



Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
THIRD SESSION
2000

LEGISLATIVE COUNCIL

Tuesday, 2 May 2000

Legislative Council

Tuesday, 2 May 2000

THE PRESIDENT (Hon George Cash) took the Chair at 3.30 pm, and read prayers.

BILLS - ASSENT

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

1. Gender Reassignment Bill (No. 2) 1997.
2. Real Estate Legislation (Fidelity Guarantee Funds) Amendment Bill 1999.
3. Agricultural and Veterinary Chemicals (Western Australia) Amendment Bill 1999.
4. Gaming Commission (Continuing Lotteries Levy) Bill 1999.
5. Acts Amendment (Continuing Lotteries) Bill 1999.
6. Health Professionals (Special Events Exemption) Bill 1999.

POULTRY INDUSTRY, SERPENTINE-JARRAHDALE SHIRE

Petition

Hon Derrick Tomlinson presented the following petition bearing the signatures of 160 persons -

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament Assembled.

We, the undersigned wish to express our utmost concern at the continuing planning programme for the poultry industry for the Serpentine-Jarrahdale Shire. This programme and any future proposals will be injurious to the lifestyle, health, environment and future of this rural metropolitan community.

We call upon the Government to take heed of this Community's needs and concerns and to urgently examine the poultry industry and all future proposals before they are implemented and to properly consider other alternatives and opportunities deemed to be more beneficial to the whole Western Australian community.

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 902.]

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS

Correction to Report No 38, Seminar on the Role of Parliaments in Treaty Making

Hon Murray Nixon presented the forty-ninth report of the Standing Committee on Constitutional Affairs in relation to a correction to report 38 on a seminar on the role of Parliaments in treaty making in Canberra on 24 and 25 June 1999, and on his motion it was resolved -

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

[See paper No 903.]

STANDING COMMITTEE ON LEGISLATION

Rights in Water and Irrigation Amendment Bill 1999 - Extension of Time

Hon Bruce Donaldson presented a report of the Standing Committee on Legislation seeking an extension of time in which to report on the Rights in Water and Irrigation Amendment Bill 1999 from 4 May 2000 to 1 June 2000, and on his motion it was resolved -

That the report do lie upon the Table and be adopted and agreed to.

[See paper No 904.]

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS

Report on a Petition into Homeswest and the Department of Land Administration Policies: Opposing the Proposed Subdivision of Land Owned by Homeswest in Spencer Park, Albany

Hon Murray Nixon presented the fiftieth report of the Standing Committee on Constitutional Affairs in relation to a petition into Homeswest and the Department of Land Administration policies regarding opposition to the proposed subdivision of land owned by Homeswest in Spencer Park, Albany, and on his motion it was resolved -

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

[See paper No 905.]

BUILDING INDUSTRY DISPUTES RESOLUTION*Urgency Motion*

THE PRESIDENT (Hon George Cash): I have received the following letter -

Dear Mr President,

At today 's sitting it is my intention to move under SO72 that the House at its rising adjourn until 9 am on 25 December 2000 for the purpose of discussing the failure of the Government to address problems in the building industry and, in particular, the failure to progress legislation which would enact the recommendations of previous Government inquiries into the building dispute process.

Yours Sincerely

Hon Ken Travers MLC
Member for North Metropolitan Region.

In order to discuss this matter, it will be necessary for at least four members to indicate their support by rising in their places.

[At least four members rose in their places.]

HON KEN TRAVERS (North Metropolitan) [3.43 pm]: I move -

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

The most important and largest expenditure most Western Australians make in their life is to purchase or build a home. Calls have been made for some time to address what people regard as problems in the home building industry, particularly the dispute resolution processes. A number of government reviews have been carried out into that area. These have ranged from the Cox review of the Builders Registration Board and the Building Disputes Committee in 1995, the review of the Home Building Contracts Act tabled in Parliament in March 1997, and the report by five people appointed by the then Minister for Fair Trading chaired by Mr Harvey McCleod tabled in Parliament in December 1997 titled "Report of Building Dispute Resolution Process Review to the Hon Minister for Fair Trading". Two other processes are currently looking into the building dispute processes; namely, the Gunning inquiry and a ministerial national competition policy review of the Builders' Registration Act 1939. Therefore, this area has received more reviews than have most other areas, yet absolutely no government action has been seen.

The Labor Opposition has pursued this issue for some time. The shadow spokesperson for Fair Trading was involved in a 1995 phone-in for people with problems in the building industry, a similar phone-in was conducted in 1997, and only last weekend a third phone-in was conducted by the Home Owners Action Group in conjunction with me. Interestingly, the summary of findings of the 1995 phone-in indicates that the same problems raised in 1995 were raised again last Sunday. A similar number of complaints were received, which equated to about half the complaints received by the Builders Registration Board each year. The weekend phone-in followed a meeting I had with the Home Owners Action Group at which I advised that the Gunning inquiry was considering the Builders Registration Board and the Building Disputes Committee. I was amazed that no-one in government had informed that group, or any other group concerned about the building industry, that the Gunning inquiry was inquiring into those matters. A range of concerns were expressed. I note that following representations from this group, the Gunning inquiry has extended the time limit for submissions and undertaken further advertising. The weekend phone-in also indicated that people were made aware of this aspect of the Gunning inquiry only through publicity generated by the Home Owners Action Group.

Only one respondent in the phone-in was completely happy with the dispute process of the Builders Registration Board and the Building Disputes Committee. Most callers were totally dissatisfied, with many people using terms like "toothless tiger". A number of problems confronting the building industry were raised, the majority of which related to workmanship. Many people with contracts with a 145-day completion date found that construction did not even commence in that time frame, and many people have spent thousands of dollars preparing independent reports in attempts to have their problems addressed.

I now refer to the 1997 report received by the Government into the building dispute resolution process which involved two members of the building industry and was chaired by a former staff member of the Master Builders Association. The review made a number of recommendations; I urge members to look at them all, but I refer to the summary in the front of the report: The review panel recommended the following -

the renaming of the Building Disputes Committee to the Building Disputes Tribunal;

the introduction of a voluntary system of mediation which is designed to enhance earlier resolution of disputes;

amendments to the *Builders' Registration Act 1939* to allow the Chairperson or Deputy Chairperson of the Building Disputes Committee (to be renamed Building Disputes Tribunal) sitting alone to hold preliminary hearings and to conduct proceedings if agreed to by the parties to the dispute;

the appointment of a Dispute Resolution Manager to oversee the administration of the dispute resolution process;

amendments to the *Builders' Registration Act 1939* requiring outstanding contract monies to be paid into trust before the matter proceeds beyond the Dispute Resolution Manager;

the limitation of reviews by the Building Disputes Tribunal on workmanship related orders; and

the introduction of a system of revenue derivation to underwrite the cost of funding the process.

The review recommended the renaming of the Building Disputes Committee to the building disputes tribunal; the introduction of a voluntary system of mediation designed to enhance earlier resolution of disputes; amendments to the Builders' Registration Act to allow the chairperson or deputy chairperson of the Building Disputes Committee to sit alone to conduct preliminary hearings and to conduct proceedings as agreed to by the parties to the dispute; the appointment of a dispute resolution manager to oversee the administration of the dispute resolution process; amendments to the Builders' Registration Act 1939 requiring outstanding contract moneys to be paid into a trust before a matter proceeds beyond the dispute resolution manager; the limitation of reviews by the building disputes tribunal on workmanship related orders; and the introduction of a system of revenue derivation to underwrite the cost of funding the process.

Those recommendations probably do not go far enough in addressing some of the underlying core problems that are being faced by people building homes today, but they would have been a great start. A number of those recommendations attempted to provide some extra money for the Building Disputes Committee. The review panel acknowledged that one of the problems for the Building Disputes Committee and the Builders Registration Board is that they do not have the necessary resources to carry out their functions fully. A number of recommendations were aimed at providing them with extra resources so they could accurately and appropriately deal with the complaints they were receiving. It also recommended a dispute resolution process time frame. It said that the time taken to list a hearing should be 20 working days. I understand that in the past it has been about three months, but I do not want to quibble about that. What came out of the phone-in on the weekend was that people are being told that the earliest they can expect a hearing before the Building Disputes Committee is six months, or October. That is absolutely outrageous. The 1997 report made it clear that an early and timely resolution of disputes was required; that is, the problem should be sorted out before the builder and the consumer are at loggerheads. However, we are now seeing a blow-out to six months. A number of people who rang in mentioned that. I accept that one of the current problems is that there has been a significant increase in activity in the building industry because of people trying to beat the goods and services tax. However, there has been an even greater increase in the number of complaints going before the Building Disputes Committee. If the necessary resources were going into the BRB and the BDC, there would not be an extensive delay in which people must wait six months to have their dream home sorted out. That has come about because the Government has failed to act.

Another concern raised was having to place moneys in trust. One couple told a sad tale and said that they did not want to pay the money because they were unhappy with the processes. They were reluctant to pay the money to the builder, but that is what they were told they would have to do. That couple chose not to pay the money to the builder and they found themselves in a range of problems with bailiffs and the like visiting them. I suspect that those people, who are now facing credit problems, would have been quite comfortable if they knew they were not paying it directly to the builder but to a trust fund until the problems were resolved. However, because this Government has not acted on a report which it has had for two and a half years and has not brought the legislation into this House, that option was not available to these people. Many people who called felt that the process would be too long and expensive and gave it up as hopeless as they just wanted to get on with their lives.

I look forward to hearing the Government advise us why it has not brought into this place since December 1997 legislation which would pick up some of the recommendations of its review. On 29 March this year I asked the Leader of the House, who represents the Minister for Fair Trading, a range of questions about the number of disputes and the amount of time involved. I specifically asked what was the increase in time taken to deal with complaints. I did not receive a direct answer and I now know why: It was six months. Part (4) of that question was interesting. It was -

What action has the Government taken to ensure all complaints are dealt with in a timely manner?

The answer I received was -

Currently legislation is before Parliament to amend the Builders' Registration Act which will increase the resources available to the Builders Registration Board and the Building Disputes Committee.

I immediately asked people in this House whether legislation had been brought in here. I checked whether it had been introduced in the other place and found that it had not. I do not know what the minister was referring to when he gave me that answer in this place, but it is clear that there is no legislation and there has not been any such legislation since 1997. After asking around, I found out what had really happened. Cabinet looked at this issue and agreed to some legislation last year. It took it to the party room and its backbenchers. As with most legislation which never reaches this Parliament, it was stymied in the Liberal's party room. The Government could not get it through its party room. In the meantime the people of Western Australia who are having trouble with the building industry, and the good builders who want to see that industry cleaned up, are suffering as a result of the lack of action by this Government. I do not know why, but the Government's legislative program is being held up by its party room. We need an answer from the Government about why this legislation, which would have gone some way towards addressing the problems, has not been brought into Parliament after two and a half years. Why has it been stopped? What areas do the backbench members not like and why are they holding it up? This House and the people of Western Australia deserve an answer. We should know which members of the backbench are holding it up. I am sure a number of people who participated in the phone-in on the weekend would like

to know which members of the Government's backbench are holding it up. We must find out why it took the Minister for Fair Trading until late last year to even get it to Cabinet. This is not the only area under the administration of the Minister for Fair Trading to become a laughing stock in Western Australia because of his inaction and delays in addressing real and important concerns. The other area is finance brokers, who are also locked into the Gunning inquiry for review. It took the minister two years to get it to his party room; it has been held up and lost in the party room. The people of Western Australia deserve an answer from this Government about why it is holding up even limited changes which would, to some extent, resolve the problems in the building industry.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [3.57 pm]: I will explain to the member the circumstances surrounding this matter. I indicate to him that the processes in coalition Governments are the same as those that apply in Labor Governments. Ministers take propositions to Cabinet; Cabinet takes propositions to caucuses or party rooms; they are discussed in those forums; and either a resolution is found and they go on to Parliament or they go back for further consideration.

The issue at stake here is the question of how we improve the dispute resolution process under the Building Disputes Committee. It is generally accepted that this committee and the Builders Registration Board do not have sufficient funds to carry out the dispute resolution process as quickly as people would like, and the Government acknowledges that. The Building Disputes Committee was set up in 1992 by a Labor Government, which provided it with no funds to operate. I do not know how it expected the committee to operate in those days. Hon Ken Travers did not indicate in his speech how the Labor Party would solve the problems. Is he supportive, for example, of charging fees to people who are accessing this dispute resolution process?

Several members interjected.

The PRESIDENT: Order! Hon Ken Travers' right of reply is in jeopardy. If he keeps interjecting, I will rule that he has had his right of reply.

Hon N.F. MOORE: In the spirit of members putting forward good ideas, I was expecting the member who moved the motion to suggest what should be done instead of criticising and saying the Government has not taken action in time.

The reason for some dispute within the party is the question of charging fees and where the money will come from to improve the dispute resolution process. The proposition put to the party room, which the Government supports, is to charge fees for certain activities in which people engage; for example, people who lodge a complaint should pay a fee to assist the resolution process. The minister has been working on a number of propositions for some time, and they will go shortly to Cabinet. They will then go back to the party room for further consideration. The Government's view is that certain fees should be charged to enable this dispute resolution process to be better funded and to enable the process to be more speedy.

Hon Tom Stephens: How big a fee?

Hon N.F. MOORE: I will not talk about that because the matter has not been resolved. The Leader of the Opposition will know what is in the legislation when it is introduced in the House.

Hon Tom Stephens: You will slug the punters again.

Hon N.F. MOORE: There are two ways of getting the money, and that is why I am interested in the views of members opposite. The money can come from either consolidated revenue or from the people who use the process.

Hon Tom Stephens: Or use the belltower money.

The PRESIDENT: Order! I ask the Leader of the Opposition to please not interject.

Hon N.F. MOORE: There is a view that people who access these sorts of tribunals should pay a fee. At present the Builders Registration Board is funded by registered builders, who support the operation of that organisation, and not by owner-builders. It is considered by most people who have reviewed this institution that it is an inequitable system, because one part of the process is funding the whole dispute resolution system when other people have access to it. The Government is considering whether it should charge people to access the system and whether owner-builders should pay a fee, just as everybody else who carries out a building activity pays a building licence fee. Those issues are being considered, and it is the Government's view that a fee should be paid. That is to be resolved in the party room. The issue is where the money will come from. If opposition members believe the money should come from the consolidated fund, I would be interested to hear them say that. I would also be interested to know whether members opposite agree that a fee should be charged. It is a matter of knowing what they think is appropriate.

Hon Tom Stephens: We want to know what you think.

Hon N.F. MOORE: I have told the Leader of the Opposition what I think. I said the Government believes there should be a fee.

Hon Tom Stephens: No, you have not.

The PRESIDENT: Order! I warn the Leader of the Opposition that if he interjects again, I will name him and he will leave the Chamber.

Hon N.F. MOORE: I will now respond to a couple of points raised by Hon Ken Travers. A phone-in was run the other

day by the Home Owners Action Group. When the member was being interviewed on the radio this morning, he spoke in the collective "we". I suspect that the phone-in was organised by Hon Ken Travers. I am interested to know what telephone number was used and how it was organised. We will check that in due course. I understand from the media comments that 200 telephone calls were received, and the main complaint - which the Government acknowledges - is that the process is taking too long. There is no argument about that. The reviews have found that it is a matter of providing the revenue needed to speed up the process.

Hon Ken Travers said that the Government had not told anyone that the Gunning inquiry was looking into the Building Disputes Committee and the Builders Registration Board. The press release of 8 February 2000, issued by the Minister for Fair Trading, lists the various boards and committees which are to be assessed by the Gunning committee under its terms of reference. Similarly, two advertisements in *The West Australian*, on 24 February and 26 February 2000, describe the terms of reference of the Gunning committee of inquiry and list the boards and agencies to be investigated. There was no intention to not tell people about this inquiry. The minister issued a press release to inform the public through the media which boards and committees are being assessed. There was no intention to hide that; otherwise the information would not have been provided in a press release. I do not know what the member's concern is in that regard.

The issue raised by the member initially - I agree very much with his first comments - was that one of the most important things people do in their lives is build a home. There is no doubt in my mind that the home building industry in Western Australia is one of the best in the world. It is well regarded throughout the world, and the cost of housing in Western Australia is remarkably cheap compared with costs in other parts of Australia. The quality of service is also remarkably good. If the member who made the speech does not believe that to be the case, he should tell the builders of Western Australia that they are no good. It is my strongly held view, and has been for many years, that Western Australia has a superb home building industry. There is no doubt that some people make mistakes, as all humans do from time to time, and there is a process for resolving disputes. The Government acknowledges that the process is taking too long.

That is because the Building Disputes Committee was not funded by our predecessors in government when it was established, and it has been funded by the Builders Registration Board. However, it needs more resources. The question is where those resources will come from, and that matter is being resolved within government at present. The minister will take his current proposals to Cabinet for consideration very soon. Once that occurs, the matter will again go to the party room, and I hope it will satisfy the concerns raised by members. When that happens, it will come to the Parliament and the matter will be debated. If the Opposition does not agree with the proposal it will vote against the Bill, and if it thinks it is a good idea it will give the Bill the necessary support. We will wait to hear the Opposition's attitude at that time. Presumably, members opposite will not tell me today whether they support fees being paid by people who access the system or whether they think funds should come from consolidated revenue. If Hon Ken Travers has a chance to respond, I will be interested to know whether he thinks it should come from the consolidated fund and how much should come from that source.

As I have said, and I hope the Leader of the Opposition will understand, we are working on a process in which fees will be charged to a number of people who access the system. It will be a user pays process in which, for example, people who lodge a complaint must make a small contribution. That will avoid people making frivolous complaints that take up time. The Government is considering a fee based system, so that not just registered builders pay but also other users of the system. The legislation will come to the Parliament in due course and I hope it will have the support of the Opposition.

HON KEN TRAVERS (North Metropolitan) [4.08 pm]: The Leader of the House asked what the Opposition would have done -

Hon Greg Smith interjected.

The PRESIDENT: Order! I do not know whether Hon Greg Smith can hear me, but I can hear him and I do not want any interjections. There is limited time for the debate, and members are entitled to have the time allocated to them.

Hon KEN TRAVERS: I can put a coherent argument together, and I do not need the help of Hon Greg Smith. In answer to the question raised by the Leader of the House, the Government could have started to implement the recommendations in various reports over the past five years. This Government has been in office for seven years.

Hon E.R.J. Dermer: Seven years too long!

Hon KEN TRAVERS: As Hon Ed Dermer said, it is seven years too long. However, the Government is still trying to blame everything on what happened prior to its term of office, and it takes no responsibility for its failure to act. The funds could have come from a range of areas, including the money allocated for the construction of the belltower. Instead of wasting money on advertising programs, the Government could have spent some of that money to assist the Builders Registration Board.

Hon N.F. Moore: You have spent the belltower money 17 000 times already.

Hon KEN TRAVERS: The Leader of the House said that currently the BDC is being funded by registered builders. It has been paid for by the people who build houses in Western Australia and from whom the builders make their profits. In other words, the builders pass on those costs to the people who buy homes. If the Government put forward a decent package of reforms that ensured the building disputes processes worked, and that included contributions from the people using the process, most people would be more than happy to pay the money as long as the Government was not seen to be wasting money in other areas.

The Leader of the House referred to owner-builders. I have yet to confirm but it was claimed in the phone-in that the Building Disputes Committee and the Builders Registration Board have turned owner-builders away because they are too busy to deal with them. I suspect that owner-builders would love to pay to participate in the system, but they have been told they cannot use the existing process.

The bottom line is that the problem has existed for two and a half years. It is fine for the minister to say that the Government now acknowledges a problem exists and it is trying to find a solution. However, we have not found out why it has taken the minister two and a half years to resolve these issues. In the meantime, the problem is becoming worse and causing the people of Western Australia to suffer.

With regard to notifying people about the Gunning inquiry, the Ministry of Fair Trading wrote to a number of groups as part of the national policy competition review into the Builders' Registration Act. The Home Buyers Seeking Justice group received a letter advising them a review was occurring. However, that did not occur with the Gunning inquiry. As I acknowledged earlier, since the Home Owners Action Group contacted the Gunning inquiry, it has extended the time frame for submissions and run some extra advertisements. However, that group became aware that the Gunning inquiry would examine the issue only because I let them know that. The process is taking too long.

I am not embarrassed to admit that, as a member of Parliament, I have assisted that group to pursue this issue and gather information about the problems in the building industry, because a number of them come from within my electorate. I have nothing to hide and I am not ashamed that I have been doing that. It is the role of every member of Parliament to provide assistance when people seek help. I have been assisting this group since well before I was responsible for housing matters on behalf of the Labor Party.

The minister can attack the Labor Party for raising this issue, but the bottom line is we have not found out why it took up to two years to get anything done.

Motion lapsed, pursuant to standing orders.

RAIL FREIGHT SYSTEM BILL 1999

Order of the Day to be Taken

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.12 pm]: I move -

That Order of the Day No 4 be now taken.

Question put and a division called for.

Bells rung and the House divided.

Hon Tom Stephens: This will eat into Opposition time.

Hon N.F. Moore: I assumed the debate would take a full hour.

Hon Tom Stephens interjected.

The PRESIDENT: Order! There is a division in place.

Hon Tom Stephens: Hon Mark Nevill, we would enjoy your company on this side of the House. The motion is to proceed to Order of the Day No 4. The Government is blocking Order of the Day No 1 being considered.

The PRESIDENT: Order! The question is that the Council proceed to Order of the Day No 4.

Hon Tom Stephens: The Leader of the House will not gain any ground at all for that.

Hon N.F. Moore: What are you going on about?

The PRESIDENT: Order members, I am giving the results of the division.

The result of the division is as follows -

Ayes (15)

Hon M.J. Criddle
Hon Dexter Davies
Hon B.K. Donaldson
Hon Ray Halligan

Hon Barry House
Hon Mark Nevill
Hon Murray Montgomery
Hon N.F. Moore

Hon M.D. Nixon
Hon Simon O'Brien
Hon B.M. Scott
Hon Greg Smith

Hon W.N. Stretch
Hon Derrick Tomlinson
Hon Muriel Patterson
(Teller)

Noes (14)

Hon Kim Chance
Hon J.A. Cowdell
Hon G.T. Giffard
Hon N.D. Griffiths

Hon Tom Helm
Hon Helen Hodgson
Hon Norm Kelly
Hon Ljiljanna Ravlich

Hon J.A. Scott
Hon Christine Sharp
Hon Tom Stephens

Hon Ken Travers
Hon Giz Watson
Hon Ed Dermer (Teller)

Pairs

Hon Max Evans
Hon Peter Foss

Hon Bob Thomas
Hon Cheryl Davenport

Question thus passed.

The PRESIDENT: Members, the TV broadcast of the Legislative Council is not operating. The audio link is working, so if members are in their offices they will hear the debates. Optel Audio Visual Pty Ltd is examining the various options that are required to restore the visual linkage.

Committee

Resumed from 6 April. The Chairman of Committees (Hon J.A. Cowdell) in the Chair; Hon M.J. Criddle (Minister for Transport) in charge of the Bill.

Clause 3: Definitions -

Progress was reported after the clause had been partly considered.

Hon Tom Stephens interjected.

Hon N.F. Moore: You can be juvenile if you like but you usually take one hour on those motions.

Hon Tom Stephens interjected.

Hon N.F. Moore: Take a valium and lie down for a while.

Hon Tom Stephens: You take a valium.

The CHAIRMAN: Order!

Hon Tom Stephens: Give the Opposition a fair go in dealing with the business of the House.

Hon N.F. Moore: You usually take an hour to debate urgency motions, but you took 40 minutes.

The CHAIRMAN: Order! We will not start this committee stage until 4.30 pm if members continue.

Point of Order

Hon TOM STEPHENS: I seek your assurance, Mr Chairman, that the processes of the Legislative Council are as follows: When a member, either as a private member or on behalf of the Opposition, submits amendments for consideration, in all cases they will appear on the Supplementary Notice Paper and be available for consideration and disposal by the Committee of the Whole as it so chooses, and that we will not see a repeat of opposition amendments suddenly appearing on a Supplementary Notice Paper and disappearing from subsequent editions. I hope we can proceed on the basis that amendments submitted for consideration by the Committee of the Whole will be included on all future Supplementary Notice Papers and will not be removed at the discretion of any individual associated with this Chamber.

The CHAIRMAN: There is no point of order. My understanding is that any amendments proposed, provided they are proposed in time, will appear on the Supplementary Notice Paper. That is always preferable to the circulation of late, handwritten amendments.

Debate Resumed

Hon KIM CHANCE: When the Committee last sat, I indicated there were no items of substance I wished to raise during debate on this part of the Bill. However, I now have only one or two questions. Clause 3 is the definitions clause, but it does not contain a definition of corridor land. That appears to be a significant omission. I expected to find a definition of corridor land in another clause, but I could not find one. Have I missed the definition of corridor land? If not, does the Minister plan to include such a definition?

Hon M.J. CRIDDLE: Clause 34 contains a definition of corridor land and states that such land is gazetted by the commissioner. I recall discussing that when we spoke about it last.

Hon KIM CHANCE: It is taking me a while to catch up.

Hon M.J. Criddle: We spoke about it previously.

Hon KIM CHANCE: Was I satisfied then?

Hon M.J. Criddle: Absolutely.

Hon KIM CHANCE: Clause 34 designates government railway land as "corridor land or land other than corridor land". However, it does not define "corridor land".

Hon M.J. Criddle: The next clause states -

. . . the Commission is to give to the Act Minister a description of the land sufficient to identify it.

Hon KIM CHANCE: Is corridor land to be defined?

Hon M.J. Criddle: Yes.

Hon KIM CHANCE: If that satisfied me before, I guess it satisfies me now.

Clause put and passed.

Clauses 4 to 8 put and passed.

Clause 9: Relationship with other Acts -

Hon M.J. CRIDDLE: I move -

Page 5, after line 23 - To insert the following new subclauses -

- (2) Nothing in this Act affects -
 - (a) a right conferred under section 34 of the *Dampier to Bunbury Pipeline Act 1997* before the commencement of this Part, whether or not the right has been assigned or the period for which it is to apply has been extended;
 - (b) the provisions of the *Dampier to Bunbury Pipeline Act 1997* in so far as they relate to a right described in paragraph (a); or
 - (c) a right conferred under the *Energy Coordination Act 1994*, before the commencement of this Part, on the holder of a licence referred to in section 11D(1)(a) of that Act.
- (3) A reference in subsection (2) to a right conferred before the commencement of this Part includes a reference to a right subsequently conferred to the extent that it is in continuation of, and the same as, the former right.

Hon KIM CHANCE: This amendment deals with the Dampier to Bunbury Pipeline Act. An explanation for this amendment is printed in the committee notes, which do not form part of the official record. Why is this amendment needed?

Hon M.J. CRIDDLE: The amendment clarifies the rights of the operators of the Dampier-Bunbury natural gas pipeline and the gas distribution pipelines so that those rights will not be diminished in areas where the pipeline corridor and the rail corridor intersect. The amendment is needed to look after the responsibilities in those areas.

Hon KIM CHANCE: Will agreements between the owners of the pipeline and the managers of the rail corridors concerning the intersection be limited to the life of the contractual arrangement or will they be for shorter periods? What happens if the ownership of one of the infrastructure systems changes?

Hon M.J. CRIDDLE: The amendment applies to the arrangement in place now. If further changes took place, the two ministers would need to make other arrangements.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 10: Act binds the Crown -

Hon KIM CHANCE: I have not handed the Government many plaudits during the course of considering this legislation, but I acknowledge and applaud the inclusion of clause 10. It should not pass unnoticed that all legislation, particularly in Western Australia, acknowledges that the Act binds the Crown. It is strange that in this day and age we must frame statutes in such a way that each piece of legislation acknowledges that the Crown is bound unconditionally. It is an interesting component of law in this State. This view does not apply solely to this piece of legislation but is a purely general observation. It will be a much happier day for this State when this kind of clause does need not be included in individual statutes. We are not at that stage yet, but I like to think that in the not-too-distant future we will be able to pass umbrella legislation that has the same effect as this clause.

Hon M.J. CRIDDLE: I appreciate those sentiments.

Clause put and passed.

Clause 11: Minister may prepare proposal -

Hon KIM CHANCE: This clause is not subject to an amendment that is before us; therefore, we are dealing with the clause as proposed in the Bill. Subclause (1) provides that the minister may prepare and submit to the Treasurer a proposal to dispose of the commission's rail freight business, and anything associated with that business, in whole or in part. Those lines are at the heart of this legislation. This Bill is enabling legislation which provides that within the normal limits of governance, the Parliament can dispose, in whatever way it wishes, of Westrail's assets, whether that be by sale or lease. That underscores what the Opposition has been saying for a long time, in particular in the second reading debate, which I do not propose to revisit. It underscores in particular that once this clause has been assented to, the Parliament will have no more say in the price that the Government will receive for this asset on behalf of the owners of the asset - the people of

Western Australia. This clause gives the authority for a blank cheque to be written out. The cheque that can be written out by the prospective buyer has no impediment to it save the Government's view of what is a reasonable price. That may be defensible, and when I put this to the minister during the second reading debate, his response was - and if I quote the minister incorrectly, please tell me - that is what government is for. Indeed, that is what the responsibility of government is all about, and I do not dissent from that in any sense.

However, I raise again, and I believe this is the appropriate time and place to do it, the issue of the quantum of the funds that will be made available from the sale of this asset. In the AlintaGas sale, we had an idea that the price would be in the region of \$1b. In the Westrail sale, we do not have a clue. One issue that was raised in the committee report is that we do not even know which type of payment we would prefer, because we have never discussed it, other than in the committee report. We do not know whether there will be a single up-front payment or a series of periodic payments. I can envisage a circumstance where a set of periodic payments may be the best way of doing things. I know the minister will be able to argue that it will depend on the buyer's individual circumstances and that it may suit the buyer to put the money up-front and then function as the buyer believes its corporate structure best allows it to function. On the other hand, it may suit a buyer to enter into longer-term payments. Either argument may be relevant, and either argument may even be the right argument. However, we have not had a debate about that matter. We have not heard the arguments about how the money will be paid. We have not heard the arguments about what is the appropriate price. Surely the Government has some idea of what is its bottom line.

Hon Ljiljanna Ravlich: Or of the nature of the proposal.

Hon KIM CHANCE: Indeed. I am arguing only a narrow spectrum of the much broader question of the price and how it will be paid.

We do know a couple of things. We know that Westrail gave evidence to the national competition policy inquiry that the cash price of its assets was in the order of \$5b. That is a matter of public record.

Hon Norm Kelly: In current day terms.

Hon KIM CHANCE: Yes. We know that we will not get \$5b, or anything like it. How much will we get? The only hint we have had was from the Treasurer, when he indicated that it was possible that the sale price would be below the debt that is owed by the Westrail freight division. It could be less than \$700m.

Hon Norm Kelly: The minister said it would be between \$600m and \$2b.

Hon KIM CHANCE: It was not the minister. My recollection is that it was Hon Bruce Donaldson, and the minister was horrified, although he did not say so; so I thought I had better save the minister from that one before the story got out! If the range was between \$600m and \$2b, that would be a start.

Hon Norm Kelly: It has not been rejected.

