still occur in the city - is significant. I have been advised that the expected rental to Telecom is \$400 000 a year so that any saving must be discounted by that figure.

Mr D.L. Smith: The \$1 million saving is a net figure. I am not sure whether the Telecom rental figure is \$400 000, but the overall saving of \$1 million is a net of all those costs.

Mr C.J. BARNETT: What is the cost of the land line?

Mr D.L. Smith: I would have to check again, but it is not \$400 000. The saving is net of all costs including operating the centralised business office.

Mr Lewis: You have passed that cost onto the people who work there with their travelling costs.

Mr Pearce: The Bill is to enable the delegation of Ministers, it has nothing to do with shifting the Department of Land Administration.

Mr D.L. Smith: The member for Cottesloe expressed the view that he agrees with decentralisation.

Mr C.J. BARNETT: I accept the advice of the Minister and I will accept a figure of net saving to DOLA. He has the information so I must accept it.

Mr Pearce: Can you debate that at a more appropriate time?

Mr C.J. BARNETT: Those direct savings must be considered against the direct costs to the users. I am advised by the settlement agents association -

Point of Order

Mr PEARCE: We had a ruling a few moments ago by the Speaker that the debate must deal directly with the issue of changing the delegation from the Minister under the Public Works Act to the Minister responsible for the Office of Government Accommodation. The Speaker has ruled that that does not allow for a wide ranging debate on the purpose or operations of OGA. I thought that the member accepted that in a previous ruling, but having watched the Speaker depart, he has now launched into another broad irrelevancy. The Government has been very tolerant of these little forays, but it is beyond a joke when the Opposition frequently seeks to use a Bill to be the subject of a general debate rather than the purposes for which it is specified.

The ACTING SPEAKER (Mr Donovan): The point of order is taken. The member for Cottesloe is probably yet to become familiar with the consistency of the rulings from this Chair. However, the Leader of the House is right in observing that the nature of his point of order is substantially the same as the point of order raised before lunch and similar to the ruling the Speaker gave only a few moments ago. I direct the member for Cottesloe to return to the specific subject of the Bill or do as the Speaker suggested; that is, relate the questions he is raising to the question of the delegation of authority to the Minister.

Debate Resumed

Mr C.J. BARNETT: The point I make by way of this example is that this Bill has to do with the delegation of responsibility for land and property transactions and the shift of that responsibility from the Minister for Works to the Minister responsible for the Office of Government Accommodation. In shifting that responsibility and effecting those property transactions, the Minister responsible for OGA must meet the objectives of that organisation as laid down by Cabinet; those objectives being cost effectiveness and providing good advice to the Government. I question the performance of the Minister in achieving that objective and whether it is justifiable to shift this additional responsibility from the Minister for Works to the Minister responsible for OGA. This House must first be satisfied that the Minister is performing those duties and responsibilities well and then it can be confident in giving him this additional power. If the Minister can satisfy me of that, I will be happy to support the Bill.

The Office of Government Accommodation is effecting savings. However, from a social point of view it must be recognised that other costs will be imposed. The costs to the users of the Office of Titles will be somewhere between \$3.5 million and \$5.5 million, depending on the state of the market. Other indirect costs will also be involved because public access to the Office of Titles will be affected.

Mr D.L. Smith: That figure is very questionable.

Mr C.J. BARNETT: I agree, but the figure will be significant depending on the level of fees being set. The figure can be taken up or down.

Mr D.L. Smith: That \$3 million to \$5 million depends on a whole range of things that we do not think of as extra costs at all.

Mr C.J. BARNETT: I accept that there will be a dispute about the size of the figure; however, there is no doubt that it will be a significant cost and that those costs will be projected into fees levied by banks, solicitors and settlement agents.

Mr D.L. Smith: That is simply untrue.

Mr C.J. BARNETT: A significant cost will certainly be involved. Another hidden cost will come in the form of reduced public access to the Office of Titles. A shopfront facility is proposed to be set up in Perth but that will not be a full Office of Titles facility.

The ACTING SPEAKER: Order! I understand, as did the Speaker, the member for Cottesloe's interest and enthusiasm for making a range of points on this matter. However, the Bill is specific in its objective and intent. While that may not satisfy the member's need to develop an argument, the member and the Chair cannot do much about that; the Bill is what it is. Under the Standing Orders that govern our procedures in this House the member is required to confine his remarks to the Bill, however hard that may be.

Mr C.J. BARNETT: It is extremely hard but I will do my best in concluding my remarks. Direct and indirect costs outside must be compared to the direct savings to be made by the Government. That is something the Minister must take responsibility for assessing. I suggest that a compromise should be made; namely, that the Department of Land Administration be located in Midland to achieve decentralisation, but that the Office of Titles be located in, or as close as possible to, the central business district. That would be a socially responsible decision for the Government to make.

The Office of Government Accommodation is an important entity and has an important role to play. It has not covered itself in glory as a result of some of the activities in which it has been involved in recent years. I have many questions concerning one of its current transactions and concerning the social costs of that transaction. It is appropriate that the Minister responsible for OGA, if he takes full responsibility - which I believe he will and must - have the ability to execute land and property transactions. The objective of OGA is to provide good advice to the Government and to provide a cost effective approach to the acquisition, management and utilisation of Government accommodation. The performance of the Minister responsible for OGA should and will be judged according to his ability to ensure that OGA meets those objectives. I support the Bill.

MR COWAN (Merredin - Leader of the National Party) [3.46 pm]: When the member for Cottesloe was developing his argument and before he was advised to direct his comments to

the Bill, he was proving that the previous Minister responsible for the Office of Government Accommodation, particularly in giving authority to OGA for some of the things it did, was often acting in total ignorance.

Mr D.L. Smith: That is simply not true. If you want to debate the issue of the relocation of DOLA you should do it in a form of a motion.

Mr COWAN: I am talking about some of the activities that related to property rental in the metropolitan area. I am not talking about the Department of Land Administration at all. I am talking about the action that might have been taken which would have required ministerial approval under the Act. At the moment that authority is provided for under the Public Works Act, which is the responsibility of the Minister for Construction. I assume that would have been the case when some of those deals were taking place, whereas the Office of Government Accommodation was the responsibility of the Premier. I am also sure that it would have been better for OGA if the Minister responsible for it were closely involved in its activities rather than being removed from the office and simply signing forms to give it the authority to do certain things. That is, unless the Premier was the person giving the instructions to OGA.

Mr Strickland: The bottom line is that there is still \$2 million.

Mr COWAN: That is right. The National Party has no objection to this Bill which proposes to implement three measures. Firstly, it intends to amend the series of definitions in the legislation by removing the definition of a resident magistrate. My understanding of the second reading speech is that that definition is redundant and should be removed. Secondly, the Bill will amend the Act to allow the Minister responsible for OGA to be authorised to order that department to proceed with whatever has to be done. In such cases the Minister can give the office the authority required rather than the matter being referred back to the Minister for Works. The second reading speech mentions the Minister for Works but that authority will, in fact, be with the Minister for Construction. As he is now responsible for OGA the amendment is quite appropriate.

The third provision in the Bill repeals section 89 of the principal Act and anybody who has been a driver of a heavy vehicle would know that although that part of the Act has not been used for a good number of years, someone is still capable of administering the law in relation to weights and measures. I have been stopped on a number of occasions by the people who are responsible for administering that law and my vehicle has been weighed, but they have always acknowledged that my vehicle has been within the prescribed weight limits.

A member interjected.

Mr COWAN: They never visited those roads and that is not an invitation to a person who is responsible for administering the law, and who may read *Hansard*, to decide he will patrol the roads I might be using next summer. That section has been redundant for some time. The weights and measures section of the Police Force is very efficient at administering that law and I can only assume that it comes under the Traffic Act or some other Act which relates directly to the Main Roads Department. I think the Main Roads Department sets the limitations and the Police Department's heavy haulage section is responsible for enforcing the law.

On that basis, the National Party supports this Bill.

MR PEARCE (Armadale - Leader of the House) [3.52 pm]: I thank the Leader of the National Party for addressing the Bill which was a refreshing change, not from him but from the other speakers who took part in the debate. They did not address the Bill at all. The points he made are very valid and the points made by the member for Cottesloe, who is not in the House, were not relevant to the Bill and they were not factual, as the Minister for Planning was forced to point out. Most of his claims were totally spurious and I reject them.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

VALUATION OF LAND AMENDMENT BILL

Second Reading

Debate resumed from 21 March.

