



WESTERN AUSTRALIA

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THIRTY-FIFTH PARLIAMENT
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LEGISLATIVE COUNCIL

Thursday, 16 September 1999

Legislative Council

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THE PRESIDENT (Hon George Cash) took the Chair at 11.00 am, and read prayers.

GOVERNMENT PRIORITIES AND FUNDING COMMITMENTS

Motion

Resumed from 15 September on the following motion moved by Hon Tom Stephens (Leader of the Opposition) -

That this House -

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

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [11.03 am]: When debate adjourned yesterday, I was talking about the convention-exhibition centre, particularly how it will be funded and the process by which the Government is attracting the private sector to make a considerable investment in the Perth central business district. The Government is providing a number of incentives which are being assessed by the three proponents. The proponents will make a competitive decision about which incentives they wish to access. It is a very competitive arrangement. Three consortia, consisting of substantial international companies, are bidding for this project and they are very keen. The point must be made that the proponents will take into account how much government money will be needed when they decide their competitive position. The request for proposal document indicates that the less government money the consortia requires, the better it will be from the Government's point of view. The consortia well and truly understand the way the process will operate.

The incentives have always been up to \$100m. Up to an additional \$10m will be provided for the stadium, and the land will be provided on the basis that public land is available for the project. The Government will consider facilitating the project by making the land available for the mandatory facilities on a peppercorn lease.

Hon N.D. Griffiths: Is the Leader of the House saying that up to \$110m of public money will be provided, plus land on a peppercorn lease?

Hon N.F. MOORE: Everything is "up to". It is a competitive arrangement, and the incentives may be significantly less than the Government's offer.

Hon Barry House: It is a lot better than the Swan Brewery deal.

Hon N.F. MOORE: I want Hon Nick Griffiths to be absolutely clear on the issue so there is no more misinterpretation and no stories like that in this morning's *The West Australian*, which takes the most extreme position and states it as fact.

Hon N.D. Griffiths: They know the Government's track record.

Hon N.F. MOORE: The Government has identified two sites that it believes will be appropriate for the centre. However, a developer may seek to build on another site. A weighting is applied in determining which proponent is considered for the next stage. The Government has emphasised that it prefers the busport or Wellington Street site. They are equally attractive. Any other site will be marked down in the competitive process because it is not as acceptable to the Government. As I indicated to the House the other day, the value of those two sites - this is a desk top evaluation by the Valuer General - is about \$52m and \$75m respectively. The Government has said that certain buildings are mandatory and need to be built because they are what the project is about. These buildings are the convention-exhibition centre; the arts space, which some proponents may include in the centre or make a separate entity; and the soccer stadium. The Government has indicated that it will provide that land for a peppercorn rent on a 99-year lease. The Government is not giving them the land. Many people say that a 99-year lease is as good as freehold.

Hon Norm Kelly: It is only 99 years!

Hon N.F. MOORE: However, the Government is asking people to invest a lot of money into this proposal. The land is not being given to them freehold. It will be leasehold land so that the Government can apply conditions on the way in which the land is used.

The PRESIDENT: Order! Hon Tom Helm knows that it is against standing orders to read a newspaper in the House.

Hon Tom Helm: It is not a newspaper.

The PRESIDENT: That may be the case, but from here it looks very much like a newspaper.

Hon N.F. MOORE: There is a significant difference between leasehold and freehold land in this context because the Government is providing an incentive for a private developer to build a convention-exhibition centre and other facilities. It is vital that the developer provide those facilities and use them for the purpose they are built for. The lease will require the developer to deliver a convention-exhibition centre and a soccer stadium. If the land is freehold, the developer can decide that it does not want conventions and can change the centre to another purpose.

The conditions are being applied through that leasehold arrangement. It is important for people to understand that, because there are strict conditions on the developer to ensure it delivers the Government's requirements in a convention and exhibition centre and that it is used for that purpose.

Hon Norm Kelly: Do those requirements include a lack of car parking space so we do not get traffic congestion in that area?

Hon N.F. MOORE: They are required to provide a certain number of car parking bays. I think 600 was the original proposal and is still the Government's preferred position. The proponents must take into account the need to provide parking, but the Government has been encouraged by the fact that the two preferred sites are in the central business district and as such there is already a significant amount of parking in the area. The convention and exhibition centre and the stadium will largely be used when the CBD parking areas are not in use. A stadium would be used mainly on weekends or at night-time when most of the parking bays in the CBD are not being used.

Hon Norm Kelly: A Friday night game at the WACA and there is no congestion in the city?

Hon N.F. MOORE: I do not regard the Western Australian Cricket Association ground as being in the CBD in the context of this proposal. If we build a stadium on the Wellington Street site and draw a radius of half a kilometre from that site, we will come across countless hundreds of parking bays which are not being used. It is easy to walk there, whereas it is too far to walk from the central business district to the WACA.

Hon Ken Travers interjected.

The PRESIDENT: Order! Let us hear the Leader of the House.

Hon N.F. MOORE: I am a bit susceptible to answering the questions being asked, as I have unlimited time, but I will continue my comments. The Government has made a decision to make land available and we have told the investors that we will provide land for the mandatory buildings at a peppercorn rent with a 99-year lease. If a developer is prepared to pay a bit more than a peppercorn rent in order to be more competitive, the Government will be pleased to hear that. I do not know off the top of my head how much area the two sites occupy but it is highly unlikely that the convention and exhibition centre, the performing arts space and the stadium will take up the total amount of land available. It is not fair to say that \$75m-worth of land will be given at a peppercorn rent. It may be that the developer needs only half of that land for the mandatory buildings and it may seek to use the other land for the ancillary buildings and facilities which it wishes to include in its project. If a developer decides to build a hotel on the site, that land will be -

Hon Ken Travers: Will it be able to buy that land?

Hon N.F. MOORE: It may but if Hon Ken Travers looks at the document, he will see it states, in respect of the ancillary benefits -

In this regard, the State is willing to consider as part of Respondents proposals, to enter into a series of 99 year leases of Crown land which will encompass ancillary facilities fundamental to the success of the PCEC project . . .

Point of Order

Hon KEN TRAVERS: Could the Leader of the House identify the document he is quoting from?

Hon N.F. MOORE: I am happy to do so. If the member will wait until I finish quoting from it, that would be helpful. I know the member is impatient. This is the Perth Convention and Exhibition Centre Request for Proposal document. It is a public document and Hon Ken Travers could have got a copy any time he liked. It is a pity *The West Australian* has not read the document yet as that would have saved it having to writing the story it did this morning.

The PRESIDENT: The document has been identified.

Debate Resumed

Hon N.F. MOORE: The document states -

The State is cognisant that if the lease of Crown land to the Developer is at sub-commercial rental values this will assist the Developer with financing of the Project and should also return significant direct and indirect benefits to the State.

Respondents may be offered the opportunity to purchase freehold title land to be occupied by the Ancillary Facilities. In this event the land will be made available at full market value as determined in conjunction with the Valuer General's Department

If the developer wants to buy the land freehold and it is part of the project, it will be sold at market value. The footprint of land over which the mandatory facilities will be located will be provided in the worst case scenario for the State at a peppercorn rent on a 99-year lease but the developers may offer more than that because of the competitive environment in which we are operating.

The Government is very encouraged by the attitude of the three consortia and their determination to deliver a good deal for Western Australia. As I indicated yesterday, the State's incentive is up to \$110m and the land I have just described and that may deliver a project worth around \$400m for Western Australia. That is not a bad investment bearing in mind that everywhere else in the world convention and exhibition centres are not provided unless the Government builds and runs them itself or it trades off the building of one for a casino licence or some similar significant incentive, an opportunity we do not

have at present in Perth. I tried to explain to the House yesterday that this particular facility is not some sort of monument; it is a working building, it will employ many people and have a significant flow-on and multiplier effect on employment right across the metropolitan area.

Hon N.D. Griffiths: It might be a white elephant.

Hon N.F. MOORE: I give Hon Nick Griffiths an absolute assurance that it will not because a lot of research has been done into this - it is not just a whim somebody has had. Consultants reports were done on this. Even when the Opposition was in government, Hon Pam Beggs commissioned a report, if my memory serves me right, it might even have been one of the Labor Party's election policies. Work has been done on this idea for many years. The most recent study was in about 1993. That research demonstrated that if this facility were anything like the one in Brisbane, it would employ 600 people directly and several thousand during the construction in addition to the multiplier effect on the community and would deliver \$2b-worth of business to Western Australia over 10 years.

Hon N.D. Griffiths: Are these consultants' reports public documents?

Hon N.F. MOORE: Absolutely. I wish the members of the Opposition would read the darn things instead of making off-the-cuff remarks about this not working when people have already proved that it will.

Hon N.D. Griffiths: The last one was in 1993, did you say?

Hon N.F. MOORE: About then - 1993 or 1994.

Hon N.D. Griffiths: Can you recall its name?

Hon N.F. MOORE: Not off the top of my head. I should be able to but I will get the information for the member later.

Hon N.D. Griffiths: If you would not mind.

Hon N.F. MOORE: It would be a pleasure. If necessary, I will give Hon Nick Griffiths a summary to save him having to read it all. The bottom line is the report suggests that a facility of this nature could deliver \$2b-worth of business over a 10-year period. Taking into account the State's investment of up to \$110m plus access to land, that investment in a \$2b enterprise has a very good return. There is potentially a good return on the upfront capital investment and it is a very good investment in the context of \$2b-worth of business for Western Australia over the next 10 years.

Hon Ken Travers: Is that \$2b-worth of new business or total business?

Hon N.F. MOORE: I suspect it will be new business.

Hon Norm Kelly interjected.

Hon N.F. MOORE: Some people have the view that Burswood International Resort Casino is able to deliver all the State's needs, but it cannot. As I tried to explain yesterday, as it does not have an adequate exhibition centre; it cannot deliver on exhibitions. I have already explained that Burswood's present facilities are not adequate for conventions such as the American Society of Travel Agents convention.

Several members interjected.

Hon N.F. MOORE: Just a minute. Members also need to understand that when the main show hall at Burswood - the title escapes me at the moment but it is where most of the people go for these conventions and has recently been upgraded - is being used for a show, it cannot be used for a convention. In Western Australia we have one facility which is used for a range of different activities. If, for example, the Burswood International Resort Casino decided to have a show in that showroom, which might continue for three or four weeks, nobody else could have a convention in Western Australia. Therefore, we are finding that if people cannot get Burswood, they cannot have a convention here because we do not have the facilities.

I have no doubt that a facility in the central business district will complement nicely Burswood's present facilities and later on its upgraded facilities. We will then have a significant capacity to attract top-class shows and top-class conventions and exhibitions in Western Australia. It is competitive at the moment to get a venue in Perth. That is why, for example, *The Phantom of the Opera* and *Les Misérables* went to the Perth Entertainment Centre, which is not really a theatre and is not a good place for those shows, even though the producers did a good job in staging them. However, it is not by any means an ideal arrangement, and the reason for going there is that there is nothing else.

This business will grow, and I have no doubt that Burswood, in conjunction with the proposed Perth convention and exhibition centre, will provide magnificent resources and facilities for Western Australia to attract a larger amount of business than we are now getting. Obviously, we do not compete for conventions if we cannot fit them in because we just cannot cope with them. Therefore, a new centre will provide a whole new world for this State and this city to attract conventions and exhibitions to Perth. It is big business and brings in money from outside. It is the same deal as exporting goods. It is acknowledged by the Perth Convention Bureau, which has the job of bringing in conventions and exhibitions, as being absolutely vital to the future of the convention and exhibition industry in Western Australia.

It is a pity that the Opposition has taken the view that we do not need a convention and exhibition centre. We do need one and research has shown that. If the market is prepared to invest, as I said, up to about \$400m in a facility which normally does not make any money - convention and exhibition centres do not make much money; that is why governments generally run them - it knows, and will be demonstrating by its investment, that it will be good business for Western Australia. That

is why the Government is so keen to get a return on its investment - an investment which is cheap compared with the investment made by governments in other parts of Australia.

Hon Ken Travers: For how long will the operator be required to run the convention centre?

Hon N.F. MOORE: There is a period set out in the conditions under which it must operate. I will check the exact time. However, as I said, the terms of the lease will require the operator to run the centre and deliver a certain number of exhibitions and bring in a certain number of delegates for the period that the contract demands. I do not want to give a figure off the top of my head; I will check that for the member. If the member wants to read the document I have here, he is quite entitled to do so, because it demonstrates all the requirements of the three proponents.

The convention and exhibition centre will be an employer of large numbers of people. I did not mention in any detail yesterday the flexible arts space that is also a requirement of this facility. As I said earlier, at least one proponent in its initial expression of interest talked about building a separate theatre alongside, but in addition to, the convention and exhibition centre. Others have included it as part of the convention facility, but they have made sure that the convention centre space is flexible enough to enable it to be used for a range of different purposes. For members who have not seen the facility in Brisbane, I recommend they look at it. By the way, the Goss Government facilitated its building in exchange for some casino licences.

Hon N.D. Griffiths: A good Government.

Hon N.F. MOORE: Yes. It is owned and operated by the Government but, interestingly, it is contracted out to a private company to manage. In the convention part of that facility, the seats are attached to the ceiling and lift up. Five thousand square metres of flat floor space can be created with the seats attached to the ceiling. The seats can be brought down in quarters at a time to allow total flexibility in how that part of the facility is used. It can be divided into four parts, so it can be used as a huge theatre, a small theatre, exhibition space, or it can be put together and used for a convention.

Hon Tom Helm: How high up do the chairs go?

Hon N.F. MOORE: Probably as high as the ceiling in this place. They go up on a hinge. Interestingly, underneath the seats are all the lights, which are then switched on. However, people would never know they were there if they were not told. It shows how space can be used flexibly, and that may be what we get in Western Australia for our arts space, which is a sensible approach. That will deliver for the arts community a facility which they believe is necessary and appropriate for Perth and Western Australia. An arts reference group has sat down with the arts community to work out what it needs, and its requirements have been included in the request for proposal documents.

Hon Tom Helm: Did that include the minister?

Hon N.F. MOORE: I think when those people see what comes out of this, they will say that they are happy with the minister and pleased that he has been part of this project, which will deliver something special.

Hon Peter Foss: I cannot keep the unions happy, but I do not make any apologies for not keeping them happy.

Hon N.F. MOORE: Many unions are happy with this project, because they recognise that if \$400m worth of building is going on in Western Australia, that is a lot of jobs for construction workers and suppliers of building goods and services. There are many multiplier benefits to the business community by virtue of such a significant building. Therefore, we have the convention centre, the exhibition space, which I have already discussed, and the performing arts space. The Opposition claims in this motion that all of that is a waste of money. It reckons that creating those jobs and getting that business is a waste of money.

I will now deal with the stadium. I do not know where the Opposition stands on this matter. Initially it gave the impression that we should not build one. However, it then worked out that there is a big soccer community that wants a stadium; therefore, now it is not sure whether or not it should support it. I have asked by way of interjection on a few occasions whether the Labor Party supports this. However, the Government has made a decision that, based upon the expressions of interest process for this project, we should include, as a mandatory requirement, a soccer stadium for Western Australia. One of the reasons we did that is that the various proponents have indicated how a soccer stadium can be integrated with a convention and exhibition centre and how they can relate to each other in a positive way. Therefore, we have included a 19 000-seat soccer stadium as part of this deal, and that will meet the needs of Perth Glory into the reasonably foreseeable future. It will also meet the needs of any rugby union clubs that form here in the future. At the same time, by being part of the greater project, a sharing of facilities will be able to take place between the stadium and the convention and exhibition centre.

Hon Greg Smith: It will need good public transport access.

Hon N.F. MOORE: One great thing about having it in the CBD is the tremendous public transport options that it will create. If it were built on the Wellington Street site, it would be adjacent to - in fact, probably over the top of - the railway line, and a railway station could actually be built inside the stadium. That access to public transport is about as good as one could get and is as good as I have seen anywhere. We believe that we will get that part of the project delivered to us within the incentive package that I just described. The Government made a decision, based upon the expressions of interest process, to increase the incentive from \$100m to \$110m to facilitate the private sector building, owning and operating the stadium. If we could get a stadium for up to \$10m, that would be pretty close to one of the best deals ever undertaken, because, as members would be aware, virtually every stadium in the world is built by government using taxpayers' money. That has been

the trend in Western Australia and it is the trend in Australia. I think the Sydney Olympic Stadium has been largely built by public funds.

Hon Bob Thomas: In the United States they tend to be built by private owners and subsidised by the city.

Hon N.F. MOORE: That is taking place, and cities make a contribution based upon getting the games that they want to come to those stadiums, because it is in their interests to have large numbers of people coming to their cities.

Hon Bob Thomas interjected.

Hon N.F. MOORE: That may well be, but they see the economic benefit of having Superbowls or baseball games and things of that nature in the United States. As a matter of interest, the Docklands Stadium in Melbourne is a private sector-funded stadium. It will cost \$450m for a stadium which seats 53 000 people. However, it is an absolute state-of-the-art stadium, and in a sense it takes Australia to the next stage of stadium development whereby, instead of just building a football ground, an entertainment centre is being built. Docklands, with its location right alongside the CBD in Melbourne, will become a 24-hour-a-day, 7-day-a-week entertainment centre. We can learn a great deal from what is happening at Docklands in respect of the stadium that will be built in Perth. I am anxious, if we use a CBD site for a soccer stadium, that it be used far more than just simply when Perth Glory play their games here or perhaps when we have some rugby union games. As the stadium will be built in conjunction with the convention and exhibition centre it could be used for ancillary activities such as breakout rooms and kitchens. These facilities can be shared between the stadium and a convention and exhibition centre. At the same time a stadium in the city can also be used to provide outdoor exhibition space. The Docklands Stadium has a roof and the grass can be wheeled out because the surface of docklands is above the car park. The Docklands Stadium design is totally flexible. We will consider those sorts of things to see whether the same arrangements can be made here. We are not building a soccer stadium for one game of soccer every couple of weeks. It will be used for a range of different activities throughout the year and for seven days of the week if that is at all possible. If it is built in the central business district it will be a usable building. If the price is below \$10m it will be a significant saving on what it would normally cost to build. Our research on a stadium of this nature has suggested that we would need to spend between \$40m and \$60m.

Hon Norm Kelly: Has the Government considered alternative uses for the City Busport-car park site to see whether an exhibition centre is the best use for that site?

Hon N.F. MOORE: I do not know whether any other work has been done on what else the site might be used for. These two magnificent sites are returning zero to the State Government. They provide plenty of parking revenue to the Perth City Council, but they are an eyesore. I do not like the busport.

Hon Norm Kelly: Langley Park does not return the State any money either.

Hon N.F. MOORE: No, but that is part of a green belt. The member cannot tell me that the Wellington Street site adjacent to the railway is a green belt.

Hon Norm Kelly: I am talking about the busport not Wellington Street.

Hon N.F. MOORE: Many people queried the siting of that car park and the busport when that was built. When one looks out of the window at the City Busport one sees thousands of motor cars. It is a terrible waste of a very good site. Members opposite asked a question about public input into what we will eventually build. We have in place a number of panels whose job it is to assess the proponents' proposals. Part of that is an assessment of the aesthetics of the buildings. This morning we discussed a panel to look at the architecture from the point of view of the average Western Australian. One can always find a panel of architects to say it should be bigger, higher or more flamboyant, and some will say we should build a building like the Guggenheim Museum in Bilbao, Spain. That cost \$100m but it attracts \$1b worth of tourist dollars each year. It is an extraordinary building which attracts people in its own right. Architects will say we should build an icon building that attracts people because they want to see it. That may be part of what comes out of this process. In fact, some prominent architects are tied up with the different consortiums, including Sir Norman Foster the architect for the Reichstag in Berlin.

We will appoint a panel of respected Western Australian citizens who are not necessarily architects but who will decide whether the architecture will appeal to the average Western Australian. As the proponents develop their proposals they will work with the Perth City Council and various government agencies to make sure what they will build will fit in with planning, transport and other legislation. At the end of the process we will have a proposal, and a building, which will reflect what the committee thinks is a responsible use of what are two very good sites within the city. It may be that a proponent might use one site to build everything. It may build the stadium, convention and exhibition centre, the performing arts space and whatever else on the Wellington Street site, or on the busport site, although, frankly, the stadium on the busport site would be a less likely scenario than on the other site. It may also be that a proponent will build something on one site and something on the other site. That is an option that could be considered by the proponents, and will be taken into account when the Government responds to this.

It is not a monument; it is a response to a significant demand in the tourism industry and the sporting world to create this project. It will be an investment. That view is based on the sort of information that we have received so far about what might or might not be delivered. The Labor Party should tell us where it stands on the stadium, because I do not know. I have listened to Dr Gallop carrying on about a waste of money. I know that he does not support the convention and exhibition centre, and I think he is wrong for the reasons I have outlined. I do not know where he stands on the stadium, but I am interested to know.

Hon Ken Travers: If the Leader of the House shows us his constitution legislation we will tell him what we are doing about the sports stadium.

Hon N.F. MOORE: Hon Ken Travers should not have raised that issue. I have been here longer than the member. I was here for the 10 years of a Labor Government. The Labor Party in opposition was gung ho about some issues before 1983 - prostitution was one of them, and freedom of information legislation was another.

Hon Ken Travers: What about your views on openness and accountability?

Hon N.F. MOORE: Accountable government is another. The Labor Party came into government in 1983 and promised all these things.

The PRESIDENT: Order! I do not understand the connection between prostitution and a convention centre. I am happy to listen to more information on the convention centre.

Hon N.F. MOORE: The Labor Party told us about its views before the election, and we waited and waited, but no legislation on prostitution came forward. I understand the reasons; it is a difficult political issue. The Labor Party found it to be just as difficult as we have found it to be. I know that freedom of information has nothing to do with this motion. However, that legislation was passed one week or thereabouts before the 1993 election. That was because the Labor Government did not want it while it was in government, but when it knew it would lose government it whacked the legislation through. It is as simple as that. That is why this Government is subject to FOI legislation. Members opposite must understand that they cannot keep saying things in opposition and then not deliver in government and expect to be credible in the eyes of the general public. I want to know whether the Labor Party supports the soccer stadium. It would be helpful to know whether that part of the project is supported, and whether members opposite believe it should be built using taxpayers' dollars and be located in the CBD or elsewhere. It would be helpful to know where members opposite stand as I do not know.