Hon KIM CHANCE: I am sure the minister will want to refute that when he responds. All jokes aside, this is a great deal of money for a significant state asset. One of the key reasons that there is a significant degree of resistance to the kind of privatisation which involves the sale of substantial public assets is that there are far too many examples - Telstra is probably the worst - of those assets being sold for prices which the market has subsequently determined were far too low. Some former publicly-owned enterprises, or parts thereof, have market prices 12 months after their listing that are nearly double the issue price of their shares. That is wonderful for the investors who bought the shares, but it is sad for the former owners of the business - the taxpayers. The taxpayers were ripped off in the sale of BankWest and Telstra. I am not suggesting for one moment that the Government has any interest in ripping off the taxpayers of Western Australia on the sale of Westrail; I am sure it has not. However, how do we know that we will achieve a price which reflects the market value, at least, of Westrail? The record of other Governments in the disposal of their rail systems is not good. We have been told ad nauseam that Tasrail Pty Ltd and New Zealand Rail were economic basket cases - and they were - and that post-privatisation they became commercial enterprises which could be held up as an example of good management and which were making a profit. I do not doubt any of those things for a moment. However, while Tasrail was a basket case, the lock, stock and barrel of Tasrail - its tracks, its rolling stock and its real estate - were sold for \$A22m. The Tasrail system is one with which I am reasonably familiar. I have looked at most of Tasrail's main operating lines closely, and sometimes more quickly. It was a darned good system. It was physically in very good order. There were some quite good contracts on Tasrail, particularly on the heavy-rated line, which carries coal and woodchips through the centre of that State. It had a problem: It was overcapitalised and carrying too much debt. That is the key: To sell it cheaply enough so that it has about as much debt as the average dairy farmer will have in a few months - about \$15m - and anyone can make a profit.

The public of Western Australia is entitled to an assurance that the Government will not dispose of Westrail for a price which reflects anything like that obtained in Tasrail's case or anything like the \$40m for which New Zealand Rail was sold.

Hon M.J. Criddle: You mean \$400m.

Hon KIM CHANCE: I withdraw that. I am sorry; I unintentionally misled the House. However, even at that price it was a very substantial asset. Were they Australian or New Zealand dollars? If they were New Zealand dollars, \$40m might have been correct.

I want to know that the Government will not dispose of Westrail freight at a fire-sale price. Even without a dollar value being put on it - I understand the commercial sensitivities - the people of Western Australia are entitled to an assurance from

the Government that it will attempt to obtain a reasonably commercial price for Westrail freight that reflects its current cash value. I do not mean that it must be \$5b or anything like that, but a price that takes account of its current cash value. If we have that assurance, we know that we are not headed into a Tasrail-type situation.

I have stated in debate in this place previously that industry sources have indicated a range of possible prices for Westrail. From recollection, that range started at a low of \$275m and went to a high of about \$350m. The public of Western Australia would be absolutely outraged if the Government disposed of Westrail freight at the lowest or the highest of those prices. I would like the minister to provide a bracket of possible prices. I understand why he does not want to, and I will not object very strongly if he does not. However, I want him to give the people of Western Australia an idea of his price ambitions even if that means he cannot name a dollar limit. I would like him to provide an assurance that we will not see a disposal of the assets similar to that witnessed in Tasmania.

Hon M.J. CRIDDLE: The Government is looking for an operator which will be a very good corporate citizen in Western Australia and which will deliver services I am sure Hon Kim Chance wants delivered into our electorate. The Government wants an ongoing service much better than the existing service. The closure of rail sections in our network is of great concern to me and has been for a long time. I was on the rail network many years ago. It is a declining network and that is a great impediment because we need more traffic on the system. We need an operator that will do the right thing by our rail network and its customers. We have a substantial network that is well recognised across Australia.

I believe a number of companies and consortia will want to be involved in the bidding process for the rail network, but we will not know a final figure until we receive the indicative bids. The figure is irrelevant. We know we have a \$700m debt that is rising. That is a very significant point that must be considered. We are talking about leasing the rail network and selling the rolling stock, and I am sure we will get a very good result. I will not be party to this Government's selling the rail operations cheaply. We will get a reasonable price, but we also have a responsibility to deliver a good service to Western Australian freight network users. That is the issue.

This will be a cash sale. When the bids come in, we will have an indication of the way the different consortia will proceed. As I said, when we go through the indicative bid and due diligence stages of the process, we will have a clear indication of the bids and the process into the future.

Hon LJILJANNA RAVLICH: I must be a bit dim because I do not seem to be able to get my head around what the minister is saying. He appears to be making the claim that the good corporate citizen, whoever it might be, who makes the successful bid will determine the price paid for Westrail freight. That is a flawed process. The minister must have some idea in the back of his mind of what Westrail freight is worth. Some work must have been done at some time that has led the Government to decide that this is the best of the economic options. To say that it will proceed having undertaken no economic analysis and having the bidders determine the price is just plain stupid. It is also negligent.

I will take the minister through some of these issues. The Bill states that the minister may prepare and submit to the Treasurer a proposal to dispose of the commission. Has any preparatory work been done on the proposal? If some work has been done, does part of the proposal entail a simple analysis of the financial benefit to the State as a result of the direction this Government has decided to take? It is a very simple question.

I listened to the minister's comments and I am amazed that the Government is looking for an operator that will tell the Government what Westrail freight is worth. I would be an absolute mug if I let someone wishing to buy my house or any other asset tell me what it is worth and sell it for that price. At the end of the day, the price of any good or service, including Westrail freight, will be determined by supply and demand. The minister must have some notion of what it is worth. If he has not done the homework, he is negligent. Before he proceeded so far down this path, did the minister undertake some analysis of what the asset is worth? Members on this side have asked that question time and again. I listened to Hon Kim Chance's questions, and the minister skirted around the issues and gave a namby-pamby answer, which he does repeatedly in this place, and totally avoided the questions. He was probably hoping that the media was not listening, that no-one would pick him up and that he would get away with it again. He will not, because I will keep hammering this point until I get an answer.

The minister says he cannot talk about the final price because it is too early. I do not think it is early enough. The issue of the projected sale value figure came up during the debate on the privatisation of AlintaGas. In the case of AlintaGas I think it was \$850m minimum projected revenue set off against a possible high of \$1.2b from an assessment undertaken by the Deutsche Bank. I asked a simple question during that debate relating to whether liability was set apart from the question of debt or whether they were one and the same thing. The same question must be answered here. Hon Bruce Donaldson is the want-to-be minister who is obviously doing a better job than the minister because, although he has taken a poke in the dark for any figure, at least he is talking numbers. Let us assume that the figure is \$600m. I think that is probably a bit optimistic. For the minister to do this fairly simple sum he must start off with a figure of \$800m, \$600m, \$200m or whatever. Out of the \$600m what is the liability on the asset? What is the debt if it is different from the liability? That is a fairly reasonable question. For a minister with this economics-type portfolio and who was probably here while the AlintaGas debate was going on, he might have thought that it was quite reasonable that the same question would come up again. I hope that the minister will have another attempt at answering and tell us whether a cost-benefit analysis was conducted, on what he based the sale of Westrail and what he and his Government are expecting as an absolute bottom figure or any figure. What is the liability? Is the liability the same as debt? The minister is either a real genius or is not interested in this debate because I have never seen him take down a question. It is no wonder that he cannot give a proper answer because he probably does not remember the question. Will the minister give me the answer to those four fairly basic

questions? This time will he try not to skirt around the issue and intentionally avoid answering the question? Will he attempt to give us and the people we represent some answers?

Hon M.J. CRIDDLE: When the original decision was made to go ahead with the sale the Government had a scoping study done. It went to Cabinet and a cabinet decision was made. Cabinet confidentiality obviously means that the scoping study will not be a public document. Westrail has a debt of \$700m. The Opposition must consider, if it ever hopes to be in government, how it will deal with such issues. We have come up with a proposition for dealing with this issue, and we will go forward with it and get an assessment. I do not know how the member thinks we can get tenders in for different projects.

Hon Ljiljanna Ravlich: Why don't you put in a tender proposal?

Hon M.J. CRIDDLE: I know a little bit about this because I run the tender processes for about 1 000 Main Roads tenders every year. Some of the tenders that come in are way out from what we predict. What is the advantage of nominating a figure? I can see no advantage at all. The Victorian experience was that they got 30 per cent over and above what they thought they would get. That is clearly a huge amount more. It is an indication that there is a lot of competition around. Westrail is an attractive property in which several parties are interested.

Hon Ljiljanna Ravlich: If it is attractive, why are you selling it?

Hon M.J. CRIDDLE: It is a good option because it has been and is now making an operating profit. It has a debt on it, which is the cause of a lot of our problems. We will be selling it debt free.

Hon Ljiljanna Ravlich: You must be selling it debt free by selling it at a reduced price. No-one will take it off your hands otherwise.

Hon M.J. CRIDDLE: That is the member's understanding of a business arrangement.

Hon Ljiljanna Ravlich: You tell me otherwise.

Hon M.J. CRIDDLE: The simple fact is that we will be selling it debt free. The purchaser will buy the operation. A similar type of arrangement occurred in New Zealand and the operator is talking about putting something like \$400m into infrastructure. That is the sort of investment we look forward to having here in Western Australia. A good operator can make an enormous difference to the way an operation runs. It can make it a lot more profitable.

Hon Ljiljanna Ravlich: Why can't the Government operate it efficiently?

Hon M.J. CRIDDLE: We have been through all of the issues of the Government running the operation.

Hon Ljiljanna Ravlich: This is based on ideology and debt.

Hon M.J. CRIDDLE: If the member knew anything about business -

Hon Ljiljanna Ravlich: You don't.

Hon M.J. CRIDDLE: I do because I have been running a profitable business all my life and have survived under the current system. This legislation will give the operator an opportunity to run a very viable business, which is what we are looking for in Western Australia.

Hon MARK NEVILL: It is unrealistic to ask the minister to put a price on Westrail. I thought that the Dampier to Bunbury natural gas pipeline would be sold for between \$1 100m and \$1 300m but it went for \$2.4b or \$2.3b plus \$100m of stamp duty. It was sold for buckets more than it was worth. It is interesting to get letters from constituents saying that the Government is selling assets at fire-sale prices. We will probably wear the consequences of selling the pipeline at that price. People can argue that some assets have been sold under value and others over value. It depends on the policy objectives at the end of the day. In the case of Westrail the price will depend on what upgrade is required. I am repeating what has been said before: If a purchaser is required to spend \$300m on upgrading the track, it can expect that to come off the cash price of the sale. Hon Kim Chance mentioned Tasrail. It is correct that it was sold for -

Hon Kim Chance: Some \$A22m or \$US15m.

Hon MARK NEVILL: The figures I have show that the purchase price was \$20m. The asset upgrade has cost \$20m, and could be as high as \$40m. The final operating loss of Australian National was about \$6m. Tasrail's after-tax profit in the first seven and a half months was \$1.2m. In that time a lot of freight was won back from road including milk, bricks and timber; a track has been reopened; and extra grain and pulp contracts have been taken from road.

[Questions without notice taken.]

Hon MARK NEVILL: Prior to questions on notice I commented on the folly of trying to predict what sort of price the Government would get for Westrail when it depends on the work programs that are a part of the sale. There seems to be enough commercial interest in the bid to ensure a competitive outcome.

I also mentioned Tasrail. It is my understanding that the employees of that rail system were given a generous performance-based bonus last financial year.

Hon NORM KELLY: One of the Australian Democrats' concerns, of which there are many in regard to this clause, is that the clause outlines how the minister is to prepare a submission for the Treasurer on the disposal of Westrail freight. Would that submission become a public document?

Hon M.J. CRIDDLE: It is not intended to make it a public document.

Hon NORM KELLY: It surprises me that the procedure is meant to be seen as an accountability measure in this clause, yet there is no way of knowing what sort of submission is actually put to the Treasurer for approval. We could delete this clause and the Bill would still stand in its own right. It does not really achieve anything.

Hon Kim Chance: What was it you asked the minister?

Hon NORM KELLY: I asked whether the proposal which is put before the Treasurer becomes a public document. We will simply have an in-house chat between the minister and the Treasurer as to how they will structure the sale of Westrail and the Treasurer could simply say that the Government will not go a certain way and he could submit something different. It seems to be a bit of a joke that we have this clause at all.

Hon Kim Chance: That is the case particularly when one considers the impact of subclause (2).

Hon NORM KELLY: That is right. A minister could put forward a proposal in which he outlines the expected returns.

Hon Kim Chance: How does one deal with real estate values?

Hon NORM KELLY: That is right. It is basically the essence of how the Government will sell a public asset and the public is entitled to be made aware of the detail. Even if this information were not made known until after the sale, it is important that the public be made aware of the basis on which such a sale is made so that it can compare what the Government initially proposed with the final outcome of the sale.

In regard to putting a value on the sale of Westrail freight we have Hon Bruce Donaldson's educated calculation of \$600m to \$2b. The minister indicated earlier that he could see no reason or need to propose a figure which makes a mockery of the way the Government is handling the sale process. By saying that, he is indicating the public is not entitled to even have an understanding of a range of figures for which it could expect Westrail freight to be sold. There is a very real chance that the sale price will not meet the level of debt that has been incurred. Therefore, we could sell Westrail freight and still be left with a sizeable debt to repay. Surely the Government has been doing some calculations as to the sale and what it intends to do about the debt. I would like to get an indication as to whether this has been factored into the Government's budget calculations and I would expect to see in next week's budget some indication as to the impact of this sale on the overall budget given that the Government has said it expects the sale to be concluded by the end of the year. It would be bizarre if those projections were not included in next week's budget.

Hon Kim Chance: It will be the first line item that I will be checking out.

Hon M.J. CRIDDLE: There is a long way to go before we get to that stage. We must get the legislation through first as it is enabling legislation so that the sale can go ahead.

Hon Kim Chance: It will be this week.

Hon M.J. CRIDDLE: It must go through the other Chamber as well. We have to go through the whole process.

On the issue of the disclosure of the proposal, the lease will be a public document and the Auditor General will oversee the arrangements that are put in place. There is certainly a check and balance there. Frequently opposition members talk about having the Auditor General oversee these sorts of arrangements and so, by their own standards, there will be accountability in the process. I think that addresses some of the remarks that have been made.

The proposals put to the Treasurer will reflect the bids that we receive. Some commercial sensitivity is involved until we reach a final decision on the process.

Hon NORM KELLY: The minister says that the proposal will reflect the bids that have been received. Am I led to believe that there would not be a proposal to the Treasurer to sell or dispose of the business until the bidding process is over? I thought the indicative bids would have been before that.

Hon M.J. Criddle: We will go through the process.

Hon NORM KELLY: On another point the minister says that the lease document will be a public document. Will the lease document include all the details as to the financial arrangements entered into to obtain the lease?

Hon M.J. CRIDDLE: No, it will not necessarily cover all the financial arrangements that are made. There will be some commercial sensitivity. The Auditor General will oversee it.

Hon NORM KELLY: The idea of making the lease document public is valuable but without the financial details that accompany such a lease making the lease public is largely devalued because it is difficult to -

Hon M.J. Criddle: The final price will be known.

Hon Ljiljanna Ravlich: A great help that will be.

Hon J.A. SCOTT: I have some concern not only about this clause but also about much of the Bill. I understand the need for the minister to have flexibility, and during the second reading debate I heard that all sorts of deals could be done in relation to trade-offs for price in relation to improvements and extra services which will affect the amount of money the Government will get. However, before that situation is arrived at the minister must have, from the trading point of view,

some idea of the value of the asset that is being sold. If that is not there as a starting point, one cannot say what one has to trade. If one does not know what is there to trade for the extra services or whatever, then it would be a case of the blind leading the blind. The minister will be stabbing in the dark. I understand that things have to be kept commercially confidential because with the wheeling and dealing required the Government does not want to say what the price may be. However, I want to know whether the Westrail business assets have been valued and whether the minister will seek to ensure, at the very least, that if there are any trade-offs for additional services or improvements in the sale price, that the value being traded off will be returned. I understand there are all sorts of extraneous issues, but the critical question is: Has the Government had it valued?

Hon M.J. CRIDDLE: There is only one real value that will mean anything in this argument and that is the amount people are prepared to pay when they take into consideration all of the constraints, contractual arrangements and conditions that have been put on the sale. That is a decision for the bidders. I could put any figure I like on the value but it does not mean a thing.

Hon Ljiljanna Ravlich: So you will sell it at any cost.

Hon M.J. CRIDDLE: That is not what I am saying. That is a stupid remark.

Hon Ljiljanna Ravlich: It is not a stupid remark, and you know it; it goes to the heart of the argument.

Hon M.J. CRIDDLE: Of course it is. People will be putting bids in. At the end of the day we will make decisions based on those bids and then go forward.

Hon J.A. SCOTT: I do not agree at all with that argument. Experts are capable of valuing a business, and this is a business. Surely we need some ballpark understanding of the figure. Unless we have that and use the expertise of valuers, there is nowhere to start from. Hon Ljiljanna Ravlich is correct. Even though it may seem simplistic to say it, we must have a base point to start from. If we are to get value in a deal, we must know the value of the asset. We cannot sell anything if we do not have some idea of what we expect to get. In a major operation such as Westrail, the valuation does not have to be within \$50. I am not even asking the minister to tell me what the value might be and I understand he does not have to tell me. Does he or anybody involved with the disposal of Westrail have any idea? Members of this Chamber are in a very invidious position because, without some idea of the figure, we have no ability to make a rational decision. If the minister is saying that there is no value except that which is being offered, I would like to be a buyer reading *Hansard*. If I were a buyer, I would certainly not offer very much but be looking at the absolute minimum and the maximising of my company's profits. That is certainly the way in which a company would look at it. Has there been any study of its value?

Hon M.J. CRIDDLE: Obviously we have a retention value.

Hon Ljiljanna Ravlich: That is what we are after.

Hon M.J. CRIDDLE: There is no point in releasing the retention value. The annual report contains financial statements and clearly Westrail's position is made available there. Obviously we have some idea of the sort of value.

Hon LJILJANNA RAVLICH: We are getting somewhere. The problem is that we have not got the lingo right. We have been talking about cost benefits when we should have been talking about a retention value. The retention value must be the bottom line figure below which it is not viable for the Government to sell the asset. The minister referred to a scoping study and said that it would not be made a public document. If the minister has the retention value figure, it would be negligent of him not to provide that information. Before I ask him to do that, will he explain to the Chamber what sort of detail is prepared and included in the scoping study and whether the determination of the retention value was part of the study? Will the minister re-evaluate his position because many Western Australians, and certainly four members on this side of the Chamber, want him to do so?

Hon M.J. Criddle: Hon Jim Scott said he was happy with the answer. Why include everybody else?

Hon LJILJANNA RAVLICH: I am not happy with the minister's answer. He cannot expect Western Australians who own this asset to witness their asset being sold by his Government -

Hon M.J. Criddle: Not yet.

Hon LJILJANNA RAVLICH: It is more than likely to occur. It is not acceptable that he withhold information that is critical to this debate by not releasing to this Chamber and to the public the retention value. The minister has provided none of the financial information to this Chamber - none. As to commercial confidentiality, some parts of what the minister and the bidders propose to do might deal with the issue of intellectual property. Putting that aside, the minister cannot claim commercial confidentiality on every aspect of this asset sale, which is basically what he is doing. He is saying that the Government will do as it wants and it is accountable to no-one.

Hon M.J. Criddle: A moment ago I answered the question for Hon Jim Scott.

Hon LJILJANNA RAVLICH: The minister has skirted the issue. He has sat there for about an hour knowing exactly what we are talking about, which is the bottom line figure. We have talked about and referred to it in a number of different ways. The minister has sidestepped the issue time and time again. He has given us bland, no response responses.

Point of Order

Hon M.J. CRIDDLE: The member has repeated herself about 10 times in her last few remarks.

The CHAIRMAN: The member may proceed but I take note of the minister's comment that she is bordering on repetition.

Debate Resumed

Hon LJILJANNA RAVLICH: Maybe I will not be bordering on repetition if I continue to refer to the retention value. Will the minister do the right thing by this Chamber and by the people whose asset he is flogging off and give this Chamber the retention value of this asset?

Hon MARK NEVILL: The concept of a retention value is just about as difficult to get one's mind around as the value of the asset. As I have said, as with the Dampier to Bunbury natural gas pipeline and other assets, there will be an extraordinary range of values.

Hon J.A. Scott: Didn't you say what the Dampier to Bunbury natural gas pipeline must be worth?

Hon MARK NEVILL: I did.

Hon J.A. Scott: How did you get to that figure?

Hon MARK NEVILL: I did not get to that figure. The bidders got to it and nobody predicted what it would be. What did the member expect the value to be?

Hon J.A. Scott: I didn't expect anything at all.

Hon MARK NEVILL: The member was going to give it away! The member is saying that the Government should have known roughly what it would get for the Dampier to Bunbury natural gas pipeline. I thought it would have been sensible to sell it for \$1 200m or \$1 300m and screw the tariffs right down. Others might take a different view, but my bottom line is community interest and not dollars in the hand.

Hon Ken Travers: The Government sold it for top dollar and allowed the tariffs to go up.

Hon MARK NEVILL: Absolutely. If the retention value this year is \$300m or \$200m and the debt goes up by \$150m in two years' time, the retention value will go through the floor. It is similar to the argument with the Midland abattoir site. Hon Peter Foss got someone to walk past the front gate, who put a value of \$3m on it and did not even go in. Hon Peter Foss argued in this Chamber for months about the value of the Midland abattoir. Other people put a negative value on it because it had so much concrete, buried carcasses and contaminated land. They said that to clean it up would cost more than the sale price. We are boxing at shadows in trying to determine what the so-called retention value is, and it is a nonsense concept.

Hon NORM KELLY: The minister mentioned earlier the Auditor General having a role in looking through and assessing the documents. To what extent is the Government planning on ensuring that the Auditor General does this work?

Hon M.J. CRIDDLE: Part of his normal job is to oversee a reasonable sale of assets.

Sitting suspended from 6.00 to 7.03 pm

Hon J.A. SCOTT: The minister said that I did not want to know the reserve price on the rail option. In fact I would like to know that price. But I understand why the minister will not provide that information. However, we have no power to check on the current retention value. The minister no doubt wants to reserve that information for bargaining purposes. Can the minister give an undertaking to this Chamber that if and when the sale goes ahead he will table in the Parliament the retention cost or make it public in some way? That would then give members an idea of the value of the asset after sale and provide a form of scrutiny by this Parliament as to whether we received value for our asset at the end of the day.

Hon M.J. CRIDDLE: Yes, the Government will make the figure public.

Hon KIM CHANCE: Considerable debate on the sale price has occurred. Although members have not received all the answers we wanted from the minister, we have had an opportunity to put our view and the minister has answered some of the important questions, if not all, that we have asked.

Much of the debate revolved around matters which fall within the ambit of the scoping study. It must be noted that the Opposition has called for the release of the scoping study, or at least its essential components, from the beginning of this issue. Had the principal elements of the scoping study, if not the whole cabinet document, been released to the Opposition, much of the debate could have been avoided. I am sure the minister and perhaps government members - certainly those who are also members of the Executive - believe that the discussion has been superfluous. The fact is it is superfluous only if members have access to the scoping study. Serious questions are left in the minds of opposition members - and perhaps government members who have not had access to the scoping study - which cannot be answered given the commercial nature of the proposition. Considering the ambit of clause 11, and reading it together with clauses 13, 14 and, in particular, 20, provides an idea of the power devolved by the Parliament to the minister by the clause. That gets back to where I started with this clause when I said that the three lines at the top of clause 11 are the core of the Bill.

Clause 13 defines the power of the minister to negotiate the disposal of assets and clause 11 contains a description of the extensive nature of the assets which may be disposed of. We do not know whether it does or does not include certain assets, and perhaps the minister does not yet know as he knows only of his power to recommend the disposal of those assets. He does not know that they will be disposed of until he has seen the requirements of the tenderer. For example, the tenderer

may require all the metropolitan real estate assets of Westrail. These are considerable assets and include not only the buildings that Westrail uses currently for its operational purposes, but also other assets in metropolitan areas and other items of real estate throughout Western Australia. The asset portfolio is unlisted; we do not know what it is; it is not before us; no asset register of Westrail is open to us. We do not know, and perhaps the minister does not know at this stage, whether those assets will form part of the sale. What we do know is that this clause empowers such disposal.

Hon Norm Kelly: It is the same power that the Government has to sell Perth central railway station.

Hon KIM CHANCE: Precisely, although that is unlikely as we are talking about the sale of Westrail freight assets.

Hon Norm Kelly: But it extends to the urban network.

Hon KIM CHANCE: Yes, but it can involve a considerable amount of real estate; I believe the minister would acknowledge that. Clauses 11 and 13 entitle the minister to negotiate the disposal. Clause 14 further defines not only the scope to dispose of things but also, in subclause (b), an agreement under that section for the disposal of any business which may include provisions about the continuation of, and the nature and extent of, the services provided through the business. It empowers the minister to sell not only things but also contracts. That is not news to members as we all know that contracts form a major part of the sale proposal. That clause should then be read with clause 20.

Hon Mark Nevill interjected.

Hon KIM CHANCE: I do not have a crystal ball. I can measure only what I have seen this Government do so far with Westrail and that is not necessarily something I am empowered to extend. Clause 20 states that the Treasurer may, in the name and on behalf of the State, give any indemnity or guarantee in respect of a matter arising under or related to any agreements made under clause 13, to which I have just referred, or the assignment of anything in accordance with an agreement under clause 13, or the payment of any money under an indemnity or guarantee given under subclause (1) which is to be made by the Treasurer.

When those clauses are read together, it means that not only can the disposal occur, but also it can be done without fear of action from aggrieved parties in respect of those issues arising from, but not exclusively from, the combination of clauses 11, 13, 14 and 20. It is a not inconsiderable power. We may be able to argue reasonably that the minister should not be restricted in these matters, but I want members to be clear about the scale of the blank cheque that we are signing - the cheque that is filled in by every one of us in every respect but the dollar amount.

Hon J.A. Scott: Without even knowing what we have in the bank.

Hon KIM CHANCE: Without even knowing precisely what we are selling.

Hon Ljiljana Ravlich: It would be hard to believe, but not with this lot.

Hon KIM CHANCE: I am not arguing that it should not happen. I simply want members to understand the gravity of what they are doing. We need to be very clear about this.

Hon Mark Nevill: I wish people had realised that when they sold BankWest and the State Government Insurance Commission.

Hon KIM CHANCE: I could not agree more, as the member knows.

The CHAIRMAN: Order, members! I think we are straying from what is supposed to be a consideration of clause 11.

Hon KIM CHANCE: We are not entirely sure what assets Westrail has and what is the nature of the assets that may be sold. Does Westrail have assets in the road transport industry, for example? Clause 11 will enable the disposition of road transport assets. We know that at various times in the past, Westrail has had a significant investment in road transport. It was once a 50-50 partner with Gascoyne Trading as a road transport operator with Total West, which became Niteroad Express. I am not sure what its road transport assets are now. However, if those road transport assets were sold as a result of this legislation, the new owner of Westrail might be not only a rail transport provider but also a major competitor in road transport. Would there be any limitation on the scale of the road transport operation that this business, whoever that might be, could operate? The strategic plan published by the grain statutory group identifies millions of tonne kilometres of freight which will move off rail and onto road. When we look at where the strategic receival points are and then work out which part of the rail system those strategic receival points are designed to shut down, it is clear that a huge tonnage will be moved onto road transport. Is it envisaged that this rail operator will be not just a rail operator but also a rail-road operator?

Hon Mark Nevill: When you say shut down, are you talking about bins or rail lines?

Hon KIM CHANCE: I am talking about rail lines shutting down. The existence of road transport may provide the opportunity to keep those bins open, but they will be road-served rather than rail-served. There may well be bins that are closed, but they will generally be in the minority. We know, because the report of the Public Administration Committee touched on this matter, that the whole transport marketing and handling picture of the grain industry is in a state of flux now and will be for at least the next four or five years. What part will this private rail operator play in that? That is an interesting observation, but not an important one. More importantly, what advantage can the monopoly control of the rail system provide to a rail operator who is also a road operator, and has that factor been considered? A number of operators

in the road transport business are competing for grain transport. How significant is the advantage that will be granted to one of those road operators if it is also granted monopoly control of the rail line?

Hon M.J. CRIDDLE: Clause 3 states -

"Commission's rail freight business" means the business and operations of the Commission involved in the carriage of freight by rail and the provision and maintenance of facilities for the operation of railways for the carriage of freight, and it includes the carriage of freight by road and other activities of the Commission that the business and operations involve;

In the operation of the freight business in Victoria, road operators are carting the bins out of New South Wales and onto the Victorian road network. I think Hon Kim Chance is saying there will be a monopoly operation. In my part of the world, the road operator operates almost exclusively. I believe this will create rather than reduce opportunities for other rail operators. I do not envisage any diminution of the opportunities for people to be involved in the business. The opportunity will be there for everybody, and I have already been approached by rail operators in Western Australia who think they will have an opportunity to operate on those small lines between outlying bins on the rail network.

Hon KIM CHANCE: I understand exactly what the minister is saying, although in order for that to occur we would need to adopt some of the new technology for those light gauge lines. If that new technology were to come along, I hope that new operators would try to extend the life of those lines, knowing full well that the amount of tonnage that some of those lines are carrying probably cannot in the long term sustain the maintenance level that is required for heavy rail, but there may be light rail options in some of the new technology that will bring in those operators.

The strategic plan is developed around a combination of road transport feeding heavier and heavier rail. That is a fair two-line assessment of the strategic plan. It is built around current technology, not new technology, and there has been significant expenditure towards that point. Other issues arise in this clause, but I am grateful to have had the opportunity to air the question of price expectations, because it has been extremely difficult to do that at times during the general debate, which had to be narrowed down to exclude the question of price until we arrived at this clause, and I am pleased that I have now been able to cover those aspects at the appropriate time.

Hon NORM KELLY: The amendments on the Supplementary Notice Paper relating to upgrade standards for the track will undoubtedly have a bearing on the sale price. I imagine that the Government has a retention or estimated value for the network. Does that value take into account the upgrades that are being foreshadowed? If so, what is the estimate of the cost of those upgrades?

Hon M.J. CRIDDLE: That is a very general question. We are talking about many different conditions and the member is looking for a bottom-line figure. As I said, that will come after assessment by the operators. I am looking for a good operator who will provide a good service in the area. That is the basis of the issue. I do not think figures are useful at this time. We must set standards for a good service in Western Australia so the people benefit.

Hon NORM KELLY: I am not particularly interested in getting the bottom-line figure. I can see good arguments for future negotiations not to have the figure made public. However, this information is pertinent at this stage rather than when we debate the proposed amendment because we are talking about what is being sold off. It is appropriate that we get an idea of the cost of the upgrades. It will provide an understanding of how the Government has changed from its original position on the sale of the network. I know that the indicative bids will detail different ways to improve services. Given that we have hard and fast proposals on the Supplementary Notice Paper, it is reasonable to be provided with an estimate of the cost of those works.

Hon M.J. CRIDDLE: It is a very wide range. It depends on the operator's capacity, what it will do and how much it will upgrade in the future. I can provide some figures on the potential for upgrades on the Esperance line and so on. They were announced sometime ago, but they vary widely depending on whether we cascade rail out of the east-west line on to the Esperance line. It also depends on how one designs or sources the material and what material is used. There is a wide price discrepancy.

Hon J.A. SCOTT: Once the Government has sold the rail service there will be fewer reasons for it to want to do something about the competitive neutrality question between trucks and rail. This issue was raised during the second reading debate. I have a note from Chris Whittaker saying that he agrees with my comments that privatisation alone will not resolve the issue of a rail service being able to pay its way under the current regime, which provides benefits to road transport over rail because trucks are not paying their way as a result of road damage and so on. Is the minister confident that the Government will pursue this matter as hard if it does not own the rail system? Will it work to ensure that the ledger is square in terms of competitive neutrality? Or will the Government no longer be interested in it and handball it to the private operator? If bringing in a private operator and competition cannot change that on its own, what steps will the Government take if it sells this service to ensure that that happens or will it no longer be interested?

