

LEGISLATIVE ASSEMBLY

Thursday, 5 May 1994

MEETING OF THE ASSEMBLY

The Legislative Assembly met at 2.30 pm.

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

PROCLAMATION

The Clerk of the Assembly (Mr P.J. McHugh) read the proclamation of His Excellency the Governor (Major General Philip Michael Jeffery, AO, MC) summoning the second session of the Thirty-fourth Parliament.

SUMMONS FROM THE GOVERNOR

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

BILLS (19) - ASSENT

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

1. Censorship Laws Amendment Bill
2. Police Amendment (Graffiti) Bill
3. Jurisdiction of Courts (Cross-vesting) Amendment Bill
4. Choice of Law (Limitation Periods) Bill
5. Prisoners (Interstate Transfer) Amendment Bill
6. R & I Bank Amendment Bill
7. Pilbara Energy Project Agreement Bill
8. Iron Ore (Mount Newman) Agreement Amendment Bill
9. Adoption Bill (No 2)
10. Business Franchise (Tobacco) Amendment Bill
11. Petroleum Royalties Legislation Amendment Bill
12. Poisons Amendment Bill
13. Acts Amendment (Vehicles on Roads) Bill
14. Acts Amendment (Official Corruption Commission) Bill
15. Reprints Amendment Bill
16. Reserves Bill
17. Special Investigation (Coal Contract) Bill
18. Motor Vehicle (Third Party Insurance) Amendment Bill
19. Goldfields Gas Pipeline Agreement Bill

BILLS (3) - RETURNED

1. Motor Vehicle (Third Party Insurance) Amendment Bill
 2. Special Investigation (Coal Contract) Bill
 3. Goldfields Gas Pipeline Agreement Bill
- Bills returned from the Council without amendment.

RESERVES BILL

Council's Message

Message from the Council received and read notifying that it had agreed to the amendment made by the Assembly.

STATE FORESTS Nos 4, 7, 13, 17, 22, 24, 25, 31, 37, 38, 54 AND 65 - PARTIAL REVOCATIONS, CONCURRENCE

Council's Message

Message from the Legislative Council received and read notifying that it had concurred with the Assembly's resolutions.

PETITION - SUNSET HOSPITAL, CLOSURE

DR GALLOP (Victoria Park) [3.06 pm]: I present the following petition -

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

We, the undersigned people of Western Australia call on the State Government to reconsider its ill-conceived and insensitively handled decision to close Sunset Hospital, Dalkeith.

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

The petition bears 192 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 1.]

PETITION - MOTOR VEHICLE REGISTRATION \$50 LEVY, FREE WATER ALLOWANCE REMOVAL

MR BROWN (Morley) [3.07 pm]: I present the following petition -

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

We, the undersigned people of Western Australia wish to express our opposition to the unnecessary and unwarranted increases in government charges in the form of a fifty dollar levy on motor vehicle registration and removal of the free water allowance. We believe these increases place an unfair financial burden on ordinary citizens.

We therefore call on the Government to:

- (a) abolish the fifty dollar levy on all vehicles;
- (b) reinstate the free water allowance of 150 kilolitres

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

The petition bears 4 575 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 2.]

PETITION - OSBORNE PRIMARY SCHOOL, CLOSURE OPPOSITION

MRS ROBERTS (Glendalough) [3.08 pm]: I present the following petition -

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

We, the undersigned:

- * oppose the closure of Osborne Primary School.
- * call on the Minister for Education to consult with local people, parents and schools before he makes important decisions affecting our community.
- * call on the Minister for Education to maintain the Osborne Primary School for the benefit of local families and the community.

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

The petition bears 312 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 3.]

PETITION - BEAUMARIS BEACH, LAND INCORPORATION

MR W. SMITH (Wanneroo) [3.09 pm]: I present the following petition -

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

We, the undersigned, do respectfully request the Geographic Names Committee to incorporate the area bounded by Hodges Drive, Marmion Avenue, Shenton Avenue and the Indian Ocean into the area proposed to be renamed Beaumaris Beach, currently known as Iluka.

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

The petition bears 1 242 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 4.]