We know the Labor Party does not support the belltower, even though the bells were accepted by the Labor Party when in office as a significant gift from the United Kingdom. Frankly, some people in the UK are sorry they gave them to us. They may have been housed elsewhere in the UK, as St Martin-in-the-Fields Church was structurally unable to continue to hold these bells. Interestingly, the Leader of the Opposition's friend the Prime Minister of the United Kingdom is happy to spend £1b to £2b on the porcupine or millennium dome at Greenwich. It is a big round structure with spikes sticking out of it; hence the porcupine reference. The British Prime Minister thinks it is well worth spending £1b or £2b on that millennium project. It is very large dollars. No-one knows what it will be used for yet, even people who have seen it. Prime Minister Blair thinks that it is a good project for the millennium and is prepared to spend that much money on a very unattractive building, which may be useful for many things - although I do not know what.

We have decided to take advantage of this gift from the United Kingdom, which was accepted by Bob Hawke in fanfare and glory and then parked in somebody's warehouse and left to gather dust and rust.

Hon Ray Halligan: They were left out in the open.

Hon N.F. MOORE: Indeed. What a way to treat a gift! If members opposite did not want them, they should have told them to take them back. We have accepted the gift. If one treats gifts received properly, one does something with them. The Premier made a decision that it was time for the Government of Western Australia to do something with the gift, and, obviously, that we needed a tower in which to house them. Why not locate them where large numbers of people can benefit from seeing them and experiencing the music they create? From that came the belltower project, which is part of a very important redevelopment of Barrack Square where the river and city meet in a formal sense. The Barrack Square project is very important for the city of Perth.

Fitting the belltower into that project makes a lot of sense for a couple of reasons: First, people will be able to hear the bells. Sir Frank Callaway, emeritus professor of music at the University of Western Australia, stated that this will be the world's biggest musical instrument. They are not like the bells here in Parliament, which are awful; someone might like to change those, Mr President, and perhaps we could use the millennium bells to announce when the House will start and finish.

The belltower will house bells which will produce superb music. I did not know the Labor Party was opposed to music - maybe it is, as it opposes everything else. The belltower will be in the city and have the capacity to direct sound in different directions. The sound will be able to be directed to the city, or north, south, east or west. At the same time, it will be built in such a way that people will be able to walk around the tower and see the bells being rung. It will probably be unique in this regard. One will have an architectural model which enables people to see the bells in action and it will be located where people can hear them. Put those elements together and one has a significant attraction.

Hon Bob Thomas: Tell it to the public, not us.

Hon N.F. MOORE: People are always cynical about such things. They were cynical about the Sydney Opera House, the Eiffel Tower -

Hon Ken Travers: Hillarys Boat Harbour. Remember when you campaigned against that?

Hon N.F. MOORE: We made a mistake as far as I am concerned, as it is a great facility.

Hon Muriel Patterson: Do we have any people skilled to play the bells?

Hon N.F. MOORE: We certainly do. Leith Reynolds, a leading authority on bells in the world, lives in Western Australia. He is a mining company entrepreneur who has made a significant contribution to this project. Some people cannot wait to start playing the bells for the benefit of Western Australians. This will be a very important attraction as people will come to Perth just to see it.

Hon Derrick Tomlinson: There is a vigorous group of campanologists who work with Leith Reynolds and ring the bells every Sunday at St George's Cathedral.

Hon N.F. MOORE: Labor Party members are all asleep when that happens, I suppose, or they too would say it is a wonderful thing.

This belltower is not a monument to anyone, but is to be a functional building in an architectural style to fit in with the river. It will be functional in attracting visitors and will employ 30 or 40 people directly associated with tours. When it is tied in with the redevelopment of Barrack Square, that part of Perth will become a very attractive location for visitors. We have decided that it will be a millennium project as we have no other millennium projects.

The PRESIDENT: Order! Hon Greg Smith cannot interject when not in his seat.

Hon N.F. MOORE: It is important to build something to celebrate and acknowledge that we are entering a new millennium. The millennium bells, as they will be called, are part of that process.

Hon N.D. Griffiths: They will be called a number of things.

Hon N.F. MOORE: They will. It will be like the "porcupine" the member's leader's mate is building in the UK. We will spend \$5m on this project, while the mate of Leader of the Opposition, the British Prime Minister, will spend £2b as he recognises that societies need to build things of beauty, as well as facilities to be used every day by school children and sick people. People receive pleasure from things of beauty. In the history of mankind, magnificent buildings are built simply because people want to create something of beauty. These are not always functional, as with the great cathedrals and museums of the world. The Eiffel Tower and other structures were constructed because they are regarded as beautiful, not as places of learning for school children or to house sick people. One does not spend all one's money on hospitals and schools. Societies throughout the ages have spent money to demonstrate the capacity of human beings to create things of beauty. Heaven help us if we ever lose that desire. The British Prime Minister has that view, and it is a pity he cannot convince the Western Australian Leader of the Opposition to have a similar view; that is, that we must do some things which lift the human soul, rather than dealing only with the day-to-day needs of society. I have indicated at length over the last couple of days that we have spent vast sums of money on schools, hospitals, prisons, justice areas, transport, roads and elsewhere.

Hon N.D. Griffiths: You have wasted a lot of money in many areas.

Hon N.F. MOORE: The member and the community will make a judgment about whether money on this project is wasted. However, Hon Nick Griffiths should not ever tell us that he has some monopoly on the moral high ground on wasting money. I can assure members opposite that I sat in this place and watched them for 10 years -

Hon Ken Travers: And you let it happen! What did you do about it at the time?

The PRESIDENT: Order! Hon Ken Travers will come to order and listen like the rest of us.

Hon N.F. MOORE: To be fair to the backbenchers of the Burke Government, they did not know what was going on either, but when they did find out, they did not do anything about it but ran like rabbits to their holes.

Hon Ken Travers: What did you do?

Hon N.F. MOORE: We did not know either at the start, but when we started to find out, people like Hon Max Evans, Hon Richard Court, Hon Barry MacKinnon and Bill Hassell started to do some serious investigation. It was Bill Hassell who first said, "There is a smell around here", and that was very early in the time of the Burke Government. However, to be fair, the backbenchers did not know about it, nor did the Parliament know about it. However, as soon as we started to find out about it, we started to ask a lot of hard questions. One of the reasons members opposite are in opposition now is because of the Legislative Council in those days, which did some serious work in exposing some of the deals in which the Burke Government was involved. It was right across the board. Talk about wasting money! I cannot believe members opposite would have the audacity, even after seven years, to talk about our wasting money!

The belltower will be an important attraction for visitors to Western Australia. A large number of people will come to Western Australia just to see it, whether they are campanologists or tourists who have no particular interest in bells. The belltower will be part of the development of Barrack Square. I wish members would look at that proposal, because it is an important part of this project. We will fix up the ferry landing section of Barrack Square and put on Barrack Square restaurants and convention facilities that people can use. We will also start to use the river far more than it has been used in the past, because the river is probably our most significant tourist attraction. We have a magnificent river that links Fremantle at one end and the Swan Valley at the other, and we should use it as a tourism route. Barrack Square will be developed as an important river port, which is what it used to be, for the city of Perth. There has been talk about using ferries for public transport, and that will take place, and, more importantly, ferries will go up the river to the Swan Valley. Hon Nick Griffiths will know all about the Swan Valley, because it is part of his electorate. The redevelopment of Barrack Square will include an interpretive centre and, dare I say it, a wine-tasting centre, to highlight the virtues of the Swan Valley. People will go by the busload and in their thousands to see the belltower. They will then say, "Where will we go next?", and they will see a sign saying, "Visit the Swan Valley." They will then come to a building which highlights the beauties and attractions of the Swan Valley and which has a couple of half-empty bottles from which they can taste a Swan Valley muscat or cabernet, or whatever, and they will be told that a boat will be leaving for the Swan Valley in half an hour if they want to visit the area. The people in the Swan Valley are very excited about this proposal, because it is a way in which they can promote their tourism attractions by having that put right in front of people who go to a particular part of the city.

Those people who doubt that the belltower will attract thousands of people have their heads buried in the sand. Even people who do not like belltowers will want to see what the belltower looks like, because people sometimes go to see things that they do not like. Millions of people will visit the belltower over the years because they want to hear the bells ring and be part of a working musical instrument; and while those people are at Barrack Square, they will be attracted to use the port to see what else the metropolitan area has to offer. I have used the Swan Valley as an example, but another example is Fremantle, which is a significant tourist attraction for Western Australia. The thousands of people who will visit the belltower will then say, "Let's go to Fremantle on the ferry." They will go to Fremantle and see the maritime museum - which I will come to in a minute, because I want to know where members stand on that too - or they will go to the cappuccino strip or to see the magnificent buildings that make up the wonderful port of Fremantle. In that sense, Barrack Square will become a real hub to get people to see the great tourist attractions that we have.

Hon Derrick Tomlinson: The Society of Campanologists has already scheduled a convention in Perth to ring the bells in Barrack Square.

Hon N.F. MOORE: Good! Thank you!

Hon Derrick Tomlinson: Does anyone want to know what a campanologist is?

Several members interjected.

The PRESIDENT: Order! We were doing very well with the Leader of the House's comments on various matters.

Hon N.F. MOORE: Thank you, Mr President. There is no doubt among fairminded people that the belltower, for the expenditure of only \$5m - and I say "only", because in the context of our capital works budget, that is a drop in the ocean - will be money well spent, and it will enable us to do something about the gift that was given to us and to hide our shame for what has happened to that gift, which the previous Government left in a warehouse somewhere.

That brings me to the maritime museum. That is not mentioned in the motion. I can only assume that because it is not mentioned in the motion, the Labor Party supports it. However, I do recall that Dr Gallop went off his brain when the Deputy Premier made some comments about this sort of facility. I have been trying to work out whether Dr Gallop supports a maritime museum; and, if he does, how he can support a maritime museum when he does not support a convention-exhibition centre, and how he can support a soccer stadium when he does not support a belltower. I am trying to work out the logic of the Leader of the Opposition.

Hon Max Evans: The Labor Party sometimes has to try to work it out too! Hon Nick Griffiths cannot work it out either!

Hon N.F. MOORE: I think what happened is that Dr Gallop saw that all these public buildings would be built - a convention-exhibition centre, a belltower, a maritime museum and a stadium - and he said, "They are all things that are not schools or hospitals -

Hon Kim Chance: That is right!

Hon N.F. MOORE: He worked that out, and that would have taken him a while, and he said, "They are not schools or hospitals. Do we need them?", because, as Hon Tom Stephens told us, we should not spend money on anything other than those things. The simple solution would have been to say, "We do not need any of them." However, Dr Gallop is not altogether without political nous, and he said, "Who is in favour of these four things? Who is in favour of the belltower? Well, it is only the campanologists and a small group of musical people, and we will not offend too many people by opposing it, so we will say no to a belltower." Even Liam Bartlett keeps saying he wants a belltower, so it is a nice little political line that he can keep running. He then looked at the maritime museum and said, "Hang on a minute. Do we need a maritime museum? We can do without it. We do not need to have one." However, he then realised that Mr McGinty has said it is a good idea, and the Mayor of Fremantle is part of the planning process and has also said it is a good idea. So what did Dr Gallop do? He said, "It is a good idea. We had better have one of those." He did not work out whether it would bring in any more money or employ any more people than the belltower, but he did work out who wanted it!

Hon Kim Chance: Perhaps he is letting democracy have a say - a dangerous concept!

Hon N.F. MOORE: That may be right, and I am happy for the public to be told the facts about these things and to make its judgment on some sort of logical basis. He then looked at the convention-exhibition centre and said, "Do we need one of those? Could we not spend the money somewhere else?", bearing in mind he would never have had the money because he would not have sold the pipeline, and he said, "Who wants a convention-exhibition centre? It is just the tourism industry."

Hon Kim Chance: Why did we support the sale of the pipeline?

Hon N.F. MOORE: He would never have sold it! The Left would never have let him do it! He will not have a belltower, because it is only for the campanologists, but he does need to have a maritime museum because Jim McGinty and Fremantle want that -

Hon Kim Chance: Do not forget the people! The people want it.

Hon N.F. MOORE: I do not know whether he asked the people whether they want that or something else, but perhaps he did. He then said, "Who wants a convention-exhibition centre? The tourism industry is adamant it wants one." He asks how he cannot upset the tourism industry by saying no. He then says that we should let everyone go to the Burswood facility, even though we cannot fit everybody in there. He suggests that we should hang all our hats on the Burswood centre, so that it can do it all, which will give it a total monopoly on gambling, shows, conventions and exhibits. All that will be in the

pocket of one corporation. Finally those opposite come down on the side of Burswood. The final issue, for which members will have to wait until next Tuesday to discuss, relates to the soccer stadium, and I look forward to the next exciting instalment.

Debate adjourned, pursuant to standing orders.

CONSIDERATION OF COMMITTEE REPORTS

Committee

The Chairman of Committees (Hon J.A. Cowdell) in the Chair.

Standing Committee on Constitutional Affairs - Overview of Petitions - Forty-first Report

Hon M.D. NIXON: I move -

That the report be noted.

This is almost the annual report of the committee. It outlines what the committee has done over the past 12 months. The committee has dealt with 54 petitions that have come before the House. That indicates that people use petitions. It is worth noting that this is the only House that has a formal process of dealing with petitions. After reading the overview of the report, I hope the Parliament can be assured that the committee responsible for reviewing those petitions has performed a worthwhile service. People present petitions to the Parliament for many reasons, the traditional one being to express a view; in other words, it does not matter whether it is reported, it expresses their view. When a large number of people - perhaps 10 000 - sign it, it is a pretty good indication that that view has the support of a large proportion of the community. Some of the petitions put to the House can be described as being political. They are a way for people putting their view to influence the political decisions made at a later date. Some are petitions of last resort where people have a problem and where, for whatever reason, they believe they have not had justice. They come forward with a petition which they expect will be examined in the hope that they will receive some justice. Over the years the committee has discussed many of these.

Some petitions express a very genuine concern, but usually a planning proposal or an environmental proposal is involved. There are proper provisions by which to deal with these matters, and the committee does not get involved in them. It tries to monitor the procedures being followed to ensure they are carried out properly. Of all the petitions contained in the overview in this report, I cannot recall one where we found the correct procedures had not been followed; however, in the previous year, we could identify a legitimate complaint. The examination by the committee of the proposal brought about justice for those who believed the correct planning procedure was not followed. If a committee of the House makes inquiries of any group of people, whether it be a government agency or not, those people are inclined to give a pretty careful and accurate response because they realise the seriousness of deliberately giving false information to a committee of the House.

Because 54 petitions have been sent to the committee, some of them might not get the examination they genuinely deserve. To complicate the matter, the committee also has the responsibility to deal with uniform legislation and, in accordance with standing orders, it is essential that those matters be dealt with within 30 days. If any uniform legislation matters reach the committee, they get urgent attention and, unfortunately, some of the other matters that we would like to proceed with are put on the backburner for some time.

In the case of other petitions, a decision has already been made. I will go through some of the petitions that were reviewed because they will be of interest to members. The first one referred to amendment 74 to the Manjimup town planning scheme. Clearly this was a planning matter. We examined whether proper processes were followed and eventually decided it was not the job of the committee to get involved because the proper procedures had been followed.

The second petition we looked at related to emergency access for the Royal Flying Doctor Service of Australia to Nanutarra Roadhouse. Obviously this was of great concern to that community and by the time the report had been prepared, wheels had been put in motion and the airstrip had been built. It was a case of someone organising people to bring forward a petition to produce a correct result, and it did not require the committee do to anything.

Hon M.J. Criddle: A similar one has now been built at Leinster.

Hon M.D. NIXON: That is right. It is a very valuable service that must be provided for not only people who live in these remote areas but also for those who travel through them, because, unfortunately, from time to time they need access to the Royal Flying Doctor Service. Throughout Western Australia those facilities are being upgraded.

Another interesting petition which I hope the committee can report on shortly relates to midwifery. Some people believe that home births with a midwife in attendance are preferable to the traditional birthing methods.

Hon Cheryl Davenport: Including the Attorney General.

Hon M.D. NIXON: It is probably not the duty of the committee to examine whether it is or is not. If people have that desire, if it is possible to provide that service, if it is relatively safe and there are correct procedures to follow, it makes sense to do that. We hope a report on this petition will be available very shortly.

All petitions lapse at prorogation. At that stage we write to the petitioners and tell them that because of prorogation, the petition will lapse and if they believe it should be reactivated, a petition with only one signature is enough to allow it to go back on the agenda for re-examination by the committee.

Hon Norm Kelly: Does the committee encourage petitioners to do that?

Hon M.D. NIXON: We certainly do. When the Parliament prorogues, the committee writes to each petitioner and the member who presented the petition to advise that if they wish it to be reactivated, they should repetition the House, and that it requires only one signature. That makes it easy for them to do it. We encourage that. Having said that, I suppose the whole purpose of prorogation is to clear the Notice Paper. If a petition has run its course and there is no need to reactivate it, it has probably served its purpose, so it is not reactivated.

We have reported on a petition concerning the Bunbury highway junctions, and that matter was discussed last week in this House. That was a very worthwhile exercise. The committee had an opportunity to visit the area under discussion. A busy highway goes through the area and creates problems for occupiers of the developments along that road when they want to enter the highway.

The proposals put forward are of merit and I know they have been well received by the petitioners. Main Roads gave an undertaking to examine the best possible solution to a significant difficulty. Putting traffic lights at every junction along the highway would cost an enormous amount of money and I doubt whether the road would handle the traffic if it were slowed to any extent. If we get a railway line to Mandurah or an extension of the Kwinana Freeway to take away some of the traffic in the long run, that will remove the problem. However, something needs to be done in the short term because it is very difficult to enter that highway in a safe manner.

Another good report was the one about the Ocean View Lodge. One of the lodge's neighbours believed his property rights were being interfered with by people crowding his space and preventing him entering his property. This was an extensive report. The committee visited the site and met with the Fremantle City Council. I believe the recommendations in that report were designed to solve the problems stated in the petition.

Some of the petitions the Standing Committee on Constitutional Affairs considers under the House's standing orders and procedures concern matters which are being examined by another committee. A classic case was a petition about uranium mining. The committee referred that to the Standing Committee on Ecologically Sustainable Development because it was already examining the matter and it made no sense for the Constitutional Affairs Committee to duplicate that inquiry.

One petition which created a lot of work for the committee concerned local government and compensation for meat inspection loss. Members might recall that this report was tabled some time ago. A local shire was required by legislation to provide a meat inspection service wherever people were killing animals. As is often the case in the meat industry, eventually the abattoir got into financial trouble. It became obvious the abattoir was having difficulty paying its bills and I suppose because the shire had to provide the services as long as the abattoir was killing, that may have been the last bill paid in the monthly accounts. I do not know that, but it is probably a fair assumption. The shire became concerned that the abattoir was having difficulty paying its bills and stepped in. In the view of the committee, the shire did all it could be expected to do under the circumstances to gain payment of those amounts. However, at the end of the day the shire was left with an outstanding bill in excess of \$52 000. Members may be aware - and the shire so argued - that it is a relatively small community of probably 1 800 people and when that debt is divided among the ratepayers, it is a significant loss.

The other point to take into account is that the meat killed in the Kojonup abattoir was consumed statewide. It could not be argued that the meat was provided only to the citizens of Kojonup and therefore they should be prepared to pay for the meat inspection; it was a service provided by the shire to the citizens of Western Australia generally. The committee recommended that an ex gratia payment was warranted in this case. It followed the proper procedure and wrote to the minister and in due course he replied saying that he believed the payment was not warranted. The committee took exception to some of the arguments in the minister's letter so it wrote back to him. Eventually we were able to arrange a conference between members of the Health Department and the Kojonup Shire. At this stage, the committee is making further recommendations to the minister in the hope that eventually this matter can be settled. This is an example of where the committee's reporting to the House does not necessarily mean the matter is finished with. If the petitioners or anybody else believes the committee's report is deficient in any matter or if the committee is not satisfied with the response it receives, it undertakes to continue its inquiries and hopefully resolve the problems.

Hon Barry House: It is important to notify the local authorities about that issue.

Hon M.D. NIXON: I think it is. Since then, the Act which covers meat inspections has been changed, and rightly so. Today, local government can have bonds and things to guarantee payment. The legislation has been corrected since this complaint was made. The committee makes it clear that it believes any claim should be judged on its merits. The Health Department and the minister could be concerned that if they make an ex gratia payment to this shire, it might open the door. The committee certainly did not believe that because one shire was entitled to an ex gratia payment, that should apply generally for any losses; this was deemed a special case after examination of the particular circumstances.

Another interesting petition concerned the closure of the SkillShare office at Coolbellup. This is a federal matter. It was federal policy that the SkillShare office be closed and the committee wrote to the principal petitioner and said that while the committee appreciated the concern, the matter was well and truly outside the role of the committee; it was a federal matter and that was it.

Hon Simon O'Brien: The fact that a committee of this Parliament, your committee, was looking at that did help very much. SkillShare Coolbellup has kept going and is still providing quality services to the people of the district. The committee was helpful in ensuring that that would take place.

Hon M.D. NIXON: That is good to hear.

Hon Bob Thomas: They stood up to the federal coalition Government, did they?

Hon M.D. NIXON: They must have lifted their game.

Several members interjected.

Hon M.D. NIXON: The committee believed a petition that dealt with high speed car chases was very interesting, but it was unable to continue with it because of other pressures. The issue is one of great importance and concern to the community and the committee was keen to examine it further. To give a hint about whether we encourage petitions to be re-tabled, this one is worthy of re-tabling. We started taking evidence on it, but we could not proceed because it is a large subject and would have taken a lot to cover. Therefore, the petition was put in the too-hard basket although it had great merit.

The committee recently reported on land filling in Mundijong. The petitioner was not altogether enthusiastic with the report and the committee brought down and has spoken to Hon Tom Helm. This is another case in which a petition has led to a report and if somebody wants to make a comment or argue about some of the points raised, the committee is prepared to look at that and see whether it should re-adjust its views in any way. In that case, while there is a minor point in the argument, I believe the conclusions reached in the report are valid. The committee will in no way back off from the conclusions it reached, although negotiations have continued.

The Standing Committee on Constitutional Affairs also acted on a petition concerning the tidal power project at Doctors Creek in Derby. This was an interesting case and the committee received very good evidence from the petitioners, but by that time the tendering process was under way and it would have been improper for the committee to have influenced the tendering in any way. Therefore, the committee reported the views of the petitioner about why he believed such a tidal power station would be of benefit to the community, but in no way was the committee judgmental of that view or the most efficient manner of producing power for the north west.