Hon M.J. CRIDDLE: My understanding of private operators is that they are very good lobbyists when it comes to getting what they want out of the Government. I am sure that rail operators will do everything they can to get a very good deal out of both the Federal Government and the State Government. The issue is getting in a good operator to upgrade the system, becoming more competitive, growing the business and developing a rail system that will carry as much freight as possible. We are talking about giving the rail operation a chance. The Government's capacity to service the high and growing debt and to put money into the rail system will be less and less. It is not a core business of government.

Hon J.A. Scott: It always used to be.

Hon M.J. CRIDDLE: If the member were to look at the health, education and law and order issues, he would see that there is less and less likelihood that the Government will be able to fund things like roads and rails.

Hon J.A. Scott: Only because of the Government's preference for particular portfolio areas. It is not a matter of its being a core business of government.

Hon M.J. CRIDDLE: There is only so much money and we can spread it only so far. It must be spent on core business.

It is difficult to fund rail systems. If we give the system the opportunity to grow and develop, people will use it and it will become far more economic. We will be able to attract many of the commodities that are not already transported by rail and new commodities. At the moment they are more likely to be transported other than by rail. We will not have the money to service the system. The Esperance-Kalgoorlie line is deteriorating such that the outside of the rail is falling off. We must have the funds to fix it. That is the difficulty. I am surprised, given the member's and his party's point of view that we should move goods off roads and onto rail, that he does not back this Bill.

Hon J.A. Scott: I do not know what I am going to get.

Hon M.J. CRIDDLE: The member has more chance of getting that out of this proposition than any other. No-one else has come up with a solution and no-one has tried.

Hon Ljiljanna Ravlich: Your solution is simply to flog it off.

Hon M.J. CRIDDLE: The member's answer is pathetic.

Hon Ljiljanna Ravlich: Look at the debts under your Government.

The CHAIRMAN: The minister will direct his comments to the Chair and ignore the interjector.

Hon M.J. CRIDDLE: If we want to give the rail system in Western Australia a chance, we must have an A-class operator who can do it justice.

Hon E.R.J. DERMER: The minister is saying that to improve the quality of the rail service we must sell the freight operation to a private company. He is suggesting that through the process of the sale the Government can ensure that a private company which may purchase the operation is in a better position to provide quality of service than the freight service currently provided under government ownership. Will the minister contradict me at any point if he thinks I am wrong in my comprehension of what he is saying? If that proposition is correct, how does the minister propose that the Government will ensure the quality of the rail service once it is sold? What is to stop a private owner changing the nature of the service, neglecting it or selling it to another private owner who may not be as capable of delivering the service?

Hon M.J. CRIDDLE: We appear to be going back to the second reading speech. I have outlined the fact that wide-ranging conditions are imposed on the operator.

Hon E.R.J. DERMER: How do you enforce them once it is sold?

Hon M.J. CRIDDLE: It is part of the lease agreement.

Hon E.R.J. DERMER: How realistically?

Hon M.J. CRIDDLE: The lease contains very strict conditions. We went through that during the second reading debate and I have covered it a number of times.

Hon E.R.J. DERMER: It will be interesting to see if you can still say that in 10 or 15 years' time.

Hon M.J. CRIDDLE: It would be interesting if we had anything at all in 10 years' time if we continued with the present method. That is the issue with which we are confronted. I am trying to provide a solution and give the workforce the opportunity to have a good future. We are looking at the service, the workforce and the opportunities for growing the business. The conditions in the lease will be applied. There will be audits and so forth to make sure that they are applied.

Hon J.A. SCOTT: The minister has pointed out that these private operators would be very good agents for pressing the Government for some sort of competitive neutrality for a better deal for rail as compared with trucks. It has been pointed out that clause 3 of the Bill allows an operator to also operate a truck freighting business linked to the rail freight system. Why would such an operator worry about competitive neutrality? It would simply switch to trucks. The Government is still required to have a program to do something about competitive neutrality. It cannot simply sell the business to a private operator under the current arrangements and expect trains to somehow take back freight from trucks. The minister admitted that in the reply he gave me. He indicated that the Government's response should therefore be at three levels addressing Westrail freight specifically through the proposed sale or lease on a vertically integrated basis - the preferred basis of the Greens (WA) - taking a leadership role, addressing road-rail competitive neutrality at the national level and addressing any competitive neutrality issues which are within the State's powers. Those issues are fundamentally important if we are to get more freight onto rail. As the same organisation can use trucks or rail, there is no impetus for it to get freight onto rail if it can freight cheaper by truck. The Government's further problem is that roads in our rural areas are breaking up at a rate at which the Government is unable to fix them, largely because of the lack of competitive neutrality as a result of trucks not paying their way. It is important for the Government to tackle this problem, not simply to leave it to the private operators and to say that maybe they will fix it. I would like some indication from the minister that merely because my vote

is not swinging on this he will not throw the issue out of the window. It is an important issue and not one that should be left to the private operator which buys the rail system. The minister has said he needs competitive neutrality, privatisation and competition.

Hon M.J. Criddle: I offered you that in the negotiations earlier, and you refused to be part of it.

Hon J.A. SCOTT: The minister offered that for the sale. Under the system the minister is currently proposing, unless there is some commitment, the same thing would apply because there would be no impetus for a company not to use trucks if they can be used at cheaper rates than rail.

Hon Kim Chance: Especially if the train company has trucks on the road.

Hon J.A. SCOTT: Yes.

Hon LJILJANNA RAVLICH: I fully concur with the earlier comments made by Hon Kim Chance that this clause is the heart of the issue. The sale process begins when the minister prepares the submission for Treasury for the disposal of the rail freight business. I am assuming that in the preparation of that proposal to dispose is included Westrail employees. Would that be correct? I assume I am correct. Working on that assumption, a large number of employee-related issues have still not been resolved, yet we are some way through the implementation process of this legislation. The other day I received a fax from the Australian Manufacturing Workers Union. I was particularly concerned about some of the employee issues that were raised with me. I will go through some of the issues. The comment was made that the union had a meeting -

Point of Order

Hon M.J. CRIDDLE: Is this part of clause 11? We have had this discussion.

The CHAIRMAN: I am not aware that this clause deals in any way with the assignment of employees. Therefore, that matter cannot be discussed under this clause.

Hon LJILJANNA RAVLICH: Could I seek clarification? I asked the minister before I continued my comments whether this clause which applies to the preparation of the proposal to dispose, which is the commencement of the sale process and the preparation of that submission to the Treasury, includes the issue of employees. Because I had not received a reply, I assumed that it was part of the proposal to dispose and the work prepared for Treasury. If that is not the case, could the minister advise so?

The CHAIRMAN: Perhaps the minister might clarify the point. I am unclear.

Hon M.J. CRIDDLE: Clause 11(4) refers to the proposal prepared by the minister including an unambiguous description of the business and other things that are to be disposed of. I do not think that we will be disposing of the people.

The CHAIRMAN: On that basis the ruling stands. The discussion of employee transfer conditions is not relevant to the debate on this clause.

Debate Resumed

Hon LJILJANNA RAVLICH: Is it correct that the submission to the Treasury on the proposal to dispose contains no information relating to Westrail employees?

Hon M.J. CRIDDLE: It is not expected to.

Hon LJILJANNA RAVLICH: Has the proposal to dispose been drafted or prepared?

Hon M.J. CRIDDLE: No, it has not.

Clause put and a division taken with the following result -

Ayes (15)

Hon M.J. Criddle
Hon Dexter Davies
Hon B.K. Donaldson
Hon Max Evans

Hon Ray Halligan
Hon Barry House
Hon Murray Montgomery
Hon N.F. Moore

Hon Mark Nevill
Hon M.D. Nixon
Hon B.M. Scott
Hon Greg Smith

Hon W.N. Stretch
Hon Derrick Tomlinson
Hon Muriel Patterson
(Teller)

Noes (14)

Hon Kim Chance
Hon J.A. Cowdell
Hon G.T. Giffard
Hon N.D. Griffiths

Hon Tom Helm
Hon Helen Hodgson
Hon Norm Kelly
Hon Ljiljanna Ravlich

Hon J.A. Scott
Hon Christine Sharp
Hon Tom Stephens

Hon Ken Travers
Hon Giz Watson
Hon E.R.J. Dermer(Teller)

Pairs

Hon Peter Foss
Hon Simon O'Brien

Hon Bob Thomas
Hon Cheryl Davenport

Clause thus passed.

Clause 12: Limitations on disposal of land -

Hon KIM CHANCE: Clause 12 is one of the clauses which the Opposition wants to deal with in some detail. Clause 12 is a key clause not so much because of the nature of the clause, but because it is the vehicle for the principal amendments moved by Hon Mark Nevill.

Hon Mark Nevill: Which you fulsomely support.

Hon KIM CHANCE: The member is living in hope. Subclause (2) relates to an order which is to be published in the *Government Gazette* relating to the disposal of land. Is that a disallowable instrument?

Hon M.J. CRIDDLE: No; it is just gazetted.

Hon Kim Chance: Would the minister take that question on notice?

Hon M.J. CRIDDLE: Okay.

Hon KIM CHANCE: Subclause (2) states that a proposal to dispose of land that is, or is to be, corridor land cannot be approved if the interest to be disposed of is greater than a leasehold interest.

Hon M.J. CRIDDLE: That means that it cannot be sold, and a lease is the most that can be achieved.

Hon MARK NEVILL: I move -

Page 6, after line 28 - To insert the following new subclauses -

- (3) A proposal to dispose of standard gauge corridor land to a person can be approved only if the person is a company that -
 - (a) as its main business, provides and maintains or is to provide and maintain facilities for the operation of railways;
 - (b) is not involved in providing train services; and
 - (c) has provisions in its constitution to prevent the disclosure of confidential information obtained in the course of its business to -
 - (i) a person providing train services; or
 - (ii) a person controlling, or controlled by, a person providing train services, except if the disclosure is required by law.
- (4) For the purpose of subsection (3), a company is involved in providing train services if -
 - (a) it provides the train services itself;
 - (b) it controls a body that provides train services;
 - (c) it is controlled by a body that provides train services on standard gauge corridor land;
 - (d) it delegates any control over the management of any of its business to a person providing train services; or
 - (e) any of its directors is also a director of a company that provides train services.
- (5) A body that, under the Corporations Law, is a subsidiary of another body is, for the purposes of subsection (3) or (4), controlled by that other body.
- (6) A proposal to dispose of standard gauge corridor land between Koolyanobbing and Esperance is to ensure that, if the holder of the land has a contract under which more than 3 million tonnes of freight per year are to be carried on the track between Kalgoorlie and Esperance -
 - (a) the railway track on the land is, within 2 years after the disposal or the making of the contract (whichever is later), improved over the whole length of the track between Koolyanobbing and Esperance to a standard suitable to allow rolling stock of a 23 tonne axle load to travel along it at a maximum speed of 80 kilometres per hour for an average speed of 60 kilometres per hour; and
 - (b) the track is maintained to at least that standard over that length of track during the term of the disposal.
- (7) A proposal to dispose of standard gauge corridor land between Kwinana and Parkeston is to ensure that -

- (a) the railway track on the land is improved over the whole length of the track between those places to a standard suitable to allow -
 - (i) trains that are each 1800 metres long to cross at all crossing loops existing at the time of the disposal;
 - (ii) rolling stock of a 21 tonne axle load to travel along it at a maximum speed of 115 kilometres per hour; and
 - (iii) rolling stock of a 25 tonne axle load to travel along it at a maximum speed of 80 kilometres per hour,
 and those improvements are carried out in accordance with any program developed by the holder of the land in co-operation with the Australian Rail Track Corporation Limited (CAN 081 455 754); and
 - (b) the track is maintained to at least that standard over that length of track during the term of the disposal.
- (8) A proposal to dispose of standard gauge corridor land on which there is railway track between Kalgoorlie and Leonora is to ensure that, over that length of track and during the term of the disposal, the track is maintained to at least the same standards as to train length, axle load, and speed, as existed at the time of disposal.
- (9) If a subsection of this section requires a particular standard and another subsection requires a different standard in relation to the same matter, the proposal is to provide for the more stringent standard.
- (10) In this section -
- "company"** has the same meaning as it has in the Corporations Law;
 - "confidential information"** means information that, if not disclosed by the company, would not be otherwise publicly available;
 - "director"** has the meaning given by section 60 of the Corporations Law;
 - "involved in providing train services"**, in subsection (3), has the meaning given by subsection (4);
 - "standard gauge corridor land"** means land that is, or is to be, corridor land on which there is railway track of a nominal gauge of 1435 mm for rail transit between Kwinana, Fremantle, Leonora, Esperance, Kalgoorlie, Parkeston, and all intermediate locations;
 - "to control"** includes the meaning given by subsection (5);
 - "train services"** means the business and operations involved in the carriage of freight or passengers by rail, and does not include the business and operations involved in the provision and maintenance of facilities for the operation of railways.

Hon KIM CHANCE: The amendments moved by Hon Mark Nevill are lengthy because they are so specific. It is unusual to see legislation proposed in this way, because one would expect many of the elements which are involved in Hon Mark Nevill's amendments to be found in a contract rather than in legislation, particularly the way legislation is inclined to be written in this day and age, although some older legislation has been as specific as this. I am not objecting to that, as there is a good reason for its being done in this way. I imagine that because of the nature of the negotiations between the Government and Hon Mark Nevill agreements had to be made with a high degree of specificity. I have a number of questions which arise from Hon Mark Nevill's amendments. Proposed subclause (3)(b) reads -

is not involved in providing train services; and

The context of that subclause is that a proposal to dispose of standard gauge corridor land to a person can only be approved if the person is a company that is not involved in providing train services. This is the separation between above and below-line operation. It is not a concept that I will argue against because we argued strongly for the need for separation on the standard gauge operation. I must say I am pleased to see that proposal, and when Hon Mark Nevill said to me that he expected our fulsome support for these amendments, he had a reasonable expectation that we would support some of them. I do not think he can expect the support to be overwhelming, but nonetheless, we do approve of the nature of that separation and we have argued strongly for that for a considerable period. However, I find it strange that at an earlier stage of debate on this Bill when we put to the Government that there ought to be this form of separation, we were told that we could do that, but there would be all kinds of problems, not the least of which was that if one were to dispose of the standard gauge rail corridor in a manner such as is enabled by this amendment, one would be very lonely at the auction for the balance of Westrail because, in effect, the prize would have been picked from the tree. The eyes would have been picked out of Westrail and there would be nothing left to attract commercial interest in the balance of the system.

When the minister was confronted with that apparent anomaly, more recently he said that his latest advice was that it makes no real commercial difference. Maybe the Government got other advice but we seem to have gone from one extreme to the other. We have gone from the position that the rest of Westrail would have no value - all the way over here - to the position that it will make very little, if any, commercial difference to the value of the balance of Westrail.

Hon J.A. Scott: It would not make any difference.

Hon KIM CHANCE: I do not know. Neither I nor Hon J.A. Scott has had the benefit of seeing the scoping study and we cannot know these things. We have to rely upon the consistent advice we are getting from Government - except that it is not consistent. Let us be clear about what proposed subclause (3)(b) means. It means that Westrail's private owner is excluded if it is a provider of train services. It must have another owner. I raised this before and I now quote from the uncorrected *Hansard* of 23 March this year where I said -

I remind members again - only for the sake of reference - of the effect this will have on the grain industry. The argument was put very strongly that the grain industry had to be kept as a unit. The changes to this Bill -

Here I am referring to the changes in respect of Hon Mark Nevill's amendment -

- make it feasible that the grain industry will need to be handled as two separate units. A contractor who enters the rail-grain transport market will now have to deal with two different owners.

Hon Mark Nevill then said -

That is not correct.

I said -

If that is not correct, I ask members to look at what the Bill provides. It provides that the standard gauge system -

We then managed to get carried away with interjections. It seems to me that that is the case. I am going to see if clarification can be reached because this is an important point. If Westrail's private owner, whoever it might be, is a provider of train services, and we know that it will be, it means that as a result of proposed subclause (3)(b), which states -

(3) A proposal to dispose of standard gauge corridor land to a person can be approved only if the person is a company that -

. . .

(b) is not involved in providing train services . . .

two separate people must be involved in the ownership of the operation of the track. Westrail's private owner will, by necessity, be the controller of the narrow gauge line because that is what we are selling - that is what we are allowing to be devolved to the new owner. It is clear that the standard gauge rail corridor cannot be owned by any person who is also operating train services. Westrail's private owner is excluded, as a result of proposed subclause (3)(b), from being the controller of the standard gauge track. Have I got that wrong? If I have, this is the time to tell me.

Hon MARK NEVILL: That matter was addressed when the member raised it earlier. I said that if one ships cargo from New South Wales to Perth one does not have to deal with three, four, six or seven different track owners. More often than not one pays a price to get something from A to B. The same applies with what was the Australian Wheat Board contracts and the like. A farmer pays a price and the board negotiates with the different bodies as to the tariff for the track use, the above rail wagon use and all other matters. Typically, one gets one tariff. There are lots of freight movers in the business including the Toll Group, SCT, etc, and one gets one bill; one does not get different accounts from different owners of terminals and track and train operators. I do not see that as a problem. It might be better if I put on the record what these amendments do.

The amendments basically split the rail network into a standard gauge section which includes the Kwinana-Parkeston east-west line and the north-south Leonora-Esperance line, and the narrow gauge or three foot six inch line. Subclauses (3) and (4) effectively separate the standard gauge from the narrow gauge and ring fence the standard gauge operation as best one could. There was a compromise. I wanted a completely separate company for the operation of the standard gauge line. That may have narrowed the range of bidders down to the New South Wales government track operator and the ARTC. That is a fairly limited set of bidders. There was a real prospect that Railtrack would not have been a potential buyer. ARTC was interested in the east-west line. We now have a system where a holding company can have a company that operates the above rail track and the standard gauge and a completely ring-fenced company that operates the standard gauge. That ring-fenced company cannot have common directors and other factors built into those amendments.

The second aspect of the amendments is that they have brought the ARTC into a position in which it can bid. The Government previously said, for policy reasons, it did not want any government-owned rail operator to bid for any part of the network. That has been changed. If the ARTC bids, it is likely that it will do so in conjunction with an existing rail operator or an overseas operator. I am fairly confident, although I have not spoken to ARTC, that it will make a joint bid. Whatever arrangements flow from that, will flow.

The other amendments provide for the extent to which the Kwinana-Parkeston line must be upgraded, and it is effectively to Australian Transport Council standards; that is, trains that are 1 800 metres long are to have a rolling stock of a 21 tonne

axle load travelling at a maximum speed of 115 kilometres an hour, and rolling stock of a 25 tonne axle load travelling at a maximum speed of 80 kilometres an hour. The standard is not quite as demanding for the Kalgoorlie to Esperance line. I have specified rolling stock of a 23 tonne axle load travelling at a maximum speed of 80 kilometres an hour, for an average speed of 60 kilometres an hour. I did that because a number of years ago the federal member for Kalgoorlie, Graeme Campbell, secured from the then federal Treasurer, John Dawkins, a certain amount of money to upgrade the Kalgoorlie-Esperance track to allow for the export of Koolyanobbing iron ore. There was always doubt about the amount that was eventually spent on the track. The Government proposed to spend \$32m on maintenance of the Kalgoorlie-Esperance track, and there was a proposal for a \$35m upgrade. I do not want to be in a position two years down the track, as the local member, of working out where the money has been spent because of uncertainty about how much has been spent on overheads or shifted around. I am not interested in working out whether the money is spent on the line, so I insisted on maintenance of these standards. If a train cannot travel along the line with those axle loads at the speeds specified, it is not up to standard. That is an objective test.

I also wanted a 10 per cent reduction in track access fees, with a two-thirds consumer price index escalator. I was not successful in negotiating that with the Government. As Hon Jim Scott mentioned, that mechanism would have immediately made rail much more competitive with road transport. That escalator would have applied on the east-west line on which much grain freight is shifted and channelled to Kwinana. I was at Southern Cross recently. Quite a few of the members of the shire council are big wheat farmers, and they were pleased with the result of my amendments. It would provide many of these people, perhaps even those from Merredin, with the option of shifting grain to Esperance as well as Kwinana.

That outlines the general thrust of those amendments. They are written in plain English so I anticipate that members will be able to read and understand them without any difficulty.

Hon NORM KELLY: This was one of the major sticking points with the Australian Democrats when they considered the conditions under which they would accept this sale of Westrail. There was the whole argument about vertical integration or separation. Hon Mark Nevill's proposal is an attempt to achieve that separation through ring fencing, Chinese walls, or whatever people want to call it. In essence, it sets up a structure under which there can be integration because two separate companies have common ownership. The ring fencing occurs at a different level, with two separate companies operating side by side under common ownership. Hence, proposed clause 12(4)(c) refers to a company controlled by a body that provides train services. One company does not control the other, but the two separate companies are controlled by a common owner. That is a major problem for the Australian Democrats, because we do not believe there can be true separation when the two separate companies have one controlling interest. That common ownership and controlling interest override the merits of achieving separation in an artificial manner. The Democrats are not convinced that this will achieve the separation that would ensure fair competition to rail freight operators, one of which would be owned by the company that owns the track and the others of which would not be owned by that company.

In our discussions with government members, prior to the Bill reaching this stage, we looked very seriously at a structure that would allow proper and fair competition for rail freight operators. We do not believe this amendment achieves that, but we appreciate and applaud Hon Mark Nevill for some aspects of this amendment relating to the upgrading of those specific parts of the standard gauge network that need upgrading. To instil confidence for capital investment in other projects in those areas, such as mining, Western Australia needs a high standard of rail network for the 49-year life of this lease agreement. I am not sure whether there is any indication of the date by which these upgrades must be completed. Reference is made in the amendments to the need for the tracks to be maintained during the term of the disposal, but no date is specified. That has been a matter of concern to people, particularly those in the goldfields area. The Government announced that the Esperance link would be upgraded, but there have been complaints about the timetable for those improvements. I would like to hear from the minister or Hon Mark Nevill whether an agreement has been made about when these upgrades will occur.

Hon MARK NEVILL: With reference to the ring fencing, I point out that proposed subclause (3)(c) strengthens the ring fencing and states that a company must have provisions in its constitution to prevent the disclosure of confidential information obtained in the course of its business to -

- (i) a person providing train services; or
 - (ii) a person controlling, or controlled by, a person providing train services,
- except if the disclosure is required by law.

There can be no disclosure of confidential information from the standard gauge operator to the parent company. There can be common shareholding, no common directors and no delegation of powers. Ring fencing is not perfect. There can still be collusion between completely separate companies. We are not dealing with perfect situations. However, much thought was put into trying to get that ring fenced as well as possible. Members must realise that much of our gas regulation ring fencing occurs between distribution, transmission, etc, although I appreciate it is not without problems. I became a bit impatient with the minister at one time over track upgrades so I slapped in an 18-month completion date amendment for the upgrade of the east-west and north-south lines. I thought the Government was playing games with me and that that amendment would bring it to its senses. It is realistic for a private operator to upgrade both lines within 18 months. Compromise has occurred in this arrangement.

With respect to the Kalgoorlie-Esperance line, proposed subclause (6)(a) reads -

- (a) the railway track on the land is, within 2 years after the disposal or the making of the contract (whichever is later), improved over the whole length of the track between Koolyanobbing and Esperance to a standard suitable to allow rolling stock of a 23 tonne axle load . . .

Proposed subclause (6), which I should have read first, indicates that if the holder of the land has a contract under which more than three million tonnes of freight a year are to be carried on the track between Kalgoorlie and Esperance, it must upgrade the track within two years of disposal or the making of the contract. That is basically the expansion of the Koolyanobbing project. If that goes ahead from the date of disposal or the making of the contract, whichever is the later, within two years that track must be upgraded to that standard. It is a chicken and egg situation. If a track is not up to a certain standard the necessary turnaround times and efficiencies cannot be achieved to make these projects work.

The minister may add to my comments about the east-west line. I wanted a time line included because I do not want to find in 10 years that the track has not been upgraded. A program is being developed with Australian Rail Track Corporation. Frankly, I hope ARTC is a successful bidder because it is a very good operator. Since it has taken over the Albury-Parkston section a lot of competition and a big reduction in rates have occurred and much capital has been invested in the line. It would be a good partner in the system.

A program is being developed with ARTC, some of which is being put into place at present between Bonnivale and Juardi. I expect the rest of it will be done within two to three years. Although that is not nailed down in the legislation, the minister gave some important assurances in his second reading speech. The minister can correct me if I am wrong. I told the minister I wanted the ARTC wholesale agreement with Westrail signed before the railway was sold. He has given me an assurance that every attempt will be made to have that done. I understand that it will be for 15 years and is in progress. It is important that it be locked in.

It is also essential the contract between Westrail and Portman Mining Ltd be locked in before the sale occurs. If it is not locked in before the sale the whole deal could fall apart. That is being negotiated now. I am led to believe that can occur in good time.

Hon Norm Kelly: Is the contract between Portman and Westrail essential for delivery to the Esperance port?

Hon MARK NEVILL: I am referring to the contract for more than three million tonnes. If that is signed prior to the sale it will trigger the upgrade, which will then be part of the sale agreement.

Hon Kim Chance: In particular for the Esperance line.

Hon Norm Kelly: That is what I am asking. When you say that it must be signed before the sale proceeds, are you referring to tonnage that will go through the Esperance port?

Hon MARK NEVILL: Yes.

Hon M.J. Criddle: They are already building the shed.

Hon MARK NEVILL: Ships of 105 000 tonnes cannot go into Kwinana, but they will be able to go into Esperance.

I sought a 10 per cent reduction of track access fees immediately, with a two-thirds consumer price index escalator, to which the Government was reluctant to agree. It wanted a 3 per cent reduction in total freight rates for one year and that did not interest me. However, at the end of the day it was very difficult to lock that in by way of an amendment. A differential exists between interstate and intrastate rail freight on the east-west line. I have had talks with the National Competition Council and I think the way to clean up the differential in the track access fees is through the access code. The codes should not differ on similar types of rail freight whether the freight comes from the east or from Kalgoorlie to Perth.

I suppose I backed off from tackling the track access fees in this Bill and hope to do that through the access code legislation that is yet to come into Parliament.

Hon M.J. CRIDDLE: We are working as hard as we can towards finalising the two agreements. I understand some schedules must be finalised in the ARTC agreement. We are also working towards finalising the agreement between the company and Westrail.

Hon KIM CHANCE: I suggest Hon Mark Nevill consider a very small but important amendment to proposed subclause (6); that is, to replace the words "a contract" with "contractual arrangements". I think he understands why.

Hon MARK NEVILL: I have considered that. It would make the threshold much lower. If the word is "contracts", there is a real prospect of some fairly large tonnages of freight being moved along that line, such as fuel, sulfur and iron ore. The existing iron ore freight plus those could tip the freight over three million tonnes. However, the \$35m upgrade will not bring it up to the standard required there. It will be a bigger upgrade. The three million tonnes will be a reasonable trigger for the bigger upgrade. There will be a \$35m upgrade without the trigger, on top of the maintenance money. However, this three million tonne trigger will put pressure on Portman Mining to get moving and trigger a far more substantial upgrade. I do not know whether that will involve an extra \$40m or \$50m. I am more interested in track standards.

Hon KIM CHANCE: I am glad Hon Mark Nevill has considered it. I am aware that the potential exists for a considerable amount of other freight to move on that line. Hon Mark Nevill referred to sulfur. It has been suggested to me that if certain things fall in certain directions, upwards of two million tonnes of sulfur could be carried out of the port of Esperance in the light of development at Murrin Murrin and the other laterite nickel deposits.

Hon Mark Nevill: It is sulfur coming in.

Hon KIM CHANCE: Out of Esperance - presumably from Esperance to Murrin Murrin.

Hon Mark Nevill: I thought you meant out of the port.

Hon KIM CHANCE: Moving out from the port on the rail system. What first drew my attention to that singular mention of "a contract" was that it seemed to be possible that if for some legitimate reason the Portman Mining-Westrail contract were to be split into a series of contracts, perhaps because the variation was as small as adding a month or two to each series of contracts in order to meet the shipping arrangements, it could be that rather than having a single contract for three million tonnes, there may be three separate contracts for one million tonnes, and that would not necessarily be caught by that wording. For the sake of comfort, it needs a little reconsideration - not to any great extent. I think the principle of it is fine. However, the Opposition would be happier if a little more thought were given to how circumstances like that might be dealt with.

I will now deal with subclauses (6)(a) and (7) of the amendment, which deal with track standards on two different pieces of line but which involve an overlap piece of line. Proposed subclause (6)(a) deals with Koolyanobbing to Esperance as a section of line, and proposed subclause (7) deals with Kwinana to Parkeston as a section of line. Those two sections of line are not clearly distinct sections, and the area between Koolyanobbing and Parkeston is the same piece of line. Therefore, it is reasonable to refer to the Koolyanobbing-Esperance line as a line, but in fact it is a make-up of two pieces of line. However, because it is the track over which the main haul for that line is carried, it is reasonable to refer to it as a section, as proposed subclause (6)(a) does. I was confused because those two sections of line, Kwinana to Parkeston and Parkeston to Esperance, have two different standards applied to them in this amendment.

Hon Mark Nevill: Subclause (9) of the amendment deals with that.

Hon KIM CHANCE: I understand that. Proposed subclause (9) recognises that that may happen, and when that occurs, the proposal is to provide for the more stringent standard. However, three questions arise, of which that is only one. For example, what occurs if the Kalgoorlie-Esperance and Kwinana-Parkeston lines have different track managers? It seems possible that the people who will hold those lines could be the track managers.

Hon M.J. Criddle: No.

Hon KIM CHANCE: Can they not be two different operators - one company which is the track manager for Kwinana to Parkeston and another company which is the track manager for Parkeston to Esperance?

Hon Mark Nevill: They could be, but how that will be done will be up to the companies. I doubt that it would be a separate company. It is unlikely.

Hon KIM CHANCE: Indeed, the member introduced in debate the possibility that mining companies may well want to be the operators of those lines at some time in the future. Given the potential tonnages arising from some of that mineral activity north of Kalgoorlie about which we continually hear, it seems that it may well be an attractive proposition for those companies to hold their own line in the same way that the Westrail provider may do. It is at least theoretically possible for those two pieces of track to be owned by different companies.

Hon Mark Nevill: I thought you meant the track manager.

Hon KIM CHANCE: Yes.

Hon Mark Nevill: When you said "owned", it must be the same company.

Hon KIM CHANCE: The track managers must be the same?

The CHAIRMAN: Hon Kim Chance might invite the member to respond to his points, but I think the Hansard reporter is finding it difficult to follow conversations between him and the minister and the member behind him.

Hon KIM CHANCE: Thank you, Mr Chairman. There does not seem to be much clarity on this issue and I hope that we can arrive at some clarity. It seems that the track manager, the operator responsible for maintaining a line at a standard as specified in these amendments, could be a different operator in respect of the Kwinana-Parkeston line and the Parkeston-Esperance line. If that is the case, it becomes clear when there is an overlap - such as there is from Koolyanobbing to Parkeston - which standard must be adopted, and that is the higher standard. Therefore, there is no difficulty in that respect. However, who is responsible for the additional cost of the higher standard, because the costs of the higher standard for Koolyanobbing to Parkeston are imposed as a result of the southward movement of iron ore, for example, or whatever it is that took that line over the three million tonnes threshold. Are they costs which must be met by the track manager of Kwinana to Parkeston? In that instance, is one owner able to transfer costs to another owner? I understand that the higher standard will apply, but who pays for it?

