

Legislative Council

Thursday, 16 June 1994

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 2.30 pm, and read prayers.

PETITION - ALBANY HIGHWAY, MT BARKER, REALIGNMENT

The following petition bearing the signatures of 103 persons was presented by Hon Bob Thomas -

We, the undersigned:

totally oppose the realignment of Albany Highway (Mt Barker)

totally oppose the resumption of land from blocks located on Hassell Street, Mt Barker

totally oppose the detrimental impact on natural wetlands located between the existing section of Albany Highway and Hassell Street, Mt Barker

request the upgrading of the existing section of Albany Highway and the two railway crossings south of Mt Barker

as a matter of urgency, call on the Minister for Transport to oppose the realignment of Albany Highway, Mt Barker.

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

[See paper No 124.]

MOTION - URGENCY

Port Kennedy, Dune Systems and Wetlands Protection

THE PRESIDENT (Hon Clive Griffiths): I have received the following letter -

The Hon Clive Griffiths MLC

President

Legislative Council

16th June, 1994

Dear Mr President,

At today's sitting, it is my intention to move under SO 72 that the House, at its rising adjourn until 9.00 am on December 25 1994 for the purpose of discussing the dangerous set of conditions which threaten the survival of internationally important dune systems and wetlands at Port Kennedy.

This matter being exacerbated by the imminent finalisation of the Port Kennedy Development Agreement Act 1992.

Yours sincerely

JIM SCOTT MLC

The mover of this motion will require the support of four members.

[At least four members rose in their places.]

HON J.A. SCOTT (South Metropolitan) [2.38 pm]: I move -

That the House at its rising adjourn until 9.00 am on 25 December 1994.

This is an extremely important motion, and I shall deal with three points. Firstly, the environmental protection of the area is not being upheld; secondly, a land swap is taking place within the northern conservation zone; and thirdly, the previous and current governments have both failed to provide a scientific park in that area.

For the information of members who may be new to this place or not familiar with the

story, Port Kennedy is located about 50 kilometres south of Perth. That land has extremely high conservation value. It also has scientific value because of the peculiar dune system. I will quote a few of the things that were said at that time by members of the Government and the scientific community. Mr Pandal, who is now in another place, quoted from the Environmental Protection Authority's Bulletin No 398 dated September 1989 as follows -

The Port Kennedy location involves a number of environmental aspects of significance. The System 6 report 1983 confirmed the regional recreation potential of the site, and drew attention to the various important conservation aspects . . . Further, it has recently become apparent that the site has national and international scientific significance.

Mr Pandal said -

I ask members to understand that we are now not dealing with something that in 1983 was, in good faith, described by the Environmental Protection Authority as something whose "conservation value is high"; we have moved a quantum leap. We have now reached a point where, six years later, and I repeat -

Further, it has recently become apparent that the site has national and international scientific significance.

Port Kennedy is now the subject, as most people here will know, of a quite extravagant coastal development project, which will include a five storeyed hotel, two golf courses, a marina, and public facilities. The agreement between the developer, Fleuris Pty Ltd, and the Government was ratified by the Western Australian Parliament in 1992 through the Port Kennedy Development Act. The agreement included the giving to the developer of 25 hectares of prime ocean front land which belonged to the Government, and a long term lease, at a peppercorn rate, of around 180 ha of other prime land. Currently, the developer is in the process of on-selling the project, partly to overseas interests, and that matter is currently with the Foreign Investment Review Board.

Members may not be aware that the Minister for the Environment has already given approval for the first stage of that project to go ahead, without ensuring that the ministerial conditions that have been laid down have been met. Those ministerial conditions require a number of studies to be completed before any development may commence. These studies are so vital that if they are not carried out, adequate protection cannot be given to the scientific and geomorphological value of that land, nor to the wetlands or the high dunes. These values were finally recognised by the Australian Heritage Commission when Port Kennedy and Secret Harbour were registered on the national estate. That occurred after tortuous delays and exhaustive studies by a number of independent and distinguished scientists. However, apparently the Minister for the Environment is not at all interested in ensuring that the wetlands are protected.

Hon W.N. Stretch: Was it listed because of the wetlands or for other reasons?

Hon J.A. SCOTT: No, for a range of features. The particular scientific feature was the dune system. To give members some indication of the importance of that dune system, I refer to a document titled "Comments concerning Coverage of Site Geomorphology and Significance in the ERMP for the Port Kennedy Development Proposal", by Ian Eliot, Department of Geography, University of Western Australia, which states -

Descriptions of dune formation and landform stability are superficial. The discussion entertains tenuous argument and no attempt has been made to relate the morphology of the site to processes described in other parts of the appendices. This strategy simply avoids issue driven investigation that would tie any discussion to the regional and international significance of the site.

The Port Kennedy site is of particular scientific importance because of its potential to yield information concerning variation in coastal storminess, storm surge and sea-level variation over the past 300 years. It makes the site one of much greater national and international significance than is indicated in the ERMP.

It states also -

Such areas are rare. They provide important analogues for changes likely to occur in response to predicted climate change, such as that likely to be associated with the greenhouse effect. In this respect, the ERMP does not adequately cover the geomorphology of the site at Port Kennedy.

One of the problems that we have is that those studies have not been thorough enough. As was pointed out in Mr Pandal's speech, there was no study of fauna on the site. The study said that the site was overrun by feral animals, but studies which have been done since that time by other people show that there are significant animal populations, including a couple of rare reptile species. The area is extremely rich in bird life, including migratory birds at Becher Point. These birds should be protected under our international obligations.

Prior to the election, the then opposition was a great protector. I can quote numerous speeches in *Hansard* where members of the now Government put the case that this area should be treated with the greatest care. It is unfortunate that the present Minister for the Environment is not proceeding in that vein.

Hon Sam Piantadosi: Wasn't the person who put forward that proposal punished?

Hon J.A. SCOTT: It seems to be very easy to get someone to make claims and then to take that person out of the job.

Hon Sam Piantadosi: He paid the price.

Hon J.A. SCOTT: So much for the then opposition's pre-election policy that there would be no loss of wetlands. If the Government has no commitment to saving wetlands on government land which are recognised nationally as important and able to be protected by the stringent upholding of ministerial conditions, there is little chance that other wetlands in the state will be looked after.

Why are the developers of the project being given such an armchair ride, where they are not obliged to conform with conditions? The overseeing of those conditions is the responsibility of the Minister, and he should uphold them. I would like to know why the Minister is failing to uphold those conditions.

Hon Reg Davies interjected.

Hon J.A. SCOTT: The member's guess is as good as mine. Whenever the environment and a development are considered together, the usual principle is that any risk should be reasonably balanced, and it leans toward the preservation of the environment. That is a widely accepted environmental practice in most countries, but since this Government came to power all protection has gone to development, and the environmental issues have gone out the window. I can only put that down to ignorance or greediness; I am not sure which it is.

The ministerial conditions require a number of studies to be completed before the development commences. The studies are vital so that adequate protection can be given to the scientific and geomorphological values of the area, as well as to the wetlands and high dunes. After the Australian Heritage Commission went into the area and decided to register it on the National Estate, further studies by scientists were carried out, but the Minister for the Environment seems to be not interested in taking any notice of the studies or in protecting the wetlands. The Premier has commented on the Port Kennedy development. On 29 January 1993, in a press release, he said that the environmental integrity of the Peel electorate, in which the Port Kennedy area is a significant feature, would be protected and that the development would not be carried out to the detriment of the environment. Yet that scenario is occurring. The coalition, then in opposition, condemned the Labor Party for its decision on Port Kennedy and made repeated promises in that regard.

Hon Reg Davies: I believe it was only the Liberal Party, not the coalition.

Hon J.A. SCOTT: That is true. I understand that some arrangements were made, and the

National Party voted with the Labor government.

Hon Reg Davies: They were exercising a conscience vote. There was no arrangement.

Hon J.A. SCOTT: I see.

Hon Derrick Tomlinson interjected.

Hon J.A. SCOTT: Certainly members who now sit on the government side condemned the Labor government and made many promises that should they come to power they would do the right thing. They grandstanded on the issue. I was in the Peel electorate prior to the election. I was on the spot and I heard some of those commitments. They said they would create a scientific park and ensure that the wetlands were preserved and protected. They would set aside 100 per cent for stage 2.

Hon Mark Nevill: To be guarded by 800 police.

Hon J.A. SCOTT: They would guarantee that a vermin-proof fence would be put in place within two years of their reaching office - to protect native fauna. Not one of those promises has been kept.

Hon Mark Nevill: Wait until they get rid of payroll tax, then they will consider that situation.

Hon J.A. SCOTT: The setting up of a scientific park is rapidly fading from their three year political memory, although there is talk of a conservation park, which is hardly appropriate in a National Estate area. We are witnessing a downgrading of that promise.

Hon Derrick Tomlinson: Why do you make the distinction between a conservation park and a scientific park?

Hon J.A. SCOTT: Because a scientific park will look after the natural heritage whereas the other is more a recreational area.

Hon Derrick Tomlinson: I thought that a scientific park would pertain to research and investigation.

Hon J.A. SCOTT: It does, but it also places a higher value on the retention of the natural heritage values -

Hon Derrick Tomlinson interjected.

The PRESIDENT: Order!

Hon Mark Nevill: It sounds like a contradiction to me.

The PRESIDENT: It sounds like a conversation to me.

Hon J.A. SCOTT: All the wetlands in the area are under threat from the landscape contingency plans - an important ministerial condition which would identify the wetlands and ensure that any development did not destroy the wetlands has now been deferred to a later stage. By the time the study is completed most of the precious wetlands and valuable fauna will be nice, neat fairways, frequented by wealthy visitors from other places. The Minister for the Environment obviously considers that the three vital aspects of the report are not necessary at this stage. They include the ground water monitoring and management program, the landscape contingency plan and the geomorphological site management plan. If the reports and studies are to be of a scientifically acceptable standard, they will allow the planning of the project to be directed towards the protection of the geomorphological value, the wetlands, the special vegetation communities and the ground water.

The appeals committee voiced a great deal of concern about ground water and the bores needed to support the two golf courses. I have copies of the relevant *Hansard* passages where Hon Phil Pental comments that he is against having two golf courses there. I will not go through those comments but I will make them available if members would like to see them.

Hon Sam Piantadosi: Was it policy at the time?

Hon J.A. SCOTT: Mr Pendal was the opposition spokesman on the environment and I assume it was not just his opinion.

Salt water intrusion is a serious problem in coastal areas. The ground water monitoring program is a very important factor that should be fully carried out and researched before allowing any pumping and before nutrients are thrown on the two golf courses. The lowering of the watertable is another factor which would affect all the wetlands in the area. Because of the peculiarities of the area and the ongoing formation of new dune systems, we must also consider the formation of new wetlands and the likelihood of extreme damage, which is very high without the proper management and monitoring programs. Normally one would expect anyone undertaking a responsible project to be very concerned. After all, as many members of all political parties will agree, there is a very high scientific and environmental value in the area, one of international significance. One would expect when an area such as this is to be developed that studies would first be undertaken for its proper management. The development would proceed after that, but this Government will allow the development the other way around - after the roads have been put through the wetlands, or the fairways. I understand that the odd change to the road system into Port Kennedy has occurred. The location of the road has been changed. The Minister has allowed the route to be changed and it now impinges on a number of wetland areas, including one of the most important wetland areas.

Hon Derrick Tomlinson: Has the road been put through?

Hon J.A. SCOTT: I think a temporary road has been put through. In fact, I believe the developer now wants to make that area into a practise putting course. So our wetlands will be turned into a golf course.

Hon Reg Davies: Is there an advisory committee to advise the Minister on that?

Hon J.A. SCOTT: I understand there is such a committee. However, I am not quite sure whether the Minister takes advice that will assist the environment. He tends to take advice that is helpful to developers.

Hon N.F. Moore: That is a cynical attitude.

Hon J.A. SCOTT: But it is true.

Hon Reg Davies: It seems to be the perception that finance comes first.

Hon J.A. SCOTT: Surely the capability studies and plans need to be completed prior to commencing such a risky development. We know that the fragile environment of Port Kennedy can be easily destroyed by inappropriate development. The wetlands, the dunes, the rich native flora and fauna, the scientific values and the marine environment including the posidonia seagrass species where the marina is proposed all add up to an environment which cannot be treated in a cavalier way. One of the criticisms of the environmental review and management program was that it was fairly flimsy. Mr Elliott talks about the brief it had at page 1 of his report as follows -

The structure and content of the ERMP suggest that a fully-trained geomorphologist was not included in the study team and in that context, that the Brief may not have been sufficiently explicit to direct thorough geomorphological research.

This has led, in the final conditions, to a matter which I have already canvassed in this House; that is, I understand application has been made, although I do not know whether it has been approved, for a land swap of the northern conservation zone. We have constantly heard from the people who want this development to proceed in this northern conservation zone that the vegetation in that area is very degraded. They say that it is not as good as the area in the south which has very high values in flora compared with the northern area. However, what seems to be conveniently forgotten is that it was not because of vegetation factors that that area was set aside. It was set aside for its geomorphological value; that is, the sand dunes and the scientific values of those high dune systems which as I said are evolving dune systems.

Hon Mark Nevill: What would a geomorphologist add to the knowledge of that area?

Hon J.A. SCOTT: It was set aside because it is a rare and evolving type of system where scientists can study the evolution of those systems. As Ian Elliott pointed out, the peculiarities of the area provide an opportunity for study of the greenhouse effect on this coastal area. He has written a fair amount in his report on that which I can show Hon Mark Nevill later. The area has particular scientific values not related to the vegetation.