**PETITION - TRADING HOURS, WHOLESALE DEREGULATION
OPPOSITION**

MRS ROBERTS (Glendalough) [3.10 pm]: I present the following petition -

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

We, the undermentioned petitioners wish to express our opposition to the wholesale deregulation of trading hours in Western Australia in that it will lead to the closure of hundreds of small businesses, the loss of many jobs, reduced leisure, religious and sporting options for families, and ultimately the loss of choice for consumers, particularly those whose mobility is restricted by age or disability.

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

The petition bears 210 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 5.]

PETITION - WATER ACCOUNTS, PAYMENT CARD

MR CUNNINGHAM (Marangaroo) [3.12 pm]: I present the following petition -

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

We, the undersigned people of Western Australia request that the Minister for Water Resources issue a card to enable users to pay instalments toward their water account, similar to the SECWA energy payment card.

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

The petition bears 86 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 6.]

PETITION - STEEL-JAW LEG HOLD TRAPS, ABOLITION

MR BOARD (Jandakot) [3.13 pm]: I present the following petition -

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

We, the undersigned demand the abolition of the sale and use of steel-jaw leg hold traps. This trap is completely indiscriminate and is taking a devastating toll, trapping both target and non-target animals (including protected and native species). The trap could easily be replaced by humane and non-lethal management practices.

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

The petition bears 14 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 7.]

COMPANIES (CO-OPERATIVE) AMENDMENT BILL

Leave to Introduce

MR COURT (Nedlands - Premier) [3.21 pm]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move, without notice -

That leave be given to introduce a Bill for an Act to amend the Companies (Co-operative) Act 1943.

Question put and passed; leave granted.

Introduction and First Reading

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

GOVERNOR'S SPEECH*Distribution of Copies*

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

ADDRESS-IN-REPLY · MOTION

MR OSBORNE (Bunbury) [3.23 pm]: I move -

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

May it please Your Excellency -

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

Mr Speaker, in so moving I raise three matters which will be of importance to the Government in this session of Parliament. These are: The growth of tourism in Western Australia; the issue of public sector reform; and the future of Bunbury and the south west region.

One of the important jobs facing any reforming government is to maximise the contribution of under-performing assets and sectors of the economy. The tourism industry has enormous potential to make an improved contribution to wealth creation in Western Australia, and an important piece of legislation this Parliament will have before it is the Tourism Commission Act 1983, which is due for reconsideration. When the Tourism Commission was established on 1 January 1984, tourism quickly became a higher profile industry and showed early promise of realising significant expansion and bringing much-needed growth in the traded services sector of the Western Australian economy. I believe the tourism industry has been in a state of drift in recent years, and a major priority of the Government must be to make the microeconomic and organisational adjustments which are necessary to unleash this state's tourism potential.

Our first priority is to publish a state tourism plan, which will provide a vision of the future, and a development strategy to guide investment and development in the industry. To support the state tourism plan, the Government must design and implement effective investment attraction schemes and coordinate and assist interstate and international cooperative promotion campaigns.

The Tourism Commission currently spends a significant proportion of its time fostering local tourism and although local tourism does indeed account for 85 per cent of the business in Western Australia, from the State Government's point of view the main priority is not to worry about whether this local tourism dollar is spent in Denham or in Denmark, in Broome or in Bunbury, but to make sure that as much activity as possible is created in the first place. As an economic mechanism to move money from one region to another, local tourism can be used by the Government to foster targeted regional development and we can broadly influence this through a state tourism plan, but as far as management goes, I think the state should move to hand over local tourism completely to local government and to local communities. The key target for the State Government to address is boosting interstate and international tourism, and the more we can do this the more we will bring tourist dollars into our economy.

Western Australia is currently not achieving its proper share of interstate and international tourism. We get only about four per cent of Australia's total interstate business, despite consumer research indicating we are claiming 14 per cent of registered interest in the business. We should aim to raise our share from eight to 10 per cent of the

total interstate market, or to over one million visitors per year. Such an increase would generate an extra return of between \$400m and \$450m per year.