Another matter which has probably ground to a halt concerns the closure of the swimming pool at Yanchep National Park. This is interesting, because the national park at Yanchep had historically been a great tourist attraction. However, in recent years it has been nowhere near as important as it was previously. I suppose that is because there are now other attractions and perhaps because in previous years the cave part of the national park was the attraction that brought people to that area. Now that water levels have dropped and so on, the caves are no longer as attractive as they were. However, an historic swimming pool is located in that area. I can remember when the only Olympic pool in Western Australia was at Kalgoorlie. We take it for granted that every country town has one these days, but there was a time when swimming pools were rare. I think the 1936 Olympic Games team trained at the Yanchep National Park swimming pool because it was one of the few good facilities that was available for proper competitive swimming.

Hon Ken Travers: It is 33 $\frac{1}{3}$ yards long, is it not?

Hon M.D. NIXON: Something like that. However, in those days it was state of the art. It has been argued that because it is an old swimming pool which has a place in our Olympic history it should be preserved. The problem is that in this modern day and age people are looking for something far more substantial than what is in that facility. Therefore, even if it were restored, it would not be suitable to provide all the swimming facilities required by the community today.

The committee was delayed in this procedure because of the fact that this matter coincided with the division of the former City of Wanneroo into Wanneroo and Joondalup. For some time administrators were involved and nobody knew what the policy of the incoming councils would be. In addition, the local government authority that will eventually cover the area will need to make a policy decision on the best way to provide swimming facilities in that area. I think that is beginning to reach a conclusion.

Hon Ken Travers: The election is in December.

Hon M.D. NIXON: Yes. It is a difficult matter because there is absolutely no doubt that that swimming pool has great historic merit. However, at the same time, it will cost a large amount of money to redevelop it, and if there is a need for other community facilities, at this stage they should receive higher priority. Perhaps the biggest gain would be if the swimming pool is not destroyed in any manner so that when funds are available it can be restored.

Some of the petitions are based on fear rather than fact. We received one petition that said there should be no six-lane highway through Wanneroo. Members would understand that people who have to cross Wanneroo Road feel that four lanes is wide enough and that six lanes will create a pedestrian hazard. Obviously, a rumour was floating around that there was a plan to extend the highway, so the people thought they would get in early and petition against it. The committee found no evidence of any plans at this stage to widen Wanneroo Road to six lanes. It could happen in the future, I suppose, but we could not unearth any plans at this stage, and we reported accordingly.

Hon Ken Travers: The provision for it to go to six lanes is in the metropolitan regional scheme. That is the fear.

Hon M.D. NIXON: In its report the committee said that the reserve is wide enough; however, there are no plans for this to happen. Because questions were asked by a committee of this House, presumably it got honest answers. I suppose that is one of the advantages of referring any fears through a committee of this House, because probably the answers are likely to be as accurate as possible under the circumstances, bearing mind that sometimes plans change; in other words, what is right today may not be right in five, 10 or 20 years, because certainly neither this Government nor any Parliament can be bound to what will happen in the future.

Another petition opposed the proposal to restrict Liquorland (Australia) Pty Limited's growth. This case had been dealt with by Parliament. Once again, because the matter had been debated, it was considered that it would be of no advantage for the committee to become involved, and we advised the petitioner that that was the case.

Another interesting petition opposed exemptions in the animal welfare legislation which would prevent an animal from expressing behavioural needs. This dealt specifically with battery hens, and things of that nature, because of the artificial conditions under which they are kept. A new animal welfare Bill has been under consideration, with Green Papers and so forth. I believe that will be debated some time in the near future. People have had the opportunity to make proposals and comment on that Green Bill over an extended period. Therefore, the committee felt that nothing could be gained by becoming involved in that matter.

The fiftieth petition with which the committee dealt concerned education - the child care exclusion policy. This dealt with children being excluded from educational facilities if they did not have the appropriate immunisation. Members may recall that a select committee chaired by Hon Barbara Scott examined this matter. Our committee believed that most of the matters contained in the petition came under the terms of reference of the Scott report. We waited until the Scott report was published to verify that they did, and we then wrote to the principal petitioner saying that we believed all the matters raised in the petition had been dealt with in that report; however, if the petitioners had any ongoing concerns they should contact the committee.

Another petition concerned safe pedestrian access to Mandurah Forum. This petition was received late in the process. If it were re-tabled, the committee could examine that. I suppose it is similar to the petitions involving the South Western Highway and, time permitting, it is a matter that the committee could examine.

The committee has been extremely active. It has been required to find a process to get through its business so that it does not fall too far behind, because obviously if it falls too far behind its reports are no longer relevant. I suppose the danger in that is that if the committee acts speedily, occasionally it might make a mistake. We have been fairly open-minded in that if we believe a matter has been dealt with, we write to the petitioner saying that the matter has been handled and set out the reasons why. However, we leave the door open by saying that if the petitioner has any ongoing concerns, he should contact the committee. Over recent years the committee has developed a process which achieves possibly as much as can be achieved within the time constraints that apply.

I pay tribute to the other two members of the committee - Hon Tom Helm and Hon Ray Halligan. Perhaps because it is such a small committee, the members get on extremely well. Probably the bigger a committee becomes, the less informal it can be. Also, I pay tribute to the staff, at least half of whom are now in the gallery. The operation of any committee depends largely on its staff. Our committee has been fortunate in the staff it has had over a number of years, and I pay tribute to the work they have performed.

Hon CHERYL DAVENPORT: I raise a couple of matters about three petitions. The first concerns midwifery. I am pleased that the committee intends to continue to pursue this issue. I have been contacted by the group that was involved in the report presented to the Government about 12 to 18 months ago. I have also been contacted by my constituents on this issue. It is difficult to become part of a program which enables one to participate in a community-based process if one chooses to have one's child delivered in that way. It is still very much a matter of the medical profession - that is, the doctors - versus the nursing staff on this issue, and I am delighted that the committee is continuing to pursue this matter. I think a select committee examined this matter some years ago.

Hon M.D. Nixon: A trial is under way.

Hon CHERYL DAVENPORT: Yes. In any event, I indicate that there is community approval for this type of process. It is obviously about choice. It is not something I would choose; I would rather be in the hospital situation. However, that is just a personal preference. A number of people choose to have their children through this process and I am pleased that the committee intends to continue pursuing that issue.

The second issue is section 2.19, which refers to a petition about high speed car chases. When the dreadful Crime (Serious and Repeat Offenders) Sentencing Bill was dealt with in Parliament, the Standing Committee on Legislation held hearings and produced reports on the legislation. Members will recall that the need for the legislation was a reaction to the Boxing Day deaths of Margaret and Shane Blurton as a result of a high speed car chase in 1991. Both reports included much discussion. It may be worth the committee investigating that aspect of the issue. When the committee travelled to New Zealand to investigate the Children, Young Persons, and Their Families Act, the New Zealand police told the committee that its policing policy was no longer pursued in that way. There may be some benefit in looking at that report.

Hon M.D. Nixon: Which report was that?

Hon CHERYL DAVENPORT: It is the Standing Committee on Legislation's report into the Crime (Serious and Repeat) Offenders Sentencing Act which was tabled in 1992.

The third area is the petition mentioned in section 2.51, about safeguard policy. The committee did not have much opportunity to review it prior to prorogation, but it would be beneficial for the committee to review some of the information I have gathered. I have raised this issue in the Parliament on a number of occasions. The compulsory safeguard policy is very much in its infancy. It came into being on 1 July 1999 and is having some teething problems in gaining acceptance. I fear this policy affects two vulnerable groups in the community; that is, the frail aged and people with disabilities. The safeguard policy needs to be monitored very carefully. It is good to know that a petition has been submitted. It gives Parliament an opportunity to monitor it and ensure, over and above the departmental imposition of the policy, that it is working adequately for the people it serves.

Hon SIMON O'BRIEN: I support the motion. This committee continues to provide a service to the public of Western Australia and to enhance the reputation of this Parliament. The good service provided by this committee in enhancing the

standing of Parliament in the public's eye should be recognised. Last week I addressed the fortieth report of the Standing Committee on Constitutional Affairs, which was about a petition I tabled regarding intersections on the Bunbury Highway. I expressed my appreciation for the committee's efforts in investigating the petition and tabling a full report. I repeat my appreciation today.

An example has already cropped up this morning in the summary by the committee's chairman, Hon Murray Nixon. It related to a petition I tabled last year - tabled paper No 168 - about the proposed closure of SkillShare in Coolbellup. I quote from the report -

The petitioners opposed the projected closure of Skillshare, Coolbellup in view of its importance to the community, its success in training the unemployed into new skills and its social advantages to the disadvantaged community.

I do not wish to canvass the detail of the issue; however, it related to the privatisation of certain commonwealth government functions which was occurring at that time. Services the Commonwealth Government provided under the Social Security portfolio were to be privatised. SkillShare did not warrant the further granting of commonwealth funds for a private service provider to continue business at Coolbellup. It was difficult to do something about the situation. The powers that be in Canberra responded that they looked at the map and saw that other service providers were located only two inches away from Coolbellup in places such as Midland and Mt Lawley. As it was only two inches on the map, it should be easy for people from the Coolbellup area to get to these locations. If that was not good enough, Spearwood was only one inch away. Of course, on the ground this was not the case, especially when one considers the mobility of people in this district and the lack of direct public transport routes between some of these areas. However, it was a difficult proposition to put to the decision makers in Canberra. It was a difficult exercise.

Hon Ken Travers: The member should speak to people in Geraldton about that.

Hon SIMON O'BRIEN: One had to work out how premises would be retained, staff paid and client bases built up without commonwealth subsidies. I said I would not go into the detail and I will not go into it any further. However, it was important that the issue was addressed and resolved in favour of the local community for the reasons mentioned in the petition. It took a bit of doing for this to ultimately succeed. Success was achieved on this occasion, as I mentioned by interjection during Hon Murray Nixon's speech. The role of the petition in that success was probably negligible as the issue was resolved locally. I thank everyone who was involved in that process. The point is that a standing committee of Parliament was actively considering the petition, which was signed by all sorts of people in Coolbellup. It was comforting to all those involved in the operation, such as employees whose jobs were under threat, to know the petition was responded to by the Parliament. The committee sought further information and wrote to the Federal Government. Even in this case, although the committee ultimately noted that the petition was a federal policy issue and outside the committee's jurisdiction, the committee's existence and its preliminary inquiries assisted that part of my electorate. I thank the committee for that. A recent development, from a purely personal point of view, concerned a young friend of the family who lives nearby. She found herself in need of retraining and, lo and behold, SkillShare Coolbellup was able to provide the retraining she needed. When those things happen a year after the battle is won as a result of the stance taken by the Standing Committee on Constitutional Affairs, they reinforce how important it is that this avenue be available. I thank the committee for the report and support the motion.

Hon J.A. SCOTT: I also support the report. Hon Murray Nixon referred to a number of important issues of wider public concern that had dropped off the Notice Paper due to prorogation and it seems ridiculous that they must be resubmitted. Can the Chamber consider whether it is possible that the committee have the ability to take up those matters of wider public importance following prorogation?

Hon Barry House: We have only just clarified that standing committees continue through the life of a Parliament and do not have to be reconstituted every year.

Hon J.A. SCOTT: That is true. However, a matter of real importance to the community should not drop off the Notice Paper and disappear. The committee should be able to continue with its work. Whether that is desirable would be a matter for discussion and decision, although we should look at that.

Hon KEN TRAVERS: I will comment on the petition relating to the closure of the Yanchep National Park swimming pool. I take on board the comments made by Hon Murray Nixon, and I will resubmit the original petition next week, so the committee can continue with the inquiries. I look forward to that inquiry. It is a historic cause. Although the petition did not relate to the swimming pool, the state of the Yanchep National Park today compared with when I was a child is inherent to the issue about the swimming pool. I encourage the committee to move quickly on the petition when it is lodged. The original petition was lodged prior to the summer of 1998-99. The community was looking forward to using that swimming pool during that summer. We are coming into another summer and the community still needs a swimming pool. At the time the community was up in arms, the Minister for the Environment organised a number of community meetings. I did not attend those meetings, but the impression gained in the community was of a commitment by the Government to fund an alternative solution at Yanchep District High School. It has become clear that the Government's commitment is to say that the City of Wanneroo should provide a swimming pool in the area. It appears the Government had no intention to provide any financial support. At the time that might have been clever politics from the Minister for the Environment. In the long term, it will be to the detriment of the minister and her Government that she has not delivered on the commitment she gave to the community and it is still without the swimming pool. The issue is still important to that community and should be addressed.

The second petition I will briefly mention, because I am sure it will be resubmitted, relates to the extension of the Joondalup

railway line to Hester Avenue. Members will be aware that I feel strongly about this issue, and I will continue to monitor the situation. I was interested to note when this issue last appeared in the media that the member for Wanneroo supported the petition that the railway line be extended to Hester Avenue rather than to the bottom end of Clarkson as is currently proposed by the Government.

Hon Barry House: After we extend it to Mandurah.

Hon KEN TRAVERS: I would support any attempt made by Hon Barry House to extend the railway line to Mandurah. Instead of widening the Narrows Bridge, so that the Minister for Tourism can get to and from Parliament quickly, we should build the railway line to Mandurah so that all the people in the southern suburbs have access to Perth when they need it. Hon Barry House will not get an argument from this side of the House on that issue. The Labor Party has suggested where to find the first \$90m for construction. The Government should not build the Narrows Bridge just so the minister can get in and out of Parliament quickly. The Government has only to work out how to get the balance of the money.

That area desperately needs the railway line. I urge members to look at the issue. It is nice to know that, even though the member for Wanneroo campaigned at the last election for the railway line to go through to the southern end of Clarkson, he has now seen the error of his ways and has agreed with the residents and the position that has been put strongly by the Australian Labor Party for sometime that Hester Avenue is the appropriate and most central location for a railway station in the area. If not Hester Avenue, the Government should take the railway line even further north and have stations at the southern end of Clarkson and at the northern end at Merriwa.

I will comment on the "no six lane highway through Wanneroo" petition that Hon Murray Nixon mentioned, because a degree of concern still exists in the community. While I accept the point that Main Roads does not have a specific plan to widen the road at the moment, the underlying fear in the community is that the metropolitan region town planning scheme allows for a six lane highway.

Hon J.A. Scott: That is its long term objective.

Hon KEN TRAVERS: At some point in the future the intention is to make Wanneroo Road a six lane highway. That creates a range of concerns within the community. At the moment we are in the process of redesigning the Wanneroo town centre, and a proposal for a six lane highway will impact on that design. Prior to the 1993 election the then opposition and now Government campaigned heavily against the northern arterial perimeter road around the back of Wanneroo which would have relieved some of the traffic through Wanneroo. When it got into government it removed that perimeter road from the metropolitan region plan. However, what we are left with is outrageous. The Government was probably right in opposing an arterial perimeter road, but it did not make alternative plans. It rezoned the land to urban, with the areas east and north of Wanneroo that were rezoned as part of the MRS amendment creating pressures on the road systems and the Government has no proposal to rectify that. That has put pressure back onto Wanneroo Road. Although Main Roads says this does not require action either now or in the future, there has been inadequate planning as a result of a political decision by the then opposition to get into Government in 1993 and pressure will continue to mount on Wanneroo Road because there is no alternative route. I have some views on how to allow that urbanisation to go ahead and get people in and out of the area without having to build more and wider roads. The Government has no plans to deal with that transport problem and the community is concerned that the solution that will be imposed on them will be for Wanneroo Road to become a six lane highway.

Question put and passed.

Standing Committee on Public Administration - Administration of Environmental Complaints Relating to Public Health: A Case Study

Hon KIM CHANCE: I move -

That the report be noted.

I am anxious for Hon Barry House to have the opportunity to comment as he may not be available next week when the report is considered in detail. I appreciate the efforts of both the members and staff of the committee in their contribution to this report, upon which I look forward to commenting next week.

Hon BARRY HOUSE: I thank the Chairman of the Standing Committee on Public Administration for affording me this opportunity to speak as I probably will not be available next Thursday when the report is debated in detail.

This report arose from complaints from individuals and the general community about health concerns. People levelled their accusations against the Alcoa refinery at Wagerup, particularly regarding a liquid burning unit installed in 1996. Those complaints were the catalyst for the committee to become involved in the matter. I do not know the validity of those complaints, as neither I nor the committee pretend to have the expertise to examine the nature of the complaints and whether they have substance. Our job was not to do that, but to look at the public administration aspect of the situation. I am sure the chairman will outline those issues next week.

The public administration response in this matter, the committee concluded, was rather ad hoc. This was the focus of our report. Some structure and coordination is needed. The report outlines clearly that the committee wants a process put in place by which government agencies can talk to each other. A common criticism in the community is that government agencies place fences around themselves and do not coordinate their activities with each other, let alone with the public. The committee advocated a process to enable this to occur in the future when complaints emanate about industrial emissions concerning public health.

The Alcoa Wagerup refinery was accused of causing some health concerns in the community. I lay claim to having had the following section inserted into the report, as found on page 5, paragraph 2.2 -

It was apparent to the committee that Alcoa was genuinely concerned about the allegations and was working diligently and cooperatively to investigate them.

Some may see that comment as condescending, but I see it as giving credit where credit is due. Alcoa is a tremendous corporate citizen in this State and, indeed, the world. I had the opportunity a couple of months ago to meet the chief executives of Alcoa World Alumina at its world headquarters in a magnificent aluminium building - what else? - in Pittsburgh in the United States of America. As an aside, Pittsburgh was formerly the hub of industrial America as the heart of the steel industry. That industry closed down, and the city lost much of its population and its pollution. It was the dirtiest place in America in the late 1800s and early 1900s as it was very productive. Pittsburgh is undertaking a huge regeneration and is attracting newer and cleaner industries. It was an eye opener to see what the city is doing with its waterways. Alcoa, as a citizen of Pittsburgh, is being proactive in aiding and abetting that process.

Hon Kim Chance: Did it cause the Pittsburgh football team to change its name from the Steelers?

Hon BARRY HOUSE: I am not sure. A magnificent new sporting stadium was being built while I was there. Pittsburgh is rather proud that it is able to retain a national football team in the city in competition against other places in America with larger populations. It works hard to retain that situation.

I met John Pizze and other members of Alcoa's hierarchy in Pittsburgh, and we briefly discussed this Wagerup issue, about which they are concerned. They want the issue sorted out. They proudly point to their record in Western Australia as good corporate citizens, for which they have been acknowledged through environmental and other awards over the years. More importantly for our Western Australian connection with a worldwide company, Alcoa's interaction with the community in Western Australia is now used by the company worldwide as its model wherever it locates its operations. Therefore, the Alcoa executives wanted this Wagerup matter sorted out. They acknowledged the original problem with the liquid burning unit, which they stated had originally stunk. They added a catalytic thermal oxidiser in 1997 at a \$5m cost, which is no insignificant contribution.

Extensive monitoring has taken place at the site, and Alcoa has responded in all cases in a very positive way to get the matter cleared up. The question must be asked: Why would it not? The company values its international reputation highly. It does not want to see a continuation of this accusation. If it is found that the complaint has substance, I am sure the company will be prepared to address it.

I thank members for this opportunity to say a few words. This investigation was a very productive exercise. In considering the matter drawn to its attention as a case study, it addressed aspects of public administration in this State and proposed a model by which broad issues of industrial emissions can be assessed objectively, fairly and comprehensively in the future.

Debate adjourned, pursuant to standing orders.

Report

Resolution reported and the report adopted.

Sitting suspended from 1.01 to 2.00 pm

ADDRESS-IN-REPLY

Amendment to Motion, as Amended

Resumed from 15 September on the following amendment moved by Hon Bob Thomas -

And further advises His Excellency of the Legislative Council's concern with the failure of the Liberal National Party coalition Government to properly handle the RFA process and, in particular, its failure to meet the needs of timber industry workers, their families and their communities who are adversely affected by the outcome.

HON GREG SMITH (Mining and Pastoral) [2.03 pm]: When the debate was adjourned last night, I had been discussing the people in the Aboriginal industry who are concentrating on obtaining land and the power that land gives them and had said that a lot of those people should be focusing on fixing the problems that exist within many Aboriginal communities, particularly in the Mining and Pastoral Region. Hon Bob Thomas suggested by way of interjection that land was one of the things that might contribute towards fixing those problems. Many of the Aboriginal people to whom I have spoken have said that one of the problems with the current system that they are using to obtain land is that the land must be bought in the name of a community rather than an individual, and that does not give Aboriginal families what European families who have settled here have behind them, which is what I call accumulated family wealth. If my children decided after they had gone to school to get an education that they wanted to start a business and get a loan, my wife and I could be the guarantors for that loan. If the children of a pastoralist decided that they wanted to become doctors, dentists, mechanics, or whatever, and did not want to continue being in the pastoral industry, they could sell the asset that had been accumulated by their family and put that money into a business or into whatever occupation they wanted to take up.

That is not the case with the land that is being acquired by Aboriginal people. An Aboriginal child who decided that he did not want to stay on a pastoral property and who became a qualified motor mechanic and wanted to buy a country service station would not have the ability to draw on the wealth that had been accumulated by his family by borrowing against it, or by selling that asset and investing that money elsewhere. Therefore, while the purchase of land may be solving the

problems for Aboriginal people to some extent at the moment, it will be of no benefit to future generations of Aboriginal people. Many of the Aboriginal people to whom I talk say they would like to be treated as individuals rather than as a community and that they find it very difficult to access money from the Aboriginal and Torres Strait Islander Commission or from one of the indigenous land councils to buy land in their name, because it must be bought in the name of a corporate body.

I have been criticised publicly for being involved with the petition that was circulated by Graeme Campbell that called for native title to be abolished. A very good argument is put by many people, including many Aboriginal people, that Aboriginal people would be better off without native title. Aboriginal people currently have \$1.2b in the indigenous land fund, which gives them \$47m per annum in perpetuity to purchase land, and they also benefit from the protection of significant Aboriginal sites under the Aboriginal Heritage Act. From my calculations, that \$47m would enable Aboriginal people to buy nearly every pastoral property in Western Australia within three years, on their current value. The use of native title to claim land is leading to costly litigation and is causing disputes between different Aboriginal families and indigenous groups, and between the white community and the Aboriginal community. That \$47m should be used constructively to purchase properties that could be run by individual Aboriginal people as economic units on a commercial basis, where those individuals would be personally responsible for those properties and could borrow money and get a mortgage to buy new stock or for improvements. If down the track a generation their children were not the slightest bit interested in being pastoralists, they could sell the property and invest the money in another business or asset. It would be almost cruel even for Europeans or white people who own a pastoral property to inflict that upon their children and by saying they must stay on that property for their whole life when they have no interest in doing so. Many things can be done to change the current situation. Nothing would make me more unhappy than to think that 20 years from now, we will be faced with the same problems within Aboriginal communities that we have now. I would love to think we could look at it and it would be completely different; that children were encouraged to go to school by their parents, that domestic violence was not as prevalent as it is now. One key to stopping those things is jobs. Aboriginal people tell me that they want jobs. Recently I spoke to an Aboriginal fellow in the Leonora hotel. He was totally opposed to the native title process because it was putting him out of work. He said that he was losing his job in two weeks because of the native title process. All he wants is a job. No Aboriginal people I know who have jobs and go to work are involved in that vicious cycle of drinking, domestic violence and poor education. They are rearing their children in a responsible manner, looking after their homes, because in some cases they are paying for them, instead of getting a house and when they wreck it, getting another. Providing jobs is the key to breaking the cycle. The priority should be to get jobs for them.