Hon Mark Nevill: I think a sedimentologist and a palaeontologist would have much more skills to study that area. I do not see what a geomorphologist would add.

Hon J.A. SCOTT: Dr Elliott considered it was important that those features be examined. He went on to say -

The geomorphologic components of the ERMP are essentially descriptive rather than interpretive. Some attempts to develop causal explanation have been entertained but lack the rigour that would be expected in contemporary geomorphologic interpretation.

The regional and international significance of the Holocene dune assemblage between Mandurah Road and the coast, together with the innercontinental shelf region, is well established in the scientific literature. The literature represents a detailed examination of radiometric dating and stratigraphic interpretation that is unmatched for much of the Australian coast.

Hon Mark Nevill: That is why you need a sedimentologist.

Hon J.A. SCOTT: Maybe we need that as well. Nonetheless, Dr Elliott thought it was important that a geomorphological study be done. After all, those were the values for which the northern dune system was set aside - not, as I said, for the vegetation. For the land swap to be done on the basis of degraded vegetation in that area, is entirely missing the whole point of why it must be protected. We will finish up with a land swap from a protected area for the purpose of looking after the environment for another area which is already put aside for conservation. Only one person will win out of that - the developer.

I cannot understand why any Minister for the Environment would give away land on that basis. As I said, I am rather bemused as to why the Minister has taken such a nonchalant approach to the protection of this area of international scientific and environmental importance. I have heard it proposed that there can be only a couple of answers: Either he does not understand environmental issues - the people who said that said it was quite probable - or he does not care, and, come what may, he is eager to see a flashy development on a conservation reserve. I am hoping it is just his ignorance. Unfortunately the Minister has seen fit to interpret development in such a way that the three studies that were asked to be done are not required until some time later. Therefore, the planning, the road construction and the car parks can all proceed without any studies being done. That can suit only one group of people - the developers. It certainly does not help the people of this state protect their environmental values. It certainly does not protect the ground water, the wetlands, the dune system or the scientific value of the area.

Although the Minister may try to push the blame for his failures onto the Department of Environmental Protection, he must face up to the fact that, as a result of amendments to the Environmental Protection Act, the department now comes directly under his control. There is little doubt that the department is acting on his instructions in its downgrading of protection of the Port Kennedy area. The studies that have been completed - the sand dune stabilisation and management report and the fire management plan - are of a very poor standard. If the Minister were doing his job they would be rejected immediately. I recall him saying he was interested in the highest scientific standards to protect the environment. Even a cursory glance at these two studies will show the poor quality of the work and the failure to ensure these important issues are dealt with properly.

Hon Mark Nevill: Who did the studies?

Hon J.A. SCOTT: I understand it was up to the developer to arrange for the studies.

Hon Mark Nevill: He must have commissioned someone to do it.

Hon J.A. SCOTT: It seems to me to be a very strange way of doing things. While the

Minister is busy juggling with the ministerial conditions to suit the developer, he has conveniently forgotten the commitment his party gave on Port Kennedy - that it be afforded the very highest environmental protection. Stating the conditions in that way so that the work happens first and the studies are done later is probably in violation of the Environmental Protection Act. Where the Minister wants to make a variation to the conditions, section 46 should be used; however, he has not done so. The Minister has been extremely anxious to improve the realignment of the access road. He said that it is to protect the environment; however, that can suit only the developer. A route to the north of that wetland would avoid all wetlands and would be much more environmentally responsible. However, the Minister dismissed that idea in favour of the route which will destroy one of the most significant wetlands in the area. A consultant for the developer has confirmed that this important wetland will be destroyed. It is now planned to be developed as a golfing practice range. It is no wonder the developer wanted the access road changed. Hon Phillip Pandal pointed out that golf courses pose a significant risk to the nutrient loadings in wetlands. His government was against overdoing the number of golf courses in the Port Kennedy area.

It must also be asked why the northern conservation zone is being allowed to be swapped. That proposal should be dismissed forthwith. The agreement Act supposedly ties down the developer to a set of conditions and to developing in certain areas in the north. However, that area was set up as one which could potentially be swapped for an area in the southern zone. Because of that, no conditions pertain to that area in the north. That could provide a convenient area for the developer to put a housing estate next to the present housing. That would help to provide a bit of money to get the project under way. It is my suspicion that that has been planned all along, and the northern conservation zone has been at risk the whole time, despite the huge scientific value of the dunes. If the Minister were seriously concerned about the environmental impact on that area, no development would be allowed anywhere near that northern dune system.

As I have said, the southern portion which will now be swapped with the other zone was never going to be considered for development because of its high conservation value. The swap has been one bit of environmental land for another bit of environmental land in order that the developer can build most probably housing, and to escape the conditions that apply to the rest of the Port Kennedy development. The Minister should know that the northern conservation zone is significant, principally because of its geomorphological scientific values. These values were recognised by Dr Patrick Hesse when he carried out independent assessments for the Australian Heritage Commission. However, the Minister had in this state a person who was highly regarded by all members of this House for his studies in the area, Dr Vic Semeniuk. He is the scientist who most people agree has the most knowledge of the area. When the coalition was in opposition it promised it would draw up the boundaries to protect those values; however, now the swap is occurring. One can only assume that this is a guise to cash up the project so that further development can carry on from that.

Apart from the inadequate environmental review and management program that was carried out - which did not consider the fauna, the geomorphological values or what was happening off the coast - a number of studies have been conducted since then which have proved that other important aspects should be considered before this project goes ahead in its present form. I refer principally to the marina part of the development. The area in which it is proposed is in fact a whitebait nursery. A letter from the Port Kennedy Fishing and Sporting Club Inc states -

Another concern is the proposed marina which will be located in one of the best fishing spots on Warnbro Sound. We are very concerned that the marina will disrupt the whitebait nursery and destroy the fishing in Warnbro Sound. This could also affect the penguins and seals which are one of the major tourist attractions of the area.

A study was conducted by Barbara Winneke, who is now in the Antarctic, which showed that a tenuous balance existed in the penguin community in Warnbro Sound, and that there was no increase in the penguin community despite much protection being given to

them. Mrs Winneke put that down to the fact that the number of fish being taken by fishermen was limiting the overall number of fish available for the penguins. There is a delicate balance between the fishing and the penguins and seals in supporting their present populations. The development of the marina in this area will wipe out a rich bed of posidonia seagrass; a whitebait nursery from which the juvenile penguins gain their food. That could have a significant effect upon penguins.

Before this project gets under way a great deal more should be done, particularly in research that was supposed to have been conducted already, to protect the integrity of this area. The study should also take into account those important findings that have since occurred in the Port Kennedy area, such as the study of the penguins and the geomorphological values that were missed by the ERMP. No fauna studies were done in the area, yet private fauna studies show that there are significant existing communities of fauna in the area. An appropriate scientific assessment of this area has been brushed aside. The Government appears to be in a hurry to assist the developer in any way it can, but what has occurred to date is contrary to what this Government promised prior to the last election. If the Government were serious about looking after this area of Western Australia and, indeed, the world, because it is of international significance to the scientific community, it would be a little more open about what was going on there and make sure that the conditions were upheld. It is a disgrace that this Government has not made sure that the conditions have been met before the development can proceed.

Hon Derrick Tomlinson interjected.

Hon J.A. SCOTT: Stage 1 has been given approval.

Members must look again at the criticisms which have been made by a range of people about the environmental review and management program. Ian Elliott's report found that the development was lacking in a number of areas. We must look to the protection of our fishing industries which operate out of that area and to the protection of the whole sea ecology there. The area has significant groups of dolphins, seals and penguins, and by allowing the whitebait nursery to be wiped out there is a good chance that they will be lost.

I have not heard one person put forward a proposition which did not emphasise the value of the area. No-one could doubt its value. For a member sitting on this side of the House, it is difficult to understand why the Government is not fulfilling its election promise. The only way in which the protection promised by the Government can be achieved is for concerned people, at some time in the future, to approach the Commonwealth Environment Protection Agency to take over from the state EPA. This Government has shown that it has no concern - perhaps that is a little over the top -

Hon N.F. Moore: Well and truly. It is not like you to exaggerate, but you are doing that now.

Hon J.A. SCOTT: The Government is a bit over the top. Hon Norman Moore might have some knowledge that I do not have about the area. However, whenever I have asked the Government to give a commitment to fulfil its promise I have been given nebulous statements to the effect that it will set up a committee.

Hon N.F. Moore: I think you should have a meeting with the Minister for the Environment or the EPA to go through these issues.

Hon J.A. SCOTT: It might be a very good idea because approval seems to have already been given without ensuring that the conditions have been met.

Hon N.F. Moore: I do not think that is correct.

Hon J.A. SCOTT: With stage 1 that is the case.

Hon Derrick Tomlinson: When and how was approval for stage 1 given?

Hon J.A. SCOTT: I understand it has not been officially announced, but the Minister has told the developer that the development can go ahead.

Hon Derrick Tomlinson: That would be contrary to the agreement Act.

Hon J.A. SCOTT: I would say so.

Hon Derrick Tomlinson: It would be unlawful.

Hon J.A. SCOTT: Yes.

Hon Derrick Tomlinson: It would be a foolish Minister who would do that.

Hon J.A. SCOTT: It would indeed.

Hon Doug Wenn: He has done it then!

Hon J.A. SCOTT: The situation is that before the protections are put in place the development will go ahead. If this Government had any real commitment to this development it would ensure that all the conditions placed on it were properly met before it proceeded.

Hon N.F. Moore: I think that is what will happen.

Hon J.A. SCOTT: It has not happened.

Hon N.F. Moore: It has.

Hon J.A. SCOTT: I have already referred to the number of studies which should be undertaken before the development proceeds. Where are those studies? If members were to read the conditions that were laid down and which must be complied with before the development proceeds, they would find that they have not been complied with.

I again remind the Government of some of the comments that were made by its members when it was in opposition. For instance, when the now member for South Perth was a member of this House he said in his contribution to the second reading debate on the Port Kennedy Development Agreement Bill on Wednesday, 2 September 1992 that -

I will go on to quote another part of the 1989 report, because it forms another part of a fear that opponents have. I do not think heaven and earth stand between us and this project's being approved, but for my part and the Opposition's part we believe there should not be a marina. Instead, on the advice I have seen, there is no reason why we cannot have a pier system of berthing vessels, the difference being that it does not impede the flow of water and that then does not have effects on coastal erosion, which will undoubtedly happen if that marina proposal is allowed to proceed.

Hon Tom Stephens: That might explain why he is on the back bench now.

Hon J.A. SCOTT: His comments were not about being pro-development, but about working things out in a way that was compatible with the coastline.

Hon Tom Stephens: When in opposition the Government was opposed to development and now that it is in government it believes in development at any cost.

Hon N.F. Moore: That is not true.

Hon J.A. SCOTT: In the same speech Hon Phil Pandal said the following about golf courses -

Secondly, I believe there is good scientific argument to suggest that we should not let two golf courses be developed there. That relates to the part of the report on which I was about to speak, and I will quote from that 1989 document again -

The proposed development will, in the view of the Authority, not only encourage significantly greater recreational use of the adjacent marine environment, but will also contribute to the nutrient load and input of contaminants to Warnbro Sound.

Why, when Western Australian society is now paying such an enormous price for the nutrient overload of the Peel-Harvey inlet, are we tempting fate by going down the same path with this very project if that nutrient overload associated with the two golf courses is allowed to proceed?

The final quote I want to read from this report is a remark that appears on page iv -

The international scientific significance of the site's geomorphology is now well established.

They are crucial words. We are talking about something which has international scientific significance, acknowledged by the EPA three years ago. If that sounds a little outdated I want to draw the attention of the House to remarks that have been delivered to me as late as a day or two ago, in written form, by Dr Vic Semeniuk, a coastal scientists of international repute.

Further on in his speech Hon Phil Pandal quoted a couple of lines from Dr Semeniuk's letter as follows -

As a scientist, I am of the opinion that there has been a serious error of judgement made in regard to the intended land use in the area known as the Point Becher cuspsate foreland . . .

I could go on and quote comments from other people who supported Hon Phil Pandal's concerns about the golf courses. In spite of that, a golf course is now being developed on a significant wetland. I ask the Government to lift its game and to ensure that this area is protected. If it does not, people will ask the Commonwealth EPA to step in.

Hon N.F. Moore: Would you be one of those people?

Hon J.A. SCOTT: I would very much be one of them because I fear for the environment of this state under this Government.

[Debate adjourned, pursuant to Standing Order No 195.]

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

14th Report on Scrutiny of Subordinate Legislation in Different Jurisdictions, Tabling

Hon B.K. Donaldson presented the fourteenth report of the committee in relation to the scrutiny of subordinate legislation in different jurisdictions.

On motion by Hon B.K. Donaldson, resolved -

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

[See paper No 126.]

ADDRESS-IN-REPLY

Amendment to Motion

Order of the Day read for the resumption of debate from 15 June.

Debate adjourned, on motion by Hon George Cash (Leader of the House).

[Continued on p 1920.]

STOCK (BRANDS AND MOVEMENT) AMENDMENT BILL

Third Reading

Bill read a third time, on motion by Hon George Cash (Leader of the House), and transmitted to the Assembly.

STATE BANK OF SOUTH AUSTRALIA (TRANSFER OF UNDERTAKING) BILL

Second Reading

Resumed from 9 June.

HON MARK NEVILL (Mining and Pastoral) [3.32 pm]: The Opposition supports the State Bank of South Australia (Transfer of Undertaking) Bill. The Bill needs to pass through this House before the new bank starts operating in South Australia on 1 July, so

the Opposition is again demonstrating its cooperation with the Government where there is a need to pass urgent business through this House.