MR COWAN (Merredin - Leader of the National Party) [3.54 pm]: It is in many respects a pity that some of the members assigned responsibility for this legislation have fallen prey to the time which, of course, is Thursday afternoon when it is usually somewhat difficult to get members into the House. I see that at least one of those members is now in the House and I will resume my seat. I hope that the time allotted to the member who speaks second on this side of the House will be sufficient for him to make his point.

MR LEWIS (Applecross) [3.55 pm]: I thank the Leader of the National Party. I thought the Committee stage of the previous Bill would have lasted a few minutes.

To be candid, when I read the Treasurer's second reading speech I scratched my head and asked what it was about. I reread it and I was still somewhat confused about what it meant. I referred to the legislation and it seems that the main thrust of the Bill is to allow the Valuer General to charge a professional fee and, if he or she desired, to compete commercially with the private sector in the marketplace. The Valuer General should consider his tasks as being specific to giving services to Government, local government, and to Government agencies or personnel who deal in land and who are prescribed to do so under the Statutes. He should leave alone that area of operation whereby he has the ability to trade in competition with the commercial sector. I would like the Leader of the House, who is handling the legislation, to clarify this situation. The problem I have is that the legislation gives the power to the Valuer General to operate as a commercial agency if he or she desired. The Valuer General is able to do this in addition to fulfilling his or her duties to the Crown and Government agencies. From my understanding of the legislation, if the Valuer General of his or her volition wanted to operate in the private sector as a valuing company, but under the auspices of the Valuer General, he or she can do that. Does the Bill give the Valuer General the right to trade in competition with the private sector in all types of valuations?

Mr Pearce: There is no intention for the Valuer General to operate as a private company in the commercial marketplace. My reading of the situation is that it would not be legally possible under the current arrangement. A range of doubts exist about whether the legislation gives the legal basis people have thought it has had. This Bill is designed to put those things beyond doubt and to make sure that the Valuer General can act for the people the member mentioned. There is no intention to make him a commercial entity operating in a private market.

Mr LEWIS: Under this legislation the Valuer General will have the power to undertake valuations not only for rental properties, but also property valuations for agencies other than Government, local government and other persons who have responsibilities under the Statutes. That is necessary and I have no problems with that.

Mr Pearce: The legislation will go no further than that.

Mr LEWIS: It had to be clarified and I am pleased that the Leader of the House has done that. The Bill removes what I see as an impediment for the Valuer General to charge a fee on the basis of what it costs for goods and services. This Bill will allow the Valuer General, in his own right, to charge a professional fee in accordance with an hourly rate. The Act currently provides that the Valuer General can charge a fee for his service only on the basis of what it has cost him to provide that service.

Mr Pearce: That is right.

Mr LEWIS: The Liberal Party has no objection to this Bill, on the basis of the assurance of the Minister that it is not intended that the Valuer General will trade in valuations in the marketplace against the private sector. The second point is that in order for the Valuer General to be competitive in the marketplace he perhaps should have the ability to charge a professional fee. It is often the case when Government agencies charge on a cost basis that the true cost is not reflected in the fee. I was in private consultancy for many years, and at the end of the year when I looked at the bottom line profit to see what the real profit was I sometimes had quite a shock because the intangibles and the things I had not consciously accounted for showed up in the profit and loss at the end of the year. The Valuer General

may think that the bottom line cost of providing his services is such and such, but he may have overlooked other costs which are incidental to the running of his office, such as training, payroll tax, etc. I do not have a strong objection to the Valuer General's charging a professional fee for services, and on the basis of the assurance from the Minister that the Valuer General will not trade in valuations in the marketplace, the Opposition will support the Bill.

MR WIESE (Wagin) [4.02 pm]: Many of the things which concern the National Party about this Bill have already been covered by the member for Applecross' discussion of the amendments, but there are a few matters I want to mention. We need to ask ourselves whether the role of the Valuer General is to provide what now appears to be a professional service, and to charge a professional fee for that service, or whether it is to value properties for rating, taxing or resumption purposes, and to provide all the other services which have been the traditional roles of the Valuer General in the process of Government of Western Australia. I contend strongly that the role of the Valuer General is to provide a service to Government, Government departments, local government bodies and instrumentalities, such as the Water Authority, of valuing land, buildings, and other properties for which a valuation is required. A valuation for resumption purposes can be carried out by a great number of authorities under the Public Works Act. I believe the generally accepted concept of the operations of the Valuer General's Office has been that those valuations are provided at cost. What I can see happening in this seemingly innocuous amending Bill before the House is that the situation will be changed in a very unsatisfactory way. Were this Bill to pass through both Houses of Parliament we would allow the Valuer General to charge not on the basis of the cost of providing the service but - as the Minister stated in the second reading speech - "at the cost that reflects the professional nature of the work". The Valuer General will be able to charge at the same rate as professional valuers around this State. That will lead to a substantial increase in the charges which the Valuer General's Office will impose on local government, the Water Authority, and other users of its services, and that will lead to an increase in what those bodies charge the ordinary men, women and children of Western Australia. Those bodies are not profit making but provide a service to the people of Western Australia. The end result of the Bill before us today is that there will be a subtle attempt to raise more money from the people of Western Australia.

Mr Pearce: How could that be the case? The fact is that the Valuer General's Office gets that money from other Government departments.

Mr WIESE: That is right, and those Government departments will get their money from the public of Western Australia by increasing their rates. Shire councils now must undertake valuations every five years, and the Valuer General has stated publicly that he would like to see valuations undertaken annually.

Mr Pearce: The Valuer General's Office will receive a larger income and will need a smaller appropriation to do the same job. That is a nonsensical argument.

Mr WIESE: The nonsensical argument is the one which the Leader of the House is endeavouring to put. The ultimate effect of what we are doing here is that the end users - the men, women and children of Western Australia - will have to pay more. More money will be transferred from the Valuer General's pocket to Consolidated Revenue. That is the problem which I foresee in this piece of legislation.

I am sure the Minister will be able to tell the House whether he has consulted local government on the effect of this piece of legislation. Has he told local government, because the Valuer General's fees will rise, they will have to pay a fee which does not reflect the present position, which is that the charge should not exceed the cost of goods and services provided? Local government authorities will now be required to pay a fee which reflects the professional nature of the work. If any member believes that charging on the basis of the professional nature of the work will not result in a higher charge, I would like him to put his hand up. If any member believes that is the case, he is living in fairyland. The end result will be that the Valuer General will be charging on a different basis from that on which he is charging at the moment. The result will be a substantially higher fee than is being charged now. That is my objection to this Bill; it is a very strong objection and it is an opinion very strongly held by the National Party.

The National Party has no problem with the other changes mooted in the Bill. The proposed

change to section 39 of the Valuation of Land Act expands or more clearly defines the various departments, agencies and instrumentalities for which the Valuer General may carry out valuations. The wording of the previous Bill was probably quite adequate, covering as it did any departments, agencies or instrumentalities of the Crown in the right of the Commonwealth, this State or any other State, but I am happy to accept what is being proposed in these amendments. I do not believe anything new is added to the Act, but the amendment more clearly defines the areas in which the Valuer General can operate in the future.

The National Party has the strongest objections to the proposed amendments to sections 38 and 49 of the Act; they do exactly the same thing. They allow the Governor to make regulations. The changes proposed to section 49 alter the basis upon which charges by regulations can be made from the present situation, where the charges are based on the actual cost of goods and services supplied, to a charge which will reflect the professional nature of the work. Undoubtedly that will result in a substantial increase in charges for work done by regulation. I shall listen with great interest to the Minister's explanation to the points I have made.

We should realise that this Bill goes substantially beyond what members have accepted. We will debate these clauses during the Committee stage.

Mr Strickland: I hope so.

Mr WIESE: The principle being introduced in this piece of legislation is very important.

The ACTING SPEAKER (Mr Donovan): I hope we will not be repeating second reading speeches in that stage.

Mr WIESE: That is a very canny observation by the Acting Speaker. The Acting Speaker knows that there is no way in the world that I would attempt to carry out any sort of filibuster.

MR PEARCE (Armada - Leader of the House) [4.16 pm]: I thank both members for their comments. This is an extraordinary situation, because when there has appeared to be a difference of view between the National Party and the Liberal Party I have usually praised the wisdom of the National Party and poured scorn upon the Liberal Party. On this occasion I find myself in agreement with the member for Applecross.

Mr Lewis: That is unusual.

Mr PEARCE: It is extremely unusual. It may well be an indication that I am wrong. The member for Wagin has gone astray. The principle involved, as the member for Applecross has indicated, is the right one. Government departments should charge proper fees. In the past Government departments have tended to charge purely arbitrary fees. They do not cover costs. When fees are charged to other Government departments, that does not really matter because the money comes out of one pocket and goes into another; it is all Government money. The trouble occurs only when, as was pointed out by the member for Wagin, a local government authority uses the Valuer General for valuation purposes.