Hon MARK NEVILL: The track operator would be the same in both cases. I thought the member was referring to signalling or something like that. The maintenance contractor might be the same. There might be two different contractors on it. However, under this amendment, whoever is operating the track would operate both. Early in the piece I had an amendment which gave the Esperance Port Authority an option to purchase the Leonora-Esperance line for a peppercorn. Members might think that is a bit silly; that is, separating out that part of the standard gauge. However, that was a part of the amendment. The Government was putting \$67m into that line at that stage - \$32m in maintenance and a \$35m upgrade

- so whoever bought that line would get the benefit of that upgrade. The Government was doing the upgrade, and the Australian Rail Track Corporation was probably more interested in the east-west line. I wanted an amendment which gave the Esperance Port Authority an option to purchase for a peppercorn at its discretion so that if at any time in the future that line was profitable, it could be taken over by the Esperance Port Authority. The same people would probably still operate the track, but it would be owned by the Esperance Port Authority, and it would be in its interest to get as much traffic as possible on that line for the future of the port. However, that got lost in the evolving picture. I think Hon Kim Chance was alluding to a mining company owning that track. My view was that it could have been packaged up with the Esperance port, because that track is absolutely vital to the future of the Esperance port, and it would be in its interest to have that track operating as efficiently as possible. I do not see the issue of track management as a problem under this amendment. Under this amendment, one company would operate both tracks.

Hon KIM CHANCE: I reply to that answer: Why is that so? Where in clauses 11 or 12, or in Hon Mark Nevill's amendment - all of which combined will provide the capacity for a separate person from the owner of Westrail to buy standard gauge corridor land - does it say that all the standard gauge corridor land will be sold to one person? The exclusivity is not stated within the legislation. Maybe the answer is that it is the Government's policy to sell it to only one person. The minister might like to confirm whether that is the case for the record, rather than just nodding. That has not been clear until now. I always have had the view that it may be possible for the Australian Rail Track Corporation to be interested in the Parkeston-Kwinana section, but it will probably never be all that excited, for example, about the Leonora-Kalgoorlie section. I always imagined, I do not know why, that we would have different owners for the north-south and east-west standard gauge lines. Nothing in the Bill or, to my reading, the amendments provides for a single owner of the standard gauge corridor line.

Hon M.J. CRIDDLE: My expectation is that there will be a single owner of the operation.

Hon KIM CHANCE: The minister has defined it as only an "expectation"; therefore, can I take it that circumstances may arise in which the minister would entertain the possibility of more than one owner? It may be in the minister's and the State's interests to entertain that possibility. I can see the circumstances in which one could deem it to be a preferable arrangement with the east-west owner being different from the north-south owner, and the track managers having a specific role. The only complicated factor would be in the little section between Koolyanobbing and Parkeston.

Hon M.J. Criddle: Clause 9 overcomes that problem. It would be a very exceptional circumstance if we went away from that outlined, and clause 9 clearly enunciates the standard.

Hon KIM CHANCE: It fixes the standard, and I have no problem with that.

Hon J.A. SCOTT: I find myself in a peculiar position on this provision and its amendment as proposed by Hon Mark Nevill: At one time I was convinced by the Government's arguments about the advantages of a vertically integrated system of rail freight in Western Australia to achieve the best value for the line; that is, it would provide the strongest hold on the majority of the freight work currently conducted by Westrail. The Government has changed its mind; I have not changed mine.

Hon Mark Nevill: I do not think it has.

Hon J.A. SCOTT: It has changed its mind as it sees no difference in value. I am sure I saw a piece of paper stating that view.

I am concerned about the amendment before us as it certainly spells out a considerable breakup of the system, even to the point at which certain tracks going through Kalgoorlie will be upgraded. Nothing much is said about the light rail system serving areas of the wheatbelt, for instance, maintaining those standards. It seems to have been left out for whatever reason.

The breakup of the system as is possible under this amendment with a range of different owners and different systems on the standard gauge and non-standard gauge areas will mean that the very fear the Government expressed will be realised. All the Westrail freight business will be taken over with a breakdown of the holistic nature of the freight business in Western Australia, which will drive down the value achieved for the rail.

I still believe that the Government's original argument was correct. The Greens will probably be the odd party out in not supporting the amendments, even though I concede that Hon Mark Nevill has worked hard to make this work in many directions. This amendment would spell the death of a system of freight in Western Australia that is most valuable to a buyer, as it would be under the vertically integrated system over the entire network.

If this experiment is a failure at the end of the lease period, the Government will have a helluva job trying to pull it all together again. It will be Humpty Dumpty mark II, and a very expensive proposition with different owners of rail and freight systems. There will be little of value left for the State. I am very concerned, especially when some of the fundamentals of road competition have not been tackled at all. This is the worst possible model which I will not support.

Hon KIM CHANCE: I refer now to the amendments to proposed subclause 6(b), which requires that the track be maintained at least to the specified standard over the length of track over the period of its disposal. Where are the sanctions for a failure to honour the requirements specified in proposed subclause 6(b)?

Hon M.J. CRIDDLE: As I pointed out to Hon Ed Dermer, those contractual arrangements will be in the lease.

Hon KIM CHANCE: I move now to another section of line with which we have not dealt at any length yet; namely, the

section of standard gauge corridor land between Kalgoorlie and Leonora. This is dealt with in a different manner for perfectly sound reasons which I support. Although people think the Esperance-Kalgoorlie line includes the extension to Leonora, it works differently for no other reason than it does not carry any of the Koolyanobbing iron ore. The proposal in subclause (8) is that, over the length of that track and during the term of its disposal, the track be maintained to at least the same standards for train length, axle load and speed as those which existed at the time of the disposal. That is quite a different standard from that which applies to the other two sections of standard gauge corridor land. How will the current condition be determined? We are setting a standard, but it is based on no less than that which exists now. On the other two sections of track we are dealing with specific standards which seem to be fairly comprehensive, because they set standards which are known within the industry to be target standards of axle load capacity and speed. However, for the Leonora-Kalgoorlie length of track, we do not have a standard to work towards other than that which exists now. Therefore, we must specify carefully what exists currently.

Hon M.J. CRIDDLE: My understanding from Westrail is that the standard at present is the 23-tonne, 80-kilometre standard. An audit will be carried out and there will be a requirement to keep it at that standard. Westrail officers have told me that that is the standard at present. I am quite happy to check that tomorrow to reassure the member.

Hon MARK NEVILL: I hope that the rail can be extended from Mt Malcolm to Leinster and from Mt Malcolm to Murrin Murrin and perhaps even Sunrise Dam or the Wallaby goldmine. I do not see any prospect of that being done in Westrail's hands. However, there is real potential for an extension of that rail into those areas. Whoever does that would have to optimise the loads and the speeds on that track to make it viable. During the debate the minister pointed out those current standards, and that is important for the record.

Hon KIM CHANCE: I will deal with the last comments of Hon Mark Nevill separately, because although they are entirely relevant, they do not deal precisely with the issue that the minister has raised. I thank the minister for his clarity on that matter. Given what the minister has said, I ask him to consider introducing a small amendment to this clause - although that might fall to Hon Mark Nevill - simply to acknowledge that the standard shall be the standard as indicated by the minister, which is the 23-tonne -

Hon M.J. Criddle: I said that I would check.

Hon KIM CHANCE: For the sake of clarity and consistency with the other clauses, it would be better if the clause said that. We have on the record that the current standard is that standard or something approximating that standard. It would be desirable if the legislation said that and we removed the ambiguity which exists in the current proposed clause.

Hon M.J. CRIDDLE: If that standard exists, it will be the standard which it will be kept at. The member's point is covered anyway.

Hon KIM CHANCE: I hope it is. The minister understands the process of legislation. The people who interpret legislation at some time in the future, maybe long after we have left this place, cannot rely on what we meant at the time we legislated. They can rely only on what is in black-letter law. We have been so specific about the black-letter law in this matter that it seems inconsistent that we are not being specific in this clause. We all know that the current standard of that track is the standard as specified, and in the future people will be able to read this debate and the opinion of the minister. However, that is all they can do. There is no certainty, bearing in mind that these are long-term contracts. We are talking about contracts which could last 49 years. In 49 years someone will have to decide whether the Leonora-Kalgoorlie line is being left at the standard which existed in 2000 or 2001, whereas if a standard is specified, as has been done so carefully in subclauses (6) and (7), it makes it relatively easy, because that standard is a known industry standard. I encourage the minister and Hon Mark Nevill to pay careful attention to that possibility.

Hon E.R.J. Dermer interjected.

Hon KIM CHANCE: They are the potential terms of these contracts. There are rollovers in that. I think the periods are 20, 15 and 14 years - a total of 49 years.

Hon E.R.J. Dermer: What procedures will be used at each stage of the rollover?

Hon KIM CHANCE: That would be a matter for the contractual arrangements between the parties, but those arrangements between the parties will be made within the scope of this legislation. That is why it is important to get this legislation right. If one operator held the contract for the 49 years, but chose to run it down in the last five years knowing that it was on the run-out of the third phase of the contract, and left that line in the state which, for example, the Esperance-Kalgoorlie line is in now - that is, quite poor - and if this legislation is not specific, who will be able to say that that was not the condition of the line in 2000?

Hon E.R.J. Dermer: An extended run-down over that period would mean a diminished and inadequate service for quite a few years.

Hon KIM CHANCE: Yes, it could do.

The CHAIRMAN: Order! Hon Kim Chance will not conduct question time.

Hon KIM CHANCE: They were helpful interjections. I only hope the minister will consider that, because people would feel far more comfortable if this clause were changed, particularly as it appears to be a minor change.

Hon M.J. CRIDDLE: I alert the member to the fact that five-yearly audits will be carried out. We will not be looking at something in 49 years and saying that that is what it was supposed to be. There will be five-yearly audits during the lease period.

Hon KIM CHANCE: I was certain that something like that would happen. However, the minister knows from his career in business that if a contract is subjective in any way, a party which can benefit from that subjectivity will always attempt to do so. Proposed subclause (8) leaves room for subjectivity, and that seems out of step with what has been done by Hon Mark Nevill in subclauses (6) and (7) - which are nearly subjective; however, I will leave that for now. Proposed subclause (6)(a) relates to the nature of the agreement in the first instance dealing with the track between Koolyanobbing and Esperance. It specifies a standard that allows rolling stock of a 23 tonne axle load to travel at a maximum speed of 80 kilometres an hour for an average speed of 60 kilometres an hour. I have spoken to some people in the industry about this matter, and I am told that the variation between the maximum speed of 80 kilometres an hour and the average speed of 60 kilometres an hour is unusually broad. When I have inquired further from people with experience in track management, they have told me there is only one purpose for this variation; that is, to enable an opt-out clause for the track manager, or the maintenance contractor who may be bound by similar standards, to allow the standard to fall to the lesser of those two criteria. Although some of the track may allow a maximum speed of 80 kilometres an hour or higher, allowing for an average speed of 60 kilometres an hour means that parts of the track will be capable of sustaining speeds of as low as only 40 kilometres an hour.

Hon Mark Nevill: What about curves and those things?

Hon KIM CHANCE: Yes, there are curves in the track. Also on that track particularly - and from Koolyanobbing to Parkeston, although less often - there are what are referred to by engine drivers as boggy patches. I would not have thought a train could get bogged, but the expression means that the rail bed sinks when the load of the train goes over it, and it causes a highly unstable dynamic in the locomotive and its load. Where a boggy patch exists, and they are easy to pick up from the drivers' daily notices, the trains are almost always subject to a speed limit of 15 kilometres an hour. A number of those patches exist on the Koolyanobbing-Kwinana line, particularly between Southern Cross and Merredin. Is it the view of the minister that the gap between the maximum speed of 80 kilometres an hour and the average speed of 60 kilometres an hour is unusually wide in the context of industry standards and, if it is unusually wide, why is that the case?

Hon M.J. CRIDDLE: I understand that the ATC standards are a maximum speed of 115 kilometres an hour with an average speed of 80 kilometres an hour, and a maximum speed of 80 kilometres an hour with an average speed of 60 kilometres an hour. There are all sorts of reasons for trains to slow down at curves in the track, crossings and those sorts of things. There is a realistic reason for the average speed.

Hon MARK NEVILL: With regard to the opinions of experts, I had a telephone call the other night from a locomotive driver in Geraldton who said that the Kalgoorlie-Esperance line is in better condition than the east-west line, and no amount of discussion would convince him otherwise. There are all sorts of views about the conditions of tracks and what can and cannot be done. It is difficult to make an objective assessment of the reality.

Amendment put and a division taken with the following result -

Ayes (16)

Hon M.J. Criddle	Hon Helen Hodgson	Hon Mark Nevill	Hon W.N. Stretch
Hon Dexter Davies	Hon Barry House	Hon M.D. Nixon	Hon Derrick Tomlinson
Hon B.K. Donaldson	Hon Norm Kelly	Hon B.M. Scott	Hon Muriel Patterson
Hon Max Evans	Hon Murray Montgomery	Hon Greg Smith	<i>(Teller)</i>
Hon Ray Halligan			

Noes (11)

Hon Kim Chance	Hon N.D. Griffiths	Hon Christine Sharp	Hon Giz Watson
Hon J.A. Cowdell	Hon Ljiljanna Ravlich	Hon Tom Stephens	Hon E.R.J. Dermer <i>(Teller)</i>
Hon G.T. Giffard	Hon J.A. Scott	Hon Ken Travers	

Pairs

Hon Peter Foss	Hon Bob Thomas
Hon Simon O'Brien	Hon Cheryl Davenport
Hon N.F. Moore	Hon Tom Helm

Amendment thus passed.

Clause, as amended, put and passed.

Clause 13: Minister to negotiate disposal -

Hon MARK NEVILL: I move -

Page 7, after line 4 - To insert the following subclause -

- (2) If the agreement is for the disposal to a person of standard gauge corridor land as defined in section 12, it is to contain provisions to ensure that -

- (a) while holding the land the person continues to be a person in respect of whom approval could be given under section 12(3) (in this subsection called "**an eligible company**"); and
- (b) any person holding the land as the person's successor or assignee is, and while holding the land continues to be, an eligible company.

Hon KIM CHANCE: Clause 13 must be considered in its whole context. Although I will attempt to speak to the amendment before us, it will be necessary to deal with its effect on the principal clause. As we said earlier in debate on clause 11, this clause enables the minister to enter into any agreement on behalf of the State to give effect to proposals for the disposal under clause 11. The effect of this amendment relates entirely to those separate provisions which apply to land within standard-gauge corridors.

It raises the definition of the term "eligible company". This takes us back to the debate we have just had about whether a company can be entitled to do certain things under amended subclauses (3) and (4) enumerated in clause 12. I should have raised this earlier. I had a note in my copy of the Bill to raise it when we were dealing with interpretations. It seems to me that "eligible company" is not defined. I may have missed the definition, but I have searched for it and cannot find it. It could be that the definition of "eligible company" has complied with those provisions of proposed subclauses (3) and (4). However, neither the Bill nor the amendments indicate that. That might seem to be somewhat pedantic. However, I assure you, Mr Chairman, that it is not a pedantic question. As has been indicated by the level of debate from all members of the Opposition, there is concern about the separation of one company's activities from those of another company that is empowered to do certain things as a result of the determination that it is an eligible company, but which come together in the issue of ring fencing or Chinese walls, which, as Hon Mark Nevill has acknowledged, is a difficult question to determine.

Proposed subclauses (3) and (4) cover a range of issues. It seems to me that the concept of ring fencing is best defined in proposed paragraphs (d) and (e). Both of those paragraphs at least give an indication that an eligible company may be owned by the same people, but is subject to the provisions that require a separation of delegates and a separation of directors. As it is a question that must be very unambiguous and objective, I am surprised no definition exists of "eligible company".

Hon M.J. CRIDDLE: Proposed subclause (2)(a) is the definition. The words are also in the next paragraph.

Hon KIM CHANCE: I do not find that very satisfactory. It would have been a simple matter to have inserted into the interpretations clause the definition of an eligible company. We should make no mistake that this will be a highly contestable issue, not now in the construction of the legislation, although it has been, but perhaps much later in a court of law. I can imagine a dozen circumstances in which the question of whether a company is an eligible company under the definition of this legislation could end in litigation. For guidance, the court can refer only to clause 13 as amended by proposed subclause (2)(a). For the definition to have been accurate it should also have referred to proposed clause 12(4), although that can follow from a reading of that clause because it refers back to proposed clause 12(3).

Hon Mark Nevill: It should refer only to proposed clause 12(3).

Hon KIM CHANCE: It must be read with proposed clause 12(4). If the dispute in law was whether the company was ineligible on the basis, for example, that it was providing train services and the litigation revolved around the company's ineligibility to do what it was doing on the ground that it was controlling train services, proposed subclause (4) would have to be read with proposed subclause (3) to determine that, because proposed subclause (3) depends on the provisions of proposed subclause (4). The future difficulty could be resolved simply. I will not carry on with this all night. However, I can see a problem arising in the future unless "eligible company" is defined in this legislation very clearly, so that it can be identifiably distinguished as an intent to define what an eligible company is. I cannot read amended clause 13(2)(a) as a clear definition of what an eligible company is. It is virtually a reference to what an eligible company might be, but it does not define what it is with sufficient clarity to be dealt with in what could be intense litigation.

Hon M.J. CRIDDLE: The indication we had from parliamentary counsel when this was put in place was that this would work. If the member wants us to clarify that and come back tomorrow, we can.

Hon MARK NEVILL: I will read into the record what the two amendments do. Proposed subclause (2)(a) means that the lessee of the standard gauge corridor land cannot restructure or engage in any activities that will mean that it no longer meets the criteria set out in clause 12(3), and proposed subclause (2)(b) means that any company that acquires the lessee of standard gauge corridor land or to which the lessee assigns its interests in the land must comply with the criteria set out in proposed clause 12(3).

Amendment put and passed.

Clause, as amended, put and passed.

Clause 14: Agreement may deal with certain matters -

Hon KIM CHANCE: Clause 14 raises a question in my mind. The clause deals with agreements for the disposal of assets of Westrail in their various forms. It reads -

Without limiting the other things that an agreement under section 13 may deal with -

- (a) an agreement under that section for the disposal of anything necessary for, or associated with, the operation of a railway for the carriage of freight may include provisions about the continued availability of that thing for that purpose, and its being maintained in a condition suitable for that purpose . . .

In other words, when we dispose of an asset, it is possible under this clause for the Government to enter into an agreement as a condition of the disposal of that asset, that the asset both continue to be available and be maintained in a condition suitable for that purpose. If I have read that correctly, does it mean that certain assets and equipment will have to be maintained by the State under the terms of contract written under the power of this legislation?

Hon M.J. CRIDDLE: It means that we can put conditions into the contract whereby the operator must maintain the asset in those conditions.

Hon KIM CHANCE: I thank the minister for that clarification. I read it the other way around - that the State may be required to maintain certain assets in a specified condition. Reading it after the minister's explanation I now see what he means. If it is read the way I first read it, it can impose a continuing obligation on the State. That is what concerned me. There is no reason why that should not happen, but if it is not the Government's intention to write contracts which have that effect, there is no difficulty. It seemed to me as though that had been inserted for the purpose of allowing the Government to write contracts which could require a continuing obligation by the State to maintain certain assets. I accept the minister's explanation that it is to ensure that the operator to whom the asset is disposed is required, under the terms of the lease, to maintain the assets.

Clause put and passed.

Clause 15 put and passed.

Clause 16: Functions of Commission -

Hon NORM KELLY: Subclause (5) states that -

The Minister may direct the Commission -

- (a) to allow the whole or part of its functions under this Act to be performed on its behalf by; and
- (b) in performing its functions under this Act, to act in accordance with any instructions of, a committee of persons appointed by the Minister . . .

Subclause (1)(a) and (b) refers to the functions under this Bill, which are to facilitate an agreement under clause 13 and to deal with related matters. I have a concern that this provides a high level of ministerial power allowing the minister to direct the commission to act in certain ways or to allow a committee to carry out the functions of the commission, with the committee being appointed solely by the minister. I can understand the need to streamline a sale process, but it is a concern that I feel it is necessary to raise in respect of Westrail operating for its best purposes and potentially being dictated to by the minister in facilitating a sale. It raises concerns that if people on the commission think that what the Government is doing may not be in the best interests of the State, the minister can simply override the commission - either by his own actions or by allowing a committee which is entirely appointed by him to do the Government's dirty work.

Hon M.J. CRIDDLE: This is to allow the task force to ask Westrail to do the things necessary to allow the sale to proceed, such as ensuring the financial requirements and so on.

Hon NORM KELLY: I realise that, but it seems that the task force will replace Westrail for the purposes of this sale. I am concerned about Westrail's higher management being removed from this process. I am not saying it will be, but this clause allows that to occur. I am not saying how this should be changed, but it is something that needed to be mentioned in this debate to emphasise the fact that it can occur.

Hon M.J. CRIDDLE: It is about allowing the task force to carry out those functions through Westrail. Westrail will be asked to give the information or to carry out the functions with respect to the sale.

Hon KIM CHANCE: I share Hon Norm Kelly's concerns. To me, clause 16(5)(a) provides for a delegation of function. The functions may include issues relating to the fulfilment of the State's obligations under an agreement. Therefore, the minister can enter an agreement without parliamentary assent, because we know that further assent from this point is not necessary because he can perform those functions under the power of the legislation. He can then delegate the carrying out of the functions under that agreement by a committee of persons whom he has delegated. That is what this clause allows. One should read that with the saving clause 19, which states -

The operation of a provision of this part is not to be regarded as -

. . .

- (c) giving rise to a remedy by a party to an instrument, or causing or permitting the termination of any instrument, because of a change in the beneficial or legal ownership of any asset or liability;

That means that a person who believes that he or she has had his or her rights diminished or feels aggrieved in any way as a result of this transfer of assets - this is a transfer of assets on a huge scale - cannot take action because of the application of the saving clause. When that is related back to clause 16(5), that can be done by somebody under the power of the

minister, when the minister has not had to come to the Parliament to make the decision and when the minister in any case has been able to delegate that function. It seems that we are losing the threads somewhere and it is becoming very confusing because, on the one hand, delegated power is being used by persons as a result of the minister taking actions under the power of the legislation but without any reference to the Parliament and, on the other hand, there are persons who may well be disadvantaged as a result of a transfer of assets, or liabilities, I note - I am not sure how that works - but who cannot take action as a result of saving clause 19. Saving clause 19(c) in particular is a bit of a problem. I am not sure how we can deal with that. However, we will deal with that when we get to it. The effect of clause 19 read with clause 16(5) means that persons who are not answerable to this Parliament can take actions and then be protected from litigation as a result of clause 19.

Hon NORM KELLY: In light of the point raised by Hon Kim Chance about clause 19, the saving clause, when the minister responds I would like him to explain how this interplays with clause 10, which deals with the Act binding the Crown.

Hon Kim Chance: It seems a bit odd.

Hon NORM KELLY: Yes. It seems that one may contradict or negate the other.

Hon M.J. CRIDDLE: Can we deal with clause 19 when we reach it? Clauses 19 and 16 have nothing to do with each other. One deals with the contract and the other -

Hon KIM CHANCE: I know they have nothing to do with each other, and I am sorry if I gave the impression that they do. When one looks at the protection which is provided by another part of the Bill - that is what I should have said and I should not have referred to clause 19 - what is enabled under clause 16 seems to be wrong. If these ministerial functions are to be devolved in that way, what is the normal way for a person who may be disadvantaged by those decisions to address them to find a legal remedy? The concept of delegating ministerial power is not new. The minister's explanation is that this is required to enable the sale task force to do certain things. That is fine by me. That is a perfectly normal way to go about that. However, when it is read in the context of other parts of the Bill, it seems to allow those persons to do things without being subject to the normal processes of law as a result of the saving provisions. That is why it is difficult to read the two clauses separately. I am concerned about the effect of clause 16 because it allows those powers to be devolved. My concern is amplified as a result of the savings provisions of the Bill.

Clause put and passed.

Progress reported and leave granted to sit again, pursuant to standing orders.

ADJOURNMENT OF THE HOUSE

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [9.56 pm]: I move -

That the House do now adjourn.

Mr Phillip Ugle - Adjournment Debate

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [9.56 pm]: I did not want the House to adjourn without taking the opportunity to pay tribute to a former staff member of the House who has died since the House last sat. I am speaking of one of the former attendants in the Chamber, Phillip Ugle. Phillip passed away on 18 April and was buried last Friday. I know that a number of members who were associated with the House during the period that Phillip Ugle not only served this Chamber as an attendant but also was a very good friend to us all would not want his death to go unmentioned on this first day of sitting after Phillip's burial. A number of members, the Clerk and other staff had the opportunity to attend Phillip's church service, and others, including former members, were present at his grave-side service.

Phillip leaves behind a large family. His wife and children, his brothers and extended family, of which there are many, will miss him enormously. At the grave-side service, his family distributed a booklet which dealt with his life. Members may be interested to hear a little of what that booklet says. Phillip spent his early years travelling between Beverley and Brookton, and he attended schools in both those towns until he was 14 years of age. The booklet states -

Upon leaving school he looked for work on various farms his dad had shore sheep at. His first experience of the working man's life was when he worked with his uncles Tom Bennell, Richard (Dick) Reidy and Ray Bennell clearing, bulldozing and cutting fence posts for farming purposes in the Brookton district in the late 50's early 60's.

He did some seasonal work for a contractor Morris Boyle in Beverley before he worked for Keith Barrett-Lennard of "Woonderlin". It was at this farm that he took up the handpiece to learn to shear during the shearing season. His biggest disappointment about shearing was that the first time he shored 99, he had asked the farmer's son the time who immediately looked at his watch and said 5:30pm, the shed clock showed 5:28pm, "time for one more but he missed it". He made the big 100 a few days later.

He worked as a jack of all trades on "Woonderlin" farm doing the seasonal work that comes along; plowing, seeding, harvesting, hay carting, stooking, chaff cutting, tending the stud rams, fencing, but the job he enjoyed the most was rounding up the sheep on his beloved farm horse "Trigger" with the red cloud sheep dog "Red".

He carried out all this work until late 1965 when, because of sickness, he moved with his wife and daughter Barbara to Perth. The pamphlet continues -

With the big move to the city it was time for new challenges. He found a job at Perth City Council as a crane driver and worked there for a couple of years, but as the buildings started to get bigger he had second thoughts.

The last job that he had and the most challenging was when he commenced work with Parliament House as an attendant. In this job he did many things.

Phillip worked here for some 23 years before retiring due to ill-health, and he spent his subsequent years with his grandchildren.

All of us have individual memories of Phillip. Current members and our predecessors in this Chamber remember Phillip's good-nature and humour as he worked diligently, skilfully and proudly. His presence in the Chamber as an Aboriginal man meant that Aboriginal visitors to Parliament were particularly impressed that he was here, and non-Aboriginal people also enjoyed seeing Phillip's competence, capacity and good humour in the way he handled us all - that is, members, his colleagues and the wider public. He will be missed, especially by his family, who regrettably saw him taken at a reasonably young age compared to the average age of passing in the wider community. However, it was sadly at an age at which many Aboriginal men come to the end of what is too short a life.

I recognise that this is not a standard condolence motion. Nevertheless, I will ensure that his family knows that the death of Phillip Ugle has been noticed by us all. I am sure that I am no orphan in the sentiments I express. We all want his family to know that we share in the sadness of his passing.

Members: Hear, hear!

HON TOM HELM (Mining and Pastoral) [10.03 pm]: I extend my condolences to Phillip Ugle's family. I knew Phil and I miss him. I am sure Hon Tom Stephens will pass on those views to his family.

Mining Act Amendments - Adjournment Debate

Hon TOM HELM: I turn now to praise the Minister for Mines. He whinges often that everybody gives him a hard time, but I congratulate him on his proposed amendments to the Mining Act which will allow people to go onto areas covered by mining, exploration and prospecting leases. I look forward to the legislation coming before the House, and I am sure that the Labor Party will be among the first to support those measures. I congratulate the Minister for Mines for his proposed amendments.

North West Cape Resort - Adjournment Debate

Hon TOM HELM: However, his role as Minister for Tourism is another matter. I bring to the minister's attention question without notice 799 that I asked on 15 March this year concerning the North West Cape Resort development, to which I received a long answer. I received further information and asked question without notice 918 on 29 March on the same matter. I was not sure whether the minister was clear about the first answer he gave in the first place, and I wanted to see whether he wanted to amend his answer. I remind the House that at that time Hon Barry House said by way of interjection, "You must be careful as you could willfully mislead the House!" But no - the minister gave virtually the same answer to that given to the earlier question. A comment stuck in my mind, as recorded in *Hansard*; namely, that the people he was talking about did not know what the member for Bassendean was on about. If people were to read the question and the answer perhaps they would understand more clearly why we talk about the member for Bassendean and the proponents of the North West Cape resort development.

I advise the Minister for Mines that I have two letters from the people he mentioned in his answer. Those letters suggest that the quotes that he read in this House were incorrect. I am prepared to give the Minister for Tourism a copy of those letters. I ask him to look again at the answers he provided to this House and to take note of the comments of Hon Barry House about wilfully misleading the House. I suggest that he does not answer the issue now. Perhaps he will look at the letters and come back at a later date with a further explanation of what he said in his answer.

Reid Highway Extension - Adjournment Debate

HON GIZ WATSON (North Metropolitan) [10.06 pm]: I raise a matter that is the subject of a full-page advertisement in *The West Australian* today on page 27; that is, the proposed extension of the Reid Highway through Carine. I encourage members, if they have not done so already, to read that advertisement. It appears clear that part of the agenda for this extension is to create a connection between the Mitchell Freeway and West Coast Highway. As members are aware, the existing reserve for the Stephenson Highway is likely to be taken off the books; that is, the reserve that runs through the Wembley golf complex and the northern part of Bold Park. Of course, we welcome the move, if it finally transpires, to take that proposal off the planning books. It is a credit to those in the area who have lobbied for the removal of that proposal. I encourage the minister and the Government to take heed of that public concern.

However, it appears that the people of Carine will have a major access route through their suburb. One of the interesting aspects of this proposal is that the contractors being asked to submit plans for the highway extension are being instructed to ensure it is capable of carrying B-double articulated trucks that are up to 27 metres long and weigh up to 62 tonnes. It appears to me and to many people in Carine that this extension is being designed to take heavy-haulage vehicles. A glance at a map shows that that would provide a linkage from the east to the West Coast Highway and from there to Fremantle.

We already know that the new road replacing Servetus Street was designed to allow heavy trucks to travel through that area. Why else would one bother to knock off tops of hills and over engineer it for the West Coast Highway? Not surprisingly,

the people of Carine are very concerned about the impact of such a route and the implications not only for them but also for West Coast Highway. The issue of what we do with transporting this sort of material through the metropolitan area is obvious; that is, that we do not follow this route of having larger trucks travelling through suburban areas. In fact, we must take that heavy haulage off the roads and put it back onto rail, which is where it should be in the first place.

Another issue surrounding the impact of this proposed highway extension which has been raised vigorously, particularly in a recent public rally at Lake Carine, is that the extension will be within 5 metres of the lake. When this proposal was originally put forward in 1993, the Environmental Protection Authority assessed it at the level of "not assessed"; therefore, there was no formal environmental assessment of this extension. Since that time, the Water and Rivers Commission has been established. We must remember that the Carine wetland is a conservation reserve. It is one of the few substantial areas of wetland left in the Swan coastal plain. It is in good condition and has a healthy variety of bird species, for example, and its water quality is very good. However, with this highway extension, the road will go within 5 metres of the wetland. The wetlands protection policy of the Water and Rivers Commission says that the minimum buffer zone for a wetland is 50 metres or up to 200 metres, depending on the particular circumstances of the wetland. Why is this proposal still going ahead, despite the fact that it is in breach of the government stated policy on wetland protection? This Government came in with a promise that it would ensure that all remaining wetlands in the Swan coastal plain would be protected. It is obvious that this is clearly in breach of that commitment.