The Bill has been introduced at the request of the South Australian Government as a complementary measure to facilitate the restructuring of the State Bank of South Australia. The purpose of the Bill is to provide for the transfer of part of the undertaking of the state bank to the new Bank of South Australia Limited, by providing for the transfer of assets and liabilities from the state bank to the new bank without the usual written documents. Unlike some of the complementary Bills that have been passed in other states, this Bill does not contain a special provision for exemption from state taxes, such as stamp duty and the financial institutions duty. The Government has, however, negotiated with the South Australian Government for compensation in lieu of state taxes. This amount is estimated in the second reading speech to be \$36 000. In our view that is a very small amount, and one wonders how much the assets are in other states and whether it warrants an Act of Parliament to facilitate the transfer. I could understand its being warranted if the State Bank of South Australia and its subsidiaries had large assets in Victoria and New South Wales, but it seems that a small amount of state taxes is involved.

The second purpose of this Bill is to allow the Western Australian Registrar of Titles and other relevant authorities to register certain transactions when the transferrer is not the registered proprietor. It will allow a short-cut to be taken. The State Bank of South Australia is being corporatised and that will put it into the tax net of the Commonwealth Government, and under the provisions of the Corporations Law. The good quality assets are to be transferred to the new Bank of South Australia Limited. I gather all the dud parts will stay where they are. The new Bank of South Australia is earmarked for ultimate sale. Relief from taxes is granted in Western Australia for a limited period of six months.

The Bill will also allow for the vesting of property in the new bank, without the need for transfer documents, and compels the Registrar of Titles to accept transfers of property when the property is still registered in the name of the new bank. Without this legislation, the transfer of assets would be time-consuming and expensive. That may be the case in other states, and it would be interesting to know whether that case has been made in Western Australia.

In the other place, the Leader of the Opposition asked the Premier for further information. He asked three questions during the second reading debate. The Premier has responded in writing to the Leader of the Opposition and I will read those responses into *Hansard* for the record. The first question related to clause 7(k) which states that -

legal proceedings in respect of a transferred asset or liability commenced by or against the SBSA or an SBSA subsidiary must (subject to discontinuance) be continued and completed by or against BSAL.

The Leader of the Opposition asked -

Will there be any costs to those who may take action against the Bank of South Australia Limited?

The Premier replied -

It is unlikely that any costs will be incurred by anyone taking action against SBSA/BSAL. Irrespective of whether the legal proceedings were commenced by or against SBSA, a formal application by BSAL to note the change of parties would be required in most courts. It is likely that the minor costs of any such application would be awarded against the applicant (i.e. BSAL).

The second question asked by the Leader of the Opposition referred to clause 9 which states -

If property is registered in the name of SBSA or an SBSA subsidiary, the Registrar of Titles or other registering authority may register a dealing with the property by the body corporate in whose name the property is registered or by

BSAL without being concerned to enquire whether the property is or is not a transferred asset.

The Leader of the Opposition said -

It seems unusual that this legislation would not require the Registrar of Titles to make any inquiries about the nature of the transferred asset and whose property it is.

The response from the Premier, in his letter dated 13 June, is -

The reason for relieving the Registrar from being required to make any enquiries is to protect him from any responsibility for the SBSA or BSAL dealing with the other's property. Should any such dealings occur, the consequences will be a matter to be resolved between SBSA and BSAL. The intent is to save the Registrar from the potentially onerous task of checking through the Treasurer's vesting orders on each occasion an item of SBSA or BSAL property is dealt with.

Similar protection is provided to the person dealing with the SBSA or BSAL, in clause 10.

The third question asked during the debate in the other place, but not answered during that debate but by this same letter, was from the Leader of the Opposition, who said that it was extraordinary to say that an Act in regard to the State Bank of South Australia could override any other law. The response from the Premier was -

... despite the apparent generality of this clause, it is implicit that the Act could only override any other laws pertaining to the same matters covered by the Act and consequently potentially inconsistent with the Act. To specifically identify each other law which may fall into this category would require an extensive examination of the Western Australian statutes.

Other laws might otherwise defeat the purpose of clauses in the Act designed to minimise the administrative effort in vesting property of the SBSA in BSAL, or detract from the protection afforded to the Registrar and members of the public in clauses 9 (2) and 10.

With those few comments and a general reservation about whether a Bill is necessary for a saving of \$36 000 of stamp duty and the inconveniences of transferring property, the Opposition supports the Bill.

HON MAX EVANS (North Metropolitan - Minister for Finance) [3.42 pm]: I thank the Opposition for its support. As Hon Mark Nevill said, this is about good banks and bad banks. I like that jargon. Tim Marcus-Clark of the State Bank of South Australia and Ian Johns of Tricontinental have each been awarded the title of bank manager of the year, and they sent both those banks broke. We are lucky that Warwick Kent, the manager of the Rural and Industries Bank, now BankWest, did not get an award, otherwise we might have gone the same way, and we might be seeking the help of other states to transfer assets. Not that the R & I Bank made a lot of loans to the other states. The State Bank of South Australia made most of its loans interstate, not within South Australia. This goes back to the influence the South Australian Government had on the bank through Tim Marcus-Clark. A newspaper carried a photograph of Alan Bond saying that Australia needed more Alan Bonds to get it up and running. The federal Treasurer got us into trouble as well.

Hon A.J.G. MacTIERNAN: Look what he has done now; you keep telling us we are thriving.

Hon Mark Nevill: All we need now is a republic.

Hon MAX EVANS: I thought that would get a reaction. This matter of good banks and bad banks was started by the former Labor government of South Australia, and when the new Liberal government was elected it was carried on. In answer to Hon Mark Nevill, from memory they were originally looking at a straight out transfer of all the mortgages, which would have involved a lot of stamp duty. We said that we would not exempt them

from stamp duty. This legislation has helped in two ways. From a professional point of view it saves one hell of a lot of time; it saves in-house lawyers drawing up mortgage transfers and transfers of land. A considerable amount of business was done in this state; there was not just a few transactions. From memory, this is a nominal amount, but legislatively this is the cheapest way of doing it and there will be no stamp duty. This is the cleanest and simplest way it can be done to avoid any appeal.

[Continued on p 1915.]

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

MINISTERIAL STATEMENT - MINISTER FOR LANDS

Joondalup, Central Pedestrian Malls, Naming

Hon GRAHAM EDWARDS: Is the Leader of the House in a position to make a statement in relation to question without notice 194 of yesterday?

HON GEORGE CASH (North Metropolitan - Minister for Lands) [4.28 pm]: I thank Hon Graham Edwards for raising this matter with me. Members will recall that yesterday the member asked question without notice 194 regarding whether I was aware that the central malls in the Joondalup business area had been named. I have made some inquiries overnight, and I am informed that the question of names for pedestrian accessways was brought to the attention of LandCorp in early March 1994. Since that time, Australia Post has confirmed to LandCorp that the north-south pedestrian accessway can be named for use as an address. Wanneroo City Council has indicated that the east-west accessway cannot be named for address purposes until issues regarding public ownership and liability have been resolved between the lot owners and the City. I understand also that Mr Cavar, the owner of lot 474, had proposed certain names, which have been referred by the City of Wanneroo to the Geographic Names Committee. LandCorp has discussed the suggested names with both Mr Cavar and the City of Wanneroo. The name "Central Walk" has been agreed by all parties as the name for the north-south pedestrian accessway. That occurred on 15 June, and a letter is now being forwarded to the City of Wanneroo recommending that it take action to obtain the necessary approvals.

QUESTION TIME - TERMINATION

Points of Order

Hon TOM HELM: Mr President, I seek some guidance and advice. In view of the fact that I was seeking the call from you, I wonder whether it is your intention in future, given the fact that I was not interjecting, to punish all members on this side of the House if there are interjections?

The PRESIDENT: I am not punishing any side of the House. I am doing what Standing Order No 74 states I must do; that is, maintain order in this Chamber. When I call for order and members choose to ignore that call, I have to take some appropriate action.

Hon TOM HELM: I did not ignore the call.

The PRESIDENT: The fact of the matter is that when order is not being maintained in the Chamber, it does not necessarily follow that all 33 members in this place are disregarding the call of the Chair. The President is required to maintain order. Order was not being maintained; therefore, so far as I am concerned, we get on with the next business. That is not to punish you or anyone else. It is purely to maintain order in the Chamber. In question time, that happens to be a method that I believe may bring order to the Chamber. It may not; but, if it does not, there is another standing order that I will implement that perhaps will bring order. However, on this occasion, considering that there was only a minute to go, I chose to implement that particular sanction. Whether I will do that in future will depend upon whether members want to carry on again in the way that they were today. I suggest that normally they do not. Normally, there is no need for me to do that. Today, for some reason, members felt that they would choose to

disregard my quite reasonable requests, which I made over and over again. The future will be looked forward to with great expectations on my part.

Hon GRAHAM EDWARDS: Mr President, I draw your attention to the standing order which relates to the necessity for answers to be concise and relevant. I am sure that has some bearing on the behaviour of the Opposition.

The PRESIDENT: You are assuming, of course, that there was only one breach of the rules that brought me to the decision that I made. You are assuming that perhaps that was not a part of the reason why I made that decision. If you believe that a breach is being committed, our rules suggest that you raise the question at the time. You do not do it subsequently. I am not condoning what Ministers are doing; do not for goodness' sake think that I am.

Hon Graham Edwards: That was my concern.

The PRESIDENT: I do not condone that at all. I think Ministers should read the standing order. However, when you expect me to be the sole adjudicator of whether someone is transgressing, you must give me the ability to hear what is going on. Mostly, I cannot hear what members are saying and whether they are transgressing; that applies on both sides of this Chamber. That particular crisis is over so far as I am concerned. We have now used up another six minutes. Tomorrow is another day. We will see what happens tomorrow. Today, question time is finished.

Hon JOHN HALDEN: Mr President, I do not want to pursue this matter either, but I am at some loss. I do not share your view that question time today was necessarily any more rowdy than it has been in previous days.

The PRESIDENT: Order! There is not an opportunity for the Leader of the Opposition or anyone else to enter into any discussion about a ruling that I make. You have an opportunity to move to disagree with a ruling that I make, but I did not make a ruling. I called upon the Leader of the House. Question time in this place is for an indeterminate time which can be determined by the Leader of the House. It happens to have been taken for granted in relatively recent times that it will be around 30 minutes. My method today of bringing order back to the Chamber was to call upon the Leader of the House to discontinue question time. He could have chosen to continue with question time, had he wanted to, but there would have been some ramifications if he had, I can tell you. The point is, I did not make a ruling. I gave the call to the Leader of the House. I subsequently, as a gesture of goodwill, gave an explanation to Hon Tom Helm because he raised it. I did not give him the explanation for the purpose of everybody having a long discussion about it.

Hon JOHN HALDEN: Mr President, the situation of question time is particularly important. I want to make two points, if I may. Firstly, your remedy affects the Opposition and not the Government. Secondly, if your decision today is to be enforced in the way that it has been today, then we need to have clearer guidelines in regard to what is expected of not only us but also the Government. The Opposition is not pleased about having question time curtailed, particularly when we do not know clearly what are the rules.

The PRESIDENT: I allowed you to say that; you had no right to. Let me tell you, the rules are clear, but one of the prerequisites is to actually read them. The rules apply to the Government as much as they apply to the Opposition. The Opposition today were the people who were being unruly - constantly, repeatedly.

Hon Tom Stephens: Just me?

The PRESIDENT: It was not just Hon Tom Stephens. He was relatively quiet. If members do not like what I am doing, there is a simple remedy. I think that, on reflection, all members of this House will agree that there was an uncalled for, continual barrage of interjections today, more so than normal. Members may want to reflect on that and think about whether I was being unreasonable, but I could have implemented that decision 10 minutes earlier. However, I did not. I let it go, and I deliberately watched and put it into effect when there was one minute to go, simply to let members

know, in case they had not read the rules, that there is more than one way of doing things in this place. This happens to be one of them.

STATE BANK OF SOUTH AUSTRALIA (TRANSFER OF UNDERTAKING) BILL

Second Reading

Resumed from an earlier stage of the sitting.

HON MAX EVANS (North Metropolitan - Minister for Finance) [4.41 pm]: I have clarified a couple of matters, including the amount of \$36 000. The amount was negotiated between the State Taxation Office and the Government of South Australia. Most of the other states have exempt stamp duty. I have been advised that on the transfer of mortgages that have been fully stamped, the cost will be \$10. I misinterpreted that provision, and that is the reason the \$36 000 figure came about. That did not include financial institutions duty. I am not too certain how FID is applied. This is a nominal amount, which has been negotiated between the State Taxation Office and the Government of South Australia on behalf of the State Bank of South Australia. This legislation is an easy way to set up the transfer process, and to ease the workload. Members opposite commented that if many complicated mortgages were involved there would need to be a lot of legal work done to transfer them across.

It is necessary to pass this legislation prior to 1 July so that the Government of South Australia can sort out its problems between the good and bad banks. The good bank will receive the better assets, which will result in a more acceptable profit record. Privatisation will occur in the near future, but that state will suffer the agony of the bad bank for some time in an effort to clear up the debts. Perhaps property values in Queensland will pick up over the next five to 10 years.

Question put and passed.

Bill read a second time.

Committee and Report

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon Max Evans (Minister for Finance), and passed.

FIRE BRIGADES SUPERANNUATION AMENDMENT BILL

Second Reading

Resumed from 9 June.