A question was put to me by the member for Applecross behind the Chair, "Is the situation that local authorities are forced to use the Valuer General in these circumstances?" I have to say that I do not know the answer to that question, and for that reason I shall not take the Committee stage today but I shall bring it on next week when I have the answer.

I see the safeguard as being this: Under the proposal here, any new fees are prescribed by regulation. They are proclaimed by regulation under clause 6. Regulations come before the Parliament, and if any member feels that the Valuer General is egging the pudding he will have the capacity to move to amend this regulation and return the fees to what they were before. That is a safeguard which is required to prevent those huge increases in charges.

The cost of providing a Government service effectively shifts on a monthly, if not a weekly basis. Salaries go up, the costs of rent and electricity go up, and any calculation of a fee for service would change on a weekly basis. It is not proposed to do this on this occasion, but if we set a thing like that and leave it for six months, we are subsidising. We are effectively using taxpayers' money to subsidise somebody else because we are not recovering in the way we should.

Mr Strickland: You are moving to a situation where ratepayers' funds will be doing the subsidising.

Mr PEARCE: It will not be a subsidisation; it will be a proper fee for service. The point the member for Applecross wants to be sure about is, if that is to be the case, why can local authorities not use other valuers to do valuations. That may be a legitimate point.

Mr Wiese: It allows local authorities to go to other valuers with the permission of the Valuer General, but there is no guarantee that the valuations they bring in will be accepted by the Valuer General.

Mr PEARCE: Let us not have the argument now, because I do not know the answer. It is not my direct area of responsibility, but I shall find that answer and we can discuss it during the Committee stage when I have the answer. I appreciate the support of members for the proposals generally.

Question put and passed.

Bill read a second time.

WESTERN AUSTRALIAN COASTAL SHIPPING COMMISSION AMENDMENT BILL

Second Reading

Debate resumed from 21 March.

MR McNEE (Moore) [4.20 pm]: The Government has placed pressure on the Opposition to support this Bill, but in the light of the Government's performance in handling the finances of this State, we approach this legislation with some caution.

The Westpac charter deal involves Stateships entering a 10 year boat contract charter agreement with the Westpac Banking Corporation. In turn, Westpac will enter into a contract with Australian Shipbuilding Industries (WA) Pty Ltd to purchase three ships at a cost of approximately \$12 million. The entry of Westpac to the deal came as a surprise and the difficulty was that Stateships and the Government appeared not to have been completely frank about the financial arrangements. In December 1988, a joint announcement was made by former Premier Dowding and a director of the Cockburn Sound-based Australian Shipbuilding Industries that a contract had been entered into to build three vessels for Stateships. At the time, the speculation was that this was another WA Inc deal. According to newspaper reports, neither Stateships nor the State Government was very keen to reveal the financial arrangements. We did not receive a clear picture of the situation. Questions were asked in this place and the response was that the ship building contract was between the Western Australian Coastal Shipping Commission and Australian Shipbuilding Industries (WA) Pty Ltd. In other words, we did not receive a straight answer regarding whether a third party was involved. Finally, it became public knowledge that Westpac was involved. The Westpac representative said that the contract was a special deal put together by the bank's advisory services department. The Minister now wishes to change the Act to legitimise the deal. The Government refused to reveal any information on the contracts or to give the Opposition the complete financial details because sensitive information was involved. The information may be sensitive but the matter also involves taxpayers' funds. The Opposition and the people of Western Australia have every right to know about the deal - particularly in the light of the Government's performance over the years. I can understand the Government's desire, and perhaps Westpac has the same desire, to keep the deal confidential. Nevertheless, the Government is responsible for taxpayers' money and has shown scant regard for that in the past.

The accounting system of Stateships is difficult to follow. I asked a series of questions including: Why is the disposal of MV *Irene Greenwood* listed under "operating revenue"? Why is it not listed under abnormal items along with the decommissioning expense of the MV *Koolinda*? Why is profit on sale of assets also listed in operating revenue? The answer was that the items were listed in accordance with ASA Accounting Standard AAS1, and Treasury Instructions under the Financial Administration and Audit Act. The answer did not tell us a great deal. However, it indicated the Government's position on this deal from the day it started. It was a Sir Humphrey answer; it was gobbledegook at its best. I had some

doubts, so I sought to clarify the matter. As I understand it, from people skilled in accountancy, accounts should be consistent. The situation was that the MV *Irene Greenwood* was disposed of under operating revenue. Apparently the earnings from that deal were close to \$5 million. However, the disposal of the MV *Koolinda* cost just over \$1 million. If something was done with one vessel, the same thing should have been done with the other. I will be interested to hear the Minister's comments on that point. The situation should be clarified. The revenue from the sale of the MV *Irene Greenwood* should have been included in the abnormal items, along with the decommissioning expense for the MV *Koolinda*. Why were those funds placed under operating revenue?

Mrs Beggs: Is this relevant to the Bill?

Mr McNEE: It is relevant to the way the Government fiddles the books. We want to know precisely what was done and we are asking the Minister that question.

Mrs Beggs: I will not brief you again; a little knowledge is dangerous.

Mr McNEE: The Minister may think this is funny but the taxpayers do not think the situation is funny, especially the abominable way the Government has handled taxpayers' money. I also asked the Minister to table the relevant documents. Will she table the documents relating to the lease of the three ships?

Mrs Beggs: Which documents?

Mr McNEE: The documents relating to the charter arrangements.

Mrs Beggs: I am not at liberty to table documents which do not belong to me. They are Westpac documents. Stateships will charter these ships. If the member is talking about the Westpac financial arrangements, I am not at liberty to table them. The member should ask Westpac.

Mr McNEE: I am asking the Minister. She is a member of the Government. She is the person who has charge of the taxpayers' funds.

Mrs Beggs: I am looking after the situation very well.

Mr McNEE: I ask the Minister to reconsider the situation.

Mr Blaikie: We heard the same arguments advanced about Rothwells. We were told it would be all right; there would be no problems. Look what happened to Rothwells. The Minister should present the documents.

Mr Fred Tubby: What will happen after two years if the Government decides to do away with the lease on one of those vessels?

Mrs Beggs: It cannot; it's a charter arrangement; it's tied up.

Mr Fred Tubby: What happens if after two years the Government decides it does not want a contract for one of those vessels? What would be the cost to the taxpayer?

Mr Bloffwitch: Is there a penalty on the lease?

Mrs Beggs: Just get on with the debate.

Mr McNEE: It is not a question of getting on with the debate.

Mr Pearce: This discussion has nothing to do with the Bill. You are up to your old tricks.

Mr McNEE: Is the Minister accusing me of being up to old tricks? I would have thought the financial documents pertaining to this contract had everything to do with the Bill. The Government may not know very much about business, but on this side of the House we have a rough idea.

Mr Kobelke: Pretty rough.

Mr McNEE: Where is the member who said that?

Mr Fred Tubby: The Government has asked the House to pass legislation while not knowing any of the details of the Bill.

Mrs Beggs: The details are in the Bill.

Mr McNEE: The Government has clearly illustrated it could not run a chook raffle, let alone run a State. Now the Minister is asking us to sign a contract and not worry about the details.

Mr Blaikie interjected.

Mr McNEE: That is another point. The Government wishes to appoint two new commissioners to the Coastal Shipping Commission and the Opposition is very guarded about that because it has seen the Government at work providing jobs for the boys. The Opposition wants an absolute guarantee that this will not be another exercise in jobs for the boys.

Mr Fred Tubby: Is Des Dans looking for a job? Is that why the commission must be increased to five?

Mrs Beggs: Are you worried about Des Dans being appointed? You people run around jumping at shadows; just get on with the Bill.

Mr Fred Tubby interjected.

Mrs Beggs: He is doing a very good job where he is at the moment.

Mr Fred Tubby: Will you not make him one of the commissioners?

Mrs Beggs: I will decide who I will put on. When and if you are in Government you can make that decision.

Mr McNEE: If the Government had any decency it would resign over the weekend and on Monday the Opposition would take over the show and then members opposite would see some improvement in the employment figures. The three commissioners at present are bureaucrats and they suggest the commission needs some people with expertise in the real world. I can understand that. However, that expertise certainly does not run to providing jobs for the boys. The Opposition sincerely requests the Minister to table the documents and if she is prepared to do that the Opposition will support the Bill.

Debate adjourned, on motion by Mr Pearce (Leader of the House).