I will touch on another motion I moved in this place last year, which did not end up being debated. It is about the introduction of breath-testing machines in pubs and licensed premises. With random breath testing, the drink driving legislation has caused a great decline in the clientele in hotels because people do not know how much alcohol they can drink and still be under the legal limit before they drive home. Recently I spoke to one of the publicans in Boulder. He told me that people go to the pub when they knock off work on Friday before they go home. It is a great Australian tradition to go to the pub to socialise and have a drink with our mates. People read the pamphlets that say they drink five middies and drive home. They then wonder whether they will be all right if they drive, having drunk that amount of alcohol.

Hon N.D. Griffiths: I think you would be sunk.

Hon GREG SMITH: I am talking about low-alcohol middies. If these machines were available in all licensed premises, people could be educated to use them. That is the important thing. It is no good if people have their last drink, blow into the breath-testing machine and then realise they are over the limit. There is a proper way to use those machines. A set of Australian standards has been laid down, with which all of these machines must conform. If they conform to the Australian standards, they give an accurate reading. Previously many of the machines were like toys. There was no standard. People could blow into them and get a reading. There was nothing to give people the security of knowing the reading was accurate.

Hon Norm Kelly: It became a game.

Hon GREG SMITH: That is correct. People would have a nip of whisky straight, and then see how high they could get their reading.

Hon Derrick Tomlinson: In Germany people do not trust the breathalysers. They require blood samples of the blood alcohol concentration.

Hon GREG SMITH: That is interesting. The fact of the matter is that breath-testing machinery has been developed that is relatively accurate.

Hon Norm Kelly: It is up to the pub to put them in voluntarily.

Hon GREG SMITH: Part of my motion last year was that the State Government would partly fund that. Perhaps the companies supplying alcohol and the publicans could pay for the installation of some of these machines. The patrons could use them for free. I am not talking about people paying a dollar or whatever to use them, but it is a small impediment. People should learn to be responsible about how much alcohol they can drink, and do drink. I have a personal breath-testing machine.

Hon Ljiljanna Ravlich: It doesn't work!

Hon GREG SMITH: On numerous occasions, as members of Parliament, we go to functions where alcohol is available. My wife will come with me and will decide to drive us home after the function. She might have one or two glasses of wine over three hours and I will have a couple of light beers. We will get to the car to drive home, and I will tell her to test her

blood alcohol level before she gets in the car. She will believe she has not drunk enough alcohol to be over the legal limit and will find her reading to be 0.07 per cent. I will have been drinking low-alcohol beer for three hours, without monitoring the amount I have consumed, and my reading will be 0.03 per cent. In these circumstances, some people may be catching taxis when they do not need to and others will be driving when they should not.

It is very unfair that the police have breath-testing equipment that can measure blood alcohol levels, yet members of the public do not have the ability to know whether they are below the legal limit or above it. To encourage responsible drinking practices, we should have these machines available. All people could use them for free. During the time they are at the pub, people could lower their alcohol intake by drinking water as well as beer, or wine or whatever. They could take the breathalyser test, and if they find that are getting close to the limit, decide it is time to go home. The blood alcohol content varies with each person. There are no hard and fast rules governing whether it goes up or down.

Hon N.D. Griffiths: There is a problem. People can drink and have a measurement taken, but half an hour later their blood alcohol level will rise. It will rise for up to two hours according to the police and the Road Traffic Act.

Hon GREG SMITH: That is an education program. If this equipment were available to members of the public for free in all licensed premises, they would learn how alcohol affects them. That is part of teaching people about what alcohol is doing to their body while they are drinking it, and how much they can drink and still drive within the legal limit. The slogan "If you drink and drive, you're a bloody idiot" is right. How do we know when we are above the legal limit? Our blood alcohol content can vary enormously depending on our metabolism at the time, or whether we drink red or white wine or low-alcohol beer. The installation of breath-testing machines would educate the public. To be fair, if people who wanted to get in their car and drive knew their blood alcohol level - let us say it is 0.04 per cent and it is a 10-minute trip home - they would know they could drive home safely, rather than having to guess whether they were under or over the legal limit.

Hon Norm Kelly: If it is a choice between getting a taxi and driving, surely it is up to the driver. It is not too much to ask.

Hon GREG SMITH: A very good argument could be put up to charge \$1 for the use of these machines. It should be considered as part of an education program directed at alcohol consumption and responsible drinking, to stop people driving when they are over the legal limit. An enormous effort is put into testing drivers to see whether they are over the limit. Recently in Kalgoorlie, the police wanted to go into the pubs and allow people to test themselves. They were not allowed to do so. When I was in Mt Magnet, and lived a considerable distance out of town, I went to the police and asked whether I could test myself to see whether I was over the limit, and they told me I could not. If they get a test that shows a blood alcohol level of over 0.05 per cent, they must record a corresponding booking. The police should be given the freedom to provide free breath-testing facilities, even at events like the races. The Kalgoorlie Cup race meeting has just been held. If the booze bus had been set up at the gate when people were leaving, those who were planning to drive home could have tested themselves before they got in their cars. People could then have made an educated decision whether they should drive home because their blood alcohol level was under 0.05 per cent. A lot of people who get caught think they are okay to drive legally; yet they are caught with a blood alcohol level of 0.058 or 0.06 per cent. They do not think they have had much to drink - perhaps a couple of glasses of red wine an hour before. They drive their car and, lo and behold, they are caught for having a blood alcohol level of over 0.05 per cent.

I do not consider the current situation to be fair. One thing our legal system should be is fair. We do not get in our cars and drive under speed limits without speedometers in our cars. The current system with breath testing is that people are allowed to drive up to a limit but we have no way of knowing when we are below, at or above the limit. I will continue to lobby for and support the installation of -

Hon B.K. Donaldson: What about the devices that mean the car will not start if you are over the limit?

Hon GREG SMITH: We could fit that sort of device to every vehicle but there is a good case to say that that would place a cost on everybody. It is a good tool and could be used for people who have been booked on two occasions for driving over the legal limit. An order could be made that one of those implements be fitted to the car so the person must be under the limit before he gets into it. I have seen how these devices work. One must blow into them again 15 minutes later and still be under the limit. Therefore, a person cannot get a friend to do it for him.

I do not support the amendment moved by Hon Bob Thomas. The Government first handed down a responsible decision on the Regional Forest Agreement which was based on scientific evidence. If the Australian Labor Party, instead of using the forest debate for a bit of cheap political mileage - that is what it did, make no mistake about that - had supported the original RFA with the criteria agreed to by Carmen Lawrence and Paul Keating, and supported the Government's original decision instead of adding fuel to the fire with the emotional debate about the forests, the RFA would have received more public acceptance. Whatever it does, the ALP should not absolve itself of any of the blame for the jobs lost in the south west.

Debate adjourned, on motion by Hon Norm Kelly.

SCHOOL EDUCATION BILL 1997

Assembly's Message

Message from the Assembly notifying that it had agreed to amendments Nos 5; 6; 7; 8; 11; 14; 16; 17; 21; 22; 26; 32; 36; 37; 50; 51; 53; 54; 55; 57; 60; 61; 62; 63; 64; 76; 77; 78; 80; 83; 93; 94, and had disagreed to amendments Nos 1; 2; 3; 4; 13; 18; 19; 23; 24; 25; 27; 28; 29; 30; 31; 38; 42; 43; 44; 45; 46; 47; 48; 49; 79; 81; 82; 84; 85; 87; 88; 89; 90; 91; 92; 98; 100; 102 for the reasons set forth in Schedule B, and had disagreed to and substituted new amendments for amendments Nos 9; 10; 12; 15; 20; 33 to 35; 39; 40; 41; 52; 56; 58; 59; 65 to 74 and 99; 75; 86; 95; 96; 97; 101; 103; 104 as set forth in Schedule A for the reasons set forth in Schedule B, further considered.

Committee

Resumed from 9 September. The Chairman of Committees (Hon J.A. Cowdell) in the Chair; Hon N.F. Moore (Leader of the House) in charge of the Bill.

Progress was reported after substituted amendment No 10 had been partly considered, after Hon N.F. Moore (Leader of the House) had moved the following motion -

That the Legislative Council agrees to the substituted new amendments for amendments Nos 9, 10, 12, 15, 20, 33 to 35, 39, 40, 41, 52, 56, 58, 59, 65 to 74 and 99, 75, 86, 95, 96, 97, 101, 103 and 104 from the Legislative Assembly, as further amended.

The CHAIRMAN: We are dealing with substituted amendment No 10.

Hon LJILJANNA RAVLICH: Amendment No 10 deals with attendance panels under clause 26 of the Bill. Although the Australian Labor Party will accept the alternative put forward by the Government, it is somewhat disappointed that the substitution does not go far enough. The amendment moved in this place on this issue was substantially different. In making a referral to a school attendance panel where doubtful reasons were given about non-attendance, Hon Christine Sharp had moved that in providing advice and assistance to the child and his or her parents as the panel saw fit, as mentioned in clause 26(2)(b)(ii), the panel was to seek to mitigate any disadvantage arising from the child's gender, geographic, economic, social, cultural, lingual factors, specific learning difficulties and other causes. That amendment placed a requirement on the panel first to act and, second, by referring to an attempt to seek to mitigate, to take action to lessen the impact of these factors on the child. The amendment before the Chamber does not do that; it simply requires a panel to inquire into a child's attendance record and consider the social, cultural, lingual, economic or geographic factors. The panel may inquire, but no real action is required under the Government's proposed substitution. My concern is that in making this substitution the Government has reduced the provision to an optional extra, and when it comes to a question of these very difficult children having to front the school attendance panel, it will be up to the panel to make the decision whether it is worthwhile giving consideration to or inquiring into these other factors when making its determination. That is quite different from the panel being required to seek to mitigate any disadvantage arising from the child's gender et cetera. I think the argument which will be put forward by the minister will be along the lines of "It may be difficult for the panel to do that in practice." However, I believe the substitution put forward by the Government waters down the amendment moved by Hon Christine Sharp. Although the Australian Labor Party will accept the substitution, it is disappointed that the Government has not taken this matter more seriously and made it a requirement that those factors be taken seriously and that something be done about them in the event of the panel having the ability to do something about them.

Hon HELEN HODGSON: I agree with many of the comments made by Hon Ljiljanna Ravlich about the effect of the substitution, which I know is likely to be passed by this place. However, in the redrafting, one element that was contained in the original amendment relating to the factors that might affect a child's attendance record has been omitted. The original referred to gender as well as geographic, economic, social, cultural or lingual factors and specific learning difficulties. The factor that has been left out is gender, and I wonder whether that is deliberate, whether it is an oversight, or whether the belief is that there are no specific gender-related issues which might affect a child's attendance record.

Hon N.F. MOORE: The member got it right in her last sentence. The Government believes that gender issues are not matters which would affect a child's attendance. Dealing with the matters raised by Hon Ljiljanna Ravlich, the Deputy Leader of the Opposition in the other place said that the Government's proposed substitution reflected what the Opposition is seeking to achieve. Therefore, I think we should all be happy with that.

Hon GIZ WATSON: I rise to comment on behalf of Hon Christine Sharp, who unfortunately is out of the Chamber on parliamentary business at the moment. However, I will do my best to paraphrase some of the comments she asked me to make on this proposed substitution. She is not happy that her original amendment has been rejected, the intent of which was to try to ensure some reciprocity in the obligations of these advisory panels particularly, and to ensure that issues concerning geographic location and social and cultural factors were taken into consideration. The Greens (WA) concede that the Government's alternative at least acknowledges those factors; however, as pointed out by Hon Ljiljanna Ravlich, this is now more of an option than a requirement. The Greens (WA) are also concerned that Hon Christine Sharp's amendment will not stand because, as we have noted earlier, the Bill is weakened in its objects. This was one method of ensuring that, in the Bill, the child's education was paramount. With those comments, we do not support the substitution and are disappointed that the original amendment will not stand.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question is that substituted amendment No 12 be agreed to.

Hon KIM CHANCE: Substituted amendment No 12 deals with proposed amendments to clause 37 of the Bill. As with others of this group, the Australian Labor Party indicates that although it is not entirely happy with the substitute amendment, it will nonetheless accept it. The substitute amendment deletes the figure "\$1 000" and substitutes "\$500" as the penalty. This specifically does not address the concerns that were raised in the Standing Committee on Public Administration's report. Foremost among those concerns was that the wording as amended and as originally proposed made no attempt to discriminate between whether the offence might be committed by an adult or a child. Although it can be argued that that is a matter for the courts to determine, it raises a different range of issues.

The amendment proposed by the Standing Committee on Public Administration limited the offence of obstructing to persons other than absentee students, because we recognised that it is extremely difficult to penalise a student with a fine. We had

the view then - I am sure each of us still holds the view - that when this offence is committed by an adult, it can be an extremely serious offence. However, when a child may simply move to take an action which could be deemed to be obstruction, that covers a wide range of actions. Turning one's back and walking away could be deemed to be obstruction of an authorised officer in some circumstances. Seeking to avoid contact with the authorised officer in any way can be deemed obstruction. However, this offence goes all the way to a point stopping just short of assault by an adult. Therefore, we have a wide range of possible offences. Although the committee accepts that the Government is determined to follow this course, it is a shame that the committee was not able to more clearly define the range of offences by at least splitting the penalty between that which might be applied to an adult and that which might be applied to a student.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question is that substituted amendment No 15 be agreed to.

Hon LJILJANNA RAVLICH: Substituted amendment No 15 deals with the appointment of school attendance panels under clause 39. We have moved an amendment in this place to ensure that at least one person on each panel must be a parent or a community representative. I understand that the intent of the amendment has been accepted by the Government, and it is simply the wording that has been attended to so that it is consistent with the remainder of the Bill. Therefore, the Australian Labor Party will accept this amendment.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question is that substituted amendment No 20 be agreed to.

Hon LJILJANNA RAVLICH: Substituted amendment No 20 deals with referral to school attendance panels under clause 40. The original amendment was moved in the Legislative Council by Hon Christine Sharp. Once again, this concerns the question of whether the panel should seek to mitigate any disadvantage arising from the child's gender, geographic, economic, social, cultural or lingual factors and/or specific learning difficulties. The Labor Party is of the view that the Government has watered down this amendment by ensuring that, on referral to a panel, the panel will inquire into the reasons for the child's failure to comply with clause 23, including the social, cultural, lingual, economic and geographic factors. It is one thing to inquire into the reasons, but it is a different thing to seek to do something about these specific factors and the impact they might have on a child's learning. Therefore, the Australian Labor Party is of the view that this is a missed opportunity for the Government. If the Government really wants to address some of the educational problems of students, those educational considerations cannot be looked at in an entirely isolated context, because there are many factors which impact on a child's behaviour, attendance and learning. They include geographic and social factors, the environment in which students live and the resources that are made available to them. The Opposition will accept the proposed government alternative, but the Government has missed an opportunity.

Hon GIZ WATSON: The response of the Greens (WA) to this substitution is similar to its response to amendment No 10. The substitution weakens the intent of the amendments moved by the Greens, which was that the panel act as an advocate for educational improvements. This substitution will make that an optional factor, rather than a matter that must be taken into consideration. It puts the onus on the children and parents; it does not address issues that might be at fault within the school or with the principal. We are not happy with the substitution and see this as a lost opportunity.

Hon DERRICK TOMLINSON: The opposition speakers from the major and minor Labor Party make a valid educational observation. However, their observation is misplaced in the context of this debate. This clause is about referral to a panel for a breach of clause 23 - failure to attend school. The Government has accepted the amendment which elaborates on the original intention, which was for the panel to investigate. Any panel which investigates an issue would look at all of the factors that might influence a child's reasons for avoiding school, including the matters that are brought to attention here. In the context of the legislation and the Bill it is an instruction to the attendance panel. All of those other matters which might be affecting the child's attendance at school and therefore impacting directly upon the child's education would be taken into account within the general education context. An example is the Students at Risk program run by the Education Department. The STAR program deals with children who avoid school. They avoid school for all combinations of those things that are identified in the amendment. Just because a child attends school and may come to the attention of an attendance panel that takes into account those matters in determining what to do about that child's failure to attend does not mean that they are then lost in the milieu of educational and administrative responses to the needs of that child. That fails to understand two things: First, the context of this in the Bill as a legislative direction for action; and, secondly, a failure to understand those factors in the milieu of services available to ensure that every child has maximum educational opportunities. I strongly recommend that if members opposite are not familiar with the program, they should be, because they would see that some of the misgivings they have are already addressed in the organisational structure of our education system.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question now is that substituted amendments Nos 33, 34 and 35 on school boundaries be agreed to.

Hon LJILJANNA RAVLICH: The issue of local intake schools is dealt with in clause 60. The Legislation Committee was unanimous that all schools should be bounded, apart from those cases in which exceptional circumstances may prevail. The substituted amendments are different from that which was originally proposed; that is, there be no school boundaries and only selected schools be bounded. The Opposition accepts the government alternative on this issue, which is clarified in clause 79(2) which states that if the number of children referred to in subclause (1) applying for enrolment at a particular government school that is not a local intake school exceeds the number of available places at the school, priority for

enrolment will be given to the child who lives nearest to the school. The Opposition is pleased the Government has moved this substituted amendment. It is a victory for the Australian Labor Party. Members of the Legislation Committee will be satisfied with the recognition of the importance of guaranteeing opportunities for local students at their local school.

We would also like a commitment on siblings. We ask the minister to put on record that when the regulations are drafted, consideration will be given, where possible, to siblings getting a preference to attend the local school. This is one area in which the Government has made a substantial shift. The hard work of the Legislation Committee, which spent a considerable time on the issue of priority for local students to attend their local school, has borne fruit. The Australian Labor Party will accept substituted amendments Nos 33 to 35.

Hon N.F. MOORE: I am slightly saddened by the use of words like "victory", "cave in", "backdown" and so forth. This process has been undertaken over a long time and the School Education Bill has had huge public consultation. The Government has tried to reach a position in which everyone was reasonably satisfied. This amendment is one that reaches a compromise position. It is a victory only for commonsense.

Hon Kim Chance: It can be a victory for us all.

Hon N.F. MOORE: It will be a victory if we pass this Bill within my lifetime!

The siblings issue raised by Hon Ljiljanna Ravlich involves a number of points. If the sibling is outside the school catchment area, who comes first - the sibling or another child who lives close to the school? I give an assurance that we will take those matters into account when the regulations are drafted.

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

The CHAIRMAN: The question is that substituted amendments Nos 39 and 40 be agreed to.

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

The CHAIRMAN: The question is that substituted amendment No 41 be agreed to.

Hon LJILJANNA RAVLICH: The Opposition accepts the Government's proposed substituted amendment No 41 dealing with the education program for children with disabilities. I am disappointed that the amendments moved in the Legislative Council have been watered down. We insisted on two things in the Legislative Council amendment: First, that each program be developed and regularly reviewed for children with disabilities in conjunction with the child, the child's parent, the child's teacher and any relevant specialist teachers. Second, that each program should move with the child as he or she progresses through the school or moves from one school to another. The latter point is very important. Parents of students with disabilities invariably state that a problem with the system is that they develop a program so far at one school, but cannot take the program with them if they move. As a result, lost opportunities are involved for students and the result is a rather ad hoc system.

The ALP tried to ensure transportability of the specialist programs from school to school. Unfortunately, we are offered as a substitute that when a child with a disability at a government school wishes to move, consultation must occur with the principal, the teacher, any other relevant teacher and, if appropriate, the child. This picks up on the first part of the earlier amendment in this place. Clause 73(1)(b) outlines that the principal is to take into account the wishes of the child's parents for the purposes of reviewing the child's requirements. That is substantially different from our amendment concerning the transportability of the learning program. Although the Labor Party accepts the substitution, I express disappointment again at the opportunity lost to enshrine in legislation some specific and long overdue provisions for students with disabilities. The Council amendment was an opportunity to allay the fears of many parents about the quality of education offered for students with specific learning difficulties.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question is that substituted amendment No 52 be agreed to.

Hon KIM CHANCE: There is no problem here. As far as I can tell, the substitution is to change "child" for "student". I am not sure why, although perhaps it is to be consistent with the rest of the Bill. No change is to be made in a material sense.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question is that substituted amendment No 56 be agreed to.

Hon LJILJANNA RAVLICH: This amendment deals with exclusion of a student for non-attendance at school. It is dealt with in clause 92 of the Bill. The Government has accepted the proposed second part of our amendment. Clause 92 reads -

If the principal of a government school is of the opinion there are grounds under section 91 for the exclusion of a student from attendance at the school, the principal may -

- (a) recommend to the chief executive officer that the chief executive officer exercise his or her power under section 94;

We moved an amendment in this place that within three days of making a recommendation, the CEO would notify the student and the parents of the student that the recommendation had been made, and the reasons for the recommendation.

Hon Kim Chance: That was moved in the name of the minister.

Hon LJILJANNA RAVLICH: That is correct. It was a substitution moved by the minister. The second part of that amendment dealt with ensuring that the CEO was satisfied that all reasonable steps had been taken to deal with a breach of school discipline for poor behaviour. It is rather disappointing that the first part of that amendment moved by the Minister for Mines was not accepted by the Government. It will be interesting to know why.

Hon N.F. Moore: They recognised in the Assembly that there needed to be further changes. They do not always agree with the Minister for Mines!

Hon LJILJANNA RAVLICH: I am rather disappointed as it appeared to be a reasonable proposition which would have introduced more equity into the system. It provided a time frame in which the CEO had to notify the parent and the child, and the process involved. I am disappointed we have ended up with only half of the proposed amendment moved by the Minister for Mines. Nevertheless, the ALP will accept it, although it is another lost opportunity which could have produced a more efficient process than when the CEO excludes attendance from schools.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question is that substituted amendment No 58 be agreed.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: The question is that substituted amendment No 59 be agreed to.