HON GRAHAM EDWARDS (North Metropolitan) [4.45 pm]: This is compliancy legislation which, in the interest of firefighters in this state, the Opposition supports.

HON GEORGE CASH (North Metropolitan - Leader of the House) [4.46 pm]: I thank Hon Graham Edwards for indicating the support of the Opposition. He is correct in saying that this is compliancy legislation. I took the opportunity today to indicate to him the urgency of the Bill. If this Bill is not passed today, or if there is any unreasonable delay, some difficulty could be created for a number of firefighters who wish to rejoin the scheme because of Federal Government legislation. That scenario would have caused considerable financial hardship for those many firefighters. I thank the Opposition for its support and for dealing with this matter expeditiously.

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Hon Barry House) in the Chair; Hon George Cash (Leader of the House) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9: Sections 21 and 21A inserted -

Hon MARK NEVILL: Proposed section 21 is headed "Minister to have access to information". It states that for parliamentary purposes or for the proper conduct of the Minister's public business, the Minister is entitled to have information in the possession of the Superannuation Board and where the information is in or on a document, to have and make and retain copies of that document. The term "parliamentary purposes" is defined as either answering a question asked in a House of Parliament or complying with a written law, or an order or resolution of a House of Parliament, that requires information to be furnished to a House of Parliament. The proposed section states that a Minister may have access to information for the proper conduct of the Minister's "public business". That seems to make the first part of the clause redundant. Public business is not defined; it is quite expansive. My concern is that it will allow the Minister access to mailing lists or records of the board for virtually any purpose. Debate occurred in the other place regarding a Minister having access, I think, to the building industry list of employees. The wording of the proposed section is rather strange because public business would obviously encompass parliamentary purposes.

Hon GEORGE CASH: I understand that Hon Mark Nevill wants an interpretation of "Minister's public business" and he wants to know whether it could include "for parliamentary purposes". This is a standard provision, that has appeared in a number of Bills in past years at least, to allow a Minister access to information. I will seek an interpretation on the extent of the words "Minister's public business".

If it is said that the Minister's public business includes the provisions as defined under parliamentary purposes, there may be a need to change that standard clause. If it is believed that the interpretation of Minister's public business extends further than the House - I am using the word "House" in the generic sense - has previously believed it to be, we can take up that matter at another time.

Hon Mark Nevill: It is defined in the principal Act.

Hon GEORGE CASH: The member is quite right. That is why I will seek that advice. I will come back to Hon Mark Nevill in due course because this question does not refer solely to this Bill. In fact, it is a general clause that has been used on a number of occasions. I thank the member for raising it and I will come back to him as soon as I can get an answer.

Clause put and passed.

Clauses 10 to 25 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon George Cash (Leader of the House), and passed.

**PERTH INTERNATIONAL CENTRE FOR APPLICATION OF SOLAR
ENERGY BILL**

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon N.F. Moore (Minister assisting the Minister for Commerce and Trade), read a first time.

Second Reading

HON N.F. MOORE (Mining and Pastoral - Minister assisting the Minister for Commerce and Trade) [4.53 pm]: I move -

That the Bill be now read a second time.

This Bill provides for the establishment of the Perth International Centre for Application of Solar Energy as a statutory authority. The objective of the centre is to respond to demand from developing countries for energy services based on solar energy technologies which are economically, culturally, technically and industrially appropriate. Solar in this context has a broad definition to include all energy forms derived from the sun including wind and biomass. The centre will seek to match the requirements for energy services in developing countries with appropriate Western Australian solar technologies available in the marketplace. This will involve project management, market development, technology transfer, training, certification programs for solar technologies and promoting the commercialisation of this technology. The centre will not undertake basic research, engage in manufacturing activities or duplicate the activities of existing research institutions or business enterprises.

Western Australia has become one of the world leaders in developing appropriate solar technology for remote communities. The favourable climate and safe business environment has encouraged the establishment of an advanced local research and industrial base to exploit the solar resource. Solar packs having integrated refrigeration, communication, lighting and power units powered by wind and/or solar and diesel sources have been installed in many remote communities. Because of the vast distances between population centres in Australia and the existence of many isolated communities in central Australia, Australia has been at the forefront of the development of solar assisted telecommunications equipment. A mature local solar industry closely linked with the research bodies is at the local universities. Western Australia has manufacturers and suppliers of solar hot water heaters, remote area power systems, photovoltaic appliances and wind turbines. Other companies are involved in the utilisation of landfill and biogas.

In 1991 the United Nations Industrial Development Organisation, UNIDO, recognised that the application of renewable energy technology required greater promotion and encouragement, especially in developing countries. To bridge the gap between available technology, funding organisations and energy users in developing countries, UNIDO consultants recommended the establishment, within developing countries, of a network of international centres for application of solar energy. A proposal made to UNIDO in late 1992 for the first centre to be established in Perth was a joint Western Australian Government, Australian industry and Commonwealth Government initiative. The proposal was built on the premise that Australia had most of the elements identified by the UNIDO consultants with respect to the location of a centre. Western Australia is also characterised by a series of market factors not dissimilar from those of developing countries, in particular having remote communities unlikely to receive grid power in the foreseeable future. Australia's geographic proximity to the developing countries in southern and eastern Africa, Asia and the Pacific, distinguishes it from other developed countries. In June 1993 UNIDO endorsed the WA proposal, and Perth was chosen as the location for the first centre.

The centre, jointly funded by the Western Australian and Commonwealth Governments, will be located at Murdoch University science park, adjacent to the Energy Research Institute. The Bill provides for a board of directors, including representatives of the stakeholders; that is, the State and Commonwealth Governments and Murdoch University, together with persons possessing knowledge of solar energy technology, the energy market in developing countries, operations of international development organisations and multilateral development agencies. The centre will have the status of a national centre delivering international programs in collaboration with UNIDO and other international organisations. As a statutory authority, the centre will be able to trade, undertake assignments and contracts in developing countries, and aim to be self-funding

within five years. Consistent with the provision for the Act to be reviewed after five years, all staff appointments will be term appointments.

The legislation provides for the formation of an international advisory council to review the work of the centre and advise on its future direction. Membership of the international advisory council will include representatives of governments of foreign countries, international development organisations and multilateral development agencies, as well as individuals invited by the centre. Several benefits are expected to accrue to Western Australia in establishing the centre in Perth. These include -

opportunities to market WA developed products and services in the region, where a greater emphasis is being placed on the utilisation of renewable energy;

enhancing WA's status as a location for advanced technology and high value added manufacturing organisations, and for industries supplying services to developing countries in the region;

enhancing international prestige and credibility in solar energy, which will attract overseas student and company interest; and

improved knowledge of technical innovations elsewhere in the world, through greater interaction with other countries.

I commend the Bill to the House.

Debate adjourned, on motion by Hon Tom Helm.

TOTALISATOR AGENCY BOARD BETTING AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

LOCAL GOVERNMENT AMENDMENT BILL

Second Reading

Resumed from 9 June.

HON A.J.G. MacTIERNAN (East Metropolitan) [4.58 pm]: This Bill's principal function is to introduce as a standard, accounting techniques that are fundamentally the same as those being used in the private sector. In essence, this standard sets out an accrual accounting system where various non-cash items, such as depreciation, bad and doubtful debts and long service leave, are brought to book in the operating statements in the period in which these items occurred.

The Opposition accepts that this is the proper standard for accounting in local government and accordingly supports this legislation fully. It is interesting to note that Perth City Council moved many years ago to implement an accrual accounting system. It showed yet again that the City of Perth was one of the better administered local authorities within this state. However, unfortunately that was not sufficient to save it from the butcher's knife.

The Opposition initially had some concerns about the impact the new accounting procedures might have on some very small shires which may not have the administrative sophistication or the staffing resources to implement them. However, we have been reassured by legal advice provided to the Opposition, through the Minister for Local Government, that the Minister has sufficient powers to grant an exemption from the requirement to implement this AAS27. It is a matter I have discussed previously with Hon Bruce Donaldson.

Finally, it is interesting that the Government has seen that it is capable - and indeed it is proper - of introducing this amendment to the Local Government Act prior to the massive review of the Act that has been foreshadowed by the Government. The Opposition does not have a problem with doing that. It is an item that can be dealt with separately from the major reforms that we hope will be spelt out in the amended Local Government Act

and which will go to the heart of the powers and responsibilities of local government. However, just as the Opposition believes that it is proper for this piece of legislation to be introduced outside the framework of the general review, it is proper that many of the reforms recommended in the Kyle report to stifle further instances of corruption and to ensure there is a more accountable administration within local government, should likewise be implemented separately. These pieces of legislation should not have to wait at least another year before they are put in place.

The Opposition calls on the Government to introduce legislation to, at the very least, change the process of nomination. As Mr Kyle found, the current nomination form prescribed under the Local Government Act is, at best, ambiguous. As was found in relation to the member for Wanneroo, it appears to be open to certain impropriety and vagueness and does not make it clear whether a person has an entitlement to stand for office within a local authority. A number of the other items could be dealt with by separate legislation rather than wait for the massive overhaul of the Local Government Act. One of those relates to the declaration of pecuniary interest, particularly in metropolitan authorities where many planning applications are made. It is a complete farce to require a declaration of pecuniary interest when the nature of that interest is not required to be declared. What often happens is overkill with all sorts of trivial pecuniary interests being declared which diverts attention from substantial pecuniary interests.

In contemplation of the conduct of Councillor Colin Edwardes and the movement of a set of toilets from a reserve opposite his premises, Mr Kyle found that although Edwardes had not declared an interest and did not vote on the issue, he took a very active part in the negotiations to move that toilet block. Mr Kyle found that it engendered a great deal of ill will and feeling within the community and that Councillor Edwardes had exercised undue influence. Although there was no finding of impropriety, Mr Kyle found very clearly that it was not a desirable state of affairs. If one has a substantial pecuniary interest in a matter, one should not only declare that interest -

Hon I.D. MacLean: If you saw where they were you would see that Mr Kyle was wrong.

The PRESIDENT: Order! Will you convince me that what you are talking about has something to do with this Bill?

Hon A.J.G. MacTIERNAN: The logic of my argument is that before us is an amendment to the Local Government Act which has been introduced outside the foreshadowed framework of the total overhaul of that Act. The Opposition believes that is proper, but it is using this occasion to point out to the Government that it is being inconsistent in its treatment of the Local Government Act because in trying to explain why it had failed to implement the provisions of the Kyle report, which called on it to make a number of changes to the Local Government Act, it claimed it could not possibly make those changes outside the framework of the overhaul. It is being done properly here, as can the recommended amendments by Kyle be done properly. Therefore, the Opposition calls on the Government to follow through its effort of bringing the Local Government Act into the twentieth century by establishing modern accounting standards in the technical sense.

Although it supports this legislation, the Opposition calls on the Government to introduce amendments to the Local Government Act which will bring in better standards of accountability of elected members to those they represent.

HON E.J. CHARLTON (Agricultural - Minister for Transport) [5.08 pm]: The Opposition has acknowledged its support for the amendment. It is a straightforward change which must be put in place forthwith. It is good that it is going through the Parliament before the end of the financial year.

The larger local government authorities obviously have a far different approach and greater capacity to implement the new accounting standards than do some of the smaller authorities. It is recognised that that creates problems for some authorities; however, all have agreed that it should be put in place.

The Minister for Local Government will consider other possible changes prior to the major amendments to the Local Government Act if he considers that the changes will be

a few months away. That should please Hon Alannah MacTiernan. I am not the Minister responsible for this area and I am not certain whether it will happen; however, I know that the Minister is working as hard as he can, as I said in a previous debate, to have those major changes put in place. They will be acknowledged and agreed to by local government. Wide consultation has taken place on this matter. The Government and the Minister had to start from scratch to put this legislation together. I thank the member for her comments. Other possible changes may be forthcoming.

Question put and passed.

Bill read a second time.

Committee and Report

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon E.J. Charlton (Minister for Transport), and passed.

ADDRESS-IN-REPLY

Amendment to Motion

Resumed from an earlier stage of the sitting.

HON GEORGE CASH (North Metropolitan - Leader of the House) [5.13 pm]: Members will be aware that presently before the House is an amendment to the Address-in-Reply. The amendment states -

In noting His Excellency's comment in his address which pointed to a public perception of general deterioration in safety and respect for the law, this House regrets to inform His Excellency that it believes that the Government's response to this concern has been inadequate.

The Governor's speech, which was delivered in this House on 5 May this year, contains some of the words that are referred to in the amendment. In reference to law and order the speech states -

There is unmistakable community concern about law and order issues. The public perceives a general deterioration in safety and respect for the law.

That statement has in part been incorporated into the amendment. However, the amendment in its present form is framed so that members of the House, and indeed members of the community, are led to believe that there has been a general breakdown in law and order in Western Australia. The mover of the amendment, Hon Sam Piantadosi, forgot, for reasons best known to him, to inform the House of the words in the Governor's speech which appear after those I have just read: "The Government is responding to this concern." That is a pretty important factor.

Hon Kim Chance: It is responding inadequately, but responding.

Hon GEORGE CASH: The Governor then states -

There will be a number of Bills designed to strengthen the preventative and punitive measures available to law enforcement and community agencies. These continue the Government's initiative across a broad front to reverse the trend to more lawlessness and lift community pride, especially among young people.

The Government will introduce a young offenders Bill which will provide a code for dealing with young offenders. This will emphasise reintegration into society and the supportive roles of parents, families and communities. The Bill will separate the justice provisions for juvenile offenders from the Child Welfare Act 1947; provide for the equivalent of parole for juveniles; replace the intent of the Crime (Serious and Repeat Offenders) Sentencing Act 1992 when dealing with

serious offenders; and provide a legislative basis for juvenile justice teams when dealing with minor crime.