The second aspect of locating the freeway so close to the wetland is that it is proposed that some large unlined retention basins be built adjacent to the lake. Therefore, whatever road run-off occurs as a result of building this freeway will end up in these retention basins or sumps which are immediately adjacent to that wetland. Eventually that material will seep into the lake from those basins. The reason given for the necessity for this piece of roadwork is that it will relieve a local traffic problem. Having attended that rally, I understand that there is a lot of contention about the local pressures on some of the roads in Carine. However, this is not the solution. Since the third lane has been opened on the Mitchell Freeway, traffic on North Beach Road has already been reduced by between 25 and 40 per cent.

Hon Greg Smith: Another great government initiative.

Hon GIZ WATSON: That has alleviated the problem which this extension is supposed to solve. I argue that it will be a waste of \$20m, which is the cost of this extension, because that local traffic problem has largely been solved by the additional lane. Therefore, if this is pushed ahead, and it is being pushed ahead of its proposed start date, one must ask what is the real agenda. Is the real agenda a link to the west coast and, therefore, to open up that heavy haulage route down the West Coast Highway? I am not alone in thinking that this is what this extension is about. I have heard from many people in that area that they are strongly opposed to that extension, and they will reflect that in the way they vote at the next election.

If the Government allows this extension to encroach so directly on a conservation reserve, it will make an absolute nonsense of any commitment it has given to protect the increasingly rare wetlands in the metropolitan area. We have already filled in over 90 per cent of the wetlands on the Swan coastal plain. We wonder why there are no black swans left on the Swan River. Guess what? If we get rid of the wetlands, we will lose a lot of other things as well. I recommend that members read the article and come to their own conclusions.

HON M.J. CRIDDLE (Agricultural - Minister for Transport) [10.16 pm]: I welcome the opportunity to say a few words about the advertisement in today's paper and to correct some of its contents. The Reid Highway starts at West Swan Road and goes to the Mitchell Freeway, as members know. The need for the extension to the Reid Highway was identified in the late 1950s and the reserve was put in place in 1963. The final section of 2.7 kilometres will be built with the encouragement of Stirling City Council, which will put in \$3.5m to assist with the construction of what will be a \$16m project. B-double vehicles and vehicles up to 27.5 metres long have been using West Coast Highway and Marmion Avenue for five years. That heavy vehicle use has been reduced because of moving the CBH terminal to Forrestfield and also because of the Mitchell Freeway, which is now their preferred route. What we call as-of-right vehicles, which are 19-metre trucks with a 40-tonne capacity, can travel anywhere on our road network. People sometimes get confused about the size of the trucks.

The network routes through the State are run by Main Roads in close consultation with other bodies. The need for that section has been clearly identified. That area will have traffic congestion. North Beach Road has something like 19 000 vehicles a day travelling on it, which is a very high congestion rate. The widening of the freeway will not have a great impact on shifting that traffic away from that area. We need the through road to go to Marmion Avenue.

The construction activities of the Reid Highway will not encroach on Big Carine Swamp and the completed project will not impact on the operation of the wetland areas surrounding the swamp. An environmental management plan will be prepared that satisfies the Environmental Protection Authority clearance. Drainage protection basins will be constructed in that area to provide a water collection point for the Reid Highway and the existing drainage systems. Currently all water entering Big Carine Swamp enters directly into the swamp without being filtered. Something like 60 per cent of the retention basin's capacity will cater for the water that is entering from the City of Stirling's local drainage system and the remaining capacity will be for the Reid Highway development. There is a real possibility that a better water system will be running into the swamp. The member might say that it will not happen, but quite a deal of work has been done to protect the swamp areas.

It is all very well for people to place advertisements in the press, but they should talk to people first. They could have talked to me. Yesterday I spoke with people who support this development and the road going through the area. However, other

people did not have the courtesy to tell me about the advertisement in the newspaper or allow me to clarify the situation. It is all very well to criticise people who want to progress a road infrastructure, but people should talk to us about their concerns rather than buy space in the newspaper and criticise the development as a non-consultative process. The Government has gone out of its way to consult with people in this area; it spent many hours doing that. I sometimes get frustrated with people who do not want to communicate their concerns and do not understand the issues or the work that has been put into the development.

North West Cape Resort - Adjournment Debate

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [10.22 pm]: I thank Hon Tom Helm for his kind comments about my role as Minister for Mines and the legislation I hope to introduce into the House soon, with his support, concerning prospectors on exploration licences.

On the other matter, Hon Tom Helm asked me a question without notice some time ago about an issue that took place in 1995 - about four years ago. I gave the member an explanation based on my memory of what happened with the development of a resort at Ningaloo reef. I tried to explain the reasons I had not progressed a proposition for a resort to be developed. In that answer I also indicated that to the best of my recollection, in a discussion with one of the proponents, that person could not tell me why the member for Bassendean was continuing to ask questions about the issue. The matter had come to an end on the basis of Tradewinds deciding not to proceed, which was just before the last election, yet the member for Bassendean continued to ask questions about the issue for some time afterwards. In discussions with one of the proponents I gathered him to mean that he did not understand why Hon Tom Helm was doing this either. That was what I hoped I was conveying to the member in the House when I said that the proponent did not know why the member for Bassendean was continuing to seek answers to this issue. However, it seems that Mr Ingham, with whom I had a discussion, thinks I misinterpreted what he said. If that is the case I apologise to Mr Ingham. Mr Ingham and I had been good friends for many years and I had sought to the best of my capacity to help him and his group get this development off the ground. I tried to explain to them the fact of life that it was highly unlikely, given what they wanted to do, that they would be successful. Nobody ever said they could not proceed with the development. They can, if they wish, continue to seek approval for that development.

In the letter that Hon Tom Helm provided to me, Mr Ingham said that I had no problem in recommending Mauds Landing. That proposal started in the days of the Labor Party and has been going on for probably 12 years. I simply took control of that when I realised it was having some problems getting through the processes. I sought to assist them just as I sought to assist Mr Ingham. As it has transpired, the Mauds Landing proposal has now progressed another step, and I hope it will be successful. However, I have given the Mauds Landing project no more assistance than I gave Mr Ingham, and I regret he has decided not to proceed with this proposal. As Hon Tom Helm knows, the Mauds Landing locality is probably less sensitive in many ways than Tantebiddy Creek. However, that is a matter of judgment. I think either locality would be a great place for a tourism development, but people like Hon Giz Watson think neither would be a good place. I hope Hon Tom Helm relays to Mr Ingham that I simply gave the Mauds Landing proposal the same support I gave him, and that project commenced long before I became the minister responsible.

Question put and passed.

House adjourned at 10.25 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

YANCHEP-TWO ROCKS, TRANSPORT NETWORK STUDY

618. Hon KEN TRAVERS to the Leader of the House representing the Premier:

- (1) Will the Premier table a copy of the strategic cooperation agreement between Tokyu Corporation and the State Government.
- (2) If not, why not?

Hon N.F. MOORE replied:

- (1)-(2) Yes. [See paper No 907.]

WESTRAIL, CHAPMAN ROAD, GERALDTON

927. Hon KIM CHANCE to the Minister for Transport:

- (1) Was a verbal undertaking given to lessees of Westrail properties in Chapman Road, Geraldton to provide options of purchase of the properties they occupy as soon as subdivision of Geraldton Lot 2930 is finalised?
- (2) When is the subdivision and/or excision of these lots likely to occur?
- (3) What is the expected cost per block of the excision?
- (4) Does this cost include the cost of connection to deep sewerage?
- (5) Is the Minister aware that the Water Corporation has expressed its satisfaction with the continued use of septic tanks in this area?
- (6) Have the lessees ever had a written response from Westrail to their enquiry regarding the option of purchase?
- (7) If not, when can they expect a written response?
- (8) Is it a fact in respect of one Westrail property which was the subject of a verbal undertaking that the lessee would be given an option to purchase, that this property is now shown on maps of the subdivision as being within the proposed road reserve?
- (9) Will the Minister encourage Westrail to provide a prompt, clear, and unambiguous statement of their plans to these lessees in order that they can make appropriate arrangements for their future?

Hon M.J. CRIDDLE replied:

- (1) Westrail staff have no recollection of any such verbal undertaking being given.
- (2) The Western Australian Planning Commission has refused subdivision applications for the entire reserve upon which this property is situated. I have met with Main Roads WA and the City of Geraldton to resolve the road issues which have been holding up this subdivision. Main Roads WA and the City are now working towards a solution.
- (3) During initial planning, the subdivision costs were estimated to be around \$20 000 per lot; however, until a final plan of the subdivision is approved, detailed estimates cannot be determined.
- (4) Initial planning estimates included the provision of deep sewerage.
- (5) No.
- (6) Written responses have been sent to six lessees who have made written enquiries to Westrail.
- (7) Not applicable.
- (8) Westrail staff have no recollection of any such verbal undertaking being given. However, the City of Geraldton has indicated that it will require changes to road alignments which will affect some houses.
- (9) Until full planning approval is received, Westrail is unable to provide any such undertaking to the lessees concerned.

GOVERNMENT DEPARTMENTS AND AGENCIES, TELECOMMUNICATIONS EXPENDITURE

1031. Hon E.R.J. DERMER to the Minister for Transport:

For each of the Government agencies for which you have Ministerial responsibility -

- (1) What was the total recurrent expenditure on telecommunications in the 1998/99 financial year?

- (2) What was the total capital expenditure on telecommunications in the 1998/99 financial year?
- (3) What is the total estimated recurrent expenditure on telecommunications in the 1999/2000 financial year?
- (4) What is the total estimated capital expenditure on telecommunications in the 1999/2000 financial year?
- (5) What was the total recurrent expenditure on information technology in the 1998/99 financial year?
- (6) What was the total capital expenditure on information technology in the 1998/99 financial year?
- (7) What is the total estimated recurrent expenditure information technology in the 1999/2000 financial year?
- (8) What is the total estimated capital expenditure on information technology in the 1999/2000 financial year?

Hon M.J. CRIDDLE replied:

Department of Transport

- (1) \$1 741 894.
- (2) \$ 433 466.
- (3) \$1 282 177.
- (4) \$ 113 000.
- (5) \$6 093 906.
- (6) \$2 920 558.
- (7) \$4 354 157.
- (8) \$1 300 000.

MetroBus

- (1) \$164 281.22.
- (2) \$ 6 124.
- (3) \$20 000.
- (4) Nil.
- (5) \$379 392.11.
- (6) \$ 59 385.72.
- (7) \$ 19 209.92.
- (8) \$ 6 000.

Main Roads WA

- (1) \$1.95 million
- (2) \$30 000
- (3) \$2.1 million
- (4) \$280 000
- (5) \$5.97 million
- (6) \$1.32 million
- (7) \$7.76 million
- (8) \$2.42 million

Dampier Port Authority

- (1) \$43 784.
- (2) Nil.
- (3) \$43 000.
- (4) \$ 3 000.
- (5) \$23 148.
- (6) \$48 885.
- (7) \$ 9 000.
- (8) \$ 3 000.

Geraldton Port Authority

- (1) \$50 492.
- (2) Nil.
- (3) \$60 000.
- (4) Nil.
- (5) \$38 345.
- (6) \$32 825.
- (7) \$50 000
- (8) \$80 000.

Albany Port Authority

- (1) \$13 692.
- (2) \$ 379.
- (3) \$15 000.
- (4) \$ 1 000.
- (5) \$ 5 058.
- (6) \$66 758.
- (7) \$ 6 500.
- (8) \$ 5 000.

Bunbury Port Authority

- (1) \$35 214.40.
- (2) \$ 6 212.80.
- (3) \$24 500 (estimated).
- (4) \$ 5 000 (estimated).
- (5) \$19 108.
- (6) \$39 911.

- (7) \$31 000 (estimated)
 (8) \$75 000 (estimated)

Esperance Port Authority

- (1) \$32 723.
 (2) \$ 1 396.
 (3) \$34 000.
 (4) \$ 4 350.
 (5) \$33 760.
 (6) \$11 910.
 (7) \$29 000.
 (8) \$12 000.

Port Hedland Port Authority

- (1) \$ 38 100.36.
 (2) Nil.
 (3) \$ 40 000.
 (4) Nil.
 (5) \$ 38 923.44.
 (6) \$ 39 740.
 (7) \$ 43 000.
 (8) \$100 000.

Eastern Goldfields Transport Board

- (1) \$9 246.
 (2) Nil.
 (3) \$9 000.
 (4)-(8) Nil.

Fremantle Port Authority

- (1) \$250 866.
 (2) \$155 511.
 (3) \$263 000.
 (4) Nil.
 (5) \$1 818 848.
 (6) Nil.
 (7) \$2 092 621.
 (8) Nil.

Westrail

- (1) \$3.25m
 (2) \$2.90m
 (3) \$3.58m
 (4) \$5.39m
 (5) \$2.22m
 (6) \$1.04m
 (7) \$1.87m
 (8) \$0.81m

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1081. Hon LJILJANNA RAVLICH to the Attorney General representing the Treasurer:

With respect to the Minister for Finance's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

The following answer was correct as at 21/12/99

(a)	(b)	(c)
W J Shepherd	A/Level 7	Public Servant
T Papafilis	Level 6	Term of Government
*H Ryan	Level 6	Term of Government
*(duties shared with Minister for Local Government;		Disability Services)
A Pover	Level 3	Term of Government

L Yagmich	A/Level 3	Public Servant
R Smith	Level 3	Public Servant
D Cacciola	A/Level 2	Public Servant
D Barbaro	A/Level 2	Public Servant
J Holmes	A/Level 2	Public Servant

- (2) Two - allocated to - Mr Bill Shepherd, Chief of Staff
- Mr Hugh Ryan - Media Officer
under the Government Vehicle Scheme for non-executives (GVS)
- (3) One - allocated to Media Officer
- (4) One - allocated to Media Officer
- (5) Two - allocated to - Administrative Assistant (R Smith)
- Administrative Assistant (D Cacciola)

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1082. Hon LJILJANNA RAVLICH to the Minister for Racing and Gaming:

With respect to the Minister for Racing and Gaming's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- name;
 - level; and
 - type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon N.F. MOORE replied:

I refer the member to the answer to question 1081.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1086. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Federal Affairs:

With respect to the Minister for Federal Affairs' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- name;
 - level; and
 - type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

Please refer to the answer given to question on notice 1092.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1087. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

With respect to the Minister for Labour Relations' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -

- (a) name;
(b) level; and
(c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

- | | | | |
|-----|-----------------|-----|--------------------|
| (1) | (a) | (b) | (c) |
| | Mr T Pope | 9 | Term of Government |
| | Mr G Paddick | 7 | Term of Government |
| | Ms C Cowling | 6 | Term of Government |
| | Ms D FitzGerald | A/7 | Public Servant |
| | Ms N Trigwell | 6 | Term of Government |
| | Mr S Reid | 6 | Public Servant |
| | Mr H Crawford | A/7 | Public Servant |
| | Ms S Sidery | A/5 | Public Servant |
| | Mrs E Shannon | 4 | Term of Government |
| | Ms T Ryan | 3 | Public Servant |
| | Ms D Sachse | A/3 | Public Servant |
| | Ms B Cheung | A/2 | Public Servant |
| | Ms D Whyte | A/2 | Public Servant |
| | Ms J Orya | 2 | Public Servant |
- (2) Six vehicles. Mr T Pope, Mr G Paddick, Ms C Cowling, Ms N Trigwell – Government Vehicle Scheme. Ms D FitzGerald and Mr H Crawford do not contribute to the Government Vehicle Scheme.
- (3)-(5)
- | | | | |
|-----------------|--------------|-------|-------------|
| Name | Mobile Phone | Pager | Credit Card |
| Mr T Pope | Yes | Yes | Yes (2) |
| Mr G Paddick | Yes | Yes | No |
| Ms C Cowling | Yes | Yes | No |
| Ms D FitzGerald | Yes | Yes | Yes (1) |
| Ms N Trigwell | Yes | No | No |
| Mr S Reid | Yes | Yes | Yes (1) |
| Mr H Crawford | Yes | Yes | Yes (1)-0 |
| Ms S Sidery | No | No | Yes (1) |
| Mrs E Shannon | No | No | Yes (1) |
| Ms T Ryan | No | No | No |
| Ms D Sachse | No | No | No |
| Ms B Cheung | No | No | No |
| Ms D Whyte | No | No | No |
| Ms J Orya | No | No | No |

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1088. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Planning:

With respect to the Minister for Planning's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- (a) name;
(b) level; and
(c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

- (1) As at 1 December 1999, the following staff were employed -

(a)	(b)	(c)
Chief Adviser	Class 1	term of government contract
Coordinator Urban Development	Level 9	public servant
Chief of Staff	A/Level 8	public servant
Policy Officer	Level 7	term of government contract
Policy Officer	A/Level 7	term of government contract
Executive Officer	A/Level 5	public servant
Policy Officer	A/Level 5	public servant
Policy Officer	Level 4 (pt)	term of minister contract
Liaison/Policy Officer	A/Level 4	seconded from department
Liaison Officer	Level 3	term of government contract
Appointment Secretary	A/Level 3	public servant
Correspondence Officer	Level 2	public servant
Personal Assistant	Level 2	term of government contract
Administrative Assistant	A/Level 2	public servant
Receptionist x2 job share 0.6 & 0.4	A/Level 2	public servant

(2) 6 vehicles allocated to:

Coordinator Urban Development
 Chief of Staff
 Policy Officer (Level 7)
 Policy Officer (A/Level 7)
 Executive Officer
 Policy Officer (Level 4)

Co-ordinator Urban Development and Chief of Staff contribute to Executive Vehicle Scheme.

Policy Officer (Level 7), Policy Officer (A/Level 7), Executive Officer and Policy Officer (Level 4) do not contribute to any scheme, however, vehicles are not used for private purposes.

(3) 8 mobile phones allocated to:

Chief Adviser
 Co-ordinator Urban Development
 Chief of Staff
 Policy Officer (Level 7)
 Policy Officer (A/Level 7)
 Executive Officer
 Policy Officer (A/Level 5)
 General Office use

(4) 1 pager allocated to:

Chief Adviser

(5) 16 credit cards issued. 2 cards each issued to:

Chief Adviser
 Co-ordinator Urban Development
 Chief of Staff
 Policy Officer (Level 7)
 Policy Officer (A/Level 7)
 Executive Officer
 Appointments Secretary
 Administrative Assistant

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1089. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Heritage:

With respect to the Minister for Heritage's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

The following response was correct as at 24 February 2000:

Please refer to the answer given in response to question on notice 1088 of 9 December 1999.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1092. Hon LJILJANNA RAVLICH to the Leader of the House representing the Premier:

With respect to the Premier's office -

- (1) Will the Premier indicate for each staff person working in the Premier's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Premier's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Premier's office and to which officers have they been allocated?

Hon N.F. MOORE replied:

(1), (3)-(5)

PREMIER'S OFFICE AS AT 1 DECEMBER 1999.

NAME	LEVEL	TYPE OF CONTRACT	MOBILE PHONE	PAGER CARD	CREDIT
Deidre Willmott	Group 2 Min	TOG	1		1
Bill Marmion	Level 8	PS	1		2
Dean Smith	Level 7	TOG	1		
Casey Cahill	Level 8	TOG	1	1	2
Kaye Verboon	Level 8	TOG	1		
Bronwyn Hillman	Level 7	TOG	1	1	1
Wendy Ireland	Level 8	TOG	1		2
Ruth Young	Level 5	PS	1		2
Kelli Gulberti	Level 2	PS			
Barbara Leber	Level 3	PS			
Vanya Burmaz	Level 3	PS			
Denise Kavanagh	Level 2	TOG			
Miriam Lenz	Level 2	Short term ministerial contract			
Karen Doddmead	Level 2 PS				
Julie French	Level 1	PSMA Contract			
Millianne Rundle	Level 1	TOG			
Martin Hand	Transport Workers Award	PS	1	1	

- (2) Refer to question 1136

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1100. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Parliamentary and Electoral Affairs:

With respect to the Minister for Parliamentary and Electoral Affairs' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

(1) (a)-(c)

NAME OF OFFICER	LEVEL	TYPE OF EMPLOYMENT
Anabel Gomez	8	CONTRACT
Harry Skepper	Acting 7	TOG
Fred Calginari	7	TOG
Bill Mitchell	7	Public Sector Officer
Jeremy Buxton	7	Public Sector Officer
John Clune	6	TOG
Julie Reay	5	TOG
Debra Bentley	4	TOG
Iolita Lipari	3	TOG
Jennifer Smith	2	Public Sector Officer
Kathryn Crosbie	2	Public Sector Officer
Nola Raguse	2	TOM

(2) Five.

NAME OF OFFICER	TYPE OF SCHEME
Anabel Gomez	GVS
Harry Skepper	GVS
Fred Calginari	GVS
John Clune	GVS
Bill Mitchell	GVS

(3) Seven.
Hon Doug Shave MLA.
Anabel Gomez.
Harry Skepper.
Fred Calginari.
Bill Mitchell.
John Clune.
Julie Reay.

(4) Nil.

(5) Nine.
Hon Doug Shave MLA.
Anabel Gomez.
Harry Skepper.
Fred Calginari.
Bill Mitchell.
Jeremy Buxton.
John Clune.
Julie Reay.
Jennifer Smith.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1101. Hon LJILJANNA RAVLICH to the Attorney General representing the Treasurer:

With respect to the Treasurer's office -

- (1) Will the Treasurer indicate for each staff person working in the Treasurer's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Treasurer's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Treasurer's office and to which officers have they been allocated?

Hon PETER FOSS replied:

Please refer to the answer given to question on notice 1092.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1102. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Public Sector Management:

With respect to the Minister for Public Sector Management's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -

- (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

Please refer to the answer given to question on notice 1092.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1103. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for the Environment:

With respect to the Minister for the Environment's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

(1)-(5) I refer the Hon Member to question number 1087.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1104. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Health:

With respect to the Minister for Health's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon PETER FOSS replied:

(1)	(a) Name	(b) Level	(c) Employment Contract
	Dr Glen Power	8	Term of Government
	Ms Adrienne Thompson	7	Permanent Public Servant
	Mr Mark Thompson	6	Term of Government
	Ms Karen Newman	6	Term of Government
	Ms Jana Allan	5	Term of Minister
	Ms Gemma Whitby	4	Term of Minister
	Ms Rosario Arguijo	3	Permanent Public Servant
	Ms Ranji Sathiyamoorthy	2	Permanent Public Servant
	Ms Jodie Confessi	2	Permanent Public Servant
	Ms Rebecca Jackson	2	Term of Contract

- (2) 5 vehicles
 Dr Glen Power Government Vehicle Scheme
 Ms Adrienne Thompson Home garaging
 Mr Mark Thompson Government Vehicle Scheme
 Ms Karen Newman Home garaging
 Ms Jana Allan Home garaging
- (3) 6 mobile phones allocated to:
 Minister
 Dr Glen Power
 Ms Adrienne Thompson
 Mr Mark Thompson
 Ms Karen Newman
 Ms Jana Allan
- (4) 2 pagers allocated to the minister and Mr Mark Thompson
- (5) 6 government credit cards are issued to the following officers:
- | | | |
|------------------|-----------------------|-----------------------|
| Minister | ANZ Visa Card | American Express Card |
| Dr Glen Power | American Express Card | |
| Mr Mark Thompson | ANZ Visa Card | |
| Ms Karen Newman | ANZ Visa Card | American Express Card |

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1105. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Lands:

With respect to the Minister for Lands' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- name;
 - level; and
 - type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

- (1) (a)-(c)
- | NAME OF OFFICER | LEVEL | TYPE OF EMPLOYMENT CONTRACT |
|-----------------|----------|-----------------------------|
| Anabel Gomez | 8 | TOG |
| Harry Skepper | Acting 7 | TOG |
| Fred Calginari | 7 | Public Sector Officer |
| Bill Mitchell | 7 | Public Sector Officer |
| Jeremy Buxton | 7 | TOG |
| John Clune | 6 | TOG |
| Julie Reay | 5 | TOG |
| Debra Bentley | 4 | TOG |
| Iolita Lipari | 3 | TOG |
| Jennifer Smith | 2 | Public Sector Officer |
| Kathryn Crosbie | 2 | Public Sector Officer |
| Nola Raguse | 2 | TOM |
- (2) Five.
- | NAME OF OFFICER | TYPE OF SCHEME |
|-----------------|----------------|
| Anabel Gomez | GVS |
| Harry Skepper | GVS |
| Fred Calginari | GVS |
| John Clune | GVS |
| Bill Mitchell | GVS |
- (3) Seven.
 Hon Doug Shave MLA.
 Anabel Gomez.
 Harry Skepper.
 Fred Calginari.
 Bill Mitchell.
 John Clune.
 Julie Reay.

- (4) Nil.
- (5) Nine.
Hon Doug Shave MLA.
Anabel Gomez.
Harry Skepper.
Fred Calginari.
Bill Mitchell.
Jeremy Buxton.
John Clune.
Julie Reay.
Jennifer Smith.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1106. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Fair Trading:

With respect to the Minister for Fair Trading's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- name;
 - level; and
 - type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

- (a)-(c)
- | NAME OF OFFICER | LEVEL | TYPE OF EMPLOYMENT CONTRACT |
|-----------------|----------|-----------------------------|
| Anabel Gomez | 8 | TOG |
| Harry Skepper | Acting 7 | TOG |
| Fred Calginari | 7 | Public Sector Officer |
| Bill Mitchell | 7 | Public Sector Officer |
| Jeremy Buxton | 7 | TOG |
| John Clune | 6 | TOG |
| Julie Reay | 5 | TOG |
| Debra Bentley | 4 | TOG |
| Iolita Lipari | 3 | TOG |
| Jennifer Smith | 2 | Public Sector Officer |
| Kathryn Crosbie | 2 | Public Sector Officer |
| Nola Raguse | 2 | TOM |
- (2)
- | NAME OF OFFICER | TYPE OF SCHEME |
|-----------------|----------------|
| Anabel Gomez | GVS |
| Harry Skepper | GVS |
| Fred Calginari | GVS |
| John Clune | GVS |
| Bill Mitchell | GVS |
- (3)
- Seven.
Hon Doug Shave MLA.
Anabel Gomez.
Harry Skepper.
Fred Calginari.
Bill Mitchell.
John Clune.
Julie Reay.
- (4) Nil.
- (5)
- Nine.
Hon Doug Shave MLA.
Anabel Gomez.
Harry Skepper.
Fred Calginari.
Bill Mitchell.
Jeremy Buxton.

John Clune.
Julie Reay.
Jennifer Smith.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1107. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Disability Services:

With respect to the Minister for Disability Services' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon M.J. CRIDDLE replied:

The following answer is correct at 13/1/2000:

- (1) As at 1 December 1999 the following staff were employed on Workplace Agreements:

(a)	(b)	(c)
John Kime	Level 8	Public Servant
Steven Tweedie	Level 7	Term of Government
Ann Ellis Young	Level 7	Public Servant
Hugh Ryan	Level 6	Term of Government
Joanne Heron	A/Level 5	Public Servant
Nadeen McGilvray	Level 3	Public Servant
Lyn Neal	Level 3	Term of Minister
Kathy Robertson	A/Level 3	Public Servant
Stacey Johnson	A/Level 2	Public Servant
- (2) 4 vehicles are attached to the Ministerial office. The names of the staff allocated vehicles are:

John Kime	Government Vehicle Scheme
Steven Tweedie	Government Vehicle Scheme
Ann Ellis Young	WA Government Fleet (no private usage)
Hugh Ryan	Government Vehicle Scheme
- (3) 4 mobile phone are available for use in the Ministerial office. The names of the staff allocated mobile phones are:

John Kime
Steven Tweedie
Hugh Ryan
Ann Ellis Young
- (4) Hugh Ryan has been allocated a pager.
- (5) 4 credit cards have been authorised for use in the Minister's office:

John Kime (2)
Steven Tweedie (1)
Ann Ellis Young (1)

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1111. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Works:

With respect to the Minister of Works' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?

- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon M.J. CRIDDLE replied:

Please refer to the answer given in response to question on notice 1114 of 9 December 99.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1112. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Services:

With respect to the Minister for Services' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon M.J. CRIDDLE replied:

Please refer to the answer given in response to question on notice 1114 of 9 December 99.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1113. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Citizenship and Multicultural Interests:

With respect to the Minister for Citizenship and Multicultural Interests' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon M.J. CRIDDLE replied:

Please refer to the answer given in response to question on notice 1114 of 9 December 99.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1114. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Youth:

With respect to the Minister for Youth's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?

- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon N.F. MOORE replied:

The following answer was correct as at 1 December 1999.

These data apply to the office of the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

(1)	(a)	(b)	(c)	(2)	(3)-(4)	(5)
	Dr L Bungey	Level 8	Term of Government	Car GVS	Phone	Visa/Amex
	Mr M Diaz	Level 8	Permanent Public Servant	Car GVS	Phone	
	Mr J Robb Level 6		Term of Government	Car GVS	Phone/Pager	
	Ms F McRobbie	Level 5	Term of Government		Phone	
	Ms J Kuroski	A/Level 5	Permanent Public Servant			Visa/Amex
	Ms K Goodwin	A/Level 3	Permanent Public Servant			
	Ms K O'Reilly	Level 3	Term of Government			
	Ms Lisa Davenport	A/Level 2	Permanent Public Servant		Office Mobile	

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1115. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Primary Industry:

With respect to the Minister for Primary Industry's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
- (a) name;
- (b) level; and
- (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon M.J. CRIDDLE replied:

(1)	Name	Level	Position	Employment Type
	Andy Munro	A/9	Chief of Staff	Public Servant
	Aileen Murrell	A/9	Principal Policy Officer - Agriculture	TOG
	Sarah Clancy	6	Senior Policy Officer - Agriculture	TOG
	Karen Connell	6	Senior Policy Officer - Agriculture	TOG
	Shane O'Donoghue	A/7	Principal Policy Officer - Fisheries	Public Servant
	Cathy Campbell	A/5	Policy Officer - Fisheries	Public Servant
	Scott Thompson	3	Research Assistant	Short term
	Julie Cole	6	Media Secretary	TOG
	John Dedman	6	Executive Officer	Public Servant
	Kieran McCluskey	5	Information Systems Officer	TOG
	Anna Woolhead	A/4	Executive Assistant	Public Servant
	Yvonne Noack	2	Administrative Assistant	TOG
	Santa Squadruto	2	Administration Assistant	TOG
	David Beurle	8	Principal Projects Officer	Public Servant
	Jeanette Trent	4	Ministerial Liaison Officer - Mt Barker	TOG

(2)-(5)	Name	Vehicle	Scheme	Mobile	Credit Card
	A Munro	Ford Falcon	EVS	Yes	Visa/Amex
	J Dedman	Toyota Corolla	Home garaging	No	Visa/Amex
	A Murrell	Toyota Camry	Home garaging	Yes	Visa
	D Beurle	Holden Commodore	Home garaging	No	Visa/Amex
	S Clancy	Toyota Camry	Home garaging	No	Visa
	C Campbell	Holden Commodore	Home garaging	No	No
	S O'Donoghue	Holden Commodore	Home garaging	Yes	No
	J Cole	Ford Falcon	WPA	Yes + pager	No
	J Trent	Ford Falcon	Home garaging	Yes	No

There are also three (3) Mobile Phones available for general office use.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1116. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Fisheries:

With respect to the Minister for Fisheries' office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon M.J. CRIDDLE replied:

See my answer to Question on Notice 1115, of 9 December 1999.