To achieve this goal, some constraints on the development of tourism in Western Australia must be addressed. These include the small amounts we spend on promotion, the shortage of accommodation, and the undersupply of airline seats into Western Australia. In the past, government has not been not much help to the industry in coming to grips with the problem of room supply. It is too hard to make profit in Australia and the level of profitability in the tourism industry is critically small. The tourism industry should be encouraged to employ people, which it is uniquely well placed to do. The Burswood Resort can employ about 0.9 to 1.1 people per room, but a typical motel uses only 0.3 to 0.4 employees per room. The cost of employing people is too punitive and it has led to an overemphasis on the serviced apartment sector. Since the development of the Burswood Resort, too few accommodation developments have been completed in Western Australia. We really must start providing incentives for the developers. Such things such as headworks deferral schemes, rates, holidays, long term leases and development incentives can be made available to bring benefits to business and also to the community. To further assist developers, the Government must remain serious about busting the level of regulation in such fields as liquor licensing, coach tours licensing, the labour market, opening hours, and in building and construction, which is currently hampering investment and development in tourism. Other keys to boosting our share of the interstate and international markets are to improve our promotions and production distribution, to keep putting a major effort into attracting hallmark special events through the very good work of EventsCorp, and to enhance the quality of our national attractions as managed by the Department of Conservation and Land Management.

In addition to the necessary changes in all these areas, we must allow improvements in the personnel side of the industry, and in this respect I believe the board and the staff of the Tourism Commission is in need of reinforcement. One of the consequences of moves to reduce the size of the public sector through redundancy schemes is that the better people take the initiative and the somewhat less adaptable are left behind. In an important area like tourism, this can be a problem. Good people must be found by the Tourism Commission and its board must be able to compete to retain them, if necessary. When the Tourism Commission was established, it was supposed to imitate the private sector's flexibility in recruitment and remuneration. This started to happen in the early years, but as the decade passed, the Public Service mentality gradually clawed its way back and labour market rigidities helped strangle the vitality of the organisation.

Mr Speaker, talking about the unrealised potential of the tourism industry and the need for a revitalised Tourism Commission leads me to another area of the state's assets which is in need of reform before it can give a proper return to the people of Western Australia: I refer to the state public sector and the 100 000 or so employees within it. A major work in the coming session of this Parliament will be the passage of the Public Sector Management Bill. All of us in retrospect can identify crucial turning points in our lives which caused us to take a course of action which brings us to where we are today. Often at the time we do not realise that the incident in fact is crucial, and only the analysis of hindsight reveals it as such. There are relatively rare occasions, however, when even as something is happening, it is recognisable as having the potential to change the course of one's life forever. The changes which were made within the Western Australian Public Service in the late 1980s was such a time for me. As I looked on and saw the damage that the government of the time was doing to the public sector in this State, I made up my mind to do as much as I could to help repair that damage.

I first entered the State Public Service in 1972 when, under the leadership of such people as Ralph Doig, J.B. Crooks and Hughie de Burgh, the service was conscious of its place as an essential ingredient of the Westminster system of government. That role was to act without fear or favour for the government of the day. It was a role of service. The Public Service, however, was not without its problems and shortcomings, and by the middle of the 1980s this was widely recognised. It was felt that the structures and systems which had served Western Australia well in the past had become inappropriate. A Public

Service which was more flexible, efficient and responsive was needed. Many public servants responded enthusiastically to the messages in the 1986 White Paper "Managing Change in the Public Sector". In my own experience, however, the Public Service of the late 1980s and early 1990s began to lose those features which made it essential to the functioning of our democracy and yet, at the same time, failed to take on the key elements of needed reform set out in "Managing Change in the Public Sector". It became too partisan, it began to be corrupted by politicisation, and it began to forget the essential nature of its relationship to the public. It began to see itself more as a master of the public than as its servant.

This Government can and will make many reforms to the structure and practices of the public sector. The McCarrey commission and the Public Sector Management Bill will see to that, but, as the Premier has observed on several occasions in this place, no amount of structural and procedural reform will be sufficient if a change to the ethics of government is absent. In government, there is no legislative or administrative defence against the failure of integrity.