Those are pretty relevant matters that I thought Hon Sam Piantadosi would have raised when he moved his amendment. If he did not want to raise them and discuss them at great length, at the very least he should have recognised that they were part of the Government's program to improve the perception of law and order in Western Australia. The Governor's speech continues -

The Government will develop work camps as an additional sentencing option for young male offenders aged 16 to 21 so as to provide an opportunity for these young offenders to develop a sense of self-discipline and control. A period of intensive supervision will follow each offender's stay at a work camp.

Given the questions that have been asked in this House about those work camps, it is fair to say that all members of this place understand that the Government intends to develop work camps in this financial year. Money is set aside in the Budget for that purpose. The Attorney General, through answers I have heard in this House, clearly intends to continue to develop those work camps. I am always surprised when opposition members complain about the Government determining that there should be work camps for juvenile offenders in Western Australia because only a few years ago the then Minister for Police, Hon Graham Edwards, flew into the Wild Man River camp just outside Darwin in the Kakadu national park. He inspected that juvenile detention facility and returned to Western Australia soon after, stating on behalf of the then government that it was its intention to establish similar camps in this state. I visited the juvenile detention centre some time after the former Minister for Police and I was impressed, as Hon Graham Edwards clearly indicated he was, with the manner in which that operation was carried out. I raise that because while the coalition has now been in government for only 16 months a number of members opposite appear to have suffered a massive memory loss in that time. Things the Opposition, as a government, was promoting prior to the 1993 election are now things it wants to oppose at every opportunity.

Hon Tom Stephens: If that is the case, as people cross this Chamber there is some kind of collective amnesia which takes place.

Hon GEORGE CASH: Hon Tom Stephens is right and that is demonstrated by the difference in the statements he makes from the opposition benches compared with those he made when he was a government member. Indeed, he was a Parliamentary Secretary of State for a number of years and later a Minister of the Crown. If there was a conversion, Hon Tom Stephens is a fitting example of it.

This House must work in a bipartisan way to try to improve law and order in Western Australia. Certainly, there is an obligation on all members to try to improve the community perception of the question of law and order as it affects us all.

In a moment I will continue advising the House on some of the points the Governor raised during his address to the House when he opened Parliament earlier this year. Before I do, I make the point again that it amazes me that so much can change so quickly when there is a change of government in this state. When Hon Tom Stephens interjected I was reminded of what occurs quite often in the Police Force. As most members know, I was shadow Minister for Police for seven years.

Hon Tom Stephens: Thankfully it did not translate through to government.

Hon GEORGE CASH: A number of people in the community would disagree with the member. I have responsibility for Mines and Lands and I find them stimulating portfolios; I am more than happy to keep them.

When police officers are inducted into the Police Force they start off as special constables and after a period of time they work their way through the system and then, after a lengthy period of time, they reach the rank of senior sergeant. It is from that rank that commissioned officers are chosen and there is one startling difference between a non-commissioned officer, a senior sergeant, and a commissioned officer, the first level being an inspector. That startling difference is the colour of the shirt they wear.

Commissioned officers wear a white shirt and non-commissioned officers wear a blue shirt. In addition, there is an amazing transformation in the manner in which they support each other.

It is amazing that one day a non-commissioned officer will tell someone how difficult things are within the Police Force - it is well recognised that sergeants in the Police Force are the workhorses of the organisation and they carry out the work that has to be done and direct their junior officers - but as soon as he gets a white shirt and becomes an inspector everything seems to change. The mateship and comradeship which is often found among those who wear the blue shirts amazingly evaporates. I guess it is similar to Hon Tom Stephens' comment that when there is a change in government the political parties often appear to change their position on certain policies, some of which previously they thought were good policies.

Hon Tom Stephens: Certainly that is the case with most of your colleagues.

Hon GEORGE CASH: I raised this issue because I often sit here listening in utter amazement to members on the Opposition benches who tell me that work camps, or boot camps as they sometimes call them, are something we should never conceive of or consider for Western Australia.

Hon Kim Chance: That is a little unkind in the view of the point made by the member for Morley in the Assembly recently when he gave his attitude to the coalition's announcement about its intention to implement work camps. He almost gave Opposition support.

Hon GEORGE CASH: I am not aware of his comments and if the member opposite can tell me where I can find them in *Hansard*, I will read them. I am genuinely interested in his comments to find out what is the Opposition's official position. If the member for Morley was supporting work camps it amazes me even more because there is obviously conflict within the Opposition ranks, especially when Opposition members in this House tell the Government that it should not give any consideration to the implementation of work camps or boot camps.

Hon Kim Chance: There is a change in attitude because the government is now saying that they shall be for young offenders rather than for serious and repeat offenders.

Hon GEORGE CASH: I do not know what recent changes have been proposed, but having travelled Western Australia far and wide in my opposition days when I had the responsibility for Police and Corrective Services I found overwhelming support for juvenile detention centres for younger people in the form of work camps. There will always be a difference of opinion on the programs that will be introduced into those detention facilities. Clearly, there is an obligation on the government to find proper detention accommodation for those young people rather than have the current situation whereby many of them are thrown into places like Longmore and Riverbank because there is not adequate detention facilities within the state.

I reiterate that when I hear reference to boot camps I am somewhat surprised. The Government has made it clear that it does not intend to establish boot camps in Western Australia. The terminology of "boot camps" generally comes from the United States and various programs on television have indicated the sort of activities which take place in those facilities. I had the opportunity some years ago when I was in the United States to visit various juvenile detention centres and I have an understanding of boot camps and the different kinds of juvenile detention facilities. The notion of boot camps is not what the Government has in mind. It is talking about juvenile detention centres that could be referred to as work camps.

I come back to the Governor's speech which continues as follows -

The Government will introduce a *Sentencing Bill* to provide for the reform of current sentencing provisions so as to afford stronger sanctions for offenders imprisoned with eligibility for parole.

In addition, the Bill will abolish the 10% minimum remission on parole terms;

will increase the period before the review of eligibility for offenders sentenced to life imprisonment to 15 years and for offenders sentenced to life imprisonment, review eligibility is to be set between 20 and 30 years.

Further under that section of the speech reference is made to the Coroners Act 1920 as being outdated and the need for a new coroners Bill to be drafted. That Bill will be drafted on the recommendations of the ad hoc committee and the Honey report, which reported in 1992 and was put out for public comment. I also point out that on Friday, 10 June, the day after the Budget came down, the *Kalgoorlie Miner* newspaper at page 8 ran an article on the Budget under the heading "Police winners in WA budget". It was not only fair reporting, but also recognised that in the 1994-95 Budget, this Government will provide additional resources to the Police Force in Western Australia. During the comments of Opposition speakers reference was made to the fact that prior to the last election, the Liberal Party had promised the appointment of an additional 800 police officers. As a government we believe we shall be able to reach that target. Obviously, the whole 800 will not be recruited in the first or second years of this Government's term; it has four years in which to reach that number. Although this Government is absolutely committed to putting more officers into operational areas and ensuring they are well trained, it is critical that those officers have adequate equipment and facilities, proper accommodation and proper administrative, clerical and professional support. It is not just a case of creating 800 additional positions; it is critical that the basic resources be provided to the Police Force.

I again draw to members' attention that it is only 16 months since this Government was elected to office. I refer to that massive memory loss that seems to have afflicted Opposition members during that time. There is a perception in the community that the Police Force is undermanned and under-resourced, and a perception - which is not necessarily accurate - one can pick up from listening to the radio from time to time, of a continuing breakdown in law and order. I suggest the Opposition has again forgotten it was in government for 10 years. I ask the mover of the amendment, Hon Sam Piantadosi, who was a member of this House between 1983 and 1993, how many times he wrote to the then Police Ministers - I recall there were seven when I was opposition spokesman for that area - and asked them to ensure that additional facilities and resources were provided.

Hon Sam Piantadosi: I will provide a list in writing with the dates. I will go through my diaries and present the information.

Hon GEORGE CASH: The question remains of when the member can provide it.

Hon Sam Piantadosi: I will drive to my electorate office and get that information for you now.

Hon GEORGE CASH: I would be very happy if the member provided the information next week.

Hon Sam Piantadosi: I will not be here next week.

Hon GEORGE CASH: I will be obliged if the member will provide it the week after. If he provides that information in writing, I will have a better understanding of his claim that he approached the former Police Ministers during the Labor term of office, and we will find out what he did.

Hon Sam Piantadosi: On one condition.

Hon GEORGE CASH: I knew that would come at one stage of the game, because Hon Sam Piantadosi has promised more than he can deliver, so he qualifies the statement.

Hon Sam Piantadosi: I want you to deliver a list of the broken promises of your Government.

The DEPUTY PRESIDENT (Hon Barry House): The member is out of order.

Hon GEORGE CASH: There is no need for me to provide that list to Hon Sam Piantadosi, because he is in a position to make those judgments and assessments himself.

I am interested in knowing how many times he approached former Police Ministers between 1983 and 1993 when the Labor Party was in government in Western Australia.

Hon Kim Chance: He must have been successful because we enlisted an extra 1 000 officers in that time.

Hon Sam Piantadosi: I spoke to Carr, Hill, and Edwards.

Hon GEORGE CASH: I will not argue with Hon Sam Piantadosi about who they were, but I am interested in the dates.

Hon Sam Piantadosi: I will provide copies of the letters I wrote.

Hon GEORGE CASH: I will be most obliged if the member will provide that additional information.

Hon Sam Piantadosi: Will you give a list of broken promises?

Hon Tom Stephens: Can you list all the seven Ministers?

The DEPUTY PRESIDENT: Order!

Hon GEORGE CASH: In reply to that interjection, the seven Labor Police Ministers who held office while I had responsibility for police matters were Arthur Tonkin, Jeff Carr, Ian Taylor, Gordon Hill and Graham Edwards. There might be another who acted in a substantive capacity for a short time. Whether there were five or seven Ministers during that period, there were a considerable number and that tended to reinforce the view I had formed that the then Labor government did not have much interest in law and order, and was prepared to turn its Police Ministers over as it suited.

Hon Tom Stephens: While we were in office for 10 years we had only one Attorney General, and you are likely to have a change next month.

Hon GEORGE CASH: I disagree with the statement of Hon Tom Stephens. He will be pleased to know that I will never be the Attorney General because that appointment generally is made from the ranks of lawyers. The Government, of course, has a number of lawyers, as does the Opposition. Before moving away from the Police portfolio, I join with one of the previous speakers in welcoming the new Commissioner of Police in Western Australia, Mr Falconer. I look forward to his starting work in Western Australia in early July, and trust that the Police Force and the community will give him their support in the job ahead of him.

Referring now to the area of justice, particularly the administration of justice, a number of notable initiative have been taken since this Government came to office: Firstly, the creation of the Ministry of Justice, an amalgamation of the former department of corrective services, Crown Law, the Youth Justice Bureau and a number of tribunals. The ministry was created to provide a more coordinated system of justice administration in this state. The Government has established the justice coordinating council, comprising a number of Ministers whose portfolios touch areas relating to justice. Quite clearly, that was organised to provide a whole of government approach to the administration of justice. Legislation has been introduced into this Parliament, or its introduction in the near future has been signalled, and many reviews have been put in place to ensure that the justice system in Western Australia is working in an efficient and effective manner. With regard to courts and tribunals, members will be aware that the Joondalup court complex is now providing for a more efficient and effective administration, particularly in the northern suburbs. Many comments have been made about the success of the August blitz, which reduced delays in the Supreme Court through the appointment of temporary commissioners. A number of reviews are continuing, directed at trying to reduce court delays, and generally increase the efficiency and effectiveness of that part of the justice system.

In the area of corrective services, the Government completed a review of the home detention program. It has resulted in an extension of that program into a number of areas. Hon Tom Helm would be very familiar with those areas - the Pilbara, Kimberley, eastern goldfields and Murchison regions of this state.

Hon P.R. Lightfoot: I thought you meant he was familiar with home detention.

Hon GEORGE CASH: I am sure Hon Tom Helm would be able to talk on the extension of the home detention program into his area. The other important step forward has been the involvement of the Aboriginal community in the supervision of selected Aboriginal offenders in the community. That has been a positive aspect in that area. Again in the area of corrective services, members will be aware a further 16 beds have been opened in the self-care unit for women prisoners at Bandyup, which makes that facility a 22 bed operation. That has been heralded by those who have waited a long time for it to occur.

Hon T.G. Butler: It was closed down.

Hon A.J.G. MacTiernan: There were reports that it had closed down and a newspaper article was written by a prisoner to say self-care units had been closed.

Hon George Cash: My advice is that a 22 bed facility is fully operational. Members opposite read an article by a prisoner and choose to believe that instead of me.

Hon Tom Stephens: Given the choice, of course.

Hon A.J.G. MacTiernan: Perhaps she has more experience of it than you.

Hon GEORGE CASH: Perhaps Hon Alannah MacTiernan prefers to believe the views of people like Katherine Birnie.

Hon T.G. Butler: That is unfair. I can tell you that the self-care unit is not operating. If you want any more information just ask the Anglican priest from Lockridge who is also the Anglican priest for the prison.

Hon GEORGE CASH: I am more than happy to make further inquiries in that area.

Hon T.G. Butler: We wish you would.

Hon GEORGE CASH: In discussing some of tremendous highlights of the Government's justice program in the 16 months we have been in government, it was raised with me that the 22 bed facility was fully operational. I will not rush around to talk to the Anglican priest in Lockridge, but I will seek some further advice from the justice department. I have no problems in that area.