MINISTERS OF THE CROWN, STAFF, VEHICLES, MOBILE PHONES, PAGERS AND CREDIT CARDS

1117. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Local Government:

With respect to the Minister for Local Government's office -

- (1) Will the Minister indicate for each staff person working in the Minister's office as at 1 December 1999 the following details -
 - (a) name;
 - (b) level; and
 - (c) type of employment contract?
- (2) How many vehicles are attached to the office, what are the names of the staff to which they are allocated and under what scheme are they allocated to the staff member?
- (3) How many mobile phones are available at the Minister's office and to which staff are they allocated?
- (4) How many pagers are available and to which staff are they allocated?
- (5) How many government credit cards have been authorised for use in the Minister's office and to which officers have they been allocated?

Hon M.J. CRIDDLE replied:

The following answer is correct at 13/1/2000:

- (1) As at 1 December 1999 the following staff were employed on Workplace Agreements:

(a)	(b)	(c)
John Kime	Level 8	Public Servant
Steven Tweedie	Level 7	Term of Government
Ann Ellis Young	Level 7	Public Servant
Hugh Ryan	Level 6	Term of Government
Joanne Heron	A/Level 5	Public Servant
Nadeen McGilvray	Level 3	Public Servant
Lyn Neal	Level 3	Term of Minister
Kathy Robertson	A/Level 3	Public Servant
Stacey Johnson	A/Level 2	Public Servant

- (2) 4 vehicles are attached to the Ministerial office. The names of the staff allocated vehicles are:

John Kime	Government Vehicle Scheme
Steven Tweedie	Government Vehicle Scheme
Ann Ellis Young	WA Government Fleet (no private usage)
Hugh Ryan	Government Vehicle Scheme

- (3) 4 mobile phones are available for use in the Ministerial office. The names of the staff allocated mobile phones are:

John Kime
Steven Tweedie
Hugh Ryan
Ann Ellis Young

- (4) Hugh Ryan has been allocated a pager.
- (5) 4 credit cards have been authorised for use in the Minister's office:
 - John Kime (2)
 - Steven Tweedie (1)
 - Ann Ellis Young (1)

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1121. Hon LJILJANNA RAVLICH to the Minister for Mines:

For each of the officers working in the Minister for Mines offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

- (a) One Ford and five Toyotas are currently allocated.
- (b) All vehicles are private plated.
- (c) \$70 per fortnight.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1122. Hon LJILJANNA RAVLICH to the Minister for Tourism:

For each of the officers working in the Minister for Tourism offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

- (a)-(c) See answer to Question on Notice No. 1121.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1123. Hon LJILJANNA RAVLICH to the Minister for Sport and Recreation:

For each of the officers working in the Minister for Sport and Recreation offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

- (a)-(c) See answer to Question on Notice No. 1121.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1125. Hon LJILJANNA RAVLICH to the Attorney General representing the Treasurer:

For each of the officers working in the Minister for Finance offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon PETER FOSS replied:

The following answer was correct as at 21/12/99

- | | | | |
|-----|------|--|-----------------------|
| (a) | (i) | Chief of Staff | Toyota Camry CSX |
| | (ii) | *Media Officer | Ford Laser LXI |
| | | *(duties shared with
Minister for Local Government;
Disability Services) | |
| (b) | (i) | Chief of Staff | Yes |
| | (ii) | Media Officer | Yes |
| (c) | (i) | Chief of Staff | \$70.00 per fortnight |
| | (ii) | Media Officer | \$50.00 per fortnight |

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1126. Hon LJILJANNA RAVLICH to the Minister for Racing and Gaming:

For each of the officers working in the Minister for Racing and Gaming offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

I refer the honourable member to the answer to Question No 1125.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1130. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Federal Affairs:

For each of the officers working in the Minister for Federal Affairs offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon PETER FOSS replied:

Please refer to the answer given to question on notice 1136.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1136. Hon LJILJANNA RAVLICH to the Leader of the House representing the Premier:

For each of the officers working in the Premier offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

As at 1 February
Officer

	(a) Type of Vehicle		(b) Private Plated		(c) Payment
D Willmott	VT Holden Berlina		Yes		Not Applicable
W Ireland	Toyota Camry CSI		Yes		Appropriate
W Marmion	AU Ford Falcon Forte		Yes		Government
C Cahill	AU Ford Falcon Forte		Yes		Vehicle
J Whittome	Toyota Camry CSI		Yes	} made	Scheme
K Verboon	Toyota Camry CSI		Yes		Payment
D Smith Toyota	Camry CSI	Yes	Yes		
M Cormann	VT Holden Commodore		Yes	}	

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1144. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Parliamentary and Electoral Affairs:

For each of the officers working in the Minister for Parliamentary and Electoral Affairs offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

(a)-(b)

NAME OF OFFICER	TYPE OF VEHICLE	TYPE OF PLATES
Anabel Gomez	Ford Falcon	Private
Harry Skepper	Toyota Camry	Private
Fred Calginari	Holden Commodore Sedan	Private
Bill Mitchell	Holden Commodore Sedan	Private
John Clune	Toyota Camry	Private

- (c) Payment is made under the Government Vehicle Scheme (GVS) in accordance with the number of cylinders of each vehicle.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1145. Hon LJILJANNA RAVLICH to the Attorney General representing the Treasurer:

For each of the officers working in the Treasurer offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon PETER FOSS replied:

Please refer to the answer given to question on notice 1136.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1146. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Public Sector Management:

For each of the officers working in the Minister for Public Sector Management offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon PETER FOSS replied:

Please refer to the answer given to question on notice 1136.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1148. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Health:

For each of the officers working in the Minister for Health offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon PETER FOSS replied:

- (a)

Dr Glen Power	Holden Commodore
Ms Adrienne Thompson	Camry (4 cylinder)
Mr Mark Thompson	Camry (4 cylinder)
Ms Karen Newman	Corolla
Ms Jana Allan	Magna
- (b) All vehicles are private plated.
- (c) Dr Glen Power - \$80 per fortnight.
Mr Mark Thompson - \$70 per fortnight.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1149. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Lands:

For each of the officers working in the Minister for Lands offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

- (a)-(b)

NAME OF OFFICER	TYPE OF VEHICLE	TYPE OF PLATES
Anabel Gomez	Ford Falcon	Private
Harry Skepper	Toyota Camry	Private
Fred Calginari	Holden Commodore Sedan	Private
Bill Mitchell	Holden Commodore Sedan	Private
John Clune	Toyota Camry	Private
- (c) Payment is made under the Government Vehicle Scheme (GVS) in accordance with the number of cylinders of each vehicle.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1150. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Fair Trading:

For each of the officers working in the Minister for Fair Trading offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

(a)-(b)	NAME OF OFFICER	TYPE OF VEHICLE	TYPE OF PLATES
	Anabel Gomez	Ford Falcon	Private
	Harry Skepper	Toyota Camry	Private
	Fred Calginari	Holden Commodore Sedan	Private
	Bill Mitchell	Holden Commodore Sedan	Private
	John Clune	Toyota Camry	Private

- (c) Payment is made under the Government Vehicle Scheme (GVS) in accordance with the number of cylinders of each vehicle.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1151. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Disability Services:

For each of the officers working in the Minister for Disability Services offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon M.J. CRIDDLE replied:

The following answer is correct at 13/1/2000:

(a)-(c)	NAME	VEHICLE MAKE	PRIVATE PLATED	PAYMENT
	John Kime	Holden Commodore	Yes	\$80.00 fortnight
	Steven Tweedie	Ford Futura	Yes	\$80.00 fortnight
	Ann Ellis Young	Toyota Camray	(1 WA plate) Yes	N/A
	Hugh Ryan	Ford Laser	(1 WA plate) Yes	(no private usage) \$50.00 fortnight

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1155. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Works:

For each of the officers working in the Minister for Works offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon M.J. CRIDDLE replied:

Please refer to the answer given in response to question on notice 1158 of 9 December 99.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1156. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Services:

For each of the officers working in the Minister for Services offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon M.J. CRIDDLE replied:

Please refer to the answer given in response to question on notice 1158 of 9 December 99.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1157. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Citizenship and Multicultural Interests:

For each of the officers working in the Minister for Citizenship and Multicultural Interests offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon M.J. CRIDDLE replied:

Please refer to the answer given in response to question on notice 1158 of 9 December 99.

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1158. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Youth:

For each of the officers working in the Minister for Youth offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon N.F. MOORE replied:

The following answer was correct as at 21 December 1999.

(a)-(c) These data apply to the office of the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

Name	Vehicle	Private Plated	Payment
Dr Leith Bungey	Toyota Camry	Yes	\$80 pf
Mr Marc Diaz	Toyota Camry	Yes	\$70 pf
Mr Jody Robb	Toyota Camry	Yes	\$70 pf

MINISTERS OF THE CROWN, VEHICLE ALLOCATIONS

1161. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Local Government:

For each of the officers working in the Minister for Local Government offices who have been allocated a vehicle -

- (a) what is the type of vehicle;
- (b) is the vehicle private plated; and
- (c) what payment is the officer making for the use of the vehicle?

Hon M.J. CRIDDLE replied:

The following answer is correct at 13/1/2000:

(a)-(c)

Name	Vehicle	Private Plated	Payment
John Kline	Holden Commodore	Yes	\$80.00 fortnight
Steven Tweedie	Ford Futura	Yes	\$80.00 fortnight
Ann Ellis Young	Toyota Camry	(1 WA plate) Yes	N/A
Hugh Ryan	Ford Laser	(1 WA plate) Yes	\$50.00 fortnight

GANTHEAUME POINT, PEARL BAY RESORT DEVELOPMENTS

1167. Hon GIZ WATSON to the Leader of the House representing the Minister for Lands:

With reference to the Gantheaume Point and the answers given to question on notice of December 7 regarding the Company Pearl Bay Resort Developments -

- (1) What were the criteria used by government that enabled Pearl Bay Resort Developments to be selected above other candidates?
- (2) How can the Government select this company to take on this multi-million dollar project when this company has not yet "demonstrated the capacity to manage any developments"?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

- (1) The key criteria used to select the preferred developer were the financial capacity to perform due diligence and initiate the project and to undertake full and responsive public consultation.
- (2) Pearl Bay Resort Developments had assembled a team of consultants with a depth of relevant experience.

GANTHEAUME POINT DEVELOPMENT, BANK GUARANTEE

1168. Hon GIZ WATSON to the Leader of the House representing the Minister for Lands:

Given that the Key Consideration to form part of the MOU sent by LandCorp to Broome Shire includes the following -

The preferred developer will provide a bank guarantee for \$10 million to cover commitments made during the due diligence phase.

- (1) Has the due diligence phase commenced?

(2) Has the proponent provided a bank guarantee for \$10 million?

Hon N.F. MOORE replied:

The following answer was correct at 23 December 1999:

(1)-(2) No.

LOCOMOTIVES, SALE PRICE

1322. Hon BOB THOMAS to the Minister for Transport:

(1) For what price were each of the 6L class locomotives (251, 253, 254, 265, 270 and 271) sold?

(2) For what price was the LW class locomotive 276 sold?

Hon M.J. CRIDDLE replied:

(1)-(2) L class locomotives 251, 253, 254, 265, 270, 271 and LW class locomotive 276 were included in a sale of nine locomotives, which also included two D class locomotives. The locomotives were not sold individually. The combined sale realised \$1 605 000.

POWER POLES, VANDALISM IN WILLETTON

1323. Hon G.T. GIFFARD to the Leader of the House representing the Minister for Energy:

(1) Can the Minister for Energy provide information as to how often power poles and associated structures are vandalised in the Willetton area?

(2) Does Western Power monitor the visual condition of power poles and other power supply fixtures?

(3) Does Western Power have a system in place to rectify visual marring of power poles and other structures through vandalism?

(4) If not, why not?

Hon N.F. MOORE replied:

(1) The Western Power Distribution Fault Reporting System (DFR) records acts of vandalism to the Western Power supply system. In the Willetton area the acts of vandalism were as follows:

- 19 acts of vandalism were recorded for the period 1 March 1999 to 29 February 2000;
- 11 acts of vandalism were recorded for the period 1 March 1998 to 28 February 1999;
- 26 acts of vandalism were recorded for the period 1 March 1997 to 28 February 1998.

The above refers to power interruptions caused by vandalism.

(2) The condition of power poles and other power supply fixtures is monitored regularly. Power poles are inspected every 5-6 years and substations are inspected yearly. Western Power also receives reports from the public regarding vandalism to equipment.

(3) Western Power always rectifies the visual marring of power poles and other structures. Western Power has recently entered into a partnership with the Anti-Graffiti Campaign Task Force and has provided a vehicle and funds to the group which cleans graffiti on any asset, regardless of ownership. While this group works mainly in the North, similar arrangements are being developed in the South and are supported by an initiative of the Premiers Department. Western Power is appreciative of the work these groups undertake.

(4) Not applicable.

TIMBER RAILWAY SLEEPERS, COUNTRIES SUPPLIED

1329. Hon CHRISTINE SHARP to the Minister for Transport:

(1) Does Western Australia supply timber railway sleepers harvested from native forests to overseas countries?

(2) If yes -

- (a) to which countries;
- (b) in what quantities;
- (c) what grade and type of timber are they; and
- (d) what is the duration of the contract(s)?

Hon M.J. CRIDDLE replied:

(1) The Transport Ministry has no involvement in the supply of timber sleepers to overseas countries.

(2) (a)-(d) Not applicable.

ALINTAGAS SALE PROMOTION, JOHN DAVIS ADVERTISING PTY LTD

1385. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Energy:

I refer to the contract with John Davis Advertising Pty Ltd for the promotion of the AlintaGas sale, and ask -

- (1) How many companies tendered or submitted quotations?
- (2) What tender price or quotation did John Davis Advertising submit?
- (3) What is the estimated total cost of the AlintaGas sale promotion?
- (4) Will the advertising campaign still proceed if it is decided to sell AlintaGas by trade sale rather than public float?
- (5) Will the advertising campaign commence before the legislation is passed?

Hon N.F. MOORE replied:

- (1) Five (5).
- (2) Because the tendering process focussed on creative capabilities rather than a specific deliverable, hourly rates rather than total job price was quoted by John Davis Advertising Pty Ltd and other candidates. John Davis Advertising Pty Ltd's hourly rates ranged from \$70-\$125 per hour.
- (3) The total cost of the AlintaGas sale promotion will ultimately depend on the level of advertising determined necessary for the sale. The ASSC estimates that the initial phase of advertising relating to the public float will cost in the order of \$300,000.
- (4) No.
- (5) Not applicable.

ALLEN, MR MARK, DEATH

1391. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

I refer to the death of union organiser Mr Mark Allen on the Metrobus demolition site, Kensington Street, East Perth in September 1996 and ask -

- (1) Can the Minister for Labour Relations advise whether Worksafe has given Mark Allen's file to the Director of Public Prosecutions (DPP) to consider laying manslaughter charges against Michael Bobrowicz?
- (2) If not, why not?
- (3) If not, will the Minister now bring this matter to the attention of the DPP?
- (4) If not, why not?
- (5) If yes, what was the DPP's advice in this regard?

Hon PETER FOSS replied:

- (1)-(4) No. The minister has not given the file to the Director of Public Prosecutions. The circumstances of the death of Mr Allen were the subject of a coronial inquest. The decision in that inquest was reserved by the Perth Coroner on 3 December 1999. The Coroner has the power to refer the matter to the Director of Public Prosecutions if he considers an indictable offence has been committed.
- (5) Not applicable.

SPEECH PATHOLOGISTS, NUMBER

1405. Hon KEN TRAVERS to the Attorney General representing the Minister for Health:

- (1) How many speech pathologists were employed in -

- (a) 1985;
- (b) 1990;
- (c) 1993;
- (d) 1996;
- (e) 1998;
- (f) 1999; and
- (g) 2000?

- (2) How many are expected to be employed in -

- (a) 2001;
- (b) 2002; and
- (c) 2003?

Hon PETER FOSS replied:

- | | | |
|-----|-----|-----|
| (1) | (a) | 61 |
| | (b) | 77 |
| | (c) | 90 |
| | (d) | 118 |
| | (e) | 140 |
| | (f) | 145 |
| | (g) | 138 |
| (2) | (a) | 141 |
| | (b) | 145 |
| | (c) | 146 |

BUSES, ACCESSIBILITY FOR THE DISABLED

1410. Hon KEN TRAVERS to the Minister for Transport:

- (1) What is the additional cost involved in making the new bus fleet accessible to people with disabilities?
- (2) Who is responsible for meeting these costs?

Hon M.J. CRIDDLE replied:

- (1) In 1992 the Federal Government passed the *Disability Discrimination Act 1992* (DDA) which made it an offence to discriminate against persons on the ground of disability in the areas of work, accommodation, education, access to premises, clubs and sport; and the provision of goods, facilities, services and land, among others. In terms of Transport, this means that people with disabilities must be provided equal access to public transport.

Transport has developed an "Action Plan for Accessible Public Transport for People with Disabilities in Perth". The Action Plan was developed as a result of a complaint lodged with the Human Rights and Equal Opportunity Commission (HREOC) against Transport for failure to provide accessible public transport. It is a binding agreement between the Complainants, HREOC and Transport that requires adherence to an agreed implementation schedule to assist people with disabilities to gain easier access to public transport.

The DDA resulted in the formulation of the *Draft Disability Standards for Accessible Public Transport*. Transperth's new accessible low floor buses have been built to comply with the draft standards. All new buses are equipped with a ramp and a "kneeling" facility to assist people with wheelchairs, scooters and prams as well as the frail and the aged; a clear accessible path of travel through the bus; a driver/passenger communication device; colour contrasting to steps and handrails; a tactile bus number and improved destination signs.

The design of the new buses applied the concept of universal design, which caters not only for the needs of people with disabilities but also for all members of the community. As such, the cost of the facilities that improve accessibility are included in the total cost of the bus and it is not possible to provide an estimate of the additional cost of making the new bus fleet accessible to people with disabilities. These facilities benefit all Transperth customers, not just people with disabilities.

- (2) The State Government is responsible for meeting the cost of providing these new buses.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1417. Hon LJILJANNA RAVLICH to the Minister for Mines:

For each department or agency under the Minister's direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
- (2) How many permanent staff are employed?
- (3) How many non-permanent staff are employed?
- (4) How many substantive positions are vacant?
- (5) How many substantive positions are filled in an acting capacity?
- (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon N.F. MOORE replied:

Department of Minerals and Energy

- | | | |
|-----|-----------|-------|
| (1) | 602 | |
| | Level 1 | - 76 |
| | Level 2 | - 109 |
| | Level 2/4 | - 23 |
| | Level 3 | - 47 |
| | Level 4 | - 73 |
| | Level 5 | - 94 |
| | Level 6 | - 60 |
| | Level 7 | - 63 |

Level 8	-	26
Level 9.1	-	2
Level 9	-	6
Class 1	-	5
G3	-	1

- (2) 480
 (3) 122
 (4) 18
 (5) 9
 (6) 7

Coal Industry Superannuation Board:

- (1) Level 1 - 1
 Level 5 - 1

- (2) 2
 (3)-(6) Nil.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1425. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Commerce and Trade:

For each department or agency under the Minister for Commerce and Trade's direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
 (2) How many permanent staff are employed?
 (3) How many non-permanent staff are employed?
 (4) How many substantive positions are vacant?
 (5) How many substantive positions are filled in an acting capacity?
 (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon N.F. MOORE replied:

Department of Commerce and Trade

- (1) This response counts the number of current employees on the payroll, not Full-Time Equivalents (FTEs). A part time employee is counted as one employee.

Special 6	1
Class 1	3
Level 9	6
Level 8	11
Level 7	32
Level 6	32
Level 5	26
Level 4	24
Level 3	18
Level 2	27
Level 1	14
Tea Attendant	2
Total	196

- (2) 176
 (3) 20
 (4) 28
 (5) 51
 (6) 39

Small Business Development Corporation

- (1) Level 8 3
 Level 7 3
 Level 6 15
 Level 5 6
 Level 4 5
 Level 3 1

Level 2	6
Level 1	8
Total	47

(2) 42

(3) 5

(4) 4

(5) 2

(6) 2

Technology Industry Advisory Council (TIAC)

(1)	Level 7	1
	Level 2	1
	Total	2

(2) 2

(3)-(5) Nil.

(6) Not applicable.

Gascoyne Development Commission

(1)	Level 9	1
	Level 6	2
	Level 5	4
	Level 3	2
	Level 2	1
	Level 1	1
	Trainee	1
	Total	12

(2) 8

(3) 4

(4)-(5) Nil.

(6) Not applicable.

Goldfields-Esperance Development Commission

(1)	Level 9	1
	Level 7	1
	Level 6	2
	Level 5	3
	Level 3	2
	Level 2	1
	Level 1	1
	Total	11

(2) 7

(3) 4

(4) 3

(5) 3

(6) 1

Great Southern Development Commission

(1)	Level 9	1
	Level 7	1
	Level 5	6
	Level 4	1
	Level 3	2
	Level 2	4
	Level 1	2
	Total	17

(2) 6

- (3) 10
- (4) Nil.
- (5) 1
- (6) Not applicable.

Kimberley Development Commission

- | | | |
|-----|---------|----|
| (1) | Level 9 | 1 |
| | Level 7 | 1 |
| | Level 6 | 2 |
| | Level 3 | 2 |
| | Level 2 | 3 |
| | Level 1 | 1 |
| | Total | 10 |

- (2) 8
- (3) 2
- (4) 3
- (5) 2
- (6) 1

Mid West Development Commission

- | | | |
|-----|---------|----|
| (1) | Level 9 | 1 |
| | Level 8 | 1 |
| | Level 7 | 1 |
| | Level 6 | 1 |
| | Level 5 | 4 |
| | Level 4 | 4 |
| | Level 3 | 2 |
| | Level 2 | 1 |
| | Level 1 | 2 |
| | Total | 17 |

- (2) 1
- (3) 16
- (4) Nil.
- (5) 1
- (6) 1

Peel Development Commission

- | | | |
|-----|---------|----|
| (1) | Level 9 | 1 |
| | Level 8 | 1 |
| | Level 6 | 1 |
| | Level 5 | 4 |
| | Level 3 | 3 |
| | Level 1 | 2 |
| | Total | 12 |

- (2) 10
- (3) 2
- (4)-(5) Nil.

- (6) Not applicable

Pilbara Development Commission

- | | | |
|-----|---------|----|
| (1) | Class 1 | 1 |
| | Level 7 | 2 |
| | Level 5 | 3 |
| | Level 4 | 1 |
| | Level 2 | 2 |
| | Level 1 | 1 |
| | Total | 10 |

- (2) 5
- (3) 5
- (4) 1
- (5) 1
- (6) 1

Please note: These numbers do not include the externally funded positions of Aboriginal Economic Development Officer – Level 6 and Coastal Facilitator – Level 5.

South West Development Commission

- | | | |
|-----|---------|----|
| (1) | Level 9 | 1 |
| | Level 7 | 2 |
| | Level 6 | 2 |
| | Level 5 | 5 |
| | Level 4 | 4 |
| | Level 3 | 3 |
| | Level 2 | 2 |
| | Level 1 | 5 |
| | Total | 24 |
- (2) 16
 - (3) 8
 - (4) 1
 - (5) 5
 - (6) 4

Wheatbelt Development Commission

- | | | |
|-----|---------|----|
| (1) | Level 9 | 1 |
| | Level 5 | 5 |
| | Level 3 | 4 |
| | Level 2 | 1 |
| | Level 1 | 3 |
| | Total | 14 |
- (2) 12
 - (3) 2
 - (4) 1
 - (5) 2
 - (6) 2

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1431. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Regional Development:
For each department or agency under the Minister for Regional Development's direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
- (2) How many permanent staff are employed?
- (3) How many non-permanent staff are employed?
- (4) How many substantive positions are vacant?
- (5) How many substantive positions are filled in an acting capacity?
- (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon N.F. MOORE replied:

See response to Question 1425.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1433. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Small Business:
For each department or agency under the Minister for Small Business' direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
- (2) How many permanent staff are employed?
- (3) How many non-permanent staff are employed?
- (4) How many substantive positions are vacant?
- (5) How many substantive positions are filled in an acting capacity?
- (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon N.F. MOORE replied:

See response to Question 1425.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1435. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Aboriginal Affairs:

For each department or agency under the Minister for Aboriginal Affairs' direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
- (2) How many permanent staff are employed?
- (3) How many non-permanent staff are employed?
- (4) How many substantive positions are vacant?
- (5) How many substantive positions are filled in an acting capacity?
- (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon M.J. CRIDDLE replied:

- (1)

132	
Level 1	5
Level 2	17
Level 3	9
Level 4	34
Level 5	18
Level 6	21
Level 7	15
Level 8	8
Level 9	2
Class 1	2
Special 5	1

- (2) 104.
- (3) 28.
- (4) 20.
- (5) 6.
- (6) 5.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1439. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Fisheries:

For each department or agency under the Minister for Fisheries' direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
- (2) How many permanent staff are employed?
- (3) How many non-permanent staff are employed?
- (4) How many substantive positions are vacant?
- (5) How many substantive positions are filled in an acting capacity?
- (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon M.J. CRIDDLE replied:

- (1)

Level 1	88 staff
Level 2	107
Level 2/4	5
Level 3	74

Level 4	36
Level 5	22
Level 6	23
Level 7	19
Level 8	14
Level 9	3
Class 1	1
Special 3	1
Total	393

- (2) 213
- (3) 180
- (4) 75
- (5) 55
- (6) 54

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1440. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Housing:

For each department or agency under the Minister for Housing's direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
- (2) How many permanent staff are employed?
- (3) How many non-permanent staff are employed?
- (4) How many substantive positions are vacant?
- (5) How many substantive positions are filled in an acting capacity?
- (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon M.J. CRIDDLE replied:

- (1) 874.

Level 1	260
Level 2	155
Level 3	209
Level 4	96
Level 5	67
Level 6	33
Level 7	38
Level 8	5
Level 9	4
Class 1	5
Class 3	1
Special 5	1

- (2) 787.
- (3) 87 including 18 Aboriginal trainees.
- (4) 70.
- (5) 138.
- (6) This information is not readily available.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1442. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Primary Industry:

For each department or agency under the Minister for Primary Industry's direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
- (2) How many permanent staff are employed?
- (3) How many non-permanent staff are employed?
- (4) How many substantive positions are vacant?
- (5) How many substantive positions are filled in an acting capacity?
- (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon M.J. CRIDDLE replied:

Agriculture Western Australia

(1)	Level 1	242 staff
	Level 2	394
	Level 2/4	104
	Level 3	271
	Level 4	152
	Level 5	220
	Level 6	166
	Level 6/7	13
	Level 7	144
	Level 8	53
	Level 9	11
	Class 1	3
	Class 3	2
	Special 6	1
	Total	1776

(2) 1231

(3) 544

(4) 85

(5) 33

(6) 15 *

*Metropolitan Management Service structure is currently undergoing realignment.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1445. Hon LJILJANNA RAVLICH to the Minister for Transport representing the Minister for Water Resources:

For each department or agency under the Minister for Water Resources' direction as at March 1 2000 -

(1) How many staff are employed in total and at each level?

(2) How many permanent staff are employed?

(3) How many non-permanent staff are employed?

(4) How many substantive positions are vacant?

(5) How many substantive positions are filled in an acting capacity?

(6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon M.J. CRIDDLE replied:

The Minister for Water Resources provided the following answer:

Office of Water Regulation:

(1)	23.	
	Level 2	2
	Level 3	4
	Level 4	1
	Level 5	3
	Level 6	1
	Level 7	10
	Level 9	1
	Special 2	1

(2) 20.

(3) 3.

(4)-(6) Nil.

Water and Rivers Commission:

(1)	389.	
	Wages Staff	5
	Level 1	30
	Level 2	62
	Level 2/3	1
	Level 3	36
	Level 4	41
	Level 5	57
	Level 6	38

Level 7	31
Level 8	11
Level 9	1
Class 1	4
Special Division	1

- (2) 290.
 (3) 99.
 (4) 42.
 (5) 40.
 (6) 36.

Water Corporation:

The Water Corporation became a corporatised entity in 1996. At that time employees were engaged on new terms and conditions. All employees not prepared to accept the new terms and conditions remained within the Public Service. Since corporatisation the Water Corporation deploys its staff in accordance with workload priorities. To achieve this flexibility it no longer differentiates between different types of positions ie substantive and other positions. Given the above the following information is provided:

- (1) 2145.

Level 1	177
Level 2	282
Level 3	171
Level 4	218
Level 5	224
Level 6	183
Level 7	152
Level 8	34

Special Class (L2/4-5 Graduates)	59
Executives	58
Casuals	10

Wages	
Trades	138
Non Trades	439

- (2) 1925 (continuous service basis).
 (3) 220.
 (4) The Water Corporation does not differentiate between substantive or non-substantive positions. The Corporation is currently recruiting to fill 20 vacancies.
 (5)-(6) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, STAFF NUMBERS

1454. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Health:

For each department or agency under the Minister for Health's direction as at March 1 2000 -

- (1) How many staff are employed in total and at each level?
 (2) How many permanent staff are employed?
 (3) How many non-permanent staff are employed?
 (4) How many substantive positions are vacant?
 (5) How many substantive positions are filled in an acting capacity?
 (6) How many substantive positions have been filled in an acting capacity for longer than three months?

Hon PETER FOSS replied:

- (1) Below Level 1 168

Level 1	7173
Level 2	3805
Level 3	2006
Level 4	2228
Level 5	7630
Level 6	1724
Level 7	1071

Level 8	522
Level 9	396
Level 10	184
Level 11	141
Level 12	86
Class 1 >	1321
Total:	28455

- (2) 20010
 (3) 8445
 (4) 1234
 (5) 836
 (6) 508

NOTE: The figures provided on staff numbers by level were arrived at by aligning all health staff to the HSOA pay scales based on their dollar relationship to those scales (levels). An example would be all staff regardless of occupation on a salary of \$50,000 would be grouped in level 6.

ACUTE MYELOID LEUKAEMIA

1513. Hon J.A. SCOTT to the Attorney General representing the Minister for Health:

What was the incidence rate of acute myeloid leukaemia in the local government areas of -

- (a) Fremantle;
 (b) Kwinana;
 (c) Armadale; and
 (d) Stirling,

in each of the last ten years?

Hon PETER FOSS replied:

The requested incidence rates for acute myeloid leukaemia are set out in the accompanying tables. In each case, the total number of cases is also given. Note that the rates are based on very small numbers of cases, and there is a large degree of statistical uncertainty associated with them. The difference in incidence rates between the areas is not statistically significant.