Question put and passed; the Assembly's substituted amendment agreed to.

The CHAIRMAN: We are now considering a set of substituted amendments, Nos 65, 66, 67, 68, 69, 70, 71, 72, 73, 74 and 99, dealing with school charges and fees. Members will recall that as a result of our initial motion, these substitutions are in amended form. The Government has incorporated amendments into them from the original Legislative Assembly message. It is better that we take them one by one given that there may be interest in distinct substitutions. The question is that substitution No 65 be agreed to.

Hon HELEN HODGSON: These amendments relate to school fees and we have had quite a bit of community debate on this in the past six months. Mr Chairman, you have referred specifically to substitution No 65 but I cannot identify which particular one was No 65 as opposed to the whole block. The message lists them in block.

The CHAIRMAN: Perhaps we could take them en bloc. We will deal with them en bloc; that is, Nos 65 to 74 and 99.

Hon HELEN HODGSON: These amendments have caused some community discussion and it is clear there are two distinct policy perspectives on this question. They are to do with whether or not school fees can be imposed, and the extent to which they can be imposed for items provided as part of an education at government schools. The question is the extent to which the fees can be made compulsory. I put on the record that the Australian Democrats have a firm position that there is a certain level of schooling that should be provided by the Government and there should be no compulsion attached to fees for that level of schooling. The amendments moved last year work from that principle. There are items that are necessary and cannot be charged for. A necessary item, service, facility or instruction means that it is required for the provision of schooling to the students concerned in accordance with the curriculum framework under the Curriculum Council Act 1997 applicable to those students. We are working it back to the eight core learning areas and we believe that items that are an integral part of the basic core learning areas should not be charged for in a compulsory manner at government schools.

The focus of the argument has shifted over the past few months. The Australian Democrats take this view on school fees because we believe that the State has an obligation to fund education. The taxation system is a contribution by society to society and it should follow that all children should be able to access that level of education. It is a contribution to the good order of society in the State. We are not looking for a user-pays system. The notion of compulsory school fees is in effect moving towards that type of system. The argument has become focused on finance, on whether or not particular schools will have the resources to offer particular choices. While I recognise that that is a practical implication, I believe the Government should ensure funding is made available for schools to provide the necessary level of education in order to provide every child in the State with an education up to a certain standard. It may be seen as a pie in the sky notion but it is an ideal to which I aspire. I cannot see that imposing school fees on a user-pays basis will help improve equity of access in our schools system. The proposal before us acknowledges that at primary school level, education should continue to be free. I would like to ask the minister whether the term "middle school" encompasses anything from year 6 to year 10. How will the notion of voluntary fees be applied? A problem the Government will face is that a school may have two systems running at the same time: A voluntary scheme for students in years 6 and 7, in "middle school", side by side with the compulsory system.

Hon N.F. Moore: Two systems running together happens in district high schools now.

Hon HELEN HODGSON: It may be that some children are not in step with their contemporaries, for one reason or another. Does that mean that a child in year 7 who happens to be older than others in his class will be subject to fees? There are issues that need to be resolved. I acknowledge that the Government has tried to comply with the United Nations obligations which state that even third world countries should not impose school fees on primary education. I wish that position would extend right through the entire education system. We are supposed to be moving to a system where education will open opportunities for our students. We are limiting their access by having compulsory school fees. If cost pressures become too high, parents may require that their children not continue with their schooling. The definitions in the amendments before us give a distinction between children of compulsory school age and post-compulsory students. The effect of the amendment is that a child in year 11 or 12 will have no cap on fees. For those in school who are subject to a fees cap, the limit is \$235.

Extra optional components may be charged for on top of the cap. Everything that falls into the category of post-compulsory schooling comes into this area and full fees can be charged. The only limitation would be processes within the school to allow parents to have a say in the process. I find it incomprehensible that this should be considered in today's education system. We are encouraging students to stay at school yet allowing open slather on school fees when they reach years 11 and 12.

Hon N.F. Moore: How do you get open slather? Who makes the decision about how much is paid?

Hon HELEN HODGSON: The principal makes a recommendation to the school council which can be dominated by school staff. It is not necessarily a parent-dominated body. We tried to ensure that parents have a majority on school councils. However, I believe that amendment was at some stage eliminated due to the way the Bill is constructed, although I am happy to be corrected if that is not the case. After reviewing this I believe parents no longer have a majority on the school council. Any chance of being able to rely on the school council to act in the interests of parents is considerably weakened. With the best of intent, a body dominated by the principal, teachers and the community representatives, who may be on it because of their business backgrounds and expertise, will not necessarily have the same priorities as parents.

Hon LJILJANNA RAVLICH: The Australian Labor Party will not support this substituted amendment. I am disappointed that it so poorly defines costs. This Government has missed a major opportunity to fulfil an election commitment. I refer to the election commitment made at the last election campaign and the one before in which the coalition promised a social dividend to Western Australians. That dividend has not been delivered to Western Australians. This is a prime opportunity for the Government to do that, but it is doing nothing about it.

Since the past two budgets have been brought down, expenses for a typical household have increased by \$372 a year. We have seen increases in motor vehicle registrations, third party insurance, water costs and sewerage and drainage charges. What have Western Australians received from the major asset sales this minister's Government has initiated?

Hon N.F. Moore: Massive debt reduction.

Hon LJILJANNA RAVLICH: We have received nothing and the minister knows that.

The DEPUTY CHAIRMAN (Hon Derrick Tomlinson): Order! When I call for order that means the member on her feet should resume her seat and the members who are interjecting should cease their interjections. So far the debate has been conducted very well. I suggest that the member continue that way.

Hon LJILJANNA RAVLICH: Thank you, Mr Chairman. The point I am making is that this Government has its priorities wrong. It is preoccupied with a belltower.

Point of Order

Hon N.F. MOORE: We have a motion on this subject on the Notice Paper and it is being debated at great length. Is it appropriate for that debate to be regurgitated during debate on the School Education Bill?

The DEPUTY CHAIRMAN: Hon Ljiljanna Ravlich was responding to a fee and illustrated the consequences of that in terms of other charges that have been imposed. Nonetheless, I was observing that the member was straying further from the focus of the clauses under consideration than might be permitted and I ask her to bring her argument back to the point.

Debate Resumed

Hon LJILJANNA RAVLICH: The simple point I am trying to make is that this Government has lost a major opportunity to deliver a social dividend to the parents of school children in this State. Rather than benefitting from any social dividend, most Western Australians are far worse off. This was a key area in which that social dividend could have been delivered. I am particularly concerned that students may be penalised because of the inability by some parents to pay school fees. Although the Government says that nobody will be penalised, at the end of the day school fees are only voluntary. The bottom line is that in devolving greater responsibility to schools it has also devolved greater rights for them to make decisions about how they set and collect school fees. Only the other day *The West Australian* reported that the Hamilton Hill Senior High School had sent correspondence to parents suggesting they enrol their children in another school if they fail to pay their school fees. Although the fees are voluntary, the bottom line is that individuals, particularly students, are being penalised because many of them cannot afford to pay school fees.

Hon N.F. Moore: How many were penalised?

Hon LJILJANNA RAVLICH: The minister can tell me. He is supposed to be collecting the data, but he does not know. This is all about this Government which has not only not delivered a social dividend -

Hon N.F. Moore: This is about somebody being a devious twit.

The DEPUTY CHAIRMAN: Order! The Leader of the House should refrain from interjecting.

Hon LJILJANNA RAVLICH: This is also about a Government that has increased remarkably the number of people we can now define as the "working poor". The minister referred to the secondary assistance allowance paid annually to some families. However, this minister and his Government fail to realise that a growing number of people in this State could be defined as the "working poor". This list of people is growing on account of the policies the Government has implemented.

A report was recently tabled in the other place on how people are fairing with workplace agreements. It revealed that 25 per cent of people who have gone onto workplace agreements are worse off than they have ever been.

Hon Kim Chance: That can't be right because the Prime Minister told us that nobody would be worse off.

Hon N.F. Moore: That was Hawke; he said that no child would live in poverty.

The DEPUTY CHAIRMAN: Order! I have already directed that the member focus on the matter in hand. The interjections that are inviting comment on Prime Ministers are tempting her to digress. Would the member please continue her remarks on the clauses under consideration.

Hon LJILJANNA RAVLICH: Apart from the comments I have already made, one of the key concerns, particularly in the secondary school area, is that once the revenue is received by the school, it is very difficult to determine how much is spent on which items. Another issue concerns how the various costs associated with education are defined. There is no doubt that both primary and secondary schools have been guilty of being very sloppy in itemising accounts for parents and being able to justify the costs that parents must incur.

One of the major difficulties, apart from the fact that the Australian Labor Party supports voluntary school fees, is that the proposed substitution has done nothing to better define the costs associated with education. For example, the definition of "extra cost optional component" is an optional component, but the amendment contains no definition of an "optional component" so people must work that out for themselves. The definition also refers to the high cost associated with the provision of that optional component. However, "high cost" is not defined. Once again, I indicate that what may be deemed a high cost by one principal or school decision making group, may not be deemed a high cost by another.

Problems also arise with the definitions involved in proposed substituted clause 98 headed "Limitation on matters for which fees for instruction and charges may be imposed". It states that no fee for instruction may be imposed in respect of a student for the provision of a non-optional component. It then refers to an optional component. I cannot find a definition for "non-optional component" or "optional component". I came across a briefing note from Mr Ken Booth, dated 26 August 1999, under the heading "Education Act Review Project". It is headed "Background Notes" and contains some of the underlying concepts. It is interesting because it contains a definition of "non-optional component" and of "optional component". People need to understand what these terms refer to. It is stated in the notes that the non-optional component of the educational program refers to the complete program in primary years and the required studies in lower secondary. I do not know what that means. It is as clear as mud. This is an explanatory memo, never mind the fact that the legislation contains no definition of these terms. It states that the optional component of an educational program, for which no extra cost is sought, is not relevant in primary school but refers to standard units in lower secondary, such as woodwork, food nutrition, art, drawing and physical education. Does it include computing? Does it include canoeing? I have no idea.

I am amazed that, given the length of time this Government has had to prepare this substitute amendment, it has done such a shocking job with the definitions. Parents want to know the cost which must be charged because it is critical to the students' education, and they want to know which components will be defined as optional. Given this definition, I am certainly no clearer and I do not think parents will be.

Hon Kim Chance: Even if it is non-optional, which to me means mandatory, charges can be made for materials, services or facilities.

Hon LJILJANNA RAVLICH: Absolutely right.

Hon N.F. Moore: That includes the food for cookery lessons.

Hon LJILJANNA RAVLICH: We do not want to know that the minister has made that decision when sitting in that seat today. Parents want it in black and white and it should be enshrined in this legislation. The Government has provided no clarity. We want a schedule.

Hon N.F. Moore: If you want a schedule, it will be about 4 000 pages long.

Hon LJILJANNA RAVLICH: It may well be 4 000 pages, but at the end of the day if schools and parents need to know the definitions of optional component and non-optional component, why not let them call the minister and he can decide on that day how the terms will be defined. I am amazed that there is no definition of these terms which are used consistently throughout the amendment.

Proposed substituted clause 99 is headed "Charges and contributions for the provision of certain materials, services and facilities". Sub-clause (2) clearly states that regulations cannot be made providing for charges or contributions for the purchase, maintenance, replacement of equipment, furniture and fittings - once again those terms are not defined - provided for the purposes of a government school. I would be interested to know how the minister defines "equipment". I want to know that because in an earlier draft of this legislation there was a proposal that regulations could not be made to provide for charges or contributions for a number of items, which included the cost of administering or operating a government school and items of a capital nature, except computers or printers to the extent to which they are used by students in the course of an educational program at a government school. Effectively, regulations could be made for capital items such as computers and printers. Parents are concerned about that. Regulations could also be made in relation to photocopiers to the extent to which they are used to produce materials used in the educational program at a government school. It was the Government's intent that regulations could not be made for the cost of administering or operating a government school or items of a capital nature, except for computers, printers, photocopiers - it gets worse - to the extent to which they are used to produce materials used in the educational program at a government school.

Hon N.F. Moore: What are you quoting from?

Hon LJILJANNA RAVLICH: I am happy to table the document. They are background notes dated 26 August 1999. I will continue.

Hon N.F. Moore: You are quoting from something that seems to have some substance.

Hon LJILJANNA RAVLICH: It is the educational review project. It appeared on my desk and it is marked as a draft only.

Hon N.F. Moore: Is that what it says? Good grief. That might be exactly what it says.

Hon LJILJANNA RAVLICH: That was the Government's thinking and that is why the Government has not defined the terms that should have been defined. The Leader of the House knows that.

Hon N.F. Moore: Was your position in the Assembly drafted at the ALP conference?

The DEPUTY CHAIRMAN (Hon Derrick Tomlinson): Rather than have this dialogue, members should follow the procedures of the Legislative Council. When the honourable member has ceased her contribution, which I am confident she is drawing to a close, the Leader of the House can respond rather than there being a dialogue that no-one can follow.

Hon LJILJANNA RAVLICH: I thought I had unlimited time, Mr Deputy Chairman.

The DEPUTY CHAIRMAN: The member does but I was making the observation that it sounded as though she was bringing her contribution to its peroration. Not only can regulations be drafted effectively for these capital item costs -

Hon N.F. Moore: Regulations can be disallowed.

Hon LJILJANNA RAVLICH: Yes, regulations can also be disallowed. However, regulations under this policy proposal can also be granted for the purchasing of sporting equipment for a government school in addition to the items I have already outlined. Given that the proposed substitution has no definition of equipment, furniture and fittings, does that provision include or exclude capital items? There is no point in asking for the minister's assurance that regulations will not be made to enable schools to charge for capital cost items as I believe my worst fears will be realised that in one way or another this Government -

Hon N.F. Moore: I should think your worst fears will be realised if you move to the Legislative Assembly.

Hon LJILJANNA RAVLICH: The bottom line is that that was the minister's thinking. Substituted clause 99(2) states -

Regulations cannot be made providing for charges or contributions for the purchase, maintenance or replacement of equipment, furniture and fittings provided for the purposes of a government school.

I asked the minister whether that applies also to capital items or would regulations be made for schools to be able to charge for items such as photocopiers and printers, and the minister said that that was not the intent of the legislation; that the legislation did not refer to capital items and referred only to furniture, equipment and fittings. The Government's proposal is inadequate and does not address the fundamental issues of poor definition and clarity when providing information to parents about the items they will and will not have to pay for. The Government has done a lousy job in drawing up this amendment. The Australian Labor Party will not be supporting it for the reasons outlined. I could go on but I will not at this stage. I may take up the opportunity later if it avails itself. The Labor Party has grave concerns about the direction this Government is taking. The substitute proposed by the Government is a very poor substitute.

Hon MARK NEVILL: I am satisfied that there are enough safeguards in this proposed amendment to ensure that parents who cannot afford to pay compulsory high school fees will not be forced to pay them or be in any way disadvantaged. Members are losing track of where we came from in this debate. These proposed regulations do not change the status quo. Since the activity fee was introduced in 1964 and the Beggs committee changes in 1984, fees have been compulsory in that part of high schools and there has been power to recover those fees. These amendments to the Bill provide exactly the same situation as that but with more safeguards about how, and on what, that money will be spent.

I congratulate Hon Ljiljanna Ravlich, Hon Helen Hodgson and Hon Christine Sharp for their contributions to the debate in their further tightening of this provision in the School Education Bill 1997. The amendment moved by Hon Christine Sharp, substituted clause 99(2), referred to by Hon Ljiljanna Ravlich, reads -

Regulations cannot be made providing for charges or contributions for the purchase, maintenance or replacement of equipment, furniture and fittings provided for the purposes of a government school.

It is clear that school fees will not be used for replacing sporting equipment, photocopiers and computers; that is what I understand by the word "equipment" there. Prior to the introduction of this Bill, fees could be used for those items. There is therefore a tightening up of the scheme wherein there must be a direct benefit to the student before that money can be used.

The opposition parties have successfully prevented the fees from being compulsory in primary schools. When the Bill first came into Parliament all parties in the Legislative Assembly supported the provision for compulsory primary and secondary school fees. That position changed and a valuable concession was won. I have received many phone calls and letters on this issue. Only one person has contacted me who was opposed to the fees; that is, the President of the Western Australian Council of State School Organisations, Dianne Guise. I spoke to her at length on the phone and later met with her. Her position is basically a philosophical one and one that I understand. Some people fear that this is the thin end of the wedge and schools will be privatised further down the track. She referred me to comments allegedly made by the federal Minister for Education, Dr Kemp, about children having vouchers to attend private schools. That is a quantum leap from the position we find ourselves in today on this Bill.

There have been arguments about the clarity of the provisions - there are already eight pages of them. We could probably publish 100 pages and still have a lack of clarity in many areas. We must draw the line somewhere. The amendments are reasonable; however, I am no authority on the matter. I paid whatever fees were necessary in bringing up my children; I suppose I have not had to scrimp and save to do that.

There is much convenience in some of the debate on this matter. It was said there should be a schedule list of every item on which schools spend money. When we debate the native title legislation members are against a schedule list and want generic descriptions. In this Bill they call for the opposite approach. These are arguments of convenience, depending on a member's philosophical approach to a particular Bill. I am satisfied that there are enough safeguards. It provides the capacity to waive, reduce or defer fees, and primary school fees will continue to be voluntary. About 27 000 parents of students are health card holders who had their assistance increased this year from \$180 to about \$235, at an extra cost to the State Government of \$1.5m. There will be a discount arrangement for second and subsequent students in years 8 and 10. There is an education assistance fund to support schools where the rate of collections is low in socioeconomic areas where significant proportions of families do not qualify for the health card; that is, the working poor referred to by Hon Ljiljanna Ravlich. I feel for those people as many of them will find it difficult to find the money for this fee. However, some of them will be able to defer it if they are having a hard time financially or they will be able to pay it in small instalments. If they can convince the principal of their school that that is too difficult for them, I am sure it will be waived.

All charges are subject to school council approval, so there is a vetting process. As I said before, the amendments prevent the fees from being used for the replacement, maintenance or repair of equipment and furniture. As I read the amendments, they will be used only for consumables such as photocopies, wood, food and bus fares. The legislation has been before Parliament for two years. It needs to be settled. If the Australian Labor Party goes to the next polls with a clear commitment to abolish school fees or to make them voluntary and it wins the election, and if I am an Independent member in this House, I will support it. That is the choice one must make if one wants to find that money in consolidated funds. If that is the Labor Party's policy, I will support it.

I received a letter from a staff member at John Curtin Senior High School and I will read it into the record. It states -

In relation to school fees, if the school were unable to collect fees and charges, it would not be able to run its courses. Optional and Specialist courses that are run by the School receive very little assistance from the Education Department and without parents' fees these courses simply would not be able to operate. Take a course like International Cooking - the fees go towards buying the ingredients or Woodwork - the fees are used to buy the timber and other materials.

At John Curtin, we run many Specialist Courses - e.g. Theatre Arts, Dance, Music, Nautical Studies and Soccer. These specialist areas receive little or no assistance from the EDWA and are totally dependent on parent contributions for survival. The fees go towards buying equipment, musical instruments and assist with the hiring of Specialist tutors during the year.

WACSSO (and others) idea of making fees not compulsory would lower the quality of education that Government Schools can currently offer. Each year, schools set their own budgets and the main component of the School Budget is compulsory school fees.

Parents on health care cards do receive some assistance from EDWA . . . This school is very lenient towards parents who cannot afford to pay. You will find most schools act in the same way in relation to fees. We make arrangements with parents to pay their fees at \$5.00 - \$10.00 per week or whatever they can afford.

We have enough safeguards. It is nothing new. We are preserving the status quo. On that basis I am satisfied that the amendment is fair, reasonable and equitable.

Hon N.F. MOORE: I will respond to a couple of issues that have been raised so far to put on record a few matters which might help us get through this quickly. I am a little concerned about the Labor Party's position on this, because it has changed on a number of occasions. Looking back at history, the previous Labor Government released the Beggs report, which looked at this issue. It recommended that we maintain the status quo. I do not think it dealt with primary school fees, but it dealt with secondary school fees, and it recommended that secondary students in the compulsory years pay \$100 and that it be collectable; in other words, schools should have the power to collect the fees. Most schools do not go to a huge amount of trouble to collect fees from parents who do not pay, but they have the right to do that under the proposal put forward in the Beggs report.

Hon J.A. Cowdell: Surely they require the permission of the director general.

Hon N.F. MOORE: A process in which fees were chargeable and collectable was in place. Members of the Labor Party may now have the view that everything should be free, but they did not have it then and they did not have it about three or four months ago when the matter was discussed in this House and in the Legislative Assembly. However, now they have changed their minds because a delegate to the Labor Party's state conference moved a motion that it should all be free. Surprisingly, the delegate also happens to be the chairperson of the Western Australian Council of State School Organisations. This is why I said last week that there is a bit of a mixture, with people not knowing who is singing which song.

I find it extraordinary that the Labor Party now says that there should be no fees at all for anybody. On the Notice Paper is a proposed Bill called the Voluntary Membership of Student Guilds and Associations Repeal Bill; in other words, the repeal Bill will charge every student who goes to a secondary institution \$200 or \$300 a year to join a guild, otherwise a

student will not get a tertiary education. There is a degree of cynicism about this. There is a degree of inconsistency between the Labor Party's view on primary and secondary education and tertiary education. I do not think students should be charged to be part of a guild. Who was the minister at the federal level who decided to start charging fees for students to go to tertiary institutions - the dreaded higher education contribution scheme? The Labor minister, Mr Dawkins.

[Continued below.]

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

QUESTIONS WITHOUT NOTICE

Statement by President

THE PRESIDENT (Hon George Cash): I could take up this matter directly with the ministers, but it is proper to advise the entire House. One of the answers to today's questions began by saying "The Department of Commerce and Trade advises" and then mentions certain facts. The Department of Commerce and Trade has not been asked a question in this House. It is the minister who gives the reply. If he is replying on advice from the Department of Commerce and Trade then the answer should be framed in that way.

SCHOOL EDUCATION BILL 1997

Assembly's Message

Resumed from an earlier stage of the sitting. The Deputy Chairman of Committees (Hon Derrick Tomlinson) in the Chair; Hon N.F. Moore (Leader of the House) in charge of the Bill.