Hon T.G. Butler: I have a question.

Hon GEORGE CASH: Question time has finished.

The DEPUTY PRESIDENT (Hon Barry House): Order! Question time was a couple of hours ago.

Hon T.G. Butler: I can tell Hon George Cash I have a question on notice asking why the unit was closed, and when it is likely to open again. If he gets an answer to that, he would be better briefed.

Hon GEORGE CASH: I will share the answer with Tom Butler when I get it.

Hon Sam Piantadosi: You are in a bad way.

Hon GEORGE CASH: Not at all, if I am talking at six o'clock we will all come back at 7.30 pm.

The other area is the provision of services for victims of crime. The extension of crime victims' support services is another important feature of the justice system the Government has established. The establishment of the victims advisory committee and the provision of victims' rooms at the Children's Court and Joondalup Court are matters which I believe deserve recognition. To say, as the amendment does in general terms, that this Government has not provided the facilities that it said it would prior to the election, is to take a narrow and shallow view of what has been happening in the administration of justice in this state since we were elected to government. It would be possible to spend a number of hours relating to the House the very positive things this Government has done in the justice system of this state; however, clearly time is limited. I suggest that Opposition members show a bit of fairness when it comes to some of the achievements of this Government.

Hon Sam Piantadosi: What about some of the broken promises?

Hon GEORGE CASH: The Opposition should also recognise some of its failings during its period of office, 1983 to 1993. More than that, the community in Western Australia would be a lot better off if we tried to improve law and order, and the community's perception of law and order in this state. To continue to knock, knock, knock does no justice to those members who make that their hobbyhorse.

Hon Sam Piantadosi: What about your threats?

Hon GEORGE CASH: Worse than that, it brings down the system of justice in this state, and the morale of police officers in this state who work particularly hard in a very difficult position. I oppose the amendment and invite members of the House to so do.

Amendment put and a division taken with the following result -

Ayes (14)		
Hon T.G. Butler	Hon John Halden	Hon Tom Stephens
Hon Kim Chance	Hon A.J.G. MacTiernan	Hon Bob Thomas
Hon J.A. Cowdell	Hon Mark Nevill	Hon Doug Wenn
Hon Cheryl Davenport	Hon Sam Piantadosi	Hon Tom Helm (Teller)
Hon N.D. Griffiths	Hon J.A. Scott	
Noes (15)		
Hon George Cash	Hon Barry House	Hon N.F. Moore
Hon E.J. Charlton	Hon P.R. Lightfoot	Hon M.D. Nixon
Hon M.J. Criddle	Hon P.H. Lockyer	Hon B.M. Scott
Hon B.K. Donaldson	Hon I.D. MacLean	Hon Derrick Tomlinson
Hon Max Evans	Hon Murray Montgomery	Hon W.N. Stretch (Teller)

Amendment thus negated.

Debate adjourned, on motion by Hon Tom Stephens.

ADJOURNMENT OF THE HOUSE - ORDINARY

HON GEORGE CASH (North Metropolitan - Leader of the House) [5.51 pm]: I move -

That the House do now adjourn.

Transperth Bus Route 175, Willetton

HON CHERYL DAVENPORT (South Metropolitan) [5.52 pm]: I place on record in this adjournment debate the closure of Transperth bus route 175 in Willetton. I have had presented to me a number of petitions, not in the proper form, but signed by 103 local residents of that area. I will read into the record the content -

We, the undersigned would like to present this petition against the stoppage of the Number 175 Metropolitan Transport Trust Bus from Portcullis Drive, Willetton. The Number 175 usually travels down Rostrata Avenue, turns right into Collins Road and then veers around via Portcullis and then back out onto Collins Road again. This service has been stopped and a number of people, quite a few of whom are elderly, cannot possibly walk the distance (approximately 1km), which is totally unsheltered to Collins Road. Also we would like to mention that, apart from the distance involved, the intersection of Portcullis and Collins Road is a very busy intersection and to catch the bus into Perth would involve crossing this unmanned dangerous intersection. We are requesting the re-instatement of this service as possibly two buses going into Perth in the morning and two coming home in the afternoon, not every hour on the hour, so that at least people are not totally cut off altogether. Quite a few of these people do not drive and have no relatives or friends to ferry them anywhere.

Your petitioners therefore humbly pray that you will give this matter earnest

consideration and your petitioners, as in duty bound, will ever pray.

I impress on the Minister for Transport that many people in the area have contacted me about this service and his colleague in the other place, the member for Jandakot. I have also written to the Minister about this.

The suburb of Willetton is made up mostly of young families with young children. However, in this area there is a significant number of older people. The cancellation of this bus service has placed considerable stress on the City of Canning home and community care service because it has to transport elderly people to hospital and doctors' appointments. I am amazed at the number of older folk living in that area who were using the local bus service to travel to and from those appointments.

We were told that the Department of Transport carried out a survey, but we have been unable to find out the details of that survey or the results. It is possible there was not great usage of the service. The local pharmacist in the shopping centre in which is my electorate office has also been involved in trying to have a service reinstated for these people. He has put on a delivery so that those who need medication and who live in this area do not have to find other ways to get to the pharmacy to collect their medication. The closest shops to this region are at least two to three kilometres away.

It would be a good thing if the Minister were able to reinstate the service, because it has fulfilled some sort of social obligation, rather than uphold a decision to cancel it purely on economic grounds. We have not been given a reason for the cancellation other than not enough people have been using the service. As I say, I have corresponded with the Minister as, I am sure, has the member for Jandakot. We have also taken up the matter with the Willetton-Riverton community based transport committee which meets every six months with Transperth. However, we have not yet received any feedback.

Hon E.J. Charlton: I will check it tomorrow and get back to you and see what options we have.

Perth Mint - Workplace Agreements

HON TOM HELM (Mining and Pastoral) [5.56 pm]: The House should not adjourn until I acquaint members with information that was brought to my attention today. It concerns workers at the Perth Mint, some of whom have been told that if they do not sign workplace agreements they will be sacked. They have been told there will be no opportunity to continue under the award payments, but they will have to sign workplace agreements that this Government is keen to enact - this Government that talks about people having choices.

Hon John Halden: This meeting of the minds.

Hon TOM HELM: Yes.

Hon E.J. Charlton: Are you sure the terminology you have used is accurate?

Hon TOM HELM: It can be checked; I am putting it on the record and the Minister can check it any time he likes.

Hon E.J. Charlton: You make a statement and then say later whether it is true.

Hon TOM HELM: The Minister will have his 10 minutes just as I have mine. The best thing the Minister can do is keep his Transport portfolio and not touch his mate in the other place because he does a bad enough job in this place.

I am referring to at least four people in the Mint, three of whom may be faced tomorrow with the opportunity of signing individual contracts or not working at the Mint any more. This is a government enterprise. These people have worked in the Mint for about eight months under terms and conditions which are similar to the award. I want to get this right because the Mint, as it happens, is not a respondent to the award. Nonetheless, the award provisions have prevailed until now.

The workers were informed by their production manager that the workplace agreements should be ready tomorrow and they would be obliged to sign them or not work there any

more. Prior to this legislation, those people worked on what can be described as short term contracts; that is, they signed a contract of three or four months, where and when the work was required. I have never been to the Mint, but I am informed that when the gold comes in to be refined or melted down, or other minerals must be worked on, the work force is increased and it is quite happy to go along with those conditions, with much consideration given to what the engineering trades award has to say.

Hon John Halden: Is this instruction not in breach of the Act?

Hon TOM HELM: I would say it is close to that. The metal workers union, which is my union, has informed me it will be taking the matter to the Arbitration Commission at the very least and may take some action to see that these perceived wrongs are put right.

I will compare the award provisions with those of the proposed workplace agreement, of which there is a model. I apologise for not being able to compare the award with the actual agreement the workers have been asked to sign, but it is not yet ready. These people finish their contract tomorrow. The award says they may work a 38-hour week. The agreement demands they work 160 hours over four weeks. The award provides that the spread of hours in which they can work is from 6.00 am to 6.00 pm. Under the new agreement they are obliged to work any of the 24 hours of a day. They have to work five hours before a meal break under the award. In the new agreement, it is six hours. The days of work are Monday to Friday under the award. In the new agreement it is five consecutive days, Monday to Sunday. Presently overtime is accrued on a daily basis. The workplace agreement provides that overtime will be paid only after 160 hours have been worked. The current overtime rate is time and a half for some hours; double time for others. The agreement proposes they will get time and a half or time off in lieu of overtime at single time - a completely different condition. The weekend overtime rates are double time on Saturday and Sunday under the award. In the agreement it will be 15 per cent and requirement to do shift work where and when required. Shift work hours are changed under the award by agreement. Under the new agreement, 24 hours' notice can be given. Annual leave can be decided by agreement under the award with 17.5 per cent loading. Under the agreement, they can take it when there is no work to do, and there is no loading.

Hon John Halden: That is a breach of the Act again.

Hon TOM HELM: This government enterprise is offering these people agreements, and they are obliged to sign them or not work there at all.

Hon B.M. Scott: That is what happens in private enterprise. It is about time they showed some sense.

Hon Kim Chance: What; the Government breaking its own laws?

Hon John Halden: The member sounds like the Attorney General with that sort of comment.

Hon TOM HELM: Under the award, consultation must take place on most issues. In the agreement there is none provided for. There is training under the award provisions and no training under the agreement. There is a difference.

A quite blatant example has been brought to my attention. It does not even consider the insidious threats to force people to sign contracts. People who present themselves at new jobs are being told that the company only wants people who sign individual contracts - they are told they will sign them or they will not work. In my view this is a clear breach of the industrial relations changes that were promoted by the Minister in the other place. I might add that that Minister is not present in this Chamber to answer those charges. The point I am trying to make is that we said during the debate - I am certainly going to reflect on it - that this would happen. We will hear of them happening more and more often. That example is even worse when one considers that we are not talking about a grubby subbie situation. We are not talking about a one man business trying to make a quid. We are talking about the Perth Mint. The Perth Mint has particular production problems. The information that I am passing to the House suggests that the work force has taken some steps to address those difficulties. However, that is not enough. As we

said then and we say again now, that will never be enough for that mob over there. They will be happy only when they see people begging for jobs. They will be happy only when they see the people of the state in the same position as the people of the United Kingdom; that is, begging for jobs.

Hon T.G. Butler interjected.

Hon TOM HELM: They took the great out of Great Britain and under them the rich have become a great deal richer and the poor have become much poorer. A fair day's work for a fair day's pay is something members opposite do not believe in. A workplace agreement is not a workplace agreement if it is forced on somebody. How can it be? The Government seems to think that it can legislate to get enterprises going in this state. There is no chance of that. It has to be done by agreement. The unions have shown the way as the Federal Government has shown the way with its IR legislation. However, this Government has set the path it wants us all to go down. It is breaking its own laws by wanting to see people in this state destitute and begging for jobs.

Question put and passed.

House adjourned at 6.05 pm

QUESTIONS ON NOTICE

POLICE - GERALDTON, ADDITIONAL, DELAY
Government Employees Housing Authority Accommodation Shortage

170. Hon KIM CHANCE to the Leader of the House representing the Minister for Police:

Is the shortage of Government Employees Housing Authority accommodation a factor in holding up additional appointments of police officers in Geraldton?

Hon GEORGE CASH replied:

The Minister for Police has provided the following reply -

No. I am advised that there is sufficient housing for existing and planned police appointments. An additional four officers recently commenced in Geraldton.

FIRE BRIGADE - GERALDTON
Firefighter Shortfalls, No Replacements

198. Hon KIM CHANCE to the Leader of the House representing the Minister for Emergency Services:

- (1) Why has the position of firefighter at the Geraldton Fire Station vacated due to a retirement six weeks ago not yet been filled?
- (2) Why has no replacement been made available for the officer in charge of the Geraldton Fire Station while he was on sick leave from 12 May 1994 to 23 May 1994?
- (3) Will the Minister direct the Fire Brigades Board to ensure that all short and long term staffing shortfalls at country fire stations are immediately covered by relief staff?

Hon GEORGE CASH replied:

The Minister for Emergency Services has provided the following reply -

- (1) At the time of the retirement of the officer, the 1994-95 financial year budget for the Western Australian Fire Brigades Board was yet to be finalised and the 1993-94 wages and salaries account for the Geraldton Fire District was over budget. The position vacated is one of a leading firefighter rank and required the person to be specially trained. It will be filled once staffing contingencies are finalised.
- (2) It is accepted administrative policy that the officer in charge at a country station may be absent for one working week before a replacement is sent from Perth. For the same reason as above - budgetary consideration - the extra cost of transporting and paying a relieving officer the required allowances would have impacted further on the budget. The position was allowed to remain vacant for a further two working days.
- (3) The use of volunteer firefighters to support permanent staff at country regional towns - that is, Geraldton, Bunbury and Albany - is and has been a longstanding operational strategy. The volunteer contingents of the above towns have been maintained for that purpose. All officers in charge and firefighters are instructed that, when necessary, the volunteer members of the brigade will be called out. However, if the incident is of such a consequence that further support is required, the "off duty" permanent personnel may be called back on overtime.

FIRE BRIGADE - GERALDTON
Standard Firefighting Procedures Maintenance

199. Hon KIM CHANCE to the Leader of the House representing the Minister for Emergency Services:

Will the Minister give a commitment that he will ensure that the Geraldton Fire Station will operate according to the minimum standard established by the "safety manning" concept based on the safety requirement that four firefighters are required initially to respond to any incident to maintain standard firefighting procedures?