STATEMENT - BY THE ACTING SPEAKER

Fourth Anniversary of By-election

The ACTING SPEAKER (Mr Donovan): I take this opportunity to inform the House that the members for Wagin and Perth and I share a significant day today. This is the fourth anniversary of our elections. We will be commemorating that in another place half way between here and the other place where other members are welcome to join us.

House adjourned at 4.34 pm

QUESTIONS ON NOTICE

PUBLIC SECTOR - FULL TIME EMPLOYEES

Corporate Services Reduction - Budget Implementation Group Interim Report

38. Mr COWAN to the Treasurer:

- (1) Further to question 1672 of 1990, has the Budget implementation group produced an interim report on the process of ensuring full time employee (FTE) reductions in the public sector occur in the area of corporate services and not in the area of service delivery to the public?
- (2) If yes, will the Minister table it?
- (3) If no to (1), will the Minister undertake to table interim reports so that this House can effectively monitor where the FTE cuts are being applied?

Dr LAWRENCE replied:

(1)-(3)

It is not the function of the Budget implementation group to monitor individual programs. Its purpose is rather to maintain an overview of overall Budget implementation strategies and to ensure that Government-wide targets are met. As I mentioned in the Budget Speech, an integral part of the new approach to public sector Budget management is giving agencies and Ministers the flexibility to vary expenditures between programs should circumstances require such changes in accord with Government objectives.

DUGONGS - ONE ARM POINT POPULATION

324. Mr GRAYDEN to the Minister for the Environment:

What is the estimated dugong (Dugong dugon) population in the One Arm Point area?

Mr PEARCE replied:

The numbers of dugong at One Arm Point are not known but are thought to be low. Calculated estimates of actual numbers are not available because of the scarcity of sightings during survey attempts. Local Aboriginal people believe that dugongs were not year round residents in this area in previous times, but survey data are insufficient to confirm or deny this local knowledge.

DUGONGS - ROEBUCK BAY POPULATION

Estimation Work

325. Mr GRAYDEN to the Minister for the Environment:

What work on estimating the dugong (Dugong dugon) population in the Broome area (Roebuck Bay) has been carried out since completion of the Department of Conservation and Land Management study of 1984 which is detailed by R.I.T. Prince in technical report No. 7 of March 1986?

Mr PEARCE replied:

Further survey work has focused on the area between Cape Bossut - south of Lagrange Bay - and Sunday Strait and King Sound. This was undertaken in 1985-86.

POLICE - TRAFFIC POLICE

South West Survey

349. Mr BRADSHAW to the Minister representing the Minister for Police:

Referring to question 13 of 1991 -

- (a) when will a decision be made;
- (b) is the department still considering moving traffic police from Waroona, Harvey, Donnybrook, Boyup Brook, Bridgetown, Augusta and Margaret River?

Mr GORDON HILL replied:

The report of the working party is still being assessed.

OHTA, MR - HOME INTRUSIONS COMPLAINT
Police Action

370. Mr MENSAROS to the Minister representing the Minister for Police:

- (1) Has the Minister received a copy of a letter dated 5 April 1991 from Mr Ohta, a representative of the Japanese trading company, Marubeni Australia, and written to the Commissioner of Police's office complaining about intrusions into his home in my electorate?
- (2) What have the police done about the complaints as an investigative and preventative action?

Mr GORDON HILL replied:

- (1) Yes.
- (2) Police are currently inquiring into the matter, providing advice on security of Mr Ohta's premises, and are regularly giving the immediate vicinity additional attention.

SPEED LIMITS - DECISION RESPONSIBILITY

377. Mr MINSON to the Minister representing the Minister for Police:

- (1) Who decides on speed limits for the roads in Western Australia?
- (2) How are the speed limits decided?
- (3) Are roads assessed for limits on an individual road basis or en bloc basis?
- (4) How often are roads reassessed for speed limits?
- (5) Has the reassessment of roads taken into account the improved handling characteristics of today's vehicles?
- (6) If speed limits are derived from some precise formulae, why do the limits increment only in units of 10 kilometres per hour?
- (7) Is it envisaged that the return to the left rule will be implemented on freeways in Western Australia?

Mr GORDON HILL replied:

- (1)-(6) The Main Roads Department determines speed limits.
- (7) The member is referred to regulation 503 of the Road Traffic Code 1975.

DUGONGS - EXMOUTH GULF POPULATION
Roebuck Bay Population

379. Mr GRAYDEN to the Minister for the Environment:

- (1) What survey was the basis for the information contained in the answer to question 157 of 1991?
- (2) When was the survey undertaken?
- (3) Who carried out the survey?

Mr PEARCE replied:

- (1)-(2) This information was supplied in part (a) of the answer to question 157.
- (3) The survey was undertaken jointly by CALM and James Cook University personnel.

DUGONGS - EXMOUTH GULF POPULATION
Roebuck Bay Population

380. Mr GRAYDEN to the Minister for the Environment:

- (1) Was the information contained in the answer to question 157 of 1991 supplied by -
 - (a) the Minister's Office;
 - (b) the Department of Conservation and Land Management;
 - (c) some other source?
- (2) If the answer to the above is (c) what was the source of the information?

Mr PEARCE replied:

- (1) The Department of Conservation and Land Management.
- (2) Not applicable.

FIRE BRIGADE - VOLUNTEER FIRE BRIGADES
Bush Fires Board Transfer

468. Mr McNEE to the Minister representing the Minister for Emergency Services:

- (1) Is it the intention of the Western Australian Fire Brigades Board to transfer any volunteer fire brigades to the Bush Fires Board?
- (2) If so, which units, when and why?

Mr GORDON HILL replied:

- (1) At this time, there are no proposals before the board to transfer any volunteer fire brigades to the Bush Fires Board.
- (2) Not applicable.

NULLARBOR - RARE FLORA AND FAUNA
World Heritage Listing

470. Mr MENSAROS to the Minister for the Environment:

- (1) Which are the significant rare flora and fauna species occurring in the Nullarbor and nowhere else in Australia which warranted the Government's announcement to seek World heritage listing for that area?
- (2) Which are the adverse human, social, industrial or other activities which seriously threaten these rare fauna and flora and against which only World heritage listing can offer protection and not the sovereign Parliament or Government of Western Australia?

Mr PEARCE replied:

- (1) Significant and rare flora and fauna species occurring on the Nullarbor Plain are documented in "A biological survey of the Nullarbor Plain, South and Western Australia in 1984", edited by the South Australian Department of Environment and Planning, CALM and the Australian National Parks and Wildlife Service in 1987.

These species are: *Gunniopsis calcarea*, *Calotis brevibradiata*, *Atriplex cryptocarya*, *Wurmbea* sp. nov., *Santalum acuminatum* ssp. nov., *Pogona nullarbor*, *Ctenophorus maculatus dualis*, *Ctenophorus mckenziei*, *Tympanocryptis brooksi euclae*, *Leiopimpsa baudini*, *Lerista picturata baynesi*, *Lerista microtis arenicola*, *Sminthopsis gilberti*, *Chalinolobus morio*, *Cacua leaddeateri*, *Amytornis textilis* and *Acanthiza iredalei*.

The Nullarbor is under consideration for nomination as a World Heritage property primarily because of its internationally renowned karst features. Benefits of World Heritage listing are: Clear identification as a part of our heritage, increased tourism visitation from both overseas and within Australia, increased associated local employment, and financial assistance from the Commonwealth for management.

- (2) The assessment of an area for World Heritage listing is not an indication that it is being degraded. Rather it is an indication that it has values of international significance.

SOUTH WEST - ANNUAL REPORT
Project Grants and Expenditure

472. Mr BRADSHAW to the Minister for South-West:

- (1) Would the Minister provide a breakdown of the specific grants and project expenses to public organisations totalling \$1.476285 million referred to in the annual report 1989-90?
- (2) Would the Minister provide a breakdown for grants and subsidies to private organisations totalling \$564 446?
- (3) Would the Minister also provide a breakdown of project expenses totalling \$3.722612 million?

Mr D.L. SMITH replied:

A detailed answer has been tabled today.

[See paper No 301.]

BICYCLE HELMETS - LEGISLATION
Age Restriction

477. Mr MacKINNON to the Minister representing the Minister for Police:

Under the proposed cycle helmet legislation, will there be any age restriction?

Mr GORDON HILL replied:

No.

BICYCLE HELMETS - WORKING COMMITTEE

478. Mr MacKINNON to the Minister representing the Minister for Police:

- (1) When did the Government establish its working committee on cycle helmets?
- (2) Who were the members of that committee?
- (3) What were the terms of reference for that committee?
- (4) Did the committee complete a report?
- (5) If so, was the report made public?
- (6) If not, why not?