The DEPUTY CHAIRMAN: We are dealing with substitutions Nos 65 to 74 inclusive and No 99.

Hon N.F. MOORE: Hon Mark Nevill mentioned that he would support a future Labor Government in abolishing school fees if that was an election commitment. Does the Labor Party intend to go to the next election on the basis of abolishing school fees?

Hon J.A. Cowdell: Yes.

Hon Ken Travers: Absolutely.

Hon Ed Dermer: We have fully funded and accountable promises.

Hon N.F. MOORE: I am interested because that will be included in the tally of expenditure that will be put against the Opposition's proposals when we go to the election. It is interesting to know that.

Hon Nick Griffiths: The Government is spending \$110m plus land on the convention centre.

Hon N.F. MOORE: I do not think there is a figure big enough to cope with the Opposition's deficit, but that is another story.

The Government's proposal for school fees is not dissimilar to the situation that already exists. Primary school students will be required to pay a fee of \$60. A \$9 fee was introduced in 1972. If that were to be indexed, it would be approximately \$60 in today's terms. Lower secondary school fees will be \$225. This will be a compulsory fee and extra cost options will be on top of that. Fees for years 11 and 12 students will be decided at the school level. It needs to be pointed out that principals are not trying to rip people off. Any suggestion that principals and staff will decide to charge parents more than they can afford is not tenable. School council approval is required before the fees are charged. As I understand it, staff cannot have a majority on school councils. There is a slight irony in the situation, because, as Minister for Education, I argued for a devolved system to give parents a far greater say in the way the schools are operated and was rewarded with a half-day strike by the State School Teachers Union of WA, with Labor Party support. Now the Labor Party suggests that decision making should be left to parents, and schools should not have a say. It is another of the Opposition's inconsistencies. There is a safeguard.

Hon Kim Chance: The two are not even vaguely related. What is the Leader of the House talking about?

Hon N.F. MOORE: The Opposition should make up its mind about who it thinks should be making decisions in schools. The Opposition says schools should be run by teachers and then it says school fees should be decided by parents.

Hon Kim Chance: It is an entirely different thing.

Hon N.F. MOORE: There should be a cooperative arrangement. That is why I used to argue against the Opposition for parents having a greater say about what happens in schools. The Government believes, as the Hon Mark Nevill has pointed out, that there are enough safeguards in this proposal to ensure that people who have difficulty in paying the fees will be protected. The State Government will work with the Federal Government to see that Abstudy fees are paid directly to schools. I would be interested to hear the comments of members opposite. It is interesting that a number of Abstudy students receive their fees which are included in Abstudy allowances from the Commonwealth Government but the money does not get paid to the schools. In my view it would be appropriate for school fees to be paid directly from the Commonwealth Government to the school. That would avoid anybody feeling the need to spend it on something else.

Hon Ljiljanna Ravlich: What does that arrangement have to do with school fees? That is an administrative commonwealth-state arrangement.

Hon N.F. MOORE: There are many parents now who do not pay fees but who should be paying fees. We are looking at an arrangement with the Commonwealth Government to ensure that the money the Commonwealth pays to those parents as a fee component in their allowance is paid to the schools.

Hon Ken Travers: What is the percentage of parents who do not pay the fee?

Hon N.F. MOORE: I do not know. Having been a teacher myself, and knowing many parents, I know a large number do not pay the fee. I suspect the member would not understand that.

The Government has proposed additional measures if compulsory charges are approved and a family has financial hardship. The secondary assistance scheme for health and concession card holders has been topped up from the present \$180 to match the prescribed charge; a family discount scheme will be introduced for the second and subsequent children of a family in years 8 to 10; and a general education assistance fund will be established to provide help for schools where the collection rate is low, which is especially aimed at those people outside the health and concession card qualifying level.

Finally, I mention the matter raised by Hon Ljiljanna Ravlich, who quoted from a draft document. It was just that; it did not go beyond the draft stage. To answer the question about what is an extra cost option and what is equipment, new clause 99(2) states -

Regulations cannot be made providing for charges or contributions for the purchase, maintenance or replacement of equipment, furniture and fittings provided for the purposes of a government school.

The Government contends that this wording will rule out administration and office equipment, all computers, videos, televisions, photocopying equipment, overhead projectors, lathes, gym equipment, etc, laboratory apparatus, sporting equipment, blackboard, rulers, class sets of calculators, sewing machines, stoves and the like. The wording emphasises that it is impossible to state in legislation all the items that can and cannot be charged for because we would simply have thousands of pages of legislation relating to particular items. We are relying on the dictionary definitions of words. The member, having been a teacher in schools, would know what is and what is not an option.

Hon Ljiljanna Ravlich: I think that is hopeless.

Hon N.F. MOORE: The member would think that. I happen to think that she is without doubt the most hopeless individual who has ever come into this place. I am very sad she did not get a job in the other place. Obviously the Leader of the Opposition, Dr Gallop, could not stand the thought of having her in his Chamber either.

Hon Kim Chance: She is so highly regarded that we would not let her go.

Hon N.F. MOORE: If she is so highly regarded, why is she not getting a job in the other place? It is because Dr Gallop knows very well that having got the -

Several members interjected.

The DEPUTY CHAIRMAN (Hon Derrick Tomlinson): Order! We will leave Labor Party pre-selections to the state executive.

Hon N.F. MOORE: Dr Gallop could not contemplate the prospect of having two former female members of this Chamber in the other place. He has decided that one is bad enough. Therefore the other one will stay here, much to our regret.

The Government has sought to reach a position on school fees which is as fair and reasonable as can be obtained in the circumstances. It acknowledges that if fees are abolished right across the board there will be a significant cost to revenue and to the consolidated fund. We now know that the Labor Party will seek to do that if it ever becomes the Government. It will need to factor in a very large sum of dollars to pay for all the equipment and options which students use and all the costs that are required to run schools these days. I can assure members opposite that even if they do that, schools will still be seeking more money to do other things because every school that I visit wants to do more and different things and engage in different activities which cost money; I can assure members opposite that it will be never ending. The Labor Party did not abolish fees when in government because it worked out that it could not do it. It is as simple as that.

The new wording of the Bill has reached a reasonably good compromise. I hope the Labor Party will give serious thought to the matter, as it did before, when it accepted it initially. It is a pity that its conference decided to change its mind.

Hon J.A. COWDELL: There is a problem with our education system that must be addressed that pertains to our state schools. It is a problem of their being starved of funds. It is a problem of school budgets, and this is a matter of addressing school budgets.

Several members interjected.

The DEPUTY CHAIRMAN: Order! The Leader of the House will have another opportunity to speak if he wishes. I suggest we hear Hon John Cowdell in silence.

Hon J.A. COWDELL: I consult schools in my electorate and am aware of their budgetary situation. One high school, for example, has a budget of \$516 000, \$257 000 of which is spent on expenses not directly related to student learning. Those expenses are gas, electricity, water, leasing, professional development, repairs and maintenance, replacement of furniture and general administration. An amount of \$59 000 is spent in information technology and about \$200 000 on the departments. That is a fairly hefty budget and the school must make up the shortfall in that budget. It gets \$265 000 in general grants and \$59 000 under the school computer scheme; however, it must then try to get the balance from fundraising

and amenities fees. Currently, it levies \$143 000 in voluntary amenities fees, all of which it collects, bar 10 per cent. The problem arises in the amount of amenities fees it must raise and the fundraising required. There is a growing gap there. It is a problem of finance.

The Government's solution to the problem is in the clauses in this section of the Bill; that is, to change from a system of voluntarism to compulsory amenities fees. The first question to which I want an answer is: Has voluntarism failed? It is my general understanding that an amount of about \$27m is levied every year in voluntary school amenities fees; I am not sure of the veracity of those figures. How much of that amount is not collected? How much is in default? What is the gap? Is it 10 per cent, in which case \$24.3m is collected from the voluntary system and we are talking about only \$2.7m? What is the amount? This is the key to the debate on why we are ditching the voluntary system and going to compulsory amenities fees.

I attended the last hearing of the Standing Committee on Estimates and Financial Operations and asked the department that question. The response I received, as stated in the supplementary information, is as follows -

As indicated in the hearings, the Education Department does not hold detailed information on this matter. The following information is provided by way of assistance.

A few anecdotal examples then follow of some schools that collect 98 per cent, some 95 per cent and some 97 per cent. Some education districts are within the range of 39 per cent to 100 per cent; but there are no comprehensive figures. We are making significant changes to the relevant clauses of the School Education Bill, scrapping the voluntary system and going to compulsory amenities fees, because we are told of the urgent need to do so. Where is the evidence? It is nominally compulsory at the moment, but effectively voluntary because no-one is taken to court. There is a change now.

Several members interjected.

The DEPUTY CHAIRMAN: Order, members! Hon John Cowdell is doing his best to present a very involved argument, and interjections from both sides are simply impeding his progress.

Hon J.A. COWDELL: We are trying to address a problem, presumably, which is the chasm in terms of school budgets. I do not think that changing from the current voluntary system to compulsory amenities fees will save school budgets. There is a problem with school budgets at the moment - I keep track of the budgets in some of the high schools in my electorate. We should be told the deficit, the default rate and why we must change from the voluntary system to the compulsory system.

This is a significant step. This is the most significant assault on the principle of free compulsory and secular education in this State. It is the most significant assault on the free component of our traditional policy. If we adopt this change, we will be the only State in the country that has compulsory amenities fees. I know South Australia goes through the charade each year of its Government promulgating fees and the upper House disallowing them, and that has happened for three years in a row. However, we will have the distinction of being the only state system in the country, other than the South Australian on-again off-again experiment, that has compulsory amenities fees. We will convert to a system of a general amenities charge. It is a charge that can expand as it covers a general variety of items. There is, of course, the down side of changing from the voluntary system to the compulsory system. The minister must tell us who will be sued. There is a myth around that many well-heeled people send their children to state schools and do not pay the voluntary amenities fees. In the main, if we look across the board, we find that the schools which have rates of collection of 97, 98 or 100 per cent are the western suburbs schools. The schools which have low collection rates are in the low socioeconomic areas. Will we sue the class of people in the low socioeconomic areas? These people can be identified to some extent by the amount of secondary assistance subsidy that is provided from school to school. We are leaving it in the hands of school principals. We should not be under any misapprehension that all the bullies are in the schoolyard. School principals have had some very lamentable practices, even under the voluntary system, and heaven only knows what they will get up to under the compulsory system. School principals have said to people who have been unable to come up with their voluntary fees, "We don't want your sort at our school. Why don't you go to the state school down the road."

Hon N.F. Moore: Who said that?

Hon J.A. COWDELL: I will give the minister chapter and verse on that, but not now.

Hon N.F. Moore: Show us the letter instead of taking it out of the newspaper.

Hon J.A. COWDELL: I will provide evidence of this.

Hon N.F. Moore: Can you tell me how many students to whom we have not given positions?

Hon J.A. COWDELL: When the minister has finished, I will continue.

The DEPUTY CHAIRMAN: The minister has finished, because he has no right to continue.

Hon J.A. COWDELL: There was an instance at the Mandurah Senior High School, in which one family took the voluntary fee system so seriously that they sought emergency relief to pay their voluntary amenities fees. My office disburses emergency relief.

Hon Barry House interjected.

Hon J.A. COWDELL: I do not authorise it. The member for Dawesville and I, through our electorate offices, disburse it as a community service.

First, I said that emergency relief is not for the payment of voluntary amenities fees and I deferred the payment. I telephoned the school and said that clearly these parents were taking this matter very seriously. They were in a situation in which they were entitled to emergency relief and, therefore, they should be accorded relief by the school. The school said that it could not waive the fee. I replied that I would advise those people to default because the school could not take them to court as there had been no authorisation from the director general.

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) [4.56 pm]: I move -

That the House do now adjourn.

Conference for the International Federation on Ageing, 2002 - Adjournment Debate

HON CHERYL DAVENPORT (South Metropolitan) [4.57 pm]: Last week I attended a conference in Canada at which the Western Australian bid won the conference for the International Federation on Ageing for the year 2002. I had organised to attend that conference independent of the minister. However, subsequent to my departure she asked if I would be part of a bipartisan bid for the 2002 conference. After some discussion with my party leader, I indicated that I would be prepared to participate in that process. I point out now that I paid my own way, out of the imprest account, to get to the conference.

The conference which will be held in Western Australia in 2002 will be a partnership between the Council on the Ageing (Australia) and the Western Australian Government. Given that there will be an intervening election either late next year or early in 2001, it was important for the success of the bid for that conference that a bipartisan approach be in place, and I certainly undertook to be a part of that. I hope that the Australian Labor Party will be in government after the next election and I know that it will want to be a participant in such a conference.

At the conference in Montreal last week, 1 800 delegates from some 68 countries around the world were in attendance. The delegates were specifically from non-government organisations, service providers for the ageing, seniors, government representatives and bureaucrats. Forty ministers from both developed and developing countries were also present at the conference. It is interesting to note that from the First World the United States, the United Kingdom and Japan were present; from the Third World, China, South Africa and Argentina. Smaller countries like Nigeria were also present. This was the cornerstone of the International Year of Older Persons celebrations and representatives of both the United Nations and the World Health Organisation were in attendance. We heard some very interesting statistics from Dr Alexander Kolanchi from Brazil who heads up the World Health Organisation population statistics program. Something I found very interesting in his presentation to the first plenary session was an observation that the history of developed countries shows that as nations we became rich before becoming old but the problem for the developing countries is they became old before becoming rich. It will be a difficult task for those countries to manage an ageing population given the amount of money necessary to make older people secure in their latter years. With the health breakthroughs around the world, ageing is becoming far more possible than it was in past years.

What will this mean for Western Australia? It is projected that the conference will bring in the vicinity of \$2.5m to \$3m into the State in tourism dollars, which is a good thing for the State. It will also serve to raise positively the status of ageing. I want all of us to think not about frail ageing but to look at it as active ageing. We are all heading in that direction and we must recognise that this is something to look to forward to and applaud rather than something we do not want to deal with. I congratulate the Council on the Ageing Australia for its part in the successful bid process, and I to make special mention of Miss Dianne Moran, the chief executive officer of the Office of Seniors Interests, and one of her officers, John Morris, who made a comprehensive presentation in the form of an invitation to host this 2002 global conference. It has been well costed and portrays Western Australia in a very favourable light in terms of our ability to host such a conference. The significant opposition came from a bid from Singapore. It was the Southern Hemisphere's turn to host this conference and what swung the vote in favour of Western Australia was government participation in the bid process as well as a guarantee from the Opposition that it would be prepared to continue any budgetary allocation should it be in office.

Hon Barry House interjected.

Hon CHERYL DAVENPORT: The problem with the Singapore bid was the lack of government backing. A non-government organisation put forward that bid. There was some interest from various ministers but not sufficient interest from the whole of government to swing the bid.

A declaration came out of the Canada conference. One of the key issues raised in Montreal was the need to ensure that the UN consider a proposal for a decade of older persons so the issue is not left only with this international year. It is pretty much agreed that it would have the same kind of impact as the decade of women did from 1975 to 1985. The United Nations should declare a decade of older persons, and in five years it should conduct a review to assess whether nations around the world have prepared national plans on ageing. The declaration urged including in a national plan on ageing the assurance of universal access for older persons to economic security, food, health care, shelter, clothing and transport. It wants national plans on ageing to incorporate universal design principles to ensure that older persons can access all environments. It became clear at the conference that universal design in home construction, in particular, would accommodate all age groups. One of the other key recommendations from the declaration was the need for an assurance that employment barriers for older persons be eliminated by the provision of training and work opportunities and appropriate work conditions.

I was interested to learn that around the world there is not enough interaction between younger people and older people.

As legislators we should try to facilitate that interaction. One of the great aspects in developing countries is that they are moving actively towards ensuring there are forums for younger and older people to try to bridge that gap, and to change the attitudes of younger people who think that older people are worthless, and for older people to relate to young people without fear. We know that perception of fear does exist.

Tabling of Information - Adjournment Debate

HON HELEN HODGSON (North Metropolitan) [5.07 pm]: I will make a few comments on the response I received earlier today from the Attorney General representing the Minister for Labour Relations to questions on the tabling of information in this place. At this stage I have no intention of addressing the subject of the advice, because that would cause difficulties. I want to talk about the issue of tabling of documents. Essentially, the ongoing debate on the workers compensation system needs people to be fully informed. I acknowledge that certain information has been made available to me and, as the Attorney General said earlier, I have been given a couple of documents. One document is an actuarial review of the system changes proposed by the review which reads -

Refer your instructions to prepare this short form report of the actuarial costings supplied by to you on 1 July 1999 by eMail.

An attachment to that document dated 14 September is a two-page fax which refers to "proposed changes to WA workers' compensation system, based on the Pearson Review proposal, with amendments as shown below." Those documents have been useful in the context in which they were made available to me. However, I question the assumption in the response I got to my question that says, because the advice has been made available to me, there is no reason for it to be made available to the Parliament and to the public by way of tabling. I query that, because this issue has been widely debated in the broad public domain. When I am provided with a document I generally regard that document as having been provided to me in the capacity of my parliamentary responsibilities. I may discuss some of the contents with people, if that is relevant. If I have been told that the document is confidential I will not do that. If I do not think it is relevant I will not broadcast it widely. However, that does not mean it is not something that should be made available to people who are concerned with a particular issue. That is particularly so with something like costings, which is the fulcrum of the debate. The whole issue hinges on costings. It is not a matter on which one, two or three people in this place, who approach it from different policy perspectives, should decide without the ability for the broader community to know what is contained in this information. It is an instance in which these sorts of documents should be made public. They should be tabled. That is appropriate. It is not appropriate to say that because a member has access to something, that is all that is required. That is unsatisfactory. Information referred to in these documents is still not available and I will continue to seek it. I will be quite happy to respond to any request that I table a copy of a document that I have.

HON NORM KELLY (East Metropolitan) [5.11 pm]: I request that the member table the document to which she has referred.

The PRESIDENT: The direction is that the member should be asked to identify the document at the time of speaking.

Hon Helen Hodgson: I did identify it.

The PRESIDENT: I am not saying that the member should not. I would like to make two observations. I know that the member's comments were not directed to me, and I do not want to enter into a debate in the House. I suggest that Hon Helen Hodgson send a copy of what she has said to the minister - he was unfortunately detained on parliamentary business elsewhere - so that the minister understands the reasons the member wants some documents tabled. There may have been a misunderstanding about producing these documents.

The second point is that members do not have the privilege of tabling a document unless it is handled in a particular manner and according to the standing orders. I assume that Hon Norm Kelly was seeking to have the document tabled under Standing Order No 48. In that case the document has been identified and will be tabled, and will be returned to the member within 72 hours.

[See paper No 170.]

Question put and passed.

House adjourned at 5.13 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

OFFICE OF THE OMBUDSMAN, CONTRACTS OMBUDSMAN

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

- (1) Has a specialist "contracts ombudsman" been established within the Office of the Ombudsman?
- (2) If yes, when was it established?

Hon N.F. MOORE replied:

- (1)-(2) The need for establishing a position such as a 'contracts ombudsman' is being considered as part of the review of the State Supply Commission Act. The Report of the Crown Solicitor was recently tabled in Parliament. The Minister has established a Ministerial Consultative Committee and consultation is currently being undertaken with key stakeholders, including all Members of Parliament, on the Report's recommendations. At present there is provision, under the Government Purchasing Charter, for supplier complaints to be independently investigated by the State Supply Commission.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXEMPTIONS FROM PURCHASING REGULATIONS

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

I refer to the State Supply Commission's Policies and Guidelines Manual in relation to Delegated Purchasing Authority. To enable a public authority to arrange and coordinate its own supply of goods and services, the State Supply Commission may grant a partial exemption from the operation of section 19(1) of the *State Supply Commission Act 1991* -

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

Hon N.F. MOORE replied:

- (1)-(2) Please refer to answers provided to questions in the range 187 to 230 inclusive.

GOVERNMENT VEHICLES, NUMBER LEASED AND OWNED

93. Hon NORM KELLY to the Minister for Finance representing the Minister for Fair Trading:

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

- (1) How many vehicles are leased or owned by those agencies?
- (2) Of these, how many are -
 - (a) passenger vehicles; and
 - (b) commercial vehicles?
- (3) Of the total number of vehicles, how many are -
 - (a) petrol or diesel powered;
 - (b) LPG powered; or
 - (c) powered by other means?

Hon MAX EVANS replied:

The Ministry has advised as follows:

- (1) Leased - 26 vehicles. Own - nil.

- (2) (a) 21.
(b) 5.
- (3) (a) 26.
(b)-(c) Nil.

GOVERNMENT PROJECTS, JOB CREATION

132. Hon JOHN HALDEN to the Leader of the House representing the Minister for Employment and Training:

Have the following projects been referred to the Western Australian Department of Employment and Training and the State Training Board for advice on their job creation potential and implications for the State Training Profile -

- (a) new convention centre;
- (b) belltower;
- (c) Fremantle Maritime Museum; and
- (d) motorsport complex?

Hon N.F. MOORE replied:

- (a) No. The Perth Convention and Exhibition Centre will potentially create up to 5,000 jobs during the construction phase and 1,500 permanent full time and part time jobs, according to current projections. It seems likely that up to \$400 million may be spent by the time ancillary components such as hotels, retails, residential and a sports stadium are constructed. MacroPlan Pty Ltd, who undertook the economic analysis of the project during the site evaluation process, estimates 1,200 to 1,600 ongoing direct and indirect jobs will be created if a \$400 million Perth Convention and Exhibition Centre were to go ahead in Perth. As early as 1972, the meetings and conventions industry had identified the need for a dedicated Convention Centre in Perth. The Western Australian Tourism Commission Tourism Development Strategy 1994 also identified a dedicated Convention and Exhibition Centre as a key infrastructure requirement for Western Australia. In their report "A Feasibility Study to Determine the Viability of a Dedicated Convention and Exhibition Centre for Perth, Western Australia 1994", PKF Consulting estimated the direct expenditure of delegates to "new" events to be approximately \$41 million in the first year (unadjusted for CPI). With an estimated 12 jobs created for every \$1 million in tourism export earnings, the Perth Convention and Exhibition Centre can be predicted to create 490 new jobs. In fact, the Brisbane Convention and Exhibition Centre (a \$200 million project) created 2000 jobs during construction, and 600 full and part time ongoing jobs once operations began.
- (b) No. In the short term, small food and beverage businesses should benefit from the presence of the builders, subcontractors, suppliers and the general public, when viewing construction activity. Following completion, the bell tower, jetty pavilions and additional jetty infrastructure are anticipated to have a major impact on the tourism industry in Perth. The bell tower will lead to the employment of approximately 20-25 people, will add to the number of overnight stays in Perth and generate sufficient funds to cover maintenance and ongoing operations. After Kings Park, the bell tower has the potential to become the second most visited tourist attraction in the City, capable of handling up to 4 200 visitations per day. The new jetty pavilions will improve ferry ticketing operations and the level of service provided to the public and accommodate retail outlets capable of generating between approximately 40-80 full time jobs. The additional jetty infrastructure will provide more berthing space that will enable new initiatives such as river taxis, charter boat services and more ferry operations to be accommodated, all leading to increased employment opportunities.
- (c) No. A study was carried out by Economic Research Associates Pty Ltd which provided the Government with advice on potential job creation during and post construction. During construction, it is estimated that there will be a total of 765 direct and indirect jobs created and when it is completed, the new Maritime Museum will create a total of 127 direct and indirect jobs.
- (d) No. An Economic Impact Statement prepared by Economic Research Associates was commissioned to assess the economic advantage of the proposed motorplex facility including employment creation. The study concluded that the employment impact during construction would equate to 578 jobs, with 363 jobs maintained on an ongoing basis. The economic impact during construction is expected to be in order of \$40 million with an ongoing annual economic impact for the combined motorplex operation of \$29 million.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

147. Hon LJILJANNA RAVLICH to the Minister for Finance:

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Finance's portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?

- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon MAX EVANS replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

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

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Racing and Gaming's portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon MAX EVANS replied:

I refer the Member to my answer to Question No 147.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

149. Hon LJILJANNA RAVLICH to the Attorney General:

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Attorney General's portfolio can the Attorney General provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Attorney General's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Attorney General's portfolio are Year 2000 compliant?

- (7) Does each department or agency in the Attorney General's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon PETER FOSS replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

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

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Commerce and Trade's portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon N.F. MOORE replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

165. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Employment and Training:
I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Employment and Training's portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon N.F. MOORE replied:

- (1)-(8) Please refer to the answer given to question on notice 152.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

173. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Disability Services:

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Disability Services' portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon MAX EVANS replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

175. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Housing:

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Housing's portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon MAX EVANS replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

176. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Water Resources:

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Water Resources' portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon MAX EVANS replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or

weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

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

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Local Government's portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?
- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon M.J. CRIDDLE replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

GOVERNMENT DEPARTMENTS AND AGENCIES, YEAR 2000 COMPLIANT

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

I refer to the Year 2000 Industry Awareness Campaign coordinated by the Department of Commerce and Trade. For each department or agency in the Minister for Aboriginal Affairs' portfolio can the Minister provide the following information -

- (1) How many of their business systems are at risk to the Millennium Bug?
- (2) How many of their business systems have been recently converted, upgraded or replaced?
- (3) How many of their business systems have been certified and tested as Year 2000 compliant?

- (4) Is each department or agency in the Minister's portfolio treating the Year 2000 problem as an issue critical to their survival?
- (5) How many of their customers and suppliers are Year 2000 compliant?
- (6) How many of the companies awarded contracts by each department or agency in the Minister's portfolio are Year 2000 compliant?
- (7) Does each department or agency in the Minister's portfolio have a plan to manage their Year 2000 effort?
- (8) How much has been budgeted for the work to be done?

Hon M.J. CRIDDLE replied:

Western Australian Government agencies have been required to report quarterly until August 1999, but are now required to report monthly to the Department of Commerce and Trade as to their Year 2000 readiness. These reports are web based and provide direct advice from the agencies and report the responses to specific questions. No modelling or derivation or weightings are applied to the results. Thus the Government is not altering in any fashion the responses of the agencies. Accountability for this issue lies between the Minister and the CEO through legal requirements and performance contracts.

- (1)-(3) Each agency is singularly responsible for its own Year 2000 remediation program. Agencies are not required to report at this level of detail.
- (4) The Premier has instructed all agencies to treat this as a priority and this aspect of agency activity is included in each Chief Executive Officer's performance agreement.
- (5)-(6) See (1)-(3) above.
- (7) In accordance with the Premier's direction, all agencies are developing Year 2000 remediation plans and reporting accordingly.
- (8) As of 30 June 1999 the across government budget for Year 2000 remediation totalled \$173.5 million.

The Minister for Commerce and Trade would be pleased to arrange a briefing from officers of the Department of Commerce and Trade who can explain the Government's approach to this issue in more detail.

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

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

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

Hon PETER FOSS replied:

- (1)-(2) The accreditation assessment process commenced in 1997 and due to the Review of the State Supply Commission Act, the process was put on hold in August 1998. In accordance with the Commission's ongoing compliance program, 48 agencies (as denoted in the attached table) were reviewed in 1999. This compliance review examined changes in procurement capability and improvements in systems, procedures and skills. The results showed a marked improvement in procurement practices and purchasing culture within agencies. [See paper No 169.]

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

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

- (1) Which departments or agencies in the Premier's portfolio have been granted partial exemptions in -
 - (a) Class 1 - Autonomous purchasing up to \$50 000 per total contract value. Higher value purchasing to be arranged by a third party designated by the State Supply Commission;

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

Hon N.F. MOORE replied:

- (1)-(2) Please refer to the answer given in response to question on notice 196 of 18/8/99.

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

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

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

Hon MAX EVANS replied:

- (1)-(2) Please refer to the answer given in response to question on notice 196 of 18/8/99.

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

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

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

Hon MAX EVANS replied:

- (1)-(2) Please refer to the answer given in response to question on notice 196 of 18/8/99.

MR PETER FITZPATRICK, CONSULTANCY SERVICES

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

In relation to the consultancy provided by Peter Fitzpatrick to the Premier -

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

Hon N.F. MOORE replied:

This question was previously asked as question on notice 1009. The following answer was correct as at 6 August 1999, when it was forwarded to the member's Electorate Office.

- (1) Peter Fitzpatrick was required to provide advice to the Premier relating to the future use and management of the Dumas A Class Reserve.
- (2) This consultancy had a ceiling of \$10,000.
- (3) The contract commenced on 26 June 1997 and ceased in September 1997.
- (4) No.
- (5) Not applicable.
- (6) Peter Fitzpatrick was engaged in accordance with approved procedures for Ministerial consultancies.
- (7) \$1,840 was paid to Peter Fitzpatrick for this consultancy.

MS JILLIAN MERCER, CONSULTANCY SERVICES

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

In relation to the Ministry of Premier and Cabinet's consultancy with Jillian Mercer -

- (1) What services were provided by Jillian Mercer?
- (2) What was the total value of this consultancy?
- (3) When was it awarded and when does it cease?
- (4) Were tenders called for this consultancy?
- (5) If yes, how many firms or individuals tendered?
- (6) If not, why not?
- (7) How much has been paid to Jillian Mercer since the commencement of this consultancy?

Hon N.F. MOORE replied:

- (1) Jillian Mercer provides an evaluation and measurement service for the Centenary of Federation State Committee. She is required to provide feedback at various points during the implementation of programs and to provide summary information at their conclusion. Ms Mercer is also developing a standard reporting system which will meet the reporting obligations to the State Government, the Federation Council and the Council of Australian Governments.
- (2) The value of this consultancy is \$18,200.
- (3) The contract commenced on 1 August 1997 and ceases on 12 December 2001.
- (4) Quotations were invited for this consultancy.
- (5) Four (4) individuals / organisations were invited to provide quotations. One response was received.
- (6) Not applicable.
- (7) At 1 September 1999, \$15,236.50 has been paid to Jillian Mercer since the commencement of this consultancy.

MR PETER ROWE, CONSULTANCY SERVICES

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

In relation to the Ministry of Premier and Cabinet's consultancy with Peter Rowe -

- (1) What services were provided by Peter Rowe?
- (2) What was the total value of this consultancy?
- (3) When was it awarded and when does it cease?
- (4) Were tenders called for this consultancy?
- (5) If yes, how many firms or individuals tendered?
- (6) If not, why not?
- (7) How much has been paid to Peter Rowe since the commencement of this consultancy?

Hon N.F. MOORE replied:

This question was previously asked as question on notice 1015. The following answer was correct as at 6 August 1999, when it was forwarded to the member's Electorate Office.

- (1) Peter Rowe was engaged to provide strategic advice on major government initiatives on a range of matters as directed from time to time.
- (2) The contract was limited to a maximum of 80 hours per fortnight at \$65/hour.
- (3) The contract commenced on 20 October 1997 and ceased on 26 February 1999.
- (4) No.
- (5) Not applicable.
- (6) Peter Rowe was engaged in accordance with the engagement process for Ministerial contracts for service for contracts in excess of \$80,000.
- (7) \$163,299.50 was paid to Mr Rowe during the period of this consultancy.

BANDYUP PRISON, DEATH OF TAMMY LEE GREEN

343. Hon MARK NEVILL to the Attorney General:

I refer to the Coroner's Report on the death in Bandyup Prison of Tammy Lee Green and ask -

- (1) Which officer from the Forensic Case Management Team overruled the recommendations of the Registered Nurse J Donaldson that the prisoner be placed in a double-up cell?
- (2) What were the qualifications and experience of the Forensic Case Management Team Officer in (1) above?
- (3) Who were the other members of that team and what are the qualifications and expertise of the members of that team?
- (4) Was anyone consulted by the officer in question (1) above?
- (5) How many patients did Dr E Smith see at Bandyup on March 10, 1998 and over what period of time did she see these patients?
- (6) How many patients did Registered Nurse J Donaldson see at Bandyup Prison on March 10, 1998 and over what period of time did she see these patients?

Hon PETER FOSS replied:

- (1) In his Record of the Investigation into the death of Ms Green, the Coroner did not conclude that the recommendation of Registered Nurse J Donaldson was overruled. On page 5 of that Report, the Coroner noted that Ms Green "was considered to be suitable for mainstream placement in spite of her history". No negative comment was made about his decision.
- (2) The Forensic Case Management Team member referred to in (1) above has a Bachelor of Arts majoring in Psychology and a Post-Graduate Diploma in Social Work (both awarded by the University of Western Australia). This officer has more than thirty years clinical experience including nine years in forensic settings.
- (3) The Forensic Case Management Team is represented in most prisons. Apart from the officer referred to in (1) and (2) above, the only other Forensic Case Management Team member working at Bandyup Women's Prison at the time was a Prisoner Support Officer. Prisoner Support Officer positions require a range of skills and attributes, including demonstrated acceptance by the Aboriginal community, but do not require tertiary academic qualifications.
- (4) Forensic Case Management Team officers consult, as appropriate, with other health professionals who are in contact with the prisoners, as well as with prison officers and prison administration staff.
- (5) On 10 March 1998, Dr Smith attended Bandyup Women's Prison during the hours of 9:00 am to 12:30 pm (approximately). Dr Smith was consulted by twelve (12) prisoners, four (4) of those were new admissions.

- (6) On 10 March 1998, Registered Nurse J Donaldson attended Bandyup Women's Prison during the hours of 3:00 pm to 9:15 pm. Registered Nurse J Donaldson saw eighteen (18) prisoners.

PRISONERS, HIV, AIDS AND HEPATITIS C

347. Hon MARK NEVILL to the Attorney General:

- (1) How many inmates are known to be infected by HIV or AIDS?
- (2) What is the approximate monthly cost of medication of each HIV positive inmate?
- (3) How many inmates are known to be infected with Hepatitis "C"?
- (4) What is the approximate monthly cost of medication and treatment of each Hepatitis "C" inmates whose infection has progressed to where the symptoms are having a significant impact on the inmates health?

Hon PETER FOSS replied:

- (1) Based on information sought from prison and detention centre health centres, six offenders known to be infected with HIV/AIDS were in custody on 31 August 1999. It should be noted that as blood testing is not compulsory, additional 'unknown' HIV positive offenders may also be in custody.
- (2) HIV positive offenders receive treatment and medication through the Immunology Department of Royal Perth Hospital. The monthly cost of medication varies depending on the individual's condition ie asymptomatic versus AIDS and the accompanying opportunistic infections. The use of combinations of anti-retroviral drugs to slow the progression of the infection costs approximately \$800 per month.
- (3) It is not possible to identify the exact number of offenders with hepatitis C without manually accessing and examining the blood test results kept in each offender's medical record. A 1997 examination of prisoner medical records indicated a 13% presence of hepatitis C.
- (4) Treatment for hepatitis C may involve the use of the drug Interferon. Some offenders access this treatment from clinical specialists at Royal Perth and Fremantle hospitals. This drug has considerable expense (\$3000 - \$5000 for a 1 year course of treatment).

BANDYUP PRISON, DEATH OF TAMMY LEE GREEN

356. Hon MARK NEVILL to the Attorney General:

What revised and new procedures are now in place at Bandyup Prison to address the concern raised by the Coroners Report into the death of Tammy Lee Green?

Hon PETER FOSS replied:

The Coroner made five comments regarding the Quality of Supervision, Treatment and Care of Ms Green. The first two comments related to the "adequate" and "reasonable" treatment provided to Ms Green by prison officers and medical staff at the Bandyup Women's Prison. The Coroner's third comment suggested that the two medication deliveries to Bandyup each week should be reviewed. An additional (third) medication delivery is now provided to Bandyup Women's Prison each week, if required. The Ministry of Justice's Drug and Therapeutic Committee is to review the situation at other prisons to determine if additional medication deliveries are required. The Coroner's fourth comment related to the signing of medication charts. A memorandum from the Director Health Services has been sent to all Prison Health Services Health Centres reminding nursing staff of the legal requirements regarding signing for medications issued. The Coroner's final comment related to the retention of records after a death in custody. The Ministry of Justice is currently reviewing its process of providing relevant documents following a death in custody.

BANDYUP PRISON, INMATES' MEDICATION

358. Hon MARK NEVILL to the Attorney General:

What medications were given to each inmate at Bandyup Prison on March 10, 1999 (names of inmates are not being requested)?

Hon PETER FOSS replied:

A full response to this question would require that the individual medical record for each prisoner in Bandyup Women's Prison on 10 March 1999 being retrieved from various locations and the information extracted and collated manually. I am not prepared to devote the resources for this to be done. However, I am willing to arrange for the Hon member to be provided with a briefing by the Director Health Services, on this and related matters, if the Hon member would find this to be useful.

BANDYUP PRISON, DEATH OF TAMMY LEE GREEN

359. Hon MARK NEVILL to the Attorney General:

Further to question without notice No 3 of August 18, 1999 -

- (1) Was a psychiatric or psychological assessment included in Tammy Lee Green's pre-sentence report?

- (2) If not, why not?
- (3) If yes, will the Attorney General table -
 - (a) the psychiatric/psychological assessment; and
 - (b) the pre-sentence report?

Hon PETER FOSS replied:

- (1) No
- (2) The Fremantle Court of Petty sessions requested a stand down verbal pre-sentence report. The officer presenting the report outlined Ms Green's previous association with the Mental Health Service and the Court imposed a Community Based Order with a program requirement.
- (3) (a)-(b) Not applicable. In any case reports provided to the Court are the property of the Court and may only be released at the Court's discretion.

WATER CORPORATION, SUBCONTRACTORS' COMPLIANCE WITH BUILDING CODE AND SAFETY STANDARDS

413. Hon NORM KELLY to the Minister for Finance representing the Minister for Water Resources:
- (1) Does the Water Corporation insist that all tenders submitted by sub-contractors for construction work throughout Western Australia comply with the Building Code of Australia and the Australian Standards?
 - (2) Does the Water Corporation insist that all construction work carried out by sub-contractors throughout Western Australia comply with the building code of Australia and the Australian Standards?
 - (3) Does the Water Corporation insist that all construction work carried out by sub-contractors throughout Western Australia comply with the correct Safety Standards?

Hon MAX EVANS replied:

- (1) During the tendering stage, the Water Corporation only deals directly with the tenderers who comply with the relevant Australian Standards and Codes.
- (2) All contractors (and their sub-contractors, through reference and implication) to the Water Corporation are required to comply with the relevant Australian Standards and Codes, stated in the contract, and which are in force during the period of the contract.
- (3) All contractors (and their subcontractors, through reference and implication) are required to observe, perform and comply with the provisions of the Occupational Safety and Health Act 1984 and all material regulations, notices, prohibition notices and codes of practices (if any) issued under it and having application to the Contract. They are also required to comply with the requirements of the Principal's Occupational Safety and Health Policy.

GOVERNMENT CONTRACTS, GRANT THORNTON

422. Hon LJILJANNA RAVLICH to the Minister for Finance:

I refer to the contract awarded in March 1998 to Grant Thornton for a review of the functions and structures for all divisions of the Insurance Commission of Western Australia and ask -

- (1) Why was State Supply Commission (SSC) approval sought to waive the requirement for a public tender to be called?
- (2) Will the Minister table a copy of the request and the SSC approval?
- (3) If not, why not?

Hon MAX EVANS replied:

- (1) The Insurance Commission was most impressed with Grant Thornton's professional approach and methodology in relation to the review of the Finance & Administration Division and wished to immediately proceed with the next phase of the organisational review covering the structure and work practices of the business. Based upon the earlier tender process and the quality of Grant Thornton's service, the Insurance Commission was keen for them to continue on and complete the second phase thereby ensuring that a consistent methodology was applied throughout the review. Organisation reviews by their very nature are commercially sensitive matters for any public sector organisation. The Insurance Commission did not wish to highlight the review in the public domain by advertising a request for tender.
- (2) Yes. [See paper No 168.]
- (3) Not applicable.

GOVERNMENT CONTRACTS, GRANT THORNTON

423. Hon LJILJANNA RAVLICH to the Minister for Finance:

I refer to the contract awarded in November 1997 to Grant Thornton for a review of the Insurance Commission of Western Australia's functions and structures of Finance and Administration Division and ask -

- (1) How many tenders were received for this tender?
- (2) Which companies submitted tenders?
- (3) Was Grant Thornton's tender the lowest?
- (4) Was this consultancy included in the "Report on Consultants engaged by Government"?
- (5) If not, why not?

Hon MAX EVANS replied:

- (1) Four.
- (2) KPMG, Ernst & Young, Grant Thornton and Kathy Wallace.
- (3) No.
- (4) Yes.
- (5) Not applicable.

REVIEW OF THE RACECOURSE DEVELOPMENT ACT 1976, COST

444. Hon N.D. GRIFFITHS to the Minister for Racing and Gaming:

I refer to "The Review of the *Racecourse Development Act 1976*" undertaken by Russell Twogood in 1996/97 and ask -

- (1) What was the cost of this review?
- (2) Did this review appear in the "Report of Consultants Engaged by Government"?
- (3) If not, why not?
- (4) Were tenders or quotes received for this review?
- (5) If not, why not?
- (6) What were Mr Twogood's qualifications for this review?
- (7) Has Mr Twogood undertaken any other work in the Minister's portfolio?
- (8) If yes, can the Minister provide details of that work?

Hon MAX EVANS replied:

- (1) \$1,650 paid to Mr Twogood.
- (2) No.
- (3) Mr Twogood, a Chartered Accountant, was appointed to undertake an independent review of the Racecourse Development Act 1976 as part of the Minister for Racing and Gaming's review of the Racecourse Development Act required under section 16 of that Act. His appointment, which was approved by Cabinet, was not considered to be of the type normally included in the "Report of Consultants Engaged by Government".
- (4) No.
- (5)-(6) For a fee of less than \$5,000, it was considered it would have been very difficult to find a person to undertake the review who was independent of the racing industry and at the same time had an interest and knowledge of racing generally and had the particular knowledge of the Racecourse Development Trust operations that Mr Twogood possessed.
- (7) No. However, Mr Twogood was appointed to the Trust from August 1994 to July 1999, in accordance with section 4(2)(b) of the Racecourse Development Act 1976.
- (8) Not applicable.

QUESTIONS WITHOUT NOTICE

DRABBLE, MR ROSS, CONTRACTUAL PROPRIETY

224. Hon TOM STEPHENS to the Minister for Transport:

I refer to the minister's comments about the previous Commissioner for Main Roads this morning on ABC radio and in part to his comments that questions about contractual propriety contributed to Mr Drabble moving from his position.

- (1) Is the minister concerned that Mr Drabble is currently occupying a position that is likely to oversee many contracts?
- (2) Is the minister confident Mr Drabble will perform better in this position than he did in Main Roads?

Hon M.J. CRIDDLE replied:

- (1)-(2) I have made it known on a few occasions that Mr Drabble has all the qualities required to carry out that function. He is an experienced person in rail and road management. He will carry out the job very well.

SOUNDSHELL FOR CONCERTS AND MUSICAL PRODUCTIONS

225. Hon TOM STEPHENS to the Minister for the Arts:

- (1) Does the minister have any plans for a permanent soundshell in Perth for concerts or musical productions?
- (2) If yes -
 - (a) what size would it be;
 - (b) what locations have been considered; and
 - (c) what would be the cost?

Hon PETER FOSS replied:

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

STATE INCOME, PROJECTIONS

226. Hon N.D. GRIFFITHS to the Minister for Finance:

I refer to the intergovernmental agreement on the reform of commonwealth-state financial relations and the claim the minister made yesterday that he has done projections of the income Western Australia would receive in the absence of the goods and services tax.

- (1) What is the projected level of income from -
 - (a) financial assistance grants;
 - (b) financial institutions duty;
 - (c) marketable securities duty;
 - (d) safety net revenue;
 - (e) wholesale sales tax equivalents;
 - (f) debits tax; and
 - (g) gambling tax
 for the years 2000-01 to 2003-04 in the absence of the GST arrangements?
- (2) What is the expected reduction of gambling tax revenue as a result of the imposition of the GST for the years 2000-01 to 2003-04?
- (3) Does the minister have any projected forecasts of Western Australia's GST revenue for the years 2000-01 to 2003-04; and, if so, what are those forecasts?
- (4) Can the minister confirm that Western Australia is still expected to share in a growth dividend; and, if so, what is that amount for each year between 2000-01 and 2003-04?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1)-(4) I table in response to the member's question the following information which goes beyond what he has asked and clearly shows, as I have stated on many occasions, that the Commonwealth has guaranteed that the state budget will be no worse off during the transitional period as a consequence of tax reform. However, over time, access to GST growth tax is expected to provide a strong boost to state finances.

[See paper No 167.]

TOWN OF EAST FREMANTLE, COMPLAINTS

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

- (1) How many complaints has the Minister for Planning or his department received regarding the performance of the Town of East Fremantle between May 1997 and April 1999?

- (2) How many of these complaints were with regard to -
- (a) administration; and
 - (b) town planning issues?
- (3) How many separate complainants were involved in all of the above issues?