One of the great challenges I look forward to in the coming session of Parliament and beyond is to reform our public sector culture so that it does what is necessary - and no more - in an effective way, to build a public sector which retains what is good from the past and which, at the same time, can evolve in such a way as to keep up with our rapidly changing, highly competitive and information rich society. I believe that the basic incentives which shape behaviour within the public sector must be changed. If we can create a new public sector culture by use of competition, the measurement of results, the decentralisation of authority, and the creation of real consequences for success and failure, we shall have public organisations which behave in more businesslike ways. If we inject competition into service delivery, we shall foster innovation and excellence; and if we organise public services to meet the needs of the customer rather than the needs of the bureaucracy, we can build a public sector which keeps costs down and responds quickly to changing demands. There will certainly be protests. Those who have prospered unreasonably within the status quo will object to change. However, this Government will always remember that while those who stand to lose are louder and better organised, those who will benefit are more deserving and more numerous.

Finally, Mr Speaker, I comment today on the bright future which now lies before my electorate of Bunbury and the whole south west region under the current Government. According to the Australian Bureau of Statistics, approximately 1.66 million people live in Western Australia. That figure, recorded in June last year, shows an increase of just over 21 000 people, or almost 1.3 per cent, from June 1991. The south west division has the strongest population growth in this state - up 2.8 per cent from June 1991 to June 1992. Despite this recent stronger growth in the south west, there has been no change for the better in the distribution of the state's population in the last decade. About 1.2 million people, or 73 per cent of the state's total population, still live in Perth. The 1990s must be the decade in which Western Australia does something significant about changing this concentration of population in the Perth metropolitan area. We are now looking forward to resource development projects which will not only maintain Western Australia's status as the star performer in the Australian economy, but also at last do that something significant to decentralise the state's population.

The first of these projects obviously is the Collie power station which, despite criticism from the ill-informed, will deliver measurable net benefits to the whole of Western Australia and massive benefits to Bunbury. This is the largest public sector infrastructure project we shall see in Western Australia this decade, and the building, earth moving, manufacturing, financial services, property development, accommodation and transport sectors of the Bunbury economy are already gearing up for the bonanza it will bring. The specifics of the Collie power station project are already well known and need to be only briefly restated here. We know that the construction cost of the project will be about \$575m, and the Australian content in the project will be an estimated \$375m, of which \$270m will be spent in Western Australia. Approximately 3 000 direct and indirect jobs will be created, with a peak construction work force between 550 and 600 jobs. After

years of promises and announcements, this Government has "brought home the bacon" on the Collie power station, and the people of Bunbury and the south west will enjoy the benefits for years to come.

Another project which I hope will be committed to this year, and which will bring massive benefits to Bunbury, is the south west pulp and paper mill project. Pulp and paper imports worsen Australia's annual balance of payments by about \$1.3b. This project will yield around \$800m per annum in export revenue, and create long term 1 500 direct and 1 800 indirect jobs. Peak construction will require a work force of 1 800 on site and 1 400 off site. The first stage of this great project is expected to start in late 1997, with construction taking about two years. We do not yet know exactly where the mill will be located in the south west, but I believe Bunbury is a definite consideration. Even if the mill were built in another area, such as Manjimup or Boyup Brook, there is no doubt that as the service, construction and manufacturing centre of the south west, the city of Bunbury will enjoy a significant slice of the economic activity that will be generated.

Lastly, I shall spend a little time talking about a major commitment the Government will make to health care in Bunbury and the south west in the coming year. The Bunbury regional hospital project has lately been in the hands of a locally-based technical advisory committee, which will present its final report to the Minister within days. I am now very optimistic about the Government's capability to provide a state of the art public hospital in Bunbury, and I believe the practice of local involvement, which the technical advisory committee has been, should be maintained by the hospital being operated by a locally based board of management. An opportunity also exists for the Government to establish a health campus in Bunbury which will allow closer cooperation between the public and private health and education systems. I also want to see a fair application of the concept of contestability in the provision of all publicly funded health services, to guarantee the most effective use of taxpayers' money. I would like to see greater attention paid to at least three areas of service in the new Bunbury hospital service: Psychogeriatric care, which I think is under resourced at this time; the Burdekin report, whose findings should be addressed; and the need for more services sensitive to the needs of Aboriginal patients in the region. If these and other gaps in the current provision of services can be addressed, the Government will go a long way to overcoming the public health deficiencies with which we have lately lived in Bunbury and the south west.