Mr GORDON HILL replied:

- (1) October 1990.
- (2)

Rod Evans	- Chairperson: Coordinator, Bikewest, Department of Transport
Ken Burton	- Consultant; Outdoor Recreation, Ministry of Sport and Recreation
Geoff Hayes	- Consultant for Education Services; Ministry of Education
Len Thickbroom	- Assistant Commissioner, Traffic, Police Department
Beverley Ramsey	- Vice President; WA Council of State Schools Organisation
Steve Imms	- Principal Private Secretary; Office of the Minister for Tourism
Pam Albany	- Injury Control Officer, Health Department
- (3)
 - (a) Report on the statistics relating to the use of safety helmets by cyclists.
 - (b) Report on the statistics relating to the accidents involving cyclists and the incidence of head injury.
 - (c) Report on advantages and disadvantages of cyclists wearing safety helmets.

- (d) Consult with community and representative groups and report on attitudes towards the compulsory wearing of safety helmets.
- (e) Make recommendations to the Minister for Police on the appropriateness of the introduction of legislation for the compulsory wearing of safety helmets for cyclists.
- (4) Yes.
- (5) No.
- (6) Statistical information contained in the report is available to the public.

NATIONAL PARKS - SOUTHERN FOREST REGION GAZETAL

Areas

489. Mr HOUSE to the Minister for the Environment:

- (1) What was the area of gazetted national parks in the southern forest region as at 30 June 1985?
- (2) What was the area of gazetted national parks in the southern region as at 30 June 1990?
- (3) What were the dates of gazettal, and the area of each of additions to existing national parks in the southern forest region, between 30 June 1985 and 30 June 1990?

Mr PEARCE replied:

- (1) 59 616 hectares.
- (2) 160 560 hectares.
- (3)

3 April 1987	2 522 ha	D'Entrecasteaux National Park
23 December 1988	18 600 ha	D'Entrecasteaux National Park

Furthermore, two entirely new parks were created in that period; the particulars are -

23 December 1988	Shannon National Park	52 598 ha.
23 December 1988	Mt Frankland National Park	30 830 ha.

DAIRY INDUSTRY AUTHORITY OF WESTERN AUSTRALIA - MILK QUOTAS

Increase Decision Rationale

510. Mr BLAIKIE to the Minister for Agriculture:

- (1) Would the Minister detail the rationale that has lead to the Dairy Industry Authority of Western Australia increasing the level of quotes an issue on a pro rata basis issuing an additional 1.5 per cent of the quota held by farmers at 31 December 1990?
- (2) Would the Minister provide reasons why the Government did not support quota increases that were directly related to total milk production of quota holders thereby recognising the importance of surplus milk production to the Western Australian economy?

Mr BRIDGE replied:

- (1) Market growth quota was issued to quota holders on a pro rata basis from 1 January 1991 to stop the proliferation of joint quota arrangements designed to obtain a dual, flat rate issue of market growth quota. A pro rata issue is an equitable and commercial solution which requires quota holders to supply additional market milk in accordance with their previous quota supply record.
- (2) Many options for the issue of market growth quota were canvassed during the consultative process prior to the 1991 issue. Total milk production was not a favoured basis as it would have detracted from the efficiency and principle of the milk quota system.

HUGHES, MR JOHN - POLICE OFFICERS
Private Business Interests Inquiry

524. Mr TRENORDEN to the Minister representing the Minister for Police:

- (1) Was John Hughes appointed to investigate the private business activities of police officers?
- (2) If yes, when was he appointed, by whom and on whose recommendation?
- (3) Is he the same John Hughes known to the Minister?
- (4) Is he the same John Hughes who was superannuated out of the Police Force in 1988, or thereabouts, on the grounds of ill health?
- (5) Has the same John Hughes appeared before any court since 1988 on any charge?
- (6) If yes to (5), will his appointment as police investigator still stand?

Mr GORDON HILL replied:

- (1) No. John Hughes was appointed to review and report on the rules applicable to police officers who have private business interests.
- (2) Not applicable.
- (3) Yes, Mr Hughes is the former Police Commander of the Inspectorate.
- (4) Yes.
- (5) No.
- (6) Not applicable. In any event John Hughes does not have an appointment as a police investigator.

RADAR DETECTORS - BAN LEGISLATION

525. Mr MacKINNON to the Minister representing the Minister for Police:

- (1) Is the Government going to legislate to ban radar detectors?
- (2) If so, when is it likely that the legislation will be brought forward?

Mr GORDON HILL replied:

- (1) Yes.
- (2) It is likely that the legislation will be brought forward this year.

LAND - HELENA STREET, MIDLAND
Rezoning Approval - Amusement Parlour Establishment

538. Mr MacKINNON to the Minister for Planning:

- (1) Did the Minister or the Minister's predecessor approve of a rezoning to allow the establishment of an amusement parlour in Helena Street, Midland?
- (2) Is it correct that the Swan Shire Council recommended against such a rezoning?
- (3) Why did the Minister overrule the recommendation of the council?

Mr D.L. SMITH replied:

(1)-(3)

No rezoning was involved. The Shire of Swan refused an application for approval to commence the development of an amusement parlour at lots 500 and 501 Helena Street, Midland. An amusement centre is an "AA" use in the existing zoning of city centre business. My predecessor upheld an appeal on 21 September 1989 because it was found that if properly run, such a use would not have a detrimental effect on the amenity of such localities. Approval was subject to conditions including compliance with the code of ethics proposed by the State Government in cooperation with the amusement leisure industry.

RESIDENTIAL TENANCIES ACT - LEASE RENEWAL FEES

Illegal Fees Declaration

545. Mr COURT to the Minister for Consumer Affairs:

- (1) Has the Government inadvertently declared illegal the charging of renewal fees for leases for residential properties by real estate agents under section 68 of the Residential Tenancies Act?
- (2) If yes, what action is the Government taking to rectify the situation?

Mrs HENDERSON replied:

- (1) In October 1990 Cabinet considered amending the Residential Tenancies Act to allow the charging of renewal fees for leases of residential properties by real estate agents. Following consideration of all relevant factors including the concerns of industry, Cabinet did not agree to the amendment. On 8 February 1991, the Real Estate and Business Agents Supervisory Board approved an increase in the scale of fees chargeable by agents.
- (2) Not applicable.

CLAREMONT SCHOOL OF ART - FINE ARTS TEACHING PLANS

551. Mr COURT to the Minister representing the Minister for Education:

Is there a long term plan to encourage the teaching of fine arts as has been the traditional role of the Claremont School of Art or are the resources available for this area being scaled down?

Dr GALLOP replied:

TAFE will continue to encourage the teaching of fine arts at the Claremont School of Art. There is no intent to scale down resources allocated to the fine arts area; however, TAFE will continue to review the allocation of resources to best accommodate industry and community demands in all program areas.

SCHOOLS - FLUORESCENT LIGHT TUBES

Replacement

558. Mr TUBBY to the Minister representing the Minister for Education:

- (1) Can the Minister give an assurance that the vast number of blown light globes and fluorescent tubes in classrooms and offices throughout the State's schools which have not been replaced due to budget cuts, will now be replaced?
- (2) If not, has the Government made the necessary fiscal arrangements to meet the costs associated with any possible damages suits taken by teachers or parents for the State's failure to take due care of its employees and students?
- (3) If not, why not?

Dr GALLOP replied:

- (1) The replacement of light bulbs and fluorescent tubes is being managed in the most cost efficient manner by not responding to calls for replacement of single items.

(2)-(3)

There is no indication that such arrangements are necessary.

SCHOOLS - PRIMARY SCHOOLS

External Telephone Lines

575. Mr NICHOLLS to the Minister representing the Minister for Education:

What is the average number of external telephone lines in a primary school with 400-500 students?

Dr GALLOP replied:

Primary schools class 1A and 1, which have enrolments in the range of 400 to 500, have six exchange lines.

HERDSMAN LAKE - SUBDIVISIONS, NORTH WEST AREA

Floods and Sewage Damage

577. Mr MENSAROS to the Minister for Planning:

- (1) Is the Minister satisfied that the area around the north west of Herdsman Lake which at present is being subdivided will not be flooded and sewage will not back-flow after heavy rain, there being scarcely any surface area of the lake to take any increase in water?
- (2) If so, will the Minister guarantee that any resulting damage and inconvenience to private property owners will be fully compensated by the Government?

Mr D.L. SMITH replied:

- (1) I am advised that flooding will not occur and that sewage will not flow back.
- (2) No; any such damage and/or inconvenience would be covered by the Floreat Lakes development insurance policies.

STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - ALSTHOM GAS

TURBINES

Problems

580. Mr COURT to the Minister for Fuel and Energy:

- (1) How many of State Electricity Commission of Western Australia's Alsthom gas turbines are currently not operating?
- (2) What is the cause of the problems with these turbines?
- (3) When will they be back in service?
- (4) What peak capacity generation is involved?
- (5) Who is responsible for the problems which have occurred?

Dr GALLOP replied:

- (1) One.
- (2) A transient high level of vibration occurs for some minutes following a cold start. After this period the operation is normal. The machine that is out of service has been disassembled to rectify the problem.
- (3) June 1991.
- (4) 36 megawatts.
- (5) The contractor supplying the gas turbine generating units to SECWA has accepted responsibility for the problem, and is actively working to meet SECWA's specified requirements.

POWER STATIONS - COAL FIRED POWER STATION, COLLIE

Western Australian Work

581. Mr COURT to the Minister for Fuel and Energy:

- (1) What will be the level of Western Australian content in the new coal fired power station to be built at Collie?
- (2) Will the major engineering work be carried out in Western Australia or in the Eastern States?

Dr GALLOP replied:

- (1) The actual level of Western Australian content in the new coal fired power station will depend on the subcontractor selected by the developer. It is expected, however, that the State can secure a major portion of the Australian content level of 85 per cent.
- (2) Engineering is expected to be carried out in Western Australia. It is not possible to quantify at this time.

GIANFRANCO RASILE - SOUTH WEST DEVELOPMENT AUTHORITY
Payments

585. Mr BRADSHAW to the Minister for South-West:

Adverting to question 361 of 1991 -

- (a) has any money been paid in the last three years to Gianfranco Rasile or any firms he is connected with by the South West Development Authority;
- (b) if yes, how much and for what reason?

Mr D.L. SMITH replied:

- (a) Yes.
- (b) Details have previously been made available for inspection in September 1990 - Legislative Council question 887 refers. A further list giving details of expenditure on consultants from July 1990 to March 1991 will be available for inspection at the Bunbury office of the South West Development Authority.

GIANFRANCO RASILE - BUNBURY HARBOUR CITY PROJECT
Work Payments

586. Mr BRADSHAW to the Minister for South-West:

Adverting to question 361 of 1991 -

- (a) how much has been paid so far for the work done on the Bunbury Harbour City project;
- (b) is there any agreed total amount to be paid and, if so, how much;
- (c) under what arrangement is the work being carried out?

Mr D.L. SMITH replied:

- (a) This information has been provided in lists previously made available in the answer to Legislative Council question 887. An update for the period July 1990 to March 1991 is currently available for inspection at the Bunbury office of the South West Development Authority.
- (b) The original agreement provided for a total amount based on the value of the project; however, this agreement has been varied to allow payment on a service rendered basis.
- (c) Currently work is being charged on an hourly rate schedule which is less than that suggested by the Royal Australian Institute of Architects.

**WOMEN'S INFORMATION AND REFERRAL EXCHANGE - WESTERN WOMEN
MANAGEMENT PTY LTD**
Preference Referrals

588. Mr LEWIS to the Minister for Women's Interests:

- (1) Did the agency known as the Women's Information and Referral Exchange (WIRE) give preference in referring the Western Women Management Pty Ltd group to enquirers seeking advice on financial matters?
- (2) If yes, were any commissions secret or otherwise paid to any persons employed or acting for the Women's Information and Referral Exchange (WIRE)?

Dr LAWRENCE replied:

- (1) When WIRE clients requested information regarding financial matters they would be given a minimum of three financial agencies from which to choose. If clients required budgeting advice they were referred to Welfare Financial Counselling Services.
- (2) As the inquiry being conducted by the Public Service Commission into the relationship between the Women's Information and Referral Exchange and

Western Women is currently being undertaken, it is not appropriate to preempt any findings or comment at this stage.

WASTEWATER TREATMENT PLANTS - OCEAN OUTFALL
Phosphorus Minimum Content Level

613. Mr HOUSE to the Minister for Water Resources:

In relation to question 199 of 1991, what is the minimum level of phosphorus content accepted by the Environmental Protection Authority for a wastewater disposal in an ocean outfall treatment plant?

Mr BRIDGE replied:

The EPA sets no general minimum or maximum levels for phosphorus content in wastewater effluents discharging to the ocean. It has the powers to set maximum limits and in the Water Authority's case, has set a temporary maximum limit for the combined effluent to be discharged from both the existing and proposed new outlets at Beenyup. This figure is 913 kg/d and will be reviewed when research work to support the new Beenyup outlet is completed.

WATER AUTHORITY OF WESTERN AUSTRALIA - SEWERAGE
Backlog Program Expenditure, Perth Metropolitan Region

618. Mr LEWIS to the Minister for Water Resources:

What is the amount of money in dollar terms that has been expended by the Water Authority of Western Australia specifically dedicated to the backlog program to sewer unsewered properties within the Perth metropolitan region within the following financial years -

- (a) 1983-84;
- (b) 1984-85;
- (c) 1985-86;
- (d) 1986-87;
- (e) 1987-88;
- (f) 1988-89;
- (g) 1989-90;
- (h) 1990 to 31 March 1991?

Mr BRIDGE replied:

- (a) 1983-84 \$16.4 million
- (b) 1984-85 \$14.1 million
- (c) 1985-86 \$9.9 million
- (d) 1986-87 \$11.5 million
- (e) 1987-88 \$8.7 million
- (f) 1988-89 \$9.3 million
- (g) 1989-90 \$13.4 million
- (h) 1990 to 31 March 1991 - \$9 799 000 - (\$13 612 000 est. 1990-91).

Note: \$ price base is at the individual financial years.

QUESTIONS WITHOUT NOTICE

TOTALISATOR AGENCY BOARD - 6PR - LEWARA
Share Purchase Price - Independent Assessment

120. Mr CLARKO to the Minister for Racing and Gaming:

- (1) When the Totalisator Agency Board acquired all the shares in Lewara

from the Western Australian Trotting Association for \$9.5 million, which included discharging some of Lewara's debt, was an independent assessment made to determine what was a fair price for the purchase of 6PR, or who determined what the price should be?

- (2) What directions or suggestions did the then Premier, Hon Brian Burke, give to the TAB regarding the acquisition of 6PR?
- (3) When did the Minister first become aware that the purchase of 6PR - Lewara - by the TAB was illegal?

Mrs BEGGS replied:

- (1) I thank the member for notice of his question. At page 25 of his report the Auditor General states quite clearly that the TAB did not obtain a valuation for the radio licence at the time it purchased Lewara shares, but the purchase price certainly was determined by what was the asking price at the time and the commercial environment.

Mr MacKinnon: So if they had asked for \$20 million they would have got it.

Mrs BEGGS: No.

Mr MacKinnon: That is what you just said.

Mrs BEGGS: No. In the environment at that time there were high asking prices for broadcasting licences across Australia. I point out also that at the time part of the decision making process was based on the fact that if the radio station had not been purchased by the TAB, it would have been put onto the open market. This is a matter which the member for Marmion and I discussed during the debate in 1990 when we validated the purchase, and we agreed that it would be very disadvantageous, not only to the operations of the TAB but also to the codes, if those radio broadcasts were to cease. We had no guarantee that if that radio station were not purchased by the TAB, with assistance from the Government, that would not be a real possibility, because the contract to broadcast races was due to expire.

- (2) As stated by the Auditor General on page 39 of his report, the then Premier wrote to the TAB in October 1987. The matter was then referred to Cabinet, which approved the purchase of Lewara. I do not have any knowledge of any directions given to the TAB on this matter.
- (3) In his report on the TAB financial arrangements for 1987-88 the Auditor General expressed doubt about the legality of the use of section 26 of the Totalisator Agency Board Betting Act for the purchase of Lewara. The member would be aware that amendments to the TAB Act to enable the TAB to acquire shares and to address concerns raised by the Auditor General on the use of section 26 were passed by Parliament in 1988 and 1990 respectively. In fact, during debate on the 1990 amendment, the member supported - although reluctantly - the TAB purchase of 6PR because he too recognised the importance of that purchase. When I brought the amendments to the House in respect of 6PR I was aware that on two previous occasions the TAB had purchased shares in radio station 6PR; they were in 1977 and 1981, at a time when the member's party was in power, and I was actually also rectifying the mistakes that were made then.

UNEMPLOYMENT - GOVERNMENT COUNTERACTION

121. Mr CATANIA to the Premier:

Can the Premier advise what steps the Government is taking to counter the effects of high unemployment?