Hon GEORGE CASH replied:

The Minister for Emergency Services has provided the following reply -

The Western Australian Fire Brigades Board has never advocated a turnout of a minimum of four firefighters for all incidents at country stations. Safety crewing is an expression used by fire services, including WA firefighters, when dealing with certain incidents. In the main it relates to the use of breathing apparatus and entry control to certain property fires. There are many incidents where breathing apparatus is not required.

FIRE BRIGADE - REVIEW

363. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Emergency Services:

- (1) Has the Government finished giving consideration to supporting the proposed review of fire services in Western Australia sought by the Western Australian Municipal Association?
- (2) Will the Government support the review?
- (3) What decision has been made on the funding of the review?
- (4) If no decision is made yet on the funding of the review when is it anticipated that such a decision will be made?

Hon GEORGE CASH replied:

The Minister for Emergency Services has provided the following reply -

- (1)-(4) I have recently put in place a review of the funding arrangements which currently operate in Western Australia for the provision of a fire protection service in all those districts which have a permanent fully paid fire service provided by the Western Australian Fire Brigades Board. It is proposed that the review will be carried out by an independent outside consultant. It would be inappropriate for me to express a personal view and to in any way pre-empt the findings of the consultant.

MOTOR VEHICLES - UTILITIES AND OPEN VEHICLES
Passengers Legislation; Road Safety Education; Accidents

368. Hon TOM STEPHENS to the Leader of the House representing the Minister for Police:

- (1) Has there been any recent assessment by the Western Australian Government of the possible need to change the Western Australian Statutes in regard to passengers riding on the open backs of trucks, utilities and tray top vehicles?
- (2) If yes, does the State Government consider it appropriate to introduce legislative change similar to that now in force in the Northern Territory that would require seat belts, roll bars and appropriate covers on utilities and similar vehicles before passengers are legally carried on the back of open vehicles?

- (3) Is there any educational program directed at the remote areas of Western Australia that aims at promoting road safety education in regard to passengers using utilities and similar open-backed vehicles?
- (4) If yes, when does the program go into the Kimberley, Pilbara, Murchison and Gascoyne regions?
- (5) What number of road accidents occurred in Western Australia involving utilities and other similar open tray vehicles in -
 - (a) 1992;
 - (b) 1993; and
 - (c) so far in 1994?
- (6) What number of these accidents resulted in -
 - (a) injuries to utility/tray top passengers; and
 - (b) deaths to utility/tray top passengers?

Hon GEORGE CASH replied:

- (1) No.
- (2) Not applicable.
- (3) Yes; see also (4).
- (4) A pilot program funded through the road trauma trust fund commenced in the Kimberley region on 17 March 1994. Evaluation of its impact will dictate modification of content where necessary so that funding submissions for a full statewide campaign may be finalised.
- (5)-(6) Although some research has been conducted into this subject no statistics have been correlated or verified for these purposes at this time.

GOVERNMENT DEPARTMENTS AND AGENCIES - FINANCIAL RECORDS, COMPUTERISED

392. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Resources Development:

With respect to question on notice 41 of 1994 -

- (1) Are the financial records of the Department of Resources Development computerised?
- (2) If not, why not?
- (3) If so, why does it require considerable research to answer question 41?

Hon GEORGE CASH replied:

The Minister for Resources Development has provided the following reply -

- (1)-(3) Details are unable to be supplied on payments to individual media organisations. This information is managed by Media Decisions WA, which won the Government's media contract through public tender.

GOVERNMENT DEPARTMENTS AND AGENCIES - FINANCIAL RECORDS, COMPUTERISED

393. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Energy:

With respect to question on notice 42 of 1994 -

- (1) Are the financial records of the Energy Policy and Planning Bureau computerised?

- (2) If not, why not?
- (3) If so, why does it require considerable research to answer question 42?

Hon GEORGE CASH replied:

The Minister for Energy has provided the following reply -

- (1)-(3) Details are unable to be supplied on payments to individual media organisations. This information is managed by Media Decisions WA, which won the Government's media contract through public tender.

**GOVERNMENT DEPARTMENTS AND AGENCIES - FINANCIAL RECORDS,
COMPUTERISED**

394. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Energy:

With respect to question on notice 43 of 1994 -

- (1) Are the financial records of the State Energy Commission of Western Australia computerised?
- (2) If not, why not?
- (3) If so, why does it require considerable research to answer question 43?

Hon GEORGE CASH replied:

The Minister for Energy has provided the following reply -

- (1)-(3) Details are unable to be supplied on payments to individual media organisations. This information is managed by Media Decisions WA, which won the Government's media contract through public tender.

CARR, DAVID - GOVERNMENT ENGAGEMENTS

421. Hon A.J.G. MacTIERNAN to the Minister for Transport representing the Minister for Local Government:

- (1) Is Mr David Carr, the Government's consultant on the City of Perth break-up, currently engaged in any capacity by any State Government department, instrumentality or agency?
- (2) If yes, what work is Mr Carr involved in?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) Dr Carr is not currently engaged in any capacity by the Department of Local Government or any instrumentality or agency attached to the department.
- (2) Not applicable.

**GOVERNMENT DEPARTMENTS AND AGENCIES - FINANCIAL RECORDS,
COMPUTERISED**

442. Hon N.D. GRIFFITHS to the Minister for Finance representing the Minister for Housing:

With respect to question on notice 87 of 1994 -

- (1) Are the financial records of the State Housing Commission (Homeswest) computerised?
- (2) If not, why not?

- (3) If so, why does it require considerable research to answer question 87?

Hon MAX EVANS replied:

- (1)-(3) Details are unable to be supplied on payments to individual media organisations. This information is managed by Media Decisions WA, which won the Government's media contract through public tender.*

**BROOME - DEVELOPMENT PROPOSALS, CONSULTATIONS
WITH YAWURU PEOPLE**

490. Hon J.A. SCOTT to the Minister for Education representing the Minister for Aboriginal Affairs:

- (1) Can the Minister explain the extent of any consultation with the traditional landowners of Broome, the Yawuru people, over planning and development proposals in the Broome region?
- (2) What will the Government be doing to improve this consultation process?

Hon N.F. MOORE replied:

- (1) Under the Land (Titles and Traditional Usage) Act 1993 all applications for land development have to be referred to relevant Aboriginal groups which, in respect of the Broome area, would involve the Yawuru people. In addition the Yawuru Aboriginal Corporation has approached the Shire of Broome requesting that it be informed of all development that is proposed in the area.
- (2) In addition to the above, the Government is in the process of establishing a commission of elders and an advisory body of Aboriginal persons, which will advise the Government on regional issues.

**STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - SEWERAGE
*Exmouth, Upgrading***

491. Hon J.A. SCOTT to the Minister for Finance representing the Minister for Water Resources:

What is the Government doing about the sewerage problems in Exmouth, where the current sewerage system is inadequate for the projected population of residents and tourists?

Hon MAX EVANS replied:

The Minister for Water Resources has provided the following reply -

Capacity will be upgraded by the Water Authority as required to meet population growth. There is adequate capacity for the current population.

**BROOME - RESIDENTIAL DEVELOPMENT, BUSH CLEARING DAMAGING
ABORIGINALS' TRADITIONAL FOOD BASE**

502. Hon J.A. SCOTT to the Minister for Education representing the Minister for Aboriginal Affairs:

- (1) Is the Minister aware that bush clearing for a new residential development in Broome is depriving Aboriginal people in the area of their traditional bush tucker?
- (2) What is the Government doing to rectify this damage, from the point of view of the deprivation of Aboriginal people's traditional food base and the conservation of species diversity of native fruits which are disappearing from the area?

Hon N.F. MOORE replied:

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

QUESTIONS WITHOUT NOTICE

ATTORNEY GENERAL - BRIEFED ON KYLE REPORT
Director of Prosecutions, Discussions on Dr Wayne Bradshaw

195. Hon N.D. GRIFFITHS to the Minister for Finance representing the Attorney General:

- (1) Has the Attorney General read the Kyle report?
- (2) If not, why not?
- (3) Will the Attorney General be briefed on the findings and recommendations of the Kyle report?
- (4) If yes, when?
- (5) If not, why not?
- (6) When did the Director of Public Prosecutions, John McKechnie QC, consult with the Attorney General about the extradition and prosecution of Dr Wayne Bradshaw?

Hon MAX EVANS replied:

- (1) Yes.
- (2) Not applicable.
- (3) The Kyle report relates to an inquiry under the Local Government Act and as such the findings and recommendations are a matter for the Minister for Local Government.
- (4)-(5) Not applicable.
- (6) As the Director of Public Prosecutions is independent of the Attorney General, the DPP does not consult the Attorney General on these matters.

Several members interjected.

The PRESIDENT: Order! Are we going to have questions without notice or just a little chat?

**ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY -
RECOMMENDATIONS IMPLEMENTATION**

196. Hon TOM HELM to the Leader of the House representing the Premier:

In view of the concerns of the Death in Custody Watch Committee (WA) that there has been little attention paid to implementing the recommendations of the Royal Commission into Aboriginal Deaths in Custody, can the Premier indicate what progress has been made to implement the recommendations of the royal commission, in particular recommendations 62, 86-91, 235 and 244?

Hon GEORGE CASH replied:

I thank the member for some notice of this question. The Premier has provided the following reply -

The Government is committed to the implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody. I refer the member to the "Royal Commission into Aboriginal Deaths in Custody: Government of Western Australia Implementation Report 1993" which was tabled in the State Parliament on 13 December 1993. This report is prepared annually by the Aboriginal Affairs Planning Authority on behalf of the State Government and documents progress towards implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody. This is the second annual progress report on the implementation of the royal commission's

recommendations. The document includes a number of sections including a report from the Aboriginal Advisory Council Royal Commission Reference Group, a policy and program assessment, criminal justice statistics and a recommendation by recommendation report. Specific queries on recommendations should be referred to the Ministers for Aboriginal Affairs, Police, and Community Development and the Attorney General.

**BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND -
BALANCE; PROGRAMS FUNDED LIST**

197. Hon A.J.G. MacTIERNAN to the Minister for Education:

- (1) What is the balance of moneys currently in the building and construction industry training fund?
- (2) How much of these moneys has already been committed to training programs?
- (3) What programs have been financed from the fund in the 1993-94 financial year?

Hon N.F. MOORE replied:

- (1) As at 31 May 1994, the BCITF had funds of \$6m.
- (2) As at 31 May 1994, \$2.2m of the training budget for 1993-94 remained unspent. Training payments are being processed in June 1994 and so this figure will reduce by 30 June 1994.
- (3)
 - (a) Supervisory/management training.
 - (b) Employed worker training.
 - (c) Unemployed worker training.
 - (d) Apprentice group schemes assistance.
 - (e) Direct indentured apprentices.
 - (f) Housing Industry Association apprentice scheme.
 - (g) Plumbing and painting industry skills centre.
 - (h) Glendalough live work project.
 - (i) Dawesville/Thiess project.
 - (j) Recognition of prior learning.
 - (k) Literacy/numeracy training.

**BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND -
PROGRAMS FUNDED LIST**

198. Hon A.J.G. MacTIERNAN to the Minister for Education:

Is that the total list of program that has been funded?

Hon N.F. MOORE replied:

That is the total list of those fundings that has been provided to me on this occasion. I presume that is the total list.

**SCHOOLS - COVERED ASSEMBLY AREAS
*Nedlands Electorate***

199. Hon JOHN HALDEN to the Minister for Education:

On 27 September 1993, around six weeks after the 1993-94 Budget was presented, the Minister was asked in question 579 by Hon Tom Stephens -

Could the Minister advise the House when he would anticipate being in a position to state which schools would be beneficiaries of

the budgetary allocation for new covered assembly areas . . .

He answered -

I am not in a position to give an answer to that question now. I do not know quite when the information will be provided to me . . .

Earlier this year the Minister also responded to a series of my questions about the decision making process on covered assembly areas by advising the House that, after the Budget, the department made the recommendation to him and he "simply approved it". Bearing in mind those previous statements in this Chamber will the Minister please advise -

- (1) How it was that the Premier could advise the state of the intended provision of a covered assembly area to a school in his electorate of Nedlands on the very day the Budget, which contained considerably less detail than any other Budget before it, was handed down?
- (2) Does the Minister still stand by his statement that he did nothing to influence the department's recommendations and can he confirm that neither the Premier nor a member of his staff attempted to influence the process?
- (3) In the view of the Minister, do the extreme climatic conditions experienced in the Nedlands electorate warrant the construction of two covered assembly areas in two years to the exclusion of other schools throughout the state?

Hon N.F. MOORE replied:

- (1) I do not know, and I will find out.
- (2) Yes.
- (3) The difficulty anybody has in deciding what is the most appropriate school for a covered assembly area is highlighted by the fact that I recently opened one at Denmark, because there was the suggestion that as it rains a lot in Denmark a covered assembly area is needed to keep the rain off. It has also been suggested that they are needed in places like Kununurra to keep the sun off because it is very hot. But whenever I go to places like Merredin, which is somewhere in between, I am also told there are extreme climatic conditions there which require in summer a covered assembly area to keep the sun off and in winter a covered assembly area to keep the rain off. I suspect, Mr President, the situation is very much the same in Nedlands as it is in Belmont, Midland and everywhere else that covered assembly areas are built. If the member would like to ask me where the last lot of covered assembly areas were built during the previous government's term in office, I would be very happy to answer that, and explain just how the money was expended.

Hon Tom Stephens: You are in government now. You explain to him.

Several members interjected.