Mr Speaker, an exciting year lies ahead for this state. On almost any significant economic measure - unemployment, employment growth, private sector growth, investment growth or business optimism - Western Australia leads all other states in this country. We should all work hard to keep it that way.

MR MARSHALL (Murray) [3.40 pm]: I formally second the motion.

Debate adjourned, on motion by Mr Ripper.

DEPUTY CHAIRMEN OF COMMITTEES

Appointment

THE SPEAKER (Mr Clarko): I wish to advise members of the appointment of the following members as Deputy Chairmen of Committees during the present session: The member for Darling Range (Mr Day), the member for Morley (Mr Brown), the member for Roe (Mr Ainsworth), and the member for Whitford (Mr Johnson).

[Questions without notice taken.]

ADJOURNMENT OF THE HOUSE - SPECIAL

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

That the House at its rising adjourn until Tuesday, 10 May at 2.00 pm.

PERSONAL EXPLANATION - MEMBER FOR NOLLAMARA
Freedom of Information Commissioner, Minister for Planning's Submission

MR KOBELKE (Nollamara) [3.59 pm] - by leave: Thank you, Mr Speaker. In view of the situation, I will be very brief.

In reply to a question I asked, the Minister for Planning alluded to correspondence from the Freedom of Information Commissioner. In so doing he said that I had provided to the Press copies of his submission to the Freedom of Information Commissioner under this appeal.

That is totally untrue; I have not done that. The Minister is referring to the fact that there was correspondence from the Information Commissioner indicating that she wished to draw my attention to section 70(4) of the Act and asking that I keep the Minister's submission confidential, not to hand it around, other than to people with whom I wished to discuss the proceedings. There was that rider. I will not go through that section of the Act. However, there is no mention of secrecy in it whatsoever. It talks about necessary directions as to the conduct of proceedings. The next subsection goes on to talk about formal proceedings or hearings, all submissions being in writing, and requests being made to parties to attend compulsory conferences. There is nothing about secrecy in that section. Clearly it would be totally against the principles of the Freedom of Information Act and contrary to its whole intent and objectives to require that that process not be totally open and accountable. I did accede to the request of the Information Commissioner, and I did not show that document to any member of the Press or anyone outside while the proceedings were being conducted. The words in subsection (4) say that the commissioner can give directions as to the conduct of proceedings.

Last Wednesday, 27 April, the Information Commissioner made a determination on the matter which ended the proceedings. Whether her instructions in her letter to me had any force of law is irrelevant because those proceedings have finished and, therefore, I am at liberty to give that information to people. I have not done so yet; however, after I finish speaking in the House, I intend to hand the information to members of the Press. The Minister has not stood himself in any esteem by coming in here and saying things about me that are totally untrue.

House adjourned at 4.01 pm

QUESTIONS WITHOUT NOTICE

CONCRETE BATCHING PLANT, NEERABUP - APPEAL UPHELD BY MINISTER FOR PLANNING, EXPLANATION

1. Mr KOBELKE to the Minister for Planning:

Given that the Minister upheld an appeal by General Bulldozing Co Pty Ltd, overruling the wishes of residents, the clearly-stated advice of the Wanneroo City Council, the State Planning Commission, the Department of Planning and Urban Development and the Town Planning Appeal Committee, and knowing that it would give a commercial advantage of possibly \$1m to a company controlled by a major Liberal Party donor, will the Minister -

- (1) Explain the reasons for his decision, other than the commercial advantage to one company over four others?
- (2) State clearly the full nature of his personal and commercial relationship with Mr Len Buckeridge or any of his companies, to assure the public that he will not gain personally from this decision?

Mr LEWIS replied:

(1)-(2) Surprise, surprise! Let me put it firmly on record that the member for Nollamara understands fully the reasons why I made that decision.

Mr Ripper: So he is right, is he?