Dr LAWRENCE replied:

Mr Speaker -

Several Opposition members interjected.

Dr LAWRENCE: I hope members opposite are not going to treat this matter with levity.

The SPEAKER: Order! I know this is Thursday and that we have been here for a few weeks, but there is still no excuse for members to interject on a member on her feet before that member has even spoken. It is improper in the extreme.

Dr LAWRENCE: Thank you, Mr Speaker. Unfortunately, it is typical of the solutions which the Opposition has offered in this case; and I will give some examples of those in a moment. None of us can sit in Parliament with any degree of comfort and feel that the level of unemployment in Western Australia and Australia is acceptable, but we also have to be realistic and indicate clearly and honestly that the options for this State Government - any State Government; and members will hear the same statements made by Nick Greiner, Wayne Goss, and others - in swimming against national and international tides are difficult, but it is possible to provide direct assistance to the unemployed and, secondly, to stimulate the local economy. Unlike members opposite, we have endeavoured to outline and to implement two such sets of programs to provide direct assistance and to stimulate the local economy.

In terms of direct assistance, obviously one of the things we have to do is fund projects that assist young people to train for employment and to find employment. The practical assistance they require is very important and should not be underestimated by members opposite. The steps we have taken - for example, to increase the number of education and training opportunities by 1600 places - are very important. They will not immediately solve the problem but they will place young people in a better position than they would otherwise have been in. In addition, we are making sure that the skills they acquire are properly targeted. The State Employment and Skills Development Authority will ensure through industry input in particular that we will not be left with skills shortages in areas where development takes place. We have also undertaken some direct stimuli into the building sector through the so-called 1 000 homes program, which in fact has now been increased to 1500 homes - 1 000 in the city and 500 in the country; the Homeswest program; and the Capital Works Program that we undertake as a matter of course. In the longer term - although there will be some immediate short term benefits - the reduction in tariffs and in taxes and charges will have a stimulating effect on the economy. But we cannot turn back a tide which is greater than the State's boundaries, which it clearly is.

Several members interjected.

Dr LAWRENCE: Why do members opposite think Nick Greiner is having his election now? Why has he jumped the gun? Because he can see the same slide occurring in New South Wales. They have been protected in New South Wales. Members opposite should know that despite the serious unemployment figures, the underlying strength of Western Australia's economy is indicated by the fact that most commentators expect this economy, unlike the national economy, to grow by about 2.2 per cent. The national economy is expected to grow by zero. Ironically, optimism about the Western Australian economy has been manifest in the unemployment figures released today. We have a much higher participation rate, and more people have joined the labour market than in previous months. There were an extra 4 600 jobs last month. However, that big number of people entering the labour market has been outstripped by the unemployment. Concrete steps can be taken. Electricity prices will go down as a result of the project with the new coal fired power station. There are housing and capital works initiatives. At least these are concrete measures. If we look at the Opposition's solutions -

Several members interjected.

Dr LAWRENCE: I shall come to the member in a minute. The Leader of the

Opposition said today that the serious unemployment in Western Australia and Australia could be remedied by the following measures: He will stop the rot; he will kick start the economy; he will turn it around and push it in the right direction; he will take tough actions; he will bite the bullet; he will convene a crisis summit and put in place some urgent action.

Mr MacKinnon: Where are they going?

Several members interjected.

Dr LAWRENCE: When we ask for specifics from the Opposition -

Several members interjected.

Mr Pearce: The question is, will he bite the bullet at the summit?

Dr LAWRENCE: Members opposite are suggesting an ammunition led recovery. We get rhetoric, posturing and everything but something positive from the Opposition. All of us can say those empty words and phrases. Practical programs and policies are what this State needs and what it will get from this Government.

Mr Kierath: Do I have the call, Mr Speaker?

The SPEAKER: I shall give you the call on the proviso that you are careful about your interjections from now on.

LOCAL GOVERNMENT ELECTIONS - ELECTORATE OFFICES

Member for Peel's Electorate Office

122. Mr KIERATH to the Premier:

In view of the assurances given by the Premier in reply to a question in this House last week concerning the use of electorate offices in local council elections -

- (1) Is the Premier aware that the electorate office of the member for Peel was used for council elections all day on Saturday, 4 May?

Several members interjected.

The SPEAKER: Order! I have just given the member for Riverton the call on the proviso that he does not interject, and members will not even let him get his question out!

Mr Read: We are not used to him not interjecting.

The SPEAKER: Order!

Mr KIERATH: To continue -

- (2) Is the Premier aware that the candidates supported by the member for Peel were defeated in Saturday's election?
- (3) What penalties apply to members of Parliament if they breach the Ministry of the Premier and Cabinet policy guidelines on the use of electorate offices?

Dr LAWRENCE replied:

(1)-(3)

After the member's very important question to me last week I undertook a survey of my own. If the member for Peel is to be reprimanded, so too should at least three members on the other side of the House who used their electorate offices for the purposes of election campaigning in the recent local government elections. I do not condone it, whether it is the member for Mandurah or the member for Peel. The member for Mandurah's office was clearly being used last Saturday. Not only was it open, but it was giving advice -

Several members interjected.

Dr LAWRENCE: It was giving advice to interested electors on how to vote and how

to vote for them. I am happy to apply the same rules to all members of Parliament, but members opposite should not pretend to be without fault.

Several members interjected.

The SPEAKER: Order!

Dr LAWRENCE: I ask members opposite to be consistent, honest and not hypocritical in these matters.

SMALL BUSINESS - GOVERNMENT ACCOUNT PAYMENTS *Difficulties Assistance*

123. Mr KOBELKE to the Minister for State Development:

Can the Minister advise the House of what is being done to assist small businesses experiencing difficulties with payment of accounts by Government and what impact, if any, the Liberal Party's Prompt Payment of Government Accounts Bill would have?

Mr TAYLOR replied:

In a few cases difficulties are experienced in getting Government accounts paid, and the Leader of the National Party referred me to one of those earlier today. However, millions of dollars are paid out each year by the Government, and most accounts are paid well and truly on time. As a matter of fact, some time ago the Small Business Development Corporation set up a special hot line which addressed any problems that arose in relation to Government accounts. The success rate of that hot line has been quite outstanding, with most complaints about outstanding accounts being settled within a very short time. In the few cases where payments are delayed the delays occur for a variety of reasons, including incorrect documentation on the part of both Government and business. As to the member for Roleystone's Prompt Payment of Government Accounts Bill, it is clear that he has failed to understand a quite common business practice adopted by this Government some time ago; that is, the payment of accounts within 30 days of the end of the month in which they are received. That practice overcomes any problems relating to individual cheques being drawn in relation to a whole range of payments due to a particular organisation or business.

It is impossible to estimate accurately the number of accounts this or any Government would pay in the course of a year, but they run into millions. If we look closely at the Bill the member for Roleystone brought before this Parliament yesterday, we see that it suggests that payment of those sorts of accounts should be made virtually on a daily basis. If he really believes that can be done without additional costs and a great deal of criticism of the stupidity of that suggestion, he is quite naive. That suggestion makes a mockery of the Opposition's claims that the Government is not paying accounts within 30 days. I would advise any business proprietor who does not receive payment on that basis to get in touch with the Small Business Development Corporation's hot line straight away and those issues will be addressed immediately.

SCHOOLS - SCHOOL RENEWAL REPORT *Deficiencies Recommendation*

124. Mr AINSWORTH to the Minister representing the Minister for Education:

(1) With reference to recommendations in the school renewal report, where the school renewal process identifies deficiencies in the availability of a comprehensive curriculum, or other deficiencies at a particular school, and where geographic factors preclude alternative solutions, will the Ministry of Education -

(a) immediately take steps to provide resources to overcome the deficiency; and

(b) do so without being constrained by a higher than average per capita cost?

(2) If no to those two questions, is the ministry prepared to accept lower than desirable standards for some remote schools?

The SPEAKER: Order! As the Minister to whom the member for Roe has directed the question is not the Minister responsible for the portfolio, I ask whether the member for Roe has given him some notice of the question.

Mr AINSWORTH: The question was handed to one of the Clerks before lunch and I presume the Minister has seen a copy of it, but I have not confirmed that.

The SPEAKER: What I want to know is, has the member given the Minister some notice of the question which he has just asked?

Mr AINSWORTH: As I said, Mr Speaker, that question was to be handed to the Minister responsible but I am not sure whether it got to him. It was handed to the Clerk before lunch and I believe it has been transferred in the usual way.

The SPEAKER: The procedures of this place in the past have been that the Minister can answer those questions on behalf of another Minister subject to his having been given notice. If that practice has been followed in this case I ask the Minister to answer it; if it has not, we will move on.