The PRESIDENT: Order! I do not want any more interjections while Ministers are answering questions. If you want to ask questions without notice you have to listen to the answers. I cannot help what the answer is. I have nothing to do with it.

WORK CAMPS - \$1.8m

200. Hon N.D. GRIFFITHS to the Minister for Finance representing the Attorney General:

In answer to a question I asked on boot camps in the House yesterday in

which I sought details on how the Budget figure of \$1.8m was derived, the Minister said -

Costings were undertaken in response to the broad model for the work camp, not boot camp, to be piloted. These are being fine tuned as operational policy and program details are finalised.

I ask -

- (1) Why was the figure \$1.8m and not \$1.7m, \$1.9m or \$2m or some other figure?
- (2) How much of that figure is allocated to capital expenditure.?
- (3) How much of that figure is allocated to further overseas travel?

Hon MAX EVANS replied:

- (1) The figure of \$1.8m was based on an estimate of major expenditure items as approved by the Treasury Department comprising \$1m capital expenditure with \$400 000 and \$360 000 being half-yearly costs for salaries and contingencies respectively.
- (2) See above.
- (3) No.

AUSTRALIAN ASIAN ASSOCIATION - OFFICE PREMISES EXPANSION, GRANT BY LOTTERIES COMMISSION

201. Hon MARK NEVILL to the Minister for Racing and Gaming:

- (1) Has the Australian Asian Association been offered a grant by the Lotteries Commission to expand its premises in Stirling Street, Perth?
- (2) Has the grant offered to the Australian Asian Association been made conditional upon the Ethnic Communities Council sharing the same building with the Australian Asian Association?
- (3) If so, why has the grant been made conditional on the abovementioned basis?
- (4) Has the Ethnic Communities Council been informed by the Lotteries Commission that it will not receive a grant for premises unless it agrees to share the premises with the Australian Asian Association?
- (5) Is the Lotteries Commission prepared to consider providing a separate grant to the Ethnic Communities Council for the council to obtain its own premises?
- (6) If not, why not?

Hon MAX EVANS replied:

- (1) Negotiations are proceeding between the Lotteries Commission, the Australian Asian Association and the Ethnic Communities Council concerning a grant for expanded office accommodation at the Australian Asian Association premises at 275 Stirling Street, Perth. A grant has not been offered at this time.
- (2)-(3) The commission staff negotiating this matter believe that locating the Ethnic Communities Council on land owned by the Australian Asian Association is a practical solution to the needs of both organisations. No conditions have yet been placed on any possible grant to the Australian Asian Association.
- (4) The Ethnic Communities Council has not been advised that a grant is conditional upon its agreement to share premises with the Australian Asian Association.

(5)-(6)

The commission may provide a separate grant to the Ethnic Communities Council as requested but the senior staff of the commission negotiating this request believe that co-location is an economical and practical solution to the accommodation needs of both organisations, given that the Australian Asian Association has vacant land available next to its community hall for an office extension to its existing premises. The negotiations also include space for any other organisations within a new building with all parties being offered the strata titled ownership. The Australian Asian Association is prepared to forgo its exclusive ownership of the property for the benefit of the Ethnic Communities Council which has similar interests to the Australian Asian Association being concerned with people from ethnic backgrounds and recent migrants to Western Australia. The land is owned freehold by the Australian Asian Association, is in a central location and, due to its being on a corner site, will allow the Ethnic Communities Council to have a separate entrance from Bulwer Street.

DISABILITY SERVICES COMMISSION - MOTOR VEHICLES

Sales; Income; Purchases

202. Hon KIM CHANCE to the Minister for Finance representing the Minister for Disability Services:

- (1) How many and what type of vehicles will be sold by the Disability Services Commission this financial year?
- (2) What will be the income from those sales?
- (3) How many vehicles will be purchased by the commission?
- (4) What will be the net cost of those purchases?

Hon MAX EVANS replied:

- (1) 134 vehicles will be sold by the Disability Services Commission this financial year. The type of vehicles are sedans, wagons, small to medium buses and large buses.
- (2) \$1.32m.
- (3) 134 vehicles.
- (4) \$1.706m.

WORK CAMPS - QUALIFICATIONS, TRAINING AND EXPERIENCE

203. Hon N.D. GRIFFITHS to the Minister for Finance representing the Attorney General:

What qualifications with regard to training and experience will the persons charged with the care of the work camp inmates be required to have?

Hon MAX EVANS replied:

The persons charged with the care of the work camp inmates will be required to have, in addition to appropriate qualifications, experience in the day to day management and operational activities of a similar facility and specific knowledge of the aims and objectives of work camps, including relevant knowledge of the proper management regimes for young offenders in this setting. An appropriate training program will be provided prior to the work camp opening.

LAWRENCE, C - CONSULTANCY SERVICES TO GOVERNMENT

204. Hon A.J.G. MacTIERNAN to the Leader of the House representing the Premier:

- (1) What is the total remuneration paid to Mr C. Lawrence for all consultancy services provided up to 1 June 1994?

- (2) What contracts does Mr Lawrence have currently with the State Government?

Hon GEORGE CASH replied:

- (1) \$60 950.86.
- (2) Mr Lawrence has a contract with the Ministry of the Premier and Cabinet to provide consultancy services to the Cabinet and subcommittee on public sector reform. He was previously contracted to the McCarrey commission. The \$60 950.86 covers both.

CORONIAL AUTOPSIES - CHANGES TO SYSTEM

205. Hon N.D. GRIFFITHS to the Minister for Finance representing the Attorney General:

In light of the fact that the report of the inquiry into coronial autopsies has now been with the Attorney General for over 16 months, and public submissions on this report closed some months ago, when will the Attorney General announce what changes are proposed to the system of coronial autopsies?

Hon MAX EVANS replied:

As previously indicated, the Government's objective is to introduce a new Coroners Act in the 1994 spring session. The Government is broadly supportive of the recommendations contained in the report of the Committee of Inquiry into Aspects of Coronial Autopsies, along with those of the earlier ad hoc committee report. In respect of the public release of the report, the analysis of the 2 573 submissions received took quite some time and requests for an extension of time to make submissions were granted. The extent of public interest in this sensitive matter demonstrates the need to ensure that any changes to the system endeavour to meet the needs of all parties concerned. Accordingly, the Parliament will be advised at the appropriate time about the changes to be made to the system of coronial autopsies.

SCHOOLS - CAPITAL WORKS BUDGET, BIG WINNERS, COTTESLOE, FLOREAT, NEDLANDS

206. Hon JOHN HALDEN to the Minister for Education:

Is the Minister aware that a Budget media statement issued by the Premier in his capacity as Premier on the day of the Budget claimed that "Education was the big winner from this year's Budget in the suburbs of Cottesloe, Floreat and Nedlands"?

The PRESIDENT: Order! Members will have to stop this audible conversation while other members are asking questions and receiving answers.

Hon JOHN HALDEN: In the statement, the Premier went into some detail about capital works spending on Hollywood and Swanbourne Senior High Schools and Rosalie Primary School, all in the Liberal heartland, before going onto other, apparently less important matters such as health, state debt, main roads and SECWA, etc.

- (1) Will the Minister advise what other suburbs and towns throughout the state have to do to be big winners like the suburbs of Cottesloe, Floreat and Nedlands?
- (2) Will the Minister provide members and parents with similar detailed information for all schools in the state, not just those in the Liberal Party's heartland?

Hon N.F. MOORE replied:

I did not see the press release referred to by the Leader of the Opposition.

I do not read every press release issued by every Minister of the Government. Decisions with regard to the allocation of education capital works are made by officers of the Education Department and I accept their recommendations. I have been sitting here since the beginning of this session waiting to debate motion No 2, which is a blatant reflection on me. I have been waiting with a great deal of enthusiasm to debate that motion but it continues to be put off for reasons best known to the Leader of the Opposition. Maybe he now knows the error of his ways and that the motion is incorrect. He now raises the matter again by way of a question. I repeat for the sake of the House, particularly the Leader of the Opposition, that, unlike my predecessor, I have accepted advice from my department regarding capital works expenditure. I tabled a letter in this House regarding covered assembly areas, the subject of the previous question, when the department sought my approval for decisions it had made about covered assembly areas.

Interestingly, from 1984-85 to 1993-94, 74 covered assembly areas were provided in Western Australia, of which 47 were built in Labor electorates, 19 in Liberal, six in National Party, and two in Independent electorates.

Hon Mark Nevill interjected.

Hon N.F. MOORE: The member suggested that they were built in my electorate.

Hon Mark Nevill: And in the Agricultural Region.

Hon P.R. Lightfoot: Another sports roort.

Hon N.F. MOORE: The schools to receive these facilities were Bullsbrook District High School, Forrestdale Primary School -

Several members interjected.

The PRESIDENT: Order! I want to hear the answer to the question even if other members do not. When I call for order I want members to keep quiet so I can listen to the Minister. He should direct his comments to me as he will find that I am extremely interested.

Hon N.F. MOORE: I indicate for the sake of members opposite that covered assembly areas were built in large numbers in Labor Party electorates during the time of the previous government. I give examples of schools which were, according to the Opposition, in extreme climatic conditions. The list includes Bullsbrook, Forrestdale, both Labor Party seats -

Hon Mark Nevill: Esperance.

Hon N.F. MOORE: - Herne Hill, Mt Helena, Quinns Rocks, Upper Swan, Withers in Bunbury, Wanneroo, Amaroo, Carnarvon, Katanning, Maida Vale, Scarborough and Waddington, all of which are schools across the state. The choice of these schools had nothing to do with climatic variations.

Hon John Halden: What about Mining and Pastoral?

Hon N.F. MOORE: That area received very few such facilities. The only feature which comes through on this list of covered assembly areas is that, when the Labor Party was in office, the vast majority were built in Labor Party seats.

Hon John Halden: You have not built one!

Hon E.J. Charlton: You have got them all.

Hon N.F. MOORE: Of the 74 built, 47 were in Labor and only 19 in Liberal Party seats. The electorates of members opposite do not have a monopoly on extreme climatic conditions.

Hon Mark Nevill: You have all the seats on the edge of the river.

Hon N.F. MOORE: This indicates the practices in which the previous government engaged. To suggest that this Government is going down the same path is nonsense. I tabled a letter in this House from my department seeking approval for its decisions regarding the last three covered assembly areas built. I provided that approval. The same procedure will apply to the capital works in the current Budget regarding priorities determined by the Education Department. These will be determined on the basis of need rather than the electorate of their location. Just because the Labor Party made decisions on that basis, does not mean that everyone else does the same. I give an assurance that decisions on capital works in the education area will be made on the basis of need, not electorates.

Hon Mark Nevill: Designer clothes fade easily, don't they?

EDUCATION - FIVE YEAR OLDS

207. Hon JOHN HALDEN to the Minister for Education:

- (1) Will the education program for five year olds be extended in 1995?
- (2) If yes, will the Minister provide details of this extension?
- (3) If not, why not?

Hon N.F. MOORE replied:

- (1) No, the program will not be extended this financial year.
- (2) I will be making an announcement in due course regarding the recommendations of the Scott report on preprimary education. This is an exemplary report -

Hon John Halden: We cannot wait.

Hon N.F. MOORE: - which has dealt with a range of issues affecting preprimary education. When that response is available, the Leader of the Opposition will know what we will do in preprimary education next year and into the future.

Hon John Halden: Nothing.

Hon N.F. MOORE: The previous government made a decision to provide full time five day education for five year olds. The Leader of the Opposition is now running out of the Chamber to give a copy of his question to the Press. At enormous expense to the taxpayers of this state, this scheme was initiated. In my first two months as Minister for Education I had to write for supplementary funding to pay for excess expenditure on capital works incurred by the previous Minister. This amounted to \$13m. The previous government not only did not care about the consequences of that decision, but also overspent by that large amount.

The Scott report has advised that across Western Australia people were very concerned about that decision, which was made in a hurry for political reasons and had no bearing whatsoever on education needs of four and five year old children.

Hon John Halden: Rubbish!

Hon N.F. MOORE: The previous government established the program at great expense to this Government to provide full time five day education for five year olds. However, this was provided to only one-third of the cohorts; two-thirds missed out. Children have been denied places.

Hon Mark Nevill: It was the first part of the implementation of the scheme.

Several members interjected.

The PRESIDENT: Order! I am getting fed up with saying this: If members do not want questions without notice, they should carry on as they are. The next person to get the call will be the Leader of the House. In future, every time members choose to ignore my request to stop interjections while an answer is given, I will immediately give the call to the Leader of the House. He can then request that the business of the House be resumed. Members now know that the next call will go to the Leader of the House.

Hon N.F. MOORE: The decision by the previous government to provide full time five day education for children aged five years for one-third of the cohorts meant that in many cases children aged four years who had access to preprimary education were denied that access. The decision made by the previous government was not given a great deal of thought except regarding the political consequences of providing what many parents wanted. The Scott report has suggested that a four full day program is probably more agreeable to most people and is educationally more sound. We will be looking at those recommendations and an announcement will be made in due course regarding their implementation. The simple fact of the matter is that it is not possible in the current Budget situation to extend the five year old program as much as one would like. This simply reflects the fact that we are paying off the debts of the previous government.

**BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND -
BALANCE**

208. Hon N.F. MOORE - by leave:

I need to correct an answer I gave earlier this afternoon to Hon Alannah MacTiernan. The building and construction industry training fund contains \$6.273m as at 31 May 1994, not \$6m as given in the answer.

The PRESIDENT: The Leader of the House.

Hon GEORGE CASH: I ask that the business of the House be resumed.