Mr LEWIS: It was a right decision. I do not in any way shrink from the decision that I made. Had the member for Nollamara read the letter of my determination, which I forwarded to him in January of this year, he would understand fully the reasons why that decision was made. It should be understood also that the former government put in place the upholding of that appeal on the basis that the Reserves Act 1992 provided for that concrete batching plant at Neerabup. The Environmental Protection Authority, the Department of Conservation and Land Management, the Department of Minerals and Energy and the Department of Land Administration had all -

Mr Kobelke: You know that is a gross distortion of the truth. You are misleading this House again. Tell the truth.

Mr LEWIS: Is it not interesting that this righteous person opposite, the member for Nollamara, on the basis of a 39 page submission which was made to the Freedom of Information Commissioner, giving reasons why certain information should not be disclosed -

Mr D.L. Smith: What lines did you object to? It might bring the Minister into disrepute!

Mr LEWIS: I do not shrink at all from the decision that I made. I do not believe that any of the 589 decisions which I made last year in my administration of town planning appeals in this state will in any way bring me into personal disrepute. This town planning system has been working since 1972 and has been administered by various Ministers of different governments. I suggest to the member for Nollamara, and to the former Minister for Planning, who upheld quite a lot of appeals -

Mr D.L. Smith interjected.

The SPEAKER: Order! I ask the Minister to bring his answer to a conclusion.

Mr LEWIS: The integrity of the planning system is laid down in the Statute, and the confidence of the public in the system should be protected. The

member for Nollamara, in his zealousness and hypocrisy, and in his so-called righteousness, ran to *The West Australian* and exposed fully a 39 page submission which I had made to the Freedom of Information Commissioner and which the commissioner had directed should not be made public. The member for Nollamara is the person who is in contempt of this Parliament.

Point of Order

Mr KOBELKE: The Minister for Planning is making accusations against me which are untrue, and at your discretion, Mr Speaker, I wish to have the opportunity to correct those misrepresentations and to make a statement to the House at the conclusion of question time.

The SPEAKER: Order! Today is a difficult day in regard to time, as everyone would understand. I have asked the Minister to bring his answer to a conclusion, and I hope he will bring it to a conclusion now. In regard to the statement which the Minister has made and whether you think it is appropriate to make a comment later, we will deal with that when we get to it.

Questions without Notice Resumed

Mr LEWIS: Mr Speaker, I will bring my answer to a conclusion. I understand that the Freedom of Information Commissioner has written to the member for Nollamara, pointing out that he is in breach of the Act and, indeed, of her instruction or direction to him. I know of no financial or other benefits that may have been forthcoming prior to the last election. That, of course, has nothing to do with the appeal which I heard. I measured that appeal on the merits that were presented to me. I will stand anywhere to defend my integrity, the integrity of the Statute and -

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel. I ask the Minister to conclude his answer.

Mr LEWIS: I have nothing to be ashamed of. I will stand by that decision because I have never received a benefit from General Bulldozing Co.

WHITE PAPER ON EMPLOYMENT - PREMIER'S ASSESSMENT

2. Mr JOHNSON to the Premier:

I have given some notice of this question. Will the Premier inform the House of his assessment of the Federal Government's White Paper on Employment, which was released yesterday?

Mr COURT replied:

I thank the member for the question. Unemployment in Australia and in Western Australia has been far too high for far too long. In this region, where growth is occurring all around us in our Asian neighbours, it is unacceptable that we have had these high levels of unemployment. We will be able to tackle the problem only if we are prepared to encourage increased private sector investment and to allow more flexibility to come back into labour markets. That is a policy which we have carried out in this state.

Mr Marlborough: Flexibility in the marketplace is doubletalk for reducing the wages and conditions of Australian workers. Use the right words!

Mr COURT: I remember that before the last election, members opposite got stuck into us over the training wage that was being promoted by the then Leader of the Opposition. Members opposite have now come out with their own training wage and say it is a good idea!

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel for the second time.

Mr COURT: Let us face it, Mr Speaker - members opposite are just apologists for Mr Keating in Canberra! If Mr Keating wants to see proof of how to increase the level of private investment through increased flexibility, he should look at what is happening in Western Australia. This state has the strongest growth in Australia in private investment, and consequently we have the strongest employment growth.

Mrs Henderson: No thanks to you.

Mr COURT: So it was all done by members opposite, was it? That would be right!