(a) FREMANTLE

Females			Males		
Year	Total cases	ASR	Year	Total cases	ASR
1989	1	6.9	1989	0	-
1990	0	-	1990	0	-
1991	0	-	1991	0	-
1992	0	-	1992	0	-
1993	0	-	1993	0	-
1994	0	-	1994	0	-
1995	0	-	1995	0	-
1996	0	-	1996	0	-
1997	0	-	1997	0	-
1998	0	-	1998	1	7
1989-98 1	0.6		1989-98 1	0.8	

ASR = Age Standardised Incidence Rate using 1991 Australian population figures as standard

(b) KWINANA

Females			Males		
Year	Total cases	ASR	Year	Total cases	ASR
1989	0	-	1989	0	-
1990	0	-	1990	1	22.3
1991	0	-	1991	0	-
1992	0	-	1992	0	-
1993	0	-	1993	0	-
1994	1	10.7	1994	1	11.7
1995	0	-	1995	0	-
1996	0	-	1996	0	-
1997	0	-	1997	0	-
1998	0	-	1998	0	-
1989-98 1	1.1		1989-98 2	3	

ASR = Age Standardised Incidence Rate using 1991 Australian population figures as standard

(c) ARMADALE

Females Year	Total cases	ASR	Males Year	Total cases	ASR
1989	1	5.9	1989	0	-
1990	0	-	1990	0	-
1991	0	-	1991	0	-
1992	1	3.5	1992	1	6.8
1993	2	8.9	1993	0	-
1994	1	3.7	1994	1	5.1
1995	1	4.4	1995	1	4.4
1996	0	-	1996	0	-
1997	1	2.9	1997	1	5.7
1998	0	-	1998	2	10
1989-98 7	3	1989-98 6	3.3		

ASR = Age Standardised Incidence Rate using 1991 Australian population figures as standard

(d) STIRLING

Females Year	Total cases	ASR	Males Year	Total cases	ASR
1989	2	2	1989	3	3.8
1990	1	1	1990	1	1.4
1991	4	3.9	1991	1	1.1
1992	4	3.9	1992	1	1.9
1993	2	1.8	1993	3	3.9
1994	2	2	1994	3	3.9
1995	2	1.6	1995	2	2.5
1996	2	2.7	1996	2	2.5
1997	3	3.1	1997	3	4
1998	2	2	1998	3	3.3
1989-98 24	2.4	1989-98 22	2.8		

ASR = Age Standardised Incidence Rate using 1991 Australian population figures as standard

WYNDHAM, POWER SUPPLIES

1517. Hon TOM STEPHENS to the Leader of the House representing the Minister for Energy:

- (1) What number of power outages have occurred in Wyndham in 2000 and what was the length of the outage in each case?
- (2) What steps are being taken by Western Power to ensure that these frequent outages of power for Wyndham are eliminated?
- (3) When will the town of Wyndham have access to a back up power source?
- (4) What opportunity is there, for local residents and businesses of Wyndham to be compensated for the cost that is inevitably caused by these outages, specifically -
 - (a) the cost of "damage" and "wear and tear" on electric equipment and the loss of trade and business these outages have caused; and
 - (b) the cost in time and inconvenience those having to respond to these outages, have had in relation to, having to back up power supplies and resetting electric equipment?

Hon N.F. MOORE replied:

- (1) There were fourteen power failures in Wyndham in this period caused by a loss of supply from Ord Hydro and faults on the Kununurra/Wyndham power line. There have been a further four power failures due to faults in the distribution system in Wyndham. These power failures ranged in duration from ten seconds to four hours, twenty-five minutes.
- (2) Western Power is pursuing a number of initiatives to reduce power system faults, including sleeving critical overhead lines to minimise faults caused by wildlife, retrofitting of lightning arresters and the replacement of non-cyclonic structures, regular inspections for vegetation, followed by tree clearing, the review of existing contingency plans and implementation of improved contingency plans.
- (3) The back up generator is scheduled to be installed in Wyndham in May 2000.
- (4) Western Power will recommend their insurers compensate claimants where Western Power is believed to have been negligent.

GILLEECE, MR JACK, COST OF INQUIRY

1518. Hon TOM STEPHENS to the Leader of the House representing the Premier:

- (1) What was the total cost of the inquiry into the previously secret business dealings of the Premier's disgraced former right-hand-man Jack Gilleece?
- (2) What is the break-down of that total?

Hon N.F. MOORE replied:

- (1)-(2) I refer the member to Question 773 answered in this House on 7 December 1999.

ONSLow POWER STATION, SHUT DOWN

1539. Hon TOM STEPHENS to the Leader of the House representing the Minister for Energy:

I refer to the shutdown of the Onslow gas-fired power station in December last year and ask -

- (1) For how long was the power station shut down?
- (2) Was Onslow without power for that period?
- (3) If not, what was the backup supply?
- (4) What are the contractual obligations of the power station to supply power to Western Power?
- (5) What penalties apply for the failure to supply power and will the Minister for Energy table these provisions?
- (6) If not, why not?
- (7) Were the penalties applied in this instance and, if so, what penalty was applied?
- (8) Was the loss of power for any longer period than would have been the case during cyclonic conditions for power previously supplied through diesel generation?
- (9) If yes, for what reasons?

Hon N.F. MOORE replied:

- (1) The Onslow gas-fired power station was shut down from 9.53 pm on 14 December 1999 to 11.42 am on 15 December 1999 during the period of Cyclone John.
- (2)-(3) The diesel power station was started to supply the town load during this period. There were two short power failures while the load was connected to the diesel station on 14 December and then to switch back to the gas-fired power station on 15 December. These were approximately one hour, twenty minutes each.
- (4) There are a number of contractual obligations in the Power Purchase Agreement in place between Western Power and the owner of the Onslow Power Station.
- (5)-(7) The Power Purchase Agreement sets out the various circumstances when a failure to supply power is deemed to have occurred and the penalties to be applied in such circumstances. However, the interruption to gas supplies as a result of the cyclone was an event outside the control of the power station owner and consequently no penalty for failure to supply was applied.
- (8)-(9) The power failure was caused by the gas supply being interrupted when the wellhead ship supplying the gas disconnected and left the well due to a cyclone. The power outages were shorter than those generally experienced in a town during a "cyclone red alert".

WATER CORPORATION, GREAT SOUTHERN REGION PROJECTS

1544. Hon KEN TRAVERS to the Minister for Transport representing the Minister for Water Resources:

- (1) Did the following Water Corporation projects commence in the Great Southern region in 1998/99 -
 - (a) upgrade of the wastewater treatment plant in Denmark;
 - (b) construction of bitumen catchments to improve water supplies in Jerramungup;
 - (c) construction of bitumen catchments to improve water supplies in Lake King;
 - (d) the purchase of a desalination unit at Ravensthorpe and construction of associated bores; and
 - (e) an extension of the sewerage program at Albany?
- (2) If yes -
 - (a) when did work commence on this project;
 - (b) what is the estimate cost of the project;
 - (c) who is carrying out the work on behalf of the Water Corporation;
 - (d) when is the estimated date of completion; and
 - (e) if the project is completed, when was it finished and what was the actual final cost?

- (3) If no to (1) above -
- (a) when will this work commence;
 - (b) when is the estimated date of completion; and
 - (c) what is the estimated cost of the project?

Hon M.J. CRIDDLE replied:

The Minister for Water Resources has provided the following response:

- (1) (a)-(d) No.
(e) Albany Foreshore - Yes.
Albany Infill - No.
- (2) (1a)-(1d) Not applicable.
(1e) Albany Foreshore
(a) January 1999.
(b) \$1.265 million.
(c) Premium Corporation.
(d) Not applicable.
(e) November 1999.
Albany Infill - Not applicable.
- (3) (1a) Denmark Wastewater Treatment Plant Upgrade:
(a) 1997/98.
(b) August 1998.
(c) \$1.59 million.
- (1b) Jerramungup Bitumen Catchment:
(a) 1997/98.
(b) May 1999.
(c) \$1.24 million.
- (1c) Lake King Bitumen Catchment:
(a) 1997/98.
(b) May 1999.
(c) \$347,000.00.
- (1d) Desalination Unit Ravensthorpe:
(a) 1996/97.
(b) June 1999.
(c) \$1.42 million.
- (1e) Sewerage Program Albany – Albany Foreshore:
(a)-(c) Not applicable.
Sewerage Program Albany – Infill Sewerage:
(a) 1994/95.
(b) 2003/04.
(c) \$16.5 million.

WATER CORPORATION, SOUTH WEST REGION PROJECTS

1545. Hon KEN TRAVERS to the Minister for Transport representing the Minister for Water Resources:

- (1) Did the following Water Corporation projects commence in the South West region in 1998/99 -
- (a) upgrade of the wastewater treatment plant in Busselton;
 - (b) upgrade of the wastewater treatment plant in Margaret River;
 - (c) upgrade of the wastewater treatment plant in Collie;
 - (d) upgrade of the wastewater treatment plant in Manjimup;
 - (e) upgrade of the wastewater treatment plant in Bridgetown;
 - (f) works associated with the infill sewerage program and pumping stations at Bunbury;
 - (g) works associated with the infill sewerage program and pumping stations at Busselton;
 - (h) works associated with the infill sewerage program and pumping stations at Donnybrook;
 - (i) works associated with the infill sewerage program and pumping stations at Bridgetown;
 - (j) remedial work at Glen Mervyn dam;
 - (k) construction of a water supply tank for Eaton/Australind;
 - (l) upgrade of the water supply facilities at Bridgetown; and
 - (m) upgrade of the water supply capacity at Preston Beach?

- (2) If yes -
- (a) when did work commence on this project;
 - (b) what is the estimate cost of the project;
 - (c) who is carrying out the work on behalf of the Water Corporation;
 - (d) when is the estimated date of completion; and
 - (e) if the project is completed, when was it finished and what was the actual final cost?
- (3) If no to (1) above -
- (a) when will this work commence;
 - (b) when is the estimated date of completion; and
 - (c) what is the estimated cost of the project?

Hon M.J. CRIDDLE replied:

The Minister for Water Resources has provided the following response:

- (1) (a)-(b) No.
(c) Yes.
(d) No.
(e) Yes.
(f)-(i) No.
(j)-(k) Yes.
(l)-(m) No.
- (2) (1a-1b) Not applicable.
(2) (1d) Not applicable.
(1f-1i) Not applicable.
(2) (1l-m) Not applicable.
- (2) Upgrade Collie Waste Water Treatment Plant.
(a) April 1999.
(b) \$4.48 million.
(c) Environmental Solutions International Pty Ltd.
(d) November 2002.
(e) Not applicable.
- (2) Upgrade Bridgetown Waste Water Treatment Plant.
(a) August 1998.
(b) \$5.81 million.
(c) BGC Pty Ltd.
(d) August 2000.
(e) Not applicable.
- (2) Glen Mervyn Dam.
(a) February 1999.
(b) \$2.371 million.
(c) Water Corporation Construction Branch.
(d) Completed.
(e) Completion date 9 July 1999. Actual final cost \$2.211 million.
- (2) Eaton/Australind Water Supply
(a) December 1998.
(b) \$3.714 million.
(c) Nuform Construction (tank); Ertech Pty Ltd (supply main).
(d) Complete except minor work and site restoration.
(e) Practical Completion 23 December 1999. Revised project cost \$3.591 million.
- (3) Upgrade Busselton Waste Water Treatment Plant
(a) May 1996.
(b) July 2001.
(c) \$8.39 million.
- (3) Upgrade Margaret River Waste Water Treatment Plant
(a) September 2000.
(b) November 2001.
(c) \$4.66 million.
- (3) Upgrade Manjimup Waste Water Treatment Plant
(a) August 1999.
(b) August 2001.
(c) \$6.30 million.
- (3) Bunbury Infill
(a) 1994/95.
(b) 2003/04.
(c) \$13.3 million.

- (3) Busselton Infill
 - (a) 1995/96.
 - (b) 2003/04.
 - (c) \$16.2 million.
- (3) Donnybrook Infill
 - (a) 1999/00.
 - (b) 2002/03.
 - (c) \$9.6 million.
- (3) Bridgetown Infill
 - (a) 1995/6.
 - (b) 2003/04.
 - (c) \$3.5 million.
- (3) Bridgetown Water Supply
 - (a) August 1999.
 - (b) November 2000 (if funds available).
 - (c) \$0.990 million.
- (3) Preston Beach Water Supply
 - (a) Commenced January 1998.
 - (b) August 2000 (if funds available).
 - (c) \$1.558 million.

WATER CORPORATION, PILBARA PROJECTS

1546. Hon KEN TRAVERS to the Minister for Transport representing the Minister for Water Resources:

- (1) Did the following Water Corporation projects commence in the Pilbara region in 1998/99 -
 - (a) continuation of the East Pilbara water supply augmentation Stage 1;
 - (b) continuation of the Port Hedland infill sewerage program; and
 - (c) improve works for water supplies in Port Hedland through a remote telemetry system?
- (2) If yes -
 - (a) when did work commence on this project;
 - (b) what is the estimated cost of the project;
 - (c) who is carrying out the work on behalf of the Water Corporation;
 - (d) when is the estimated date of completion; and
 - (e) if the project is completed, when was it finished and what was the actual final cost?
- (3) If no to (1) above -
 - (a) when will this work commence;
 - (b) when is the estimated date of completion; and
 - (c) what is the estimated cost of the project?

Hon M.J. CRIDDLE replied:

- (1) (a)-(c) No.
- (2) Not applicable.
- (3) East Pilbara Water Supply Augmentation Stage 1:
 - (a) Commenced June 1996.
 - (b) November 2000.
 - (c) \$20.48 million.
 Port Hedland Infill Sewerage:
 - (a) Commenced May 1998.
 - (b) Completed August 1999.
 - (c) \$5.78 million.
 Improve works for water supplies in Port Hedland through remote telemetry system:
 - (a) Commenced February 1998.
 - (b) Completed September 1999.
 - (c) \$0.88 million.

WATER CORPORATION, GOLDFIELDS-ESPERANCE PROJECTS

1549. Hon KEN TRAVERS to the Minister for Transport representing the Minister for Water Resources:

- (1) Did the following Water Corporation projects commence in the Goldfields-Esperance region in 1998/99 -

- (a) refurbishment and improvements to the Goldfields Pipeline;
 - (b) upgrade of the Ravensthorpe town water supply;
 - (c) construction of a Water Corporation operations centre in Kalgoorlie; and
 - (d) extension of bores to increase the water supply to the town of Esperance?
- (2) If yes -
- (a) when did work commence on this project;
 - (b) what is the estimated cost of the project;
 - (c) who is carrying out the work on behalf of the Water Corporation;
 - (d) when is the estimated date of completion; and
 - (e) if the project is completed, when was it finished and what was the actual final cost?
- (3) If no to (1) above -
- (a) when will this work commence;
 - (b) when is the estimated date of completion; and
 - (c) what is the estimated cost of the project?

Hon M.J. CRIDDLE replied:

- (1) (a)-(d) No.
- (2) Not applicable.
- (3) Refurbishment and improvements to the Goldfields Pipeline:
 - (a) Commenced 1994.
 - (b) 2025.
 - (c) \$51 million.

Upgrade of Town Water Supply at Ravensthorpe:

- (a) Commenced 1996/97.
- (b) Completed June 1999.
- (c) \$1.42 million.

Construction of a Water Corporation Operations Centre in Kalgoorlie:

- (a) September 1999.
- (b) April 2000.
- (c) \$0.9 million.

Extension of bores to increase the water supply to the town of Esperance:

- (a) Commenced 1997/98.
- (b) Completed December 1998.
- (c) \$0.9 million.

GOVERNMENT CONTRACTS, TENDERS, COSTS AND COMPLETION DATES

1550. Hon KEN TRAVERS to the Minister for Mines:

- (1) In 1998/99 what contracts did Government departments and agencies under the Minister's control award to -
 - (a) O'Keefe & Gee;
 - (b) Picton Press;
 - (c) Frank Daniels;
 - (d) Vanguard Press;
 - (e) Advance Press;
 - (f) Muhlins Print; and
 - (g) Lamb Print?
- (2) For each contract, what was -
 - (a) the original tender cost;
 - (b) the actual final cost;
 - (c) the award date; and
 - (d) the completion date?
- (3) For each contract, how many companies tendered for the contract?

Hon N.F. MOORE replied:

Department of Minerals and Energy

(1)-(3)

Company	Contracts Awarded	Original Tender Cost \$	Actual Final Cost	Award Date	Completion Date	No of Companies Tendered
O'Keefe & Gee	Nil	N/A	N/A	N/A	N/A	N/A
Picton Press	Nil	N/A	N/A	N/A	N/A	N/A
Frank Daniels	Printing of Posters	5,790	5,790	June 1999	June 1999	3
Vanguard Press	Environmental bonds brochures	715	715	Aug 1998	Aug 1998	3
Advance Press	Nil	N/A	N/A	N/A	N/A	N/A
Muhlings Print	Nil	N/A	N/A	N/A	N/A	N/A
Lamb Print	Microfiche envelopes	1,499	1,499	May 1998	May 1998	3
	Geological reports on Bangemall 6,239	6,239		July 1998	Sept 1998	4
	Notes on the geology of Pearana	2,119	2,119	Nov 1998	Dec 1998	3
	Notes on the geology of Angelo	1,797	1,797	Nov 1998	Dec 1998	4
	Annual reports and covers 13,748	13,748		Dec 1998	Dec 1998	5
	GSWA Annual Review	20,436	20,436	Dec 1998	Dec 1998	5
	Notes of the geology of Mooloogool	2,338	2,338	Dec 1998	Dec 1998	3
	Notes on Geology of Thaduna	2,164	2,101	Dec 1998	Dec 1998	3
	Geological reports on Padbury	3,160	3,160	Dec 1998	Dec 1998	3
	Geological reports on Eastern Goldfields	4,448	4,448	Dec 1998	Dec 1998	5
	Statistical digest	3,103	3,103	Jan 1999	Jan 1999	3
	Notes on the geology of Muccan	3,226	3,276	Feb 1999	March 1999	3
	Geological reports on Halls Creek	2,955	2,955	May 1999	May 1999	3
	Geological reports on Paterson	4,307	4,307	June 1999	June 1999	3
	Report covers	11,651	11,651	June 1999	June 1999	5
	Geological reports on Halls Creek	925	925	June 1999	June 1999	3

Coal Industry Superannuation Board:

Company	Contracts Awarded	Original Tender Cost \$	Actual Final Cost	Award Date	Completion Date	No of Companies Tendered
Frank Daniels	Printing CISB Report to Members/ Newsletter/ CISB Benefit Statements 1999	2,472.80	2,472.80	Sept 1999	Oct 1999	2

GOVERNMENT CONTRACTS, TENDERS, COSTS AND COMPLETION DATES

1562. Hon KEN TRAVERS to the Leader of the House representing the Minister for Lands:

(1) In 1998/99 what contracts did Government departments and agencies under the Minister for Lands' control award to -

- (a) O'Keefe & Gee;
- (b) Picton Press;
- (c) Frank Daniels;
- (d) Vanguard Press;
- (e) Advance Press;
- (f) Muhlings Print; and
- (g) Lamb Print?

(2) For each contract, what was -

- (a) the original tender cost;
- (b) the actual final cost;
- (c) the award date; and
- (d) the completion date?

(3) For each contract, how many companies tendered for the contract?

Hon N.F. MOORE replied:

LandCorp

(1) (a-d) None.
(e) 2 orders for printing services.
(f-g) None.

(2)

Quote Cost	Actual Cost	Actual Date	Completion Date
\$3 015	\$3 015	14 Sept 1998	21 Sept 1998
\$1 300	\$1 260	1 March 1999	30 April 1999

(3) None.

Department of Land Administration

(1) (a) Nil
(b) (i) Printing of 4000 "Code of Business Conduct" booklets
(ii) Printing of Karratha development brochures
(iii) Printing of Ledge Point brochures
(iv) Printing of Certificate of Title
(c) (i) Printing Perth from space posters
(d) (i) Reprinting of DOLA presentation folders
(e) (i) Printing of LEC manuals
(ii) Printing of touring of Gascoyne Coast
(iii) Printing of City to Bush maps – Sheets 1,2 & 3
(f) (i) Printing of Metro maps
(ii) Printing of Metro maps
(iii) Printing of touring South West corner maps
(iv) Printing of Warburton maps
(v) Printing of Eucla maps
(vi) Printing of touring South Coast maps
(vii) Printing of Eucla maps
(g) (i) Printing of DOLA 1997/98 Annual Report
(ii) Printing of Aurisa 1998 conference handbook
(iii) Printing of extra pages for the 1997/98 Annual Report

(2)

	(a)	(b)	(c)	(d)
(a)	Nil			
(b)	(i) \$ 990	\$ 990	2-7-98	7-8-98
	(ii) \$1850	\$1850	24-9-98	9-10-98
	(iii) \$1015	\$1015	14-4-99	15-4-99
	(iv) \$1620	\$1620	19-4-99	10-5-99
(c)	(i) \$ 900	\$ 900	17-11-98	7-12-98
(d)	(i) \$1964	\$1964	25-3-99	30-4-99
(e)	(i) \$ 765	\$ 765	2-9-98	21-10-98
	(ii) \$2310	\$2310	24-3-99	30-3-99
	(iii) \$1950	\$1950	24-6-99	2-9-99
(f)	(i) \$1560	\$1560	17-7-98	4-8-98
	(ii) \$4995	\$4995	10-8-98	7-9-98
	(iii) \$5600	\$5600	24-11-98	16-12-98
	(iv) \$1135	\$1135	24-12-98	2-1-99

	(v)	\$1135	\$1135	10-2-99	6-4-99
	(vi)	\$1860	\$1860	27-4-99	5-5-99
	(vii)	\$ 175	\$ 175	4-5-99	7-5-99
(g)	(i)	\$8877	\$8877	29-9-98	2-12-98
	(ii)	\$2000	\$2000	18-11-98	30-12-98
	(iii)	\$ 517	\$ 517	9-12-98	13-2-99
(3)	(a-f)	Nil			
	(g-i)	3			
	(g)	(ii-iii) Nil			

GOVERNMENT CONTRACTS, TENDERS, COSTS AND COMPLETION DATES

1563. Hon KEN TRAVERS to the Leader of the House representing the Minister for Parliamentary and Electoral Affairs:

(1) In 1998/99 what contracts did Government departments and agencies under the Minister for Parliamentary and Electoral Affairs' control award to -

- (a) O'Keefe & Gee;
- (b) Picton Press;
- (c) Frank Daniels;
- (d) Vanguard Press;
- (e) Advance Press;
- (f) Muhlings Print; and
- (g) Lamb Print?

(2) For each contract, what was -

- (a) the original tender cost;
- (b) the actual final cost;
- (c) the award date; and
- (d) the completion date?

(3) For each contract, how many companies tendered for the contract?

Hon N.F. MOORE replied:

(a)-(f) None.

(2)-(3) Not applicable.

POLLUTION, BENZENE, TOLUENE AND XYLENE LEVELS

1595. Hon J.A. SCOTT to the Attorney General representing the Minister for Health:

Further to question on notice 987 of December 7 1999 -

- (1) Has the Health Department carried out any air toxics studies that enable a comparison with other countries maximum permissible limits for benzene, toluene and xylene?
- (2) If yes, will the Minister for Health table those studies?
- (3) If not, why not given that the Western Australian statistics are for maximum 24 hours averages while most other country's monitoring is based on long term averages?
- (4) Has the Health Department ignored using long term averages to avoid identifying the dangerous levels of benzene, toluene and xylene present in Perth air compared to other countries?
- (5) What is the Health Department's reason for failing to produce monitoring results that enable comparison with other countries?
- (6) Does the Health Department have any research on the link between vehicle emissions and asthma levels in children?
- (7) If so, will the Minister table that research?

Hon PETER FOSS replied:

- (1) No. Monitoring by Government of air toxics in Western Australia is undertaken by the Department of Environmental Protection (DEP). The Health Department of Western Australia works closely with the DEP on this matter.
- (2) Not applicable.
- (3) Volatile organic compounds were monitored in Perth's air by the DEP from March 1997 to November 1998 by collecting 24 hour air samples. The analytical results of the samples collected can be used to estimate the annual average for individual volatile organic compounds in Perth's air. Estimated annual average values can be compared with National and International guideline values, if available. Results of the DEP preliminary study are provided in the publication 'Volatile Organic Compounds Monitoring in Perth: Baseline Air Toxics Project'.

- (4) No.
- (5) The DEP Baseline Air Toxics Project provides estimates of volatile organic compound levels in Perth air that can be compared to levels estimated in other countries.
- (6) No.
- (7) Not applicable.

ABORTION, BREAST CANCER RISK

1652. Hon E.R.J. DERMER to the Attorney General representing the Minister for Health:

- (1) Does the Minister for Health deny that the Health Department of Western Australia's 1998 publication entitled "*Medical Risk of Induced Abortion and Carrying a Pregnancy to Term. Information for General Practitioners*" states with reference to "Melbye M, Wohlfahrt J, Olsen J, et al. Induced abortion and the risk of breast cancer. *The New England Journal of Medicine*; 336, 81-85 (1997)" that "In a landmark study of 1.5m Danish women, information derived from registries showed no increased risk of breast cancer in women who had undergone induced abortions"?
- (2) Does the Minister for Health deny that the paper "Melbye M, Wohlfahrt J, Olsen J, et al Induced abortion and the risk of breast cancer. *The New England Journal of Medicine*; 336, 81-85 (1997)" found a statistically significant increase in risk of breast cancer among women with history of second-trimester abortion?

Hon PETER FOSS replied:

- (1) The study by *Melbye M, Wohlfahrt J, Olsen, J.H, et al* entitled *Induced Abortion and the Risk of Breast Cancer* concludes "Induced abortions have no overall effect on the risk of breast cancer."
- (2) The Health Department of Western Australia presents a summary of the *Melbye et al* article in its publication and does not expressly reflect this specific finding of the study. The authors expressly advise that this finding be interpreted with caution. *Melbye et al* conclude that induced abortions have no overall effect on the risk of breast cancer.

MINING LEASE 27/164 AND OPTIMUM RESOURCES, TAILINGS DAM

1653. Hon TOM HELM to the Minister for Mines:

With reference to questions on notice 622 of September 23 1999 and 838 of October 27 1999 -

- (1) Does the Minister intend answering the above questions?
- (2) If not, why not?
- (3) If yes, can the Minister indicate, with a date, when I can expect to get some answers?

Hon N.F. MOORE replied:

- (1)-(3) Question number 622 was answered on 28 October 1999 and question number 838 on 5 April 2000.

HOMESWEST, DWELLINGS RENOVATED AND SOLD

1654. Hon KEN TRAVERS to the Minister for Transport representing the Minister for Housing:

- (1) How many houses and units have been renovated and sold by Homeswest in the past four years?
- (2) How many complaints has Homeswest received from people purchasing these dwellings after settlement.
- (3) What were the nature of the complaints?

Hon M.J. CRIDDLE replied:

- (1) Since the commencement of the New Living Programme, until the end of February 2000 the Ministry of Housing has sold 1,599 refurbished properties throughout the State.
- (2)-(3) Detailed statistics on complaints received are not maintained. Complaints that are received are generally of a minor nature and these are dealt with promptly by the Project Managers. If the member has any specific issues he wishes to raise I would be happy to have them investigated further.

MINING, EXPLORATION LICENCES

1664. Hon J.A. SCOTT to the Minister for Mines:

- (1) What is the purpose of an Exploration Licence?
- (2) How long is an Exploration Licence granted for?
- (3) What process must be followed for an Exploration Licence to be converted to a Mining Lease?

- (4) Is the Minister aware of any Exploration Licences being converted to a Mining Lease without any exploration being carried out?
- (5) If yes, how many cases of this have occurred in the last three years?
- (6) Do penalties exist under the *Mining Act* for non-compliance with conditions set for an Exploration Licence?
- (7) If yes, what are they?
- (8) Is it an offence under the *Mining Act* for a Mining Lease claim to be made and the lease area not to be pegged and no information attached to the Datum Peg?
- (9) If yes, what penalties apply?

Hon N.F. MOORE replied:

- (1) To explore for minerals.
- (2) An initial term of five years. Provision exists for the Minister to extend the term.
- (3) A mining lease must be marked out and applied for in accordance with the provisions of the Mining Act Sections 104 and 105 and Regulations 59, 60 and 61.
- (4) No.
- (5) Not applicable.
- (6) Yes.
- (7) An exploration licence may be forfeited or the licensee fined in accordance with the Mining Act (Section 96A) for non-compliance with conditions.
- (8) Yes, excepting where the area applied for is wholly or partly covered by a body of water (Mining Act Section 107). An application for a mining lease can be refused if it is not marked out or applied for in accordance with the provisions of the Mining Act.
- (9) A general penalty of a fine of up to \$5,000 for an offence committed and if continued it can be up to \$1,000 for each day continued (Regulation 115).

RAMSAR NOMINATIONS

1665. Hon J.A. SCOTT to the Attorney General representing the Minister for the Environment:

- (1) When will the Government make the additional Ramsar nominations which it promised before the last State Election?
- (2) Why have these nominations been delayed for so long?
- (3) What further work needs to be done before the nominations are sent to Canberra?

Hon PETER FOSS replied:

- (1) The Government's commitment in its Environment Policy of December 1996 was that "consideration will be given to the nomination of additional wetlands such as the Lake Muir complex under the Ramsar Convention". Consultations with stakeholders have been completed and I am now liaising with the Federal Minister for the Environment on this matter. A final decision on nominations will be made as soon as the necessary discussions are completed.
- (2) The nominations have not been delayed. Rather, there has been a scientific assessment process followed by a period of stakeholder consultation.
- (3) Discussions with the Federal Minister for the Environment need to be concluded, and a formal nomination document needs to be completed for any nominations which the Government decides to put forward.

SMOKE DETECTORS

1670. Hon NORM KELLY to the Attorney General representing the Minister for Health:

- (1) Given the concerns about the health risks posed by radioactive smoke alarms, will the Government implement the recommendation of the 1996 Senate Select Committee on the Dangers of Radioactive Waste, that householders be encouraged "to return smoke detectors to central locations so that they can be returned to the manufacturer or suppliers"?
- (2) What steps has the Government taken since the Report of the Committee, to develop mechanisms to facilitate the return of smoke detectors to suppliers, manufacturers or to local collection points?

Hon PETER FOSS replied:

- (1) Yes, where necessary.

- (2) Early model smoke detectors had relatively high levels of radioactivity. For these detectors, the Health Department of Western Australia has made arrangements for the detectors to be collected from households. These devices are disposed of at the Intractable Waste Disposal Facility at Mount Walton. Modern domestic smoke detectors do not contain sufficient radioactive material to present a risk to public health and as such, householders can dispose of these devices safely in the domestic Waste stream to municipal landfill.

TREE HOLLOW HABITATS

1674. Hon NORM KELLY to the Attorney General representing the Minister for the Environment:

Further to the Minister for the Environment's response to question on notice 851 of 1999 -

- (1) Question 1 asked for a list of "scientifically peer reviewed and published reports" which demonstrate the amount of tree hollow habitats that are sufficient for hollow dependent forest species. The Minister's answer lists 24 papers. Of those 24 papers -
- (a) which concern species that require hollows in logs rather than tree hollows;
 - (b) which papers have been peer reviewed according to recognised scientific peer review process;
 - (c) which papers have been published in recognised scientific journals or scientific publications;
 - (d) which papers actually establish what is sufficient tree hollow habitat for the long term conservation of each of the 37 bird and mammal species dependent on hollows; and
 - (e) what is sufficient tree hollow habitat for the 37 hollow dependent bird and mammal species found in WA's south west forests?
- (2) Why did the Minister's answer omit several key scientific papers which raise fundamental concerns about the impacts of logging and other forest management practices on the long term survival of hollow dependent forest fauna?
- (3) Question 3 asked whether buffer zones in the forests are permanently protected or intended for future logging. The Minister's answer to question 2 refers to temporary exclusion areas as "buffers in the jarrah forest", but in answer to question 3, buffers are defined as "travel routes river and stream reserves, and diverse ecotype zones" -
- (a) what are the temporary exclusion areas in the jarrah forest, buffer zones;
 - (b) are they permanently protected from logging;
 - (c) if not, are they subject to future logging and if so, what is the earliest date from which they could be logged; and
 - (d) what impact will this future logging of buffer areas have on tree hollow habitat availability and native wildlife conservation?
- (4) Which scientifically peer reviewed and published report or reports demonstrate that retaining "four marked habitat trees and 6-8 marked potential habitat trees per hectare" is sufficient for the hollow dependent bird and mammal species occurring in the forest areas subject to logging?
- (5) In answer to question 8, the Minister states that tree hollows suitable for larger fauna take 130 years to develop -
- (a) in which scientific paper is this established; and
 - (b) how is this answer reconciled with the figures given in "Forest wildlife and habitat management in southwestern Australia: knowledge, research and direction", (Grant Wardell Johnson and Owen Nicholls, in Conservation of Australia's forest fauna, Royal Zoological Society of NSW, 1991), in which it is stated that "Suitable hollows [for large mammals] first develop in jarrah trees at about 300 years of age and in marri trees at about 200 years. The average age of trees inhabited by possums was estimated at about 500 years for jarrah and 400 years for marri"?
- (6) In answer to question 9, the Minister states that no vertebrate or plant species are known to have permanently declined or to have become extinct as a result of logging or prescribed burning -
- (a) has logging or prescribed burning contributed to the decline or extinction of any vertebrate, plant or other species; and
 - (b) if yes, which species and in which research papers is this documented?