Dr GALLOP replied:

(1)-(2)

I have not been given a great deal of notice of the question; nevertheless, I think I can answer it. First, I received a copy of the school renewal report - which recently went to the Minister - only last night, so I am not up to date on the details of that report. However, I think I can speak generally on behalf of the Government in saying that in respect of many schools in our State, at this moment the Government ensures that the highest possible standard is observed in those schools, as much as resources allow. Through the school bus policy, distance education and our country high school hostels system, we are trying to guarantee that equality of education is provided to every student throughout this vast State. It can be enormously difficult to do that where there is not the minimum number of students in schools to be able to provide the range of offerings necessary, particularly in years 11 and 12 of the education system. The Government makes every effort to ensure the highest possible standard of education is offered to all students throughout the State. It becomes more difficult in years 11 and 12 because of the educational programs offered in those years. We would like to think that Opposition members of this Parliament, particularly those representing country seats, support country high school hostels which are attached to some of the finest secondary education institutions in this State. Were more support given to the hostels in the system, many of the current problems that prevail in the upper secondary area would wither away. We do as much as we can. I do not know what the new school renewal report recommends on the issue. If the member wishes to write to the responsible Minister she will respond to the question.

EAST WEST INSIGHT PTY LTD - INSIGHT WEST *Government Employment*

125. Mr BRADSHAW to the Premier:

(1) Did the Government have knowledge of any Government department or agency having any polling, research projects or surveys carried out by East West Insight Pty Ltd, Insight West, or any associated company?

(2) If so, will she indicate what work was placed in this direction and the costs?

(3) Will the Premier have an investigation to see whether any Government departments or agencies used Insight West or East West Insight Pty Ltd, for what purposes, and how much was spent?

- (4) Further to (3), will the Premier release the details plus the reports compiled for the Government and Government agencies?

Dr LAWRENCE replied:

(1)-(4)

Were the member serious about receiving an answer to this question, he would have placed the question on notice.

Mr Bradshaw: I have been asking this question for three years. We have not received an answer.

Dr LAWRENCE: It has not been asked directly of me.

Mr Bradshaw: Maybe not in this form, but in another form it has.

Dr LAWRENCE: The member is now being honest. On many occasions, total descriptions have been requested involving every market research undertaken by the Government.

Mr Bradshaw: I asked about a poll.

Dr LAWRENCE: What is the difference between a poll and market research?

Mr Bradshaw: Probably very little.

Dr LAWRENCE: I have seen the form of the questions asked. I did not know that they were asked by the member for Wellington. I am more than happy, now that specific names of companies have been provided, to ask every department and agency whether it has used the companies mentioned and for what purpose. That is possible to undertake. The general question persistently asked involving lists of everything is not possible to undertake without a huge waste of resources. I take this opportunity to comment again on the sorts of questions asked by the Opposition. This does not directly affect the question asked by the member for Wellington; I refer to questions that call for a bit about everything - that ties up the Public Service in a stupid way. I have had a series of questions -

Several members interjected.

The SPEAKER: Order! It is not proper that interjections are shouted out in an attempt to drown out the person on his or her feet. Standing Orders indicate that any interjection is disorderly, and that means every single one. I will not ask that that practice be adopted because I do not think Parliament should be restricted in that way. However, if that is what members require me to do, and if they persist in that sort of interjection, that is what I will do.

Dr LAWRENCE: Mr Speaker, I was about to conclude. I guess the very loud interjections we hear from time to time, when an observation is made which members opposite do not like, are a reflection of poverty of argument and sometimes intellect. I was trying to suggest there are more important matters about which the Parliament should ask questions, but fishing expeditions are very difficult to oblige - whether one handles a particular portfolio or is Premier. It is reasonable for anyone to express reservations about the desirability of that tactic in this Parliament. I was about to indicate that the Rural Adjustment and Finance Corporation, which we know has been under enormous pressure because of the huge number of applications lodged with it, to the extent that the Government has provided 16 extra staff, has been tied up with a plethora of questions from members opposite. This organisation should be spending time processing applications for those in the rural sector who are in dire need of assistance, rather than dealing with questions the answers to which could be found through a proper perusal of public records.

BUILDING MANAGEMENT AUTHORITY - NON-URGENT FAULTS *Work Limit Instruction*

126. Mr COWAN to the Minister for Services:

- (1) Is he aware of any instructions given by the executive, or anyone else, of the

Building Management Authority to BMA supervisors to limit work on non-urgent faults or program maintenance jobs to a specified number each week?

- (2) Does this practice have the support of the Minister, and can he explain why the policy has been adopted?

Mr McGINTY replied:

(1)-(2)

I thank the member for his question. The Building Management Authority is the Government body primarily responsible for the servicing of breakdowns, faults and general maintenance in Government buildings. Apart from that function, it is necessary for the Building Management Authority to determine priorities for maintenance requirements in such buildings, and a formula has been developed to ensure that consistency is applied when considering all Government buildings. I will provide a detailed copy of that formula to the member so that the question can be answered with greater precision than it is possible to do in a question without notice.

RESERVES - RESERVE C30364, INKPEN RESERVE
System 6 Report, Conservation of Fauna and Flora

127. Dr ALEXANDER to the Minister for the Environment:

I gave accidental notice of this question a while ago and the Minister gave accidental notice of the answer to be provided. However, the question is worth asking.

- (1) Why was reserve C30364, known as Inkpen reserve near Wundowie, not included in the System 6 report as an area set aside for conservation of fauna and flora when my understanding is that it was part of the 1978 Conservation, Reserves and National Park Committee report?
- (2) Can the Minister confirm that the letter from the Executive Director of the Department of Conservation and Land Management, sent to the Department of Land Administration in 1987, recommended that reserve C30364 should be vested in the National Parks and Nature Conservation Authority for the purpose of conservation of flora and fauna?
- (3) If that letter was sent, how is it that the area has still not been gazetted?

Mr PEARCE replied:

(1)-(3)

I am always touched by the confidence some members in the House have in my omniscience - it is flattering and I am sorry to have to present feet of clay on these occasions. When the System 6 report was compiled almost two decades ago, I was not a member of Parliament, let alone the Minister. My understanding is that a group of experts looked over the System 6 area and recommended the areas to be put aside for conservation purposes. The fact that the so-called Inkpen reserve was not vested is an indication that they did not think it was worthy of or of sufficient conservation value. As far as I am aware, no record was kept of the reasons that areas were not listed, but a document was kept of the reasons that areas were listed. Therefore, I cannot answer the question.

Also, I was not the Minister for the Environment in 1987 when the letter would have changed hands, but I am happy to check whether any correspondence took place between the department heads to whom the member referred. Again, I am not able to say why action has not been taken, if such a letter was sent, to put the reserve into a reserve classification. I can only assume that no significant agreement occurred to the effect that it should be in that category. The matter has never been raised with me in any shape or form. Controversy has arisen regarding that area, but no proposal for listing

has been put before me. Therefore, I cannot answer the question with any precision, but I will find out about the outcome of that letter.

TUCKER, MR WARREN - GOVERNMENT EMPLOYMENT

Question on Notice 202 Error

128. Mr LEWIS to the Premier:

- (1) Is the Premier aware that in her answer to question on notice 202 of 21 March 1991 in which I asked which Government agencies accountable under the Financial Administration and Audit Act had appointed or commissioned Mr Warren Tucker or any associated entity as a project manager or adviser on real property matters she listed seven such agencies not including the State Government Insurance Commission and the Government Employees Superannuation Board?
- (2) Is the Premier aware that in answer to question 1949 of 1989 the Treasurer confirmed that Warren Tucker Pty Ltd gave advice to the GESB on the Central Park development on occupancy and rental forecasts?
- (3) Is it a fact that Mr Tucker and/or his companies are currently project managing the Central Park project?
- (4) Have Mr Tucker or his companies given advice or been consultants to the SGIC?
- (5) Has the Premier misled the House?

Dr LAWRENCE replied:

(1)-(5)

No, I do not recall the answer specifically to a question asked of the former Treasurer in 1989 and I do not believe the member for Applecross honestly expects that I would. If any error occurred in the answer provided to question on notice 202 of 21 March, I am more than happy to check it. No deliberate misleading of the House occurred. The manner in which the question was asked is critical and I would need to check the form of the question before deciding whether the member's observations about the answer are correct. I am happy to do that. If an error has occurred, I am happy to remedy it.

Mr LEWIS: When will the Premier do that?

Dr LAWRENCE: Perhaps we can arrange to do it by Tuesday of next week.