The investment community has seen Mr Keating's policy announcement as a throwback to the Whitlam years. The investment community is concerned that the Federal Government, which has been in power for nearly 12 years, has failed to implement necessary reforms to guarantee genuine long term jobs. It is not a matter of throwing money at the problem to create short term employment opportunities.

The Western Australian economy is beginning to develop in a manner which is distinct from the rest of the Australian economy. Undoubtedly, Western Australia has become the economic tiger of the Australian economy, and we are outperforming the other states. This Government is pleased and proud to be able to sell its achievements and what is happening in this state; members opposite were not capable of doing that.

In summary, the White Paper released yesterday by the Federal Government sent out all the wrong signals.

Several members interjected.

The SPEAKER: Order!

Mr COURT: This policy will lead to more duplication in service delivery. For example, what was the first official duty in Western Australia of the new federal Minister for Health? She ran around the state handing out small tourism grants; a Minister for Health should hardly be doing that! It is a classic example of increased duplication by the Federal Government of responsibilities carried out by the states. The White Paper will add to the duplication and bureaucracy, and in the process it will simply rearrange the queue for jobs.

Several members interjected.

The SPEAKER: Order! I call to order the member for Fremantle.

Mr COURT: I hope members opposite will be supportive of the programs this Government is implementing to ensure that we have continuing growth and high levels of private sector investment. Instead of knocking our industrial relations reforms, why do members opposite not get behind them, as they are actually creating jobs?

CONCRETE BATCHING PLANT, NEERABUP - MINISTER FOR PLANNING'S SUBMISSION TO FREEDOM OF INFORMATION COMMISSIONER

3. Mr KOBELKE to the Minister for Planning:

I will try again to ask a question. The Minister refused to answer my last question, and he used the opportunity to say untrue things about me. I refer again to the Neerabup concrete batching plant and the Minister's 39 page submission to the Freedom of Information Commissioner seeking to block the release of documents relating to the proposal in which he

claimed that, "It could be reasonably expected that disclosure of the document could put in disrepute the standing of the Minister."

Can the Minister explain how it is possible to interpret his statement other than that he has acted either improperly, illegally or corruptly?

Mr LEWIS replied:

As most people would understand, the 39 page submission was not written by me.

Several members interjected.

Mr LEWIS: Let me finish.

Mrs Roberts: Did you read it before you signed it?

Mr LEWIS: Yes, I did. Regarding the statement that the disclosure of the document could place the Minister in disrepute, if the member had read further he would know that the document also refers to the member of the town planning appeals -

Mr Kobelke: You put yourself in twice: Once on page 4, and once on page 33.

Mr LEWIS: It does not refer to Lewis as the member for Applecross, but to the Minister carrying out the statutory duties of that position; that would be the case regardless of whether it referred to former Ministers, such as the members for Mitchell or Armadale. It is not the member who happens to be occupying that position for that time who could be placed in disrepute, but the office of Minister; that is the point which must be understood.

Mrs Henderson: Who signed the document?

Mr LEWIS: I signed it, of course.

Mrs Henderson: Did you read it?

Mr LEWIS: Of course I read it.

Mrs Henderson: But you do not want to stand by it.

Mr LEWIS: Of course I stand by it. In that statement I referred to the disrepute not of me but to the office of Minister. Unfortunately, as a result of the Opposition's political zealotness and small mindedness, it cannot understand that point.

Interestingly, last year I dealt with 589 appeals, and the Town Planning Appeal Tribunal dealt with 22 appeals. The current ministerial system, which former Ministers - now members of the Opposition - have administered, and would know, gives an efficient, expeditious and legally unencumbered system which provides a certain amount of confidence to the public at large. Those appeals can be heard and dealt with compassionately with a full understanding of the ramifications of the decision made. If the Opposition wants to tear down that procedure which has existed for almost 22 years, so be it. However, if the Opposition wants ordinary people - the battlers - to make appeals which cost \$4 000 or \$5 000, as would be the result of tearing down the system, let it be on the shoulders of members opposite! I am outraged, personally insulted and sad that the member for Nollamara would impugn my integrity in this House on the basis of the responsibilities I carry out in the process of administering town planning appeals.