Hon PETER FOSS replied:

- (1) (a) Those relating to the Numbat or Chuditch.
- (b) All papers published by CALM officers in CALM journals have been reviewed by scientists with knowledge or research expertise in the subject matter. The other journals should also have a similar system of review.

- (c) Of the list of publications provided, those published in *Forest Ecology and Management*, *CALMScience*, *Australian Wildlife Research*, *Proceedings of the Ecological Society of Australia*, *Wildlife Research*, *Agricultural Protection Board Technical Series*, *Journal of Zoology London*, *Emu*, and *Western Australian Naturalist*.
 - (d) As my preamble to the answer made clear, the papers and reports listed and those in preparation offer relevant information.
 - (e) The hollow requirements of hollow-dependent birds and mammal species is safeguarded by considering extent of occurrence in forest, home range, dependence on hollows in study trees, body size (hence size of hollow needed) and density of trees of a size to bear hollows able to be used by each species. The papers published and in preparation provide this information. The species requiring most consideration are those that are large-bodied and which live in small home ranges: the Koomal (Brushtail possum) and Ngwayir (Ringtail possum). Both of these species are a focus of the Kingston study.
- (2) I am not aware that any relevant papers were omitted. I would appreciate a list of such papers.
- (3) (a) Buffer zones in the jarrah forest are comprised of permanent exclusion areas such as described in the answer to question 3 to question on notice 851 of 1999 and temporary exclusion areas.
- Temporary exclusion areas are retained around areas harvested for regeneration purposes under the gap-cutting silvicultural method so that the areas cut do not exceed 10 hectares in any one single cut-over area.
- Temporary exclusion areas are also retained for the purpose of achieving phased harvesting on second order catchments in the intermediate and low rainfall zones as required under Condition 12 of the 1992 Ministerial conditions "Statement that a proposal may be implemented (pursuant to the provisions of the Environmental Protection Act 1986), Amendments to the 1987 Forest Management Plans and Timber Strategy and proposals to meet environmental conditions on the Regional Plans and the Western Australian Compliance and Progress Environmental Review Management Plan" dated 24 December 1992.
- Under Condition 12, the temporary exclusion areas ensure that at least 30 per cent of each second order catchment has a retained basal area of greater than 15m² per hectare.
- (b) No.
 - (c) The temporary exclusion areas are retained for a minimum period of 15 years after the harvesting of adjacent areas.
 - (d) See answer to question 5 of question on notice 851 of 1999.
- (4) Inions, Tanton and Davey (1989), Jones, How and Kitchener (1994), and ongoing research results in the Kingston project (these are being prepared for publication).
- (5) (a) In a paper being prepared by CALM, in which it is determined that the smallest diameter (57cm) at which a marri or jarrah tree will bear a hollow suitable for use by the largest species.
- (b) The paper cited could obviously only use information available before 1991. This information is now known to be incorrect as a result of ongoing research conducted by CALM.
- (6) (a) Logging or prescribed burning are not known to have caused permanent decline or extinction of any vertebrate or plant species. Clearing of forest for farming and depredation by the introduced Red fox have been demonstrated to have caused declines and extinctions of many species.
- (b) Not applicable.

AERIAL SPRAYING, REGULATIONS

1677. Hon BOB THOMAS to the Attorney General representing the Minister for Health:

- (1) What regulations, policies or guidelines does the Health Department of Western Australia have to control the use of organophosphates in aerial spraying?
- (2) Will the Minister for Health table the relevant regulations, policy or guideline?
- (3) How are these controls enforced?
- (4) What action is the department taking to develop protocols to protect the public from spray drift from aerial spraying operations?

Hon PETER FOSS replied:

- (1) The Health (Pesticides) Regulations 1956 control the use of organophosphates under all conditions, including application by aerial spraying. Applications must be in accordance with label directions and pesticides applied in such a manner that they are not dangerous, harmful or injurious to health.
- (2) Yes.
- (3) Environmental Health officers of both State and local government are empowered under the regulations to enforce control, investigate incidents of reported misuse etc. under the Health Act 1911 (as amended).
- (4) Agriculture WA presently controls the licensing of aerial applicators. New legislation is currently being drafted and the Health Department of Western Australia is assisting in the formulation of this legislation. A protocol is being developed by Agriculture WA. The protocol is only one of the strategies used by the Government to ensure the safe use of pesticides. The Health Department has recently released a video for growers on the safe use of pesticides.

ABORIGINAL HERITAGE SITES, BURRUP PENINSULA

1681. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Aboriginal Affairs:

I refer to last week's ABC Four Corners program and the reference to the apparent disruption and destruction of Aboriginal rock carvings on the Burrup Peninsular in the construction of Woodside Energy's North West Shelf gas project -

- (1) Will the Minister representing the Minister for Aboriginal Affairs table a copy of the agreement that was struck around 1980 between Woodside Energy and the WA Museum in relation to the disruption and destruction of Aboriginal heritage sites on the Burrup Peninsular?
- (2) If not, why not?
- (3) What steps is the State Government taking to ensure that this cultural heritage is properly catalogued, that the catalogues are secure, and the rock carvings are appropriately protected?

Hon M.J. CRIDDLE replied:

- (1) Yes. [See paper No 908.]
- (2) Not applicable.
- (3) All known Aboriginal sites recorded on the Burrup have been put on the Aboriginal Sites Register and are protected under the *Aboriginal Heritage Act 1972* (AHA). The prior consent of the Minister for Aboriginal Affairs under Section 18 of the AHA is required to disturb any of these sites. Stones that were removed from locations in the Burrup are stored in a secure compound on the Peninsula. The future management of these stones is to be resolved by the Aboriginal community.

QUESTIONS WITHOUT NOTICE

TRIATHLON COMPETITION

1009. Hon TOM STEPHENS to the Minister for Tourism:

- (1) In view of the credit that the Minister for Tourism claimed for the State Government in bringing the international triathlon competition to Perth, will he now detail the role the State Government, in particular EventsCorp, played in preparing for the holding of the event last weekend in the city?
- (2) In view of EventsCorp's agreeing that it is at fault for the weekend bungling associated with this event, as the relevant minister with responsibility for EventsCorp will the minister accept responsibility for the weekend bungling of this event and, specifically, detail what steps he has taken to ensure that his agency - EventsCorp - does not ever again repeat the bungling of such a major international sporting event being held in Western Australia?
- (3) Considering the minister will be releasing tomorrow the Partnership 21 tourism strategy, which has events tourism as its major focus, will he agree with the proposition that the triathlon debacle has caused untold damage to this State's reputation and, therefore, to the prospects of the economic expansion of Western Australia?

Hon N.F. MOORE replied:

(1)-(3) In 1987 the Labor Party ran an advertisement which said, "Knock, knock, who's there? Barry MacKinnon; he's always knocking." We should start to use that campaign now, because all I hear from the Labor Party is knock, knock, knock. EventsCorp has a superb record, and to give the previous Labor Government its due, it set up EventsCorp. EventsCorp has done a great job since it was established about 15 years ago. At one stage it was part of a mistake; a simple human error, something that Hon Tom Stephens may or may not have made in his life. I suspect from the way the Leader of the Opposition talks he has never made one mistake in his life. The Leader of the Opposition pontificates about what other people do or do not do. He criticises, knocks, whinges and whines. He never says anything positive. When was the last time he said anything positive? When was the last time the Leader of the Opposition said that EventsCorp did a good job? He has never said that his life.

Hon E.R.J. Dermer: We are still waiting for the good job to occur.

Hon N.F. MOORE: Hon Ed Dermer does not know what he is talking about. The member would be the first, if he knew the history of all this, to recognise the great contribution that EventsCorp has made to Western Australia. It has done exceptionally well. I do not know of one event it has run that was not a success. The triathlon was a great success as well. It is a pity that nobody from the Opposition turned up.

Hon Mark Nevill: I was not invited.

Hon N.F. MOORE: I do not regard Hon Mark Nevill as being part of the Opposition. The opposition spokesman for sport did not turn up. He was invited, and he said he would come, but he did not show.

Several members interjected.

The PRESIDENT: Order! Members are interjecting on each other.

Hon Tom Stephens: He was sick.

Hon N.F. MOORE: I know he is sick. I suspect that is as far as it goes. The international triathlon held in Western Australia on Sunday was a great event. The obligation of EventsCorp for this event was to provide the infrastructure for the International Triathlon Union to run its event. The ITU is the body which is set up to run triathlon world championships and world cup events around the world. Like every other sport, the international body runs the event. When the world swimming championship was held in Western Australia, FINA, the world body, ran the swimming part of the event, and we provided the facility.

Several members interjected.

Hon N.F. MOORE: The Leader of the Opposition asked me a question and he will not let me answer.

Hon Mark Nevill: Tom Hoad did a terrific job.

Hon N.F. MOORE: He did, and EventsCorp did a superb job with Rally Australia, and all the other events it has run.

Several members interjected.

The PRESIDENT: Order! Members are interjecting on each other - and interjections are not worthwhile in that case.

Hon N.F. MOORE: Quite frankly they are pathetic. The ITU, which runs international triathlon events, is ultimately responsible for the running of the race.

Hon E.R.J. Dermer: Passing the buck, minister?

Hon N.F. MOORE: Will Hon Ed Dermer let me finish? EventsCorp has accepted half the blame. The member should let me finish so he knows what the answer is, and he can get it through his thick skull. EventsCorp had a surveyor survey the race track.

Hon Tom Stephens: Was it you?

Hon N.F. MOORE: I do not get down to that aspect of the event. The surveyor provided advice on a hard copy and signed it as a correct document. When that document was translated to a CD-Rom for a multimedia presentation to the various teams and competitors a mistake was made in the number of laps that had to be run. Nobody noticed the difference; nobody picked it up. The ITU accepted what it had been provided with. It did not check whether the race was the right distance either. While translating information from hard copy to a CD a mistake was made in the number of laps that had to be run and nobody from either EventsCorp or ITU or anyone who was briefed picked it up. I do not accept responsibility for personally measuring the track.

Hon E.R.J. Dermer: What has happened to Westminster tradition? You should resign.

Hon N.F. MOORE: The member is pathetic. A Labor Government lost \$1b and not one member opposite resigned. Hon Ed Dermer reckons because a race track is two kilometres short, I should resign. Good grief! Members opposite lost \$1b through WA Inc, yet they reckon I should resign over two kilometres. Good grief! They really are beyond the pale at times.

Several members interjected.

The PRESIDENT: Order! Members should get into line when they interject otherwise they waste the interjection and confuse everyone.

Hon N.F. MOORE: I accept that a mistake was made. EventsCorp has acknowledged that part of the process it was involved in contributed to the ultimate error that was made in measuring the course. Of course I am embarrassed on behalf of the Government and on behalf of Western Australia. However, I am more embarrassed about the way members opposite knock what goes on in Western Australia. Members opposite tell the rest of the world that we are no good; that is the problem! They cannot help themselves. They want to tell the rest of the world how bad things are here. What an embarrassment they are. We will endeavour to overcome the embarrassment associated with this mistake. We will do that by continuing to run very, very good events, for which we have a marvellous reputation. We got the ITU triathlon because of how well we ran the 1997 event. There was even talk at that stage that the triathlon might be run here all the time. That was because by far and away Perth ran the best event that had ever been run anywhere in the world. I am prepared to acknowledge that sometimes people make mistakes, and a mistake was made on this occasion. If the Labor Party wants to laugh at that mistake and that embarrassment, and to ridicule those people, it can do that. However, if it wants to put that into the context of mistakes - if that is what one can call WA Inc - it is minuscule compared with its performance in government.

EVENTSCORP, EVENTS HOSTED

1010. Hon TOM STEPHENS to the Minister for Tourism:

Will the minister list the events which Western Australia was hosting with the support of EventsCorp when he became the minister and how many of these events the State now hosts?

Hon N.F. MOORE replied:

Western Australia has lost the Heineken Classic golf tournament to Victoria.

Hon Tom Stephens: It has gone into the rough.

Hon N.F. MOORE: If the Leader of the Opposition were prepared to spend a moment trying to stop knocking everybody, he would understand that Heineken made a deliberate commercial decision to sell beer in eastern Australia where the biggest market is for beer. It is a pity we do not drink more beer in Western Australia of the Heineken type as it would probably stay here. The Heineken Classic was originally set up as a vehicle for Heineken to sell beer in South East Asia.

Hon Tom Stephens: What about Whitbread?

Hon N.F. MOORE: The Leader of the Opposition should just listen to me. He never stops carrying on. He has asked me a question and does not give me a chance to answer it. The Heineken beer company set up the Heineken Classic to sell beer in South East Asia and held a golf tournament in Western Australia because we are on the same time line. That is why it was held in Western Australia, and for no other reason. All the eastern States wanted it but Heineken said its prime market is South East Asia. Heineken decided that it wanted to enter the Australian beer market in 2002 as it also sponsors the Australian Tennis Open, which is a great success. Heineken has now decided to move the golf classic to Victoria, a decision made by Heineken without any reference to the State Government. Western Australia will have at least one replacement golf event in the near future and I have no doubt that the replacement event will be exceptionally good for Western Australia.

Hon Tom Stephens interjected.

The PRESIDENT: Order! The Leader of the Opposition should let the minister complete his answer. At the moment, with all the interjections, we will be able to complete about four questions.

Hon E.R.J. Dermer: Next excuse?

Hon N.F. MOORE: This is an explanation.

The PRESIDENT: Hon Ed Dermer will come to order. His name is on my questions list but I do not know whether to cross it off, because half of his interjections have been questions.

Hon N.F. MOORE: The Whitbread Round the World Race came to Western Australia twice. It is not an annual event; it is run every four years.

Hon Tom Stephens: What about the world super max eights? Are you going to lose the Hopman Cup as well?

Hon N.F. MOORE: Here we go again. Does the Leader of the Opposition want me to answer the question?

The PRESIDENT: The Leader of the Opposition will come to order. He has asked the minister a question and should let him answer it.

Hon N.F. MOORE: I am trying to answer it, Mr President, but I cannot get a word in. The Whitbread race, sponsored by the Whitbread beer company in the United Kingdom, came to Western Australia two or three times. It is an event held once every four years and is now sponsored by Volvo. As the major sponsors of that event, Volvo decided to go directly from South Africa to Sydney so that the boats could compete in the Sydney to Hobart yacht race. It decided not to stop in Perth or Melbourne. I have said to Volvo that it is the most ridiculous decision I have ever heard of because a company which bases its marketing on safety and then takes a far lower altitude going from South Africa to Sydney is, in my view, putting yachtsmen and yachtswomen in danger.

Hon Tom Stephens: Hang on - altitude?

Hon N.F. MOORE: Latitude, I am sorry.

Hon Tom Stephens interjected.

The PRESIDENT: The Leader of the Opposition will come to order. He should not interject as, whether or not he cares, he is preventing other members from asking questions, which is unfair.

Hon N.F. MOORE: Two events that were held in Western Australia when I became the Minister for Tourism will not now be held here. I will list other events which are now being held in Western Australia which were not held here when I became the Minister for Tourism, including events which we have hosted previously but are not now held here. The international triathlon, which we did not have when the Opposition was in office, has been held here twice. We have hosted the second world swimming championships - the Opposition when in office hosted one and this Government another, which is a good, 50-50 effort. In 1998 we hosted 12 international events, including the world track cycling championship and the world cup darts championship. The Opposition might think a darts championship is silly but it was worth a lot of money to Western Australia. I cannot remember them all now but with some notice I will provide a long list of the Best on Earth in Perth events and the Leader of the Opposition will see that as far as events go, we in Western Australia have been extraordinarily successful. Western Australia will not have the yacht race again for the reasons I have explained but we will have a golf tournament, if not two. We will have another triathlon championship as this is the best place in the world in which to have it. We will have more major events as time passes as this is a great place to have events, with our great climate and great people who can organise these things very well indeed.

Hon E.R.J. Dermer: It is certainly a good place to set triathlon records!

Hon N.F. MOORE: Members opposite should be supportive of these events instead of constantly knocking the efforts made by me and people in EventsCorp - which is their wont, I regret to say.

CASH DEFICIT FIGURE, AUSTRALIAN BUREAU OF STATISTICS INFORMATION

1011. Hon N.D. GRIFFITHS to the Leader of the House representing the Premier:

I refer to the Treasury claim that the Australian Bureau of Statistics used incomplete and outdated information in presenting a cash deficit figure of \$830m for the Western Australian general government sector.

- (1) On what dates did State Treasury send the ABS the financial data which was used by the ABS?
- (2) Was Treasury aware of the ABS estimate deficit of \$830m before it was released in its April publication; if so, when did it become aware?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) The Australian Bureau of Statistics has been working recently with all jurisdictions' Treasuries to develop accrual government finance statistics. Part of that development has involved the sharing of draft and work-in-progress data with the ABS to permit systems testing and to deal with classification issues. In its recent publication, the ABS used incomplete work-in-progress data from such a set of test data originally transmitted on 30 November

1999. The data was published without the State's approval. It was an attempt by the ABS to convert the budget time information into the ABS accrual presentation. It was not the midyear data.

- (2) Treasury became aware of the ABS series after its 3 April 2000 release. The \$830m general government cash deficit estimate for 1999-2000 was sourced from the unapproved work-in-progress series.

KWINANA MOTORPLEX

1012. Hon J.A. SCOTT to the Attorney General representing the Minister for the Environment:

On 20 April the Minister for the Environment wrote to me stating that the proponent for the Kwinana motorplex has now submitted satisfactory documentation to clear preconstruction conditions.

- (1) As that construction has already begun and as the WA Sports Centre Trust was required to obtain written advice that preconstruction commitments had been met before construction, how can the proponent possibly comply with this condition which it has already irrevocably breached?
- (2) As dust from the mud ponds contains radioactive material, what provision has the proponent put in place to prevent further breaches of commitment 5 relating to dust control measures?

Hon N.F. MOORE replied:

On behalf of the Attorney General, I thank the member for some notice of this question.

- (1) The WA Sports Centre Trust is now in compliance with the conditions. The trust was notified that it was considered to be in non-compliance, ceased work when notified of this fact and submitted the relevant documentation to obtain written advice to commence construction.
- (2) The proponent has implemented measures such as wetting dusty areas with spray from water trucks, and if dust does become visible, work will cease. This meets the Department of Environmental Protection guidelines for the prevention of dust and smoke pollution from land development sites. In addition, two air sampling devices are being set up to monitor dust levels at nearby occupied sites.

ABORIGINAL HERITAGE LEGISLATION, AMENDMENTS

1013. Hon HELEN HODGSON to the minister representing the Minister for Aboriginal Affairs:

- (1) Has the Federal Government requested the State Government to draft legislation to amend state Aboriginal heritage legislation?
- (2) If so, when was that request received?
- (3) Does the State Government intend to amend the Aboriginal Heritage Act?
- (4) Have amendments to the Aboriginal Heritage Act been drafted?
- (5) If yes to (3) or (4), what groups will be, or have been, consulted about the amendments and when will the amendments be introduced to Parliament?
- (6) If there has been no consultation, does the Government intend to consult with interested groups; if so, who?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) No, a new Aboriginal heritage Bill is being drafted with the intention that it will repeal and replace the Aboriginal Heritage Act 1972.
- (4) Not applicable.
- (5)-(6) It is intended that the draft Aboriginal heritage Bill will be released for a period of public comment prior to its introduction to Parliament.

NATURAL DISASTERS, CLASSIFICATION

1014. Hon MURIEL PATTERSON to the minister representing the Minister for Emergency Services:

With the recent spate of natural disasters impacting on regional communities across the State, can the Government outline the conditions that determine when an impacted area is classified as a natural disaster zone?

Hon N.F. MOORE replied:

When Tom Stephens turns up!

Hon E.R.J. Dermer: Do not be trite!

Hon N.F. MOORE: I said to him the other day that he actually did more damage than the cyclone, but that was just a joke between Hon Tom Stephens and I.

Hon E.R.J. Dermer: That is trite and in poor taste, Leader of the House.

Hon N.F. MOORE: The Leader of the Opposition is not upset.

Hon Derrick Tomlinson: There is nothing natural about Hon Tom Stephens.

Hon N.F. MOORE: He is certainly a disaster.

The PRESIDENT: Order! If I let it go, it degenerates into a slanging match and very few members get to ask a question; but, in the end, members make that decision, so while they are sitting there waiting to be called, they should think about the interjections.

Hon N.F. MOORE: I apologise if that comment caused any distress.

I thank the member for some notice of this question. The declaration of a natural disaster and any consequent funding assistance arising there from is governed by the provisions of the commonwealth-state natural disaster relief arrangements. These longstanding arrangements provide for commonwealth financial assistance to help States meet the unpredictable and sometimes large cost of providing natural disaster relief. Under the NDRA, eligible natural disasters are defined as any one of, or any combination of, the following natural phenomena: Bushfires, cyclones, earthquakes, floods and storms. The arrangements do not cover disasters that occur as a result of accidents, human error or actions. A natural disaster is declared when an eligible natural disaster results in the expected costs of approved relief and restoration measures, other than personal hardship and distress, exceeding 10 per cent of the "base amount". For 1999-2000, the "base amount" is \$16.620m. Therefore, expenditure on approved relief and restoration measures must be expected to exceed the "trigger" figure of \$1 662 000.

THERAPEUTIC GOODS BILL 2000, INTRODUCTION

1015. Hon MARK NEVILL to the Leader of the House representing the Minister for Health:

When does the Government expect to introduce into the Parliament the therapeutic goods Bill 2000?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. It is expected that the therapeutic goods Bill will be introduced in the current session.

POWER GENERATION, COAL PURCHASES AND WATER AUTHORITY CONTRACT

1016. Hon J.A. COWDELL to the Leader of the House representing the Minister for Energy:

- (1) Will the Kwinana Power Station go completely to gas?
- (2) If so, what impact will it have on the coal contracts and the purchase of coal?
- (3) Has Western Power lost the Water Authority contract to supply 300 megawatts of power?
- (4) If so, who will pick up the 300 megawatts?
- (5) Will it be private enterprise?
- (6) Will units A and B at Muja Power Station be closed down?
- (7) If so, what impact will this have on the purchase of coal?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1)-(7) The Minister for Energy and Western Power are currently discussing plans for both new and replacement power generation. At this stage no decisions have been made.

CONVENTION CENTRE, ROLES OF WA TOURISM COMMISSION AND MINISTER FOR TOURISM

1017. Hon LJILJANNA RAVLICH to the Minister for Tourism:

- (1) What is the precise role of the Western Australian Tourism Commission in the selection of the successful proponent for the convention centre?
- (2) What is the precise role of the Tourism minister in that process?

Hon N.F. MOORE replied:

- (1)-(2) The Tourism Commission is represented on the task force that has been set up to supervise the process of, first, calling for tenders, and, secondly, assessing them. The task force is chaired by the Minister for Tourism. The Tourism Commission is the agency responsible for ensuring that the task force and the various project teams are funded and provided with resources to carry out their role. The Minister for Tourism is the chairman of the task force. The task force is made up of members of a range of government agencies which are involved in various aspects of the convention centre. Those government agencies will provide support, knowledge and an understanding of the processes so that the task force can make the various decisions. A project team is undertaking the technical and detailed work. A number of other committees have looked at various aspects of it; for example, a committee which looks at the architectural issues in respect of the buildings themselves. My role is to chair the task force, and the task force is the body that makes the decisions on the way through. When we look at the process which has been made public about how this will be determined, there are various decision points in the continuum of time at which the task force is required to make decisions. The next decision it will make is with regard to the final two proponents, and it will make a recommendation to Cabinet about which consortium it believes should proceed with the construction of the convention-exhibition centre.

Hon Ljiljanna Ravlich: Which two are you considering?

Hon N.F. MOORE: One is the Multiplex consortium, which I think is what it calls itself, and the other is the Nexus consortium. They are made up of a number of different organisations: Banks, building companies, financiers and construction people. It is not a secret, and I can get that information for the member if she wants it.

MOORE RIVER DEVELOPMENT, APPROVAL OF OUTLINE DEVELOPMENT PLAN

1018. Hon GIZ WATSON to the Leader of the House representing the Minister for Planning:

With regard to the proposed development by the Moore River Company on the south side of the Moore River estuary, amendment 22 to the Gingin town planning scheme No 8 states that the proponent is required to address issues of river foreshore management, ocean foreshore management, drainage, transportation and movement systems, a sewerage system and water supply.

- (1) Did the Planning Commission receive additional documentation and plans in respect of any of the above matters prior to approval of the outline development plan?
- (2) If yes, what were they?
- (3) If yes, will the minister table them?
- (4) If any of the above matters have not been the subject of an appropriate report and assessment, will the minister let me know why the Planning Commission approved the outline development plan?

Hon N.F. MOORE replied:

- (1) Yes.
- (2) I seek leave to table the attached table.

Leave granted. [See paper No 906.]

- (3) No. The reports are contained within the Ministry for Planning files and are available through the freedom of information processes.

- (4) The technical reports addressed all the matters raised.

WHITFORDS TRAIN STATION, PARKING

1019. Hon NORM KELLY to the Minister for Transport:

This question is in the name of Hon Helen Hodgson.

- (1) Is the minister aware that there is a shortage of parking spaces at Whitfords train station for commuters using the northern railway line?
- (2) Is the minister aware that as a result of the parking space shortage, cars are parking in surrounding residential streets, and in particular in Twickenham Drive?
- (3) Will more parking spaces be created at Whitfords train station to provide for the excess demand?
- (4) What steps will the department take, either in conjunction with the City of Joondalup or separately, to enforce and extend the no-parking zone in Twickenham Drive?

Hon M.J. CRIDDLE replied:

- (1)-(2) Yes.
- (3) The need for expansion of this facility has been recognised and plans are underway for this to occur. The area for parking expansion is to the east of the freeway on-ramp. Main Roads WA, Transperth and Westrail are currently confirming the concept plan. The project also involves redesign of the freeway on-ramp, redesign of the Kiss 'n' Ride facilities at the station, and a footbridge for passenger access. The project has been budgeted for, and based on current planning it should commence by early 2001.
- (4) The department will advise the City of Joondalup of its plans for expansion at Whitfords station and will also advise the City of Joondalup of the concerns regarding vehicle parking in Twickenham Drive.

SOCCER STADIUM, FUNDING

1020. Hon KIM CHANCE to the Minister for Tourism:

What steps does the State Government intend to take to ensure that it has some recovery of the taxpayers' funds that will be invested in the soccer stadium at the proposed convention centre, and what contribution will the private sector operators of the stadium be bound to make to the State in order to offset the expenditure of taxpayers' funds for the construction of the stadium?

Hon N.F. MOORE replied:

I regret that I cannot provide an answer to that question in view of the processes that are currently being undertaken to assess the final proponent for this project. However - and this is public knowledge - the Government has agreed to make a contribution of \$10m towards the stadium. I do not know yet what sort of stadium we will get and how much it will cost, but a government contribution of \$10m to a stadium which will obviously cost a lot more than that is a pretty good deal. It is very unusual for stadiums anywhere in the world to be built by the private sector. They are invariably built by government. One of the reasons we have included the stadium in this project is to obtain the benefits of some of the synergies available between stadiums and convention-exhibition centres. We may well obtain for the taxpayers of Western Australia a rectangular stadium for sports such as rugby and soccer that will be largely run and funded by the private sector. Surely the member supports that.

CONVENTION CENTRE, TENDER SPECIFICATIONS

1021. Hon TOM STEPHENS to the Minister for Tourism:

- (1) Do the proposals for the two preferred short-listed tenderers for the convention centre currently under consideration by the selection committee conform with the publicly released tender specifications for this project?
- (2) If not, what changes have been made to the specifications or sought by the proponents?
- (3) Can the minister indicate whether the specifications for the convention centre have been changed in the bidding process?
- (4) Have either of the final two tenderers requested that the specifications be changed?
- (5) If yes, what changes have been sought and agreed to?
- (6) In view of the \$110m of taxpayers' funds allocated to the convention centre project and the contribution of perhaps

up to \$75m of public land, what steps is the State Government taking to ensure there will be open, affordable and equitable access to the stadium and arts-theatre complex inside the convention centre?

- (7) What opportunity will the public of Western Australia have to comment on the two final projects before one or the other is given the guernsey and benefits from the allocation of \$110m of taxpayers' funds and up to \$75m of public land?

Hon N.F. MOORE replied:

- (1)-(7) I gather from the tone of the member's question that he does not support the project. That is a pity. Members opposite knock everything the Government does. They cannot help themselves; they are the greatest knockers in history. They are whingeing, whining knockers. No matter what the Government does they oppose it. There is massive community support for the convention-exhibition centre. I suspect that even the opposition spokesperson on tourism now understands that having talked to the industry at great length and found out what it wants. He also probably understands that people in Western Australia and the tourism industry in particular want a convention-exhibition centre. He also knows, as I hope Hon Tom Stephens knows, that there is significant support for the establishment of a stadium. The Government is going through a process to deliver a convention-exhibition centre and stadium for Western Australia. I have just informed the House that that process does not allow me to say anything about the details of the submissions because of the competitive environment. Two consortia are competing, and it is important from a probity point of view that I do not reveal the content of either submission.

Hon Tom Stephens: Have the specifications changed?

Hon N.F. MOORE: I do not propose to answer any questions about the process.

Hon Tom Stephens: That will be great comfort to any unsuccessful tenderer.

The PRESIDENT: Order! The Leader of the Opposition has asked the question and he should let the minister answer it.

Hon N.F. MOORE: Were the member to take the time to find out, instead of parroting questions drafted by someone else, he would know that the Government has fastidiously followed a process since it decided to go down this path. It will follow that process until it is finished and a decision is made on the successful consortium.

Hon Tom Stephens: Everyone knew who was going to get it from the day it was started. You knew that was the case from day one.

Hon N.F. MOORE: I take the greatest exception to that. If the member says it outside this place I will sue him until his nose bleeds! I do not know who will get the contract.

Hon Tom Stephens: You are chairman of the committee; you run the whole damn show!

The PRESIDENT: Order! The Leader of the Opposition will come to order or I will take action. I give him a fair bit of latitude - more than I do to most other members. If he abuses it, I expect that he expects me to take action.

Hon N.F. MOORE: I challenge the Leader of the Opposition to say publicly outside this House that I know who will get the contract and that I always did. I will sue him in such a way that he will never again be able to raise a cent. That is the most outrageous thing that has been said to me since I have been in this seat!

The Government has gone through a proper process. A probity auditor attends every meeting. I have had meetings to discuss issues that are vaguely related to this project and I have had a probity auditor present to ensure that I do not say the wrong thing. I have been absolutely fastidious in this process. I do not know who will get the contract. I know it will be one of two tenderers, but I do not know who will win. I challenge Hon Tom Stephens to get out of coward's castle and say it outside. I bet he does not have the guts.

Hon Tom Stephens: It is all up and down the terrace.

Hon N.F. MOORE: I do not care what is up and down the terrace. I know what I have done. I do not know what Hon Tom Stephens or anyone else has done, but I do know what I have done. I have taken this straight down the line.

Hon Tom Stephens: Nonsense!

Hon N.F. MOORE: I do not know who will get the contract because a decision has not been made by the project team, the task force or Cabinet. How could I make a decision? I challenge the Leader of the Opposition to go outside and say that I knew, that I now know and that I have always known who would get the contract. If he does not, he is a gutless wonder.