Hon PETER FOSS replied:

I thank the member for some notice of this question. I am advised that the Ministry for Planning does not maintain a specific complaints file for the Town of East Fremantle. Accordingly, letters of complaint may be found on files related to the town planning scheme and its amendments, subdivision, strata and survey-strata and development applications, and general files of which there are 150 active ones relating to East Fremantle during the period of interest to the member. If the member has a more specific question, the Minister for Planning would be happy to have the matter investigated. However, to answer the question as put would pose an unreasonable administrative burden on the Ministry for Planning. The member is advised that matters relating to the administration of town planning at the Town of East Fremantle are being investigated by a panel established under section 8.3(1) of the Local Government Act 1995. The inquiry panel is expected to make its report available soon.

WORKERS COMPENSATION, ACTUARIAL COSTINGS

228. Hon HELEN HODGSON to the Attorney General representing the Minister for Labour Relations:

- (1) Has the minister sought actuarial costings on the impact on workers compensation of the following proposals; and, if so, what is the level of savings or cost of each of the following -
- (a) a threshold for entry to common law of a degree of disability of 25 per cent;
 - (b) a threshold for entry to common law of a degree of disability of 16 per cent;
 - (c) a reduction in the amount payable under a damages award - deductible - of \$10 000, with phasing in provisions to apply; and
 - (d) a reduction in the amount payable under a damages award - deductible - of \$20 000 with phasing in provisions to apply?
- (2) Will the minister table any documents received detailing costings referred to in (1); and, if not, why not?
- (3) Will the minister table the document from P.S. Lurie of PricewaterhouseCoopers dated 7 September 1999 entitled "Actuarial Review of the System Changes Proposed by the Review"; and, if not, why not?
- (4) Will the minister table the three-page fax received on 14 September 1999 from P.S. Lurie of PricewaterhouseCoopers, of which the second page is headed "Option 1: Proposed Changes to the WA Workers Compensation System", based on the Pearson review proposal, with amendments shown below; and, if not, why not?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1)-(4) The Minister for Labour Relations understands that the actuarial advice has been made available to the member, and any further actuarial advice being obtained today on the amendments approved in the House last night will also be made available to the member.

MOTOR VEHICLE THEFT

229. Hon MURIEL PATTERSON to the Attorney General representing the Minister for Police:

Will the minister provide a breakdown on the rate of car theft and the age of those caught driving stolen cars during 1999?

Hon PETER FOSS replied:

I thank the member for some notice of this question. Reported motor vehicle theft and persons apprehended - by month - between 1 January 1999 and 31 August 1999 -

	Jan	Feb	Mar	Apr	May	June	July	Aug
Reported Vehicle Thefts	1 215	1 123	1 167	1 200	1 124	1 016	1 079	1 088
Persons Apprehended	216	224	186	188	151	138	138	118

The average age of persons apprehended was -

Under 13	3 per cent
13 to 14	15 per cent
15 to 16	23 per cent
17 to 18	21 per cent
over 18	38 per cent

Regrettably, the Police Service statistical database cannot determine whether those persons apprehended and charged with an offence of motor vehicle theft are drivers or passengers. As often motor vehicles are stolen by offenders operating in

groups, when apprehended, all persons involved in the theft will be charged accordingly. The police do not make a distinction between the driver of the stolen vehicle and the passenger of the stolen vehicle.

EAST EATON PRIMARY SCHOOL, STAFF NUMBERS

230. Hon BOB THOMAS to the Leader of the House representing the Minister for Education:

- (1) When is the East Eaton Primary School expected to open?
- (2) (a) How many FTE teaching positions will the school have?
(b) How many other FTE positions will the school have?
- (3) Will the existing staff at the Eaton Primary School be offered priority for employment at -
(a) East Eaton Primary School; or
(b) other schools in the Bunbury area
through employer initiated transfers?
- (4) Will the staff at the new East Eaton Primary School be required to sign five-year contracts if they are appointed to that school?
- (5) If yes, what is the reason for this?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) The East Eaton Primary School is expected to open in January 2000 on the Eaton Primary School site. The facilities on the new site will be available in July 2000.
- (2) (a) Student enrolments are yet to be finalised. The number of students will determine the number of teachers. The school will be staffed in accordance with the staffing formula applied to all schools in Western Australia.
(b) This has yet to be finalised. The non-teaching staff will be appointed according to various school site factors including the size of the grounds - gardener FTE; number and size of buildings - cleaners FTE; and number of education support students - education support aide FTE. Non-teaching administrative staff are appointed according to an enrolment driven formula.
- (3) (a) Existing Eaton Primary School staff will be offered priority for employment. Staff will have the opportunity to indicate their preference for placement at East Eaton Primary School.
(b) When East Eaton Primary School opens, enrolments at Eaton Primary School are expected to drop. If any staff at Eaton Primary School are surplus to needs, they will be offered priority to transfer as employer initiated placements at all schools where there are vacancies, including schools in Bunbury. If teachers wish to stay in Bunbury and no substantive vacancies are available they will be offered temporary vacancies in the Bunbury district until a substantive vacancy becomes available.
- (4) Permanent teachers who are placed at East Eaton Primary School as employer initiated placements will have ongoing tenure. Permanent teachers appointed through merit selection processes will remain permanent employees of the department and we will have up to five years' site tenure.
- (5) Contracts of up to five years will be offered depending on the identified needs of the school. Limited tenure positions allow the school to change staff at the end of a contract in order to respond to the changing needs of the school as it develops and evolves. Permanent teachers completing a contract have permanent employment with the Education Department and will be able to lodge a transfer application or be able to reapply for a position at the school through merit selection.

BROOME PRISON, INDONESIAN FISHERMEN

231. Hon MARK NEVILL to the Attorney General:

- (1) Is the Attorney General aware that Broome Prison is being crowded by Indonesian fishermen charged with or convicted of illegal entry or fishing in commonwealth waters?
- (2) Will the minister approach the Federal Government to place these offenders in a federal facility at Port Hedland or elsewhere?
- (3) Who pays for the medical costs of these prisoners, who I presume are not covered by Medicare?
- (4) What costs are reimbursed by the Commonwealth for housing these prisoners?

Hon PETER FOSS replied:

- (1)-(4) It is true that Broome Prison is being seriously affected by the number of Indonesian fishermen housed there. They are not being sentenced generally speaking to terms of imprisonment, but are imprisoned because they are unable to pay fines imposed on them. I have made representations with the aim that they not be prosecuted and fined and that only the captain should be prosecuted, the boat destroyed and all the people returned to Indonesia.

There is no federal jail; there are only federal detention centres under the Immigration Act. It would be beneficial to have federal jails because it is a big expense on our system to house federal prisoners when we do not receive any reimbursement. We have an adjustment under the financial assistance grants. However, that does not give us any more money. If we all have the same number of prisoners, we all receive the same amount of FAGs. If we have more prisoners, we receive an adjustment; but it does not amount to more money, merely a different proportion of what is available to the States.

Hon Mark Nevill is right, considerable health costs are incurred by Indonesian fishermen because most come over in a very poor state having had no medical care in their lives. We carry out full medical checks and give them dental work but none of that is reimbursed by the Federal Government. The full medical cost is borne by the State.

It is a serious problem because they also displace Broome people, who are being sent to Roebourne. We have stopped that because it is most unfair to Aboriginal prisoners from Broome who are displaced to Roebourne and, therefore, lose the opportunity of having visitors; whereas it seems that the Indonesian prisoners, whose families will not be visiting them, can go to Roebourne.

It is a serious problem about which I continue to make representations to the federal Director of Public Prosecutions, the federal Attorney General and the federal Minister for Fisheries. However, to date I have not had any satisfactory response. It would be useful if the prisoners could go to a federal penitentiary because the situation is seriously disrupting our prisons.

GOVERNMENT VEHICLES, FAILURE TO PAY RENT

232. Hon LJILJANNA RAVLICH to the minister representing the Treasurer:

I refer to the funding facility for the Western Australian Government's light vehicle fleet.

- (1) How many agencies failed to pay their vehicle rent on time in 1996, 1997, 1998 and 1999?
- (2) Has the State Supply Commission, with support from Treasury, taken action to ensure timely payment of the vehicle rent by agencies?
- (3) What action has the State Supply Commission and Treasury taken?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The information sought is not readily available. Extensive resources would need to be deployed to research the level of detail being sought; for example, there are 350 agency billing points which would need to be examined each month for the past four years. Much of the information would need to be retrieved from archives and be analysed before the answers could be provided.
- (2)-(3) With the transfer of billing responsibility to Treasury from April 1999, a new fleet retail rental system was developed by Treasury using the efficiency of e-commerce to provide agencies with more time to pay the bills within the deadline. This, together with a more active debtor management policy, is significantly improving client payment performance. Prior to the transfer to Treasury, the State Supply Commission took action to follow up outstanding payments from agencies through active debt recovery action, follow-ups and direct contact with agencies as required.

MUJA POWER STATION WORKERS, REDUNDANCY PACKAGES

233. Hon J.A. COWDELL to the Leader of the House representing the Minister for Energy:

- (1) Is the minister aware that Muja Power Station workers who have recently taken redundancy packages are now working for Integrated Power Services Pty Ltd?
- (2) Can the minister confirm that Western Power has revised its original redundancy offer to the Muja workers in order to delete a phrase which prohibited redundant workers from being re-employed by Western Power or its subsidiaries for a specified period?
- (3) How many workers were offered the original redundancy by Western Power?
- (4) How many workers were offered the revised redundancy?
- (5) Of those workers who received the revised redundancy offer, how many are now working for Integrated Power Services Pty Ltd as either a waged employee or as a contractor?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. I do not have an answer and ask that the question be placed on notice.

PERTH THEATRE TRUST, MUSIC THEATRE COMPANY BAIL-OUT

234. Hon TOM STEPHENS to the Minister for the Arts:

Did the minister give ministerial approval to the Perth Theatre Trust to bail out the Music Theatre Company by up to

\$26 000 this year, one week after the minister and a representative from the Premier's office met with an official of the Music Theatre Company?

Hon PETER FOSS replied:

No.

BANKSIA FARM, MT CLAREMONT

235. Hon GIZ WATSON to the minister representing the Minister for Lands:

With respect to the public open space in Mt Claremont known as Banksia Farm -

- (1) Did the minister inform the member for Cottesloe of the trust covering lot 87 Mt Claremont?
- (2) If yes, when?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1)-(2) The member has tricked me; I am not too certain where Banksia Farm is, even though I lived there for 20 years. The Department of Land Administration has no record of the Minister for Lands informing the member for Cottesloe of the trust covering lot 87.
- (2) Not applicable.

THERAPEUTIC GOODS LEGISLATION

236. Hon NORM KELLY to the minister representing the Minister for Health:

- (1) Is the minister aware that the excessive delay in introducing therapeutic goods legislation is limiting the ability of Western Australian based companies from competing on national and international levels?
- (2) Has the minister taken any action to assist companies in expediting applications to the Australian Register of Therapeutic Goods?
- (3) Can the minister now confirm that he will not be able to meet his previous expectations expressed to Lawley Pharmaceuticals last December that that complementary legislation would be introduced this year?

Hon MAX EVANS replied:

- (1) Any WA corporation producing therapeutic goods can make application for registration of therapeutic goods in accordance with the Commonwealth Therapeutic Goods Act 1989. Registration under the Act enables the product to be sold across Australia. The Government is committed to introducing complementary legislation as soon as possible. The drafting of the legislation requires consideration of its interaction with other state legislation including the Poisons Act.
- (2) The Australian Register of Therapeutic Goods is a federal matter. The Health Department of Western Australia has provided advice to that effect.
- (3) The date of introduction for this legislation will be dependent on the Government's legislation priorities generally.

GREENWOOD RAILWAY STATION

237. Hon RAY HALLIGAN to the Minister for Transport:

- (1) When will the construction of the new Greenwood railway station commence?
- (2) What is the likely starting date for the proposed widening of the Mitchell Freeway in those areas identified as bottlenecks?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) A final design of the Greenwood station has been completed and is currently under review. When the review is completed, I will then be able to advise the member of the timing of construction.
- (2) Roadworks to widen the Mitchell Freeway between Karrinyup Road and Hepburn Avenue will be carried out from 1 October 1999 to March 2000. Once complete, it will dramatically reduce the traffic congestion currently experienced in the area and improve travel times and safety, particularly during peak periods, for the 80 000 motorists who use this section of the freeway each day. This work, in conjunction with the current extension of the Mitchell Freeway from Ocean Reef Road to Hodges Drive, will help promote further regional development in Perth's northern suburbs, by providing residents with better access to the city, and strengthening the strategic link to the Joondalup regional centre.

INTERIM HR SOLUTIONS, CONTRACT

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

I refer to various questions that have been asked of the minister about the contract the Department of Commerce and Trade has with Interim HR Solutions - formerly CP Resourcing.

- (1) Is the Minister for Commerce and Trade aware that two contractors engaged by Interim HR Solutions who work in the Office of Information and Communications at the Department of Commerce and Trade have had their contracts truncated, allegedly because of questions asked in Parliament?
- (2) Can the Minister for Commerce and Trade explain why the department has truncated the services of these two contractors?
- (3) Have the contracts been truncated as part of an attempt to somehow avoid providing certain information to the Parliament?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) The Department of Commerce and Trade advises that one of the benefits of utilisation of contract specialists is that it provides a high degree of flexibility that enables resources to be matched to client and program demands. However, no contracts have been truncated as a result of questions in Parliament.
- (2) The department reviewed the utilisation and management of the Interim HR Solutions - formerly CP Resourcing - contract around November 1998. Recently, as part of its ongoing assessment of staffing and contract specialist resources, the department identified that its needs in relation to the services originally provided by three contracts had significantly reduced or altered. Consequently, it has modified the scope of three contract specialists currently servicing the Office of Information and Communications.
- (3) No.

LANDCORP, JOONDALUP OFFICE

239. Hon KEN TRAVERS to the minister representing the Minister for Lands:

I refer to the decision to move LandCorp's head office from the Joondalup regional centre to the Perth central business district.

- (1) How much floor space did LandCorp have at Joondalup, and what was its annual accommodation cost?
- (2) How much floor space will LandCorp have at its new location and what will its annual accommodation cost be?
- (3) What is the total estimated cost of changing the location of the head office and will the minister provide a breakdown of this cost?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) At Joondalup it had 1 602 square metres of floor space. The annual rental cost in 1999-2000, inclusive of outgoings for the office accommodation, was expected to be \$330 000 subject to upward review in June 2000.
- (2) In the Perth CBD it will have floor space of 1 407 square metres. The anticipated average rental cost, inclusive of outgoings for the office, is \$319 000 over a three year period.
- (3) Additional costs estimated to be incurred by LandCorp as a result of the move are -

Removalist	\$ 30 000
New partitioning	\$ 32 000
Airconditioning changes to new premises	\$ 5 000
Fire sprinkler changes to new premises	\$ 10 000
Cabinet-makers to dismantle and reassemble furniture	\$ 10 000
Move PABX, computer network hubs and install new cabling	\$ 70 000
Cost of vehicle hire to move computers	\$ 1 000
Additional staff costs	\$ 2 000
General contingency	\$ 15 000
Total	\$175 000

WESTERN POWER, EMPLOYEE OUTPLACEMENT PROGRAM

240. Hon KIM CHANCE to the Leader of the House representing the Minister for Energy:

I refer to the confidential proposal dated April 1999 from Manpower to Western Power regarding the employee outplacement program, and ask -

- (1) What contract positions are likely to become available at Western Power?

- (2) Will any of these positions be with Western Power's joint venture company, Integrated Power Services?
- (3) If so, why is Manpower contracted to transfer Western Power employees into its own joint venture company?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) The Manpower outplacement program has no connection to contract positions within Western Power.
- (2)-(3) Not applicable.

POLICE SERVICE, PROFESSIONAL STANDARDS PORTFOLIO

241. Hon N.D. GRIFFITHS to the Attorney General representing the Minister for Police:

Since the commencement of the operation of the professional standards portfolio -

- (1) How many police officers have been investigated for or accused of leaking information from police computers?
- (2) How many of those officers were reprimanded in any way?
- (3) How many resigned before any reprimand?
- (4) How many were demoted?
- (5) How many were counselled?

Hon PETER FOSS replied:

I thank the member for some notice of this question. The professional standards portfolio commenced in March 1996. The period involved is three and a half years, and the data required to be retrieved will necessitate intensive resource commitments. The results cannot be attained in the time frame allocated. I therefore ask the member to put this question on notice.

MINISTRY FOR PLANNING, SHIRE OF SWAN

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

Has the Ministry for Planning held discussions with the Shire of Swan about the separation of its town planning scheme from the Health Act in response to the recent Supreme Court decision on the Tower Brick proposal; and, if so, will the minister explain the situation?

Hon PETER FOSS replied:

I thank the member for some notice of this question. No; however, the Shire of Swan has requested a meeting with officers of the Ministry for Planning to discuss this issue, and a meeting has been scheduled.

BELL GROUP AND SOUTHERN EQUITIES CORPORATION LTD, RECOVERY OF MONEY

243. Hon HELEN HODGSON to the Minister for Finance:

I refer to the article in today's edition of *The Australian Financial Review* entitled "Taxpayers still shelling out for WA Inc," and the minister's enlightening comments on ABC radio this morning.

- (1) Has the Government or the Insurance Commission of WA received legal advice in respect of the likelihood of recovery of moneys from the actions against the Bell Group and Southern Equities Corporation Ltd, and how much is the action expected to recover?
- (2) How much is the commission prepared to commit before determining that it is no longer economically feasible to pursue the matter?
- (3) Given that the amount spent is \$28m, and the current deficiency of assets is \$26.3m, what impact would it have had on the commission's accounts and the consolidated fund accounts, had the expense not been incurred?

Hon MAX EVANS replied:

I am glad that someone was listening to the radio program this morning. I have taken the presenter off my Christmas card list.

- (1) Yes, the Government has received legal advice, and a number of claims are involved. The legal advice was that the work had been done, and we understand there is every likelihood of recovering more funds. I will advise of the recoveries already made, and why the Government has these problems.
- (2) That is determined on a one-to-one basis for the different legal cases. I do not have the balance sheet in front of me. Many of the debts have been written off at zero in the balance sheet. Hon Helen Hodgson has probably read the accounts.
- (3) I will need to double-check the member's statement that \$28.9m has been spent in the past two years. I thought it was more than that. The Government brought it into the accounts only in the last year. Last year only two members

had read the accounts - Hon Derrick Tomlinson and Hon Mark Nevill. They commented on the \$200m deficit in the accounts; in other words, the liabilities exceeded assets by \$200m. If it had involved anybody other than the Government, the companies would probably have gone into liquidation. A big rush of claims was made in the previous year, but that has now levelled out. We are now slightly in the black again without imposing any levies.

With the Rothwells' liquidation, the debt was \$78m, and we had already received \$27.7m from the 35.5¢ dividend. The Government does not expect to get much more from that. That was money the SGIC kindly loaned to Rothwells when it was in a lot of trouble. It was short of dough and the SGIC lent it about \$50m. That is how the debt came about. It was a kind-hearted action, and we are not complaining about it. The company was broke, but SGIC still helped it.

Spedley Securities Ltd was another laundering facility. Spedley Securities' loan to Rothwells was the same thing. We sued that company for the original debt of \$25m. It was written off at \$31.849m. We have since received a \$16.561m dividend, and hope to receive another \$15.3m from the liquidator of Spedleys. That almost covers the debt.

The Government is getting some of the money back to defray all these legal costs, and these amounts would not have been received without a legal fight.

Hon Peter Foss: I should point out that quite a lot of money was spent, before we came into government, to get nowhere.

The PRESIDENT: Order!

Hon MAX EVANS: I thank the Attorney General. Bond Corporation Holdings sued the Government for not going ahead with the Petrochemical Industries Co Ltd project. It sued for only \$900m as there was not much money. That was more than the cost of education at the time. The previous Government did not want to fight that; it just defended it. Before we came into government it spent millions of dollars defending that \$900m claim. This Government turned it around and said it was fraud. The deal was to set up Petrochemical Industries Co Ltd to save Rothwells Limited. From memory, \$350m went to Laurie Connell and \$50m went to Dallas Dempster out of goodwill for a lovely thing called PICL. Within three months of coming into government, a third party telephoned the Premier and said it was prepared to go away and not give the Government any more trouble. Therefore, a few million dollars spent in that situation was worthwhile. The other party claimed \$700m. I think the Government's legal fees were only about \$10m.

Hon Peter Foss: As soon as we alleged the behaviour on the part of the Government, it gave in.

The PRESIDENT: Order!

Hon MAX EVANS: That is why this Government continues, because its success has been good to date. I come to the Bell Group Ltd liquidation. On Anzac Day, 25 April 1998, they were convinced they should buy \$150m of Bell notes at \$300m.

The PRESIDENT: Minister, perhaps I should have listened more carefully to the question.

Hon MAX EVANS: I am giving a very good answer.

The PRESIDENT: I am being deadly serious. I want to know if your comment about Bell Group Ltd relates to the question.

Hon MAX EVANS: Yes. The commission is owed \$150m. It is one of two creditors funding the liquidation of the Bell Group Ltd, Bell Group Finance Pty Ltd and subsidiaries. It is pursuing indemnity agreements with the liquidators to meet the costs of the action. This is expected to recover in excess of \$500m from the two syndicates headed by Westpac Banking Corporation Ltd and Lloyds Bank of London. The syndicates are refusing to pay. They have earned more in interest on that debt than we will ever receive from it. We will win it. As Hon Helen Hodgson would know from her extensive legal knowledge, it was fraud giving undue preference. The syndicates knew there was no security over the assets, so they took security over the assets and six months and three days later they took all the assets. They had been secured on -

The PRESIDENT: Order!

Hon MAX EVANS: I have one more point, Mr President.

The PRESIDENT: I do not want to prevent you giving an answer, because it is an important question. However, if the House needs an extended period, it would be much easier to address it through another statement. I do not say that to take anything away from your answer because it is clearly something that the Parliament is entitled to know.

Hon MAX EVANS: I have one final point and that is the amount claimed by Bond Corporation Holdings. Southern Equities Corporation is owed \$250m which it kindly loaned to Bond Corporation Holdings. It is suing for that and is expecting to get a good deal in the very near future. I believe it is a lot of money. As I said on radio this morning, Hon Helen Hodgson would be critical of us more than anyone else if we simply wrote it off and said we did not want the money. This Government is doing the right thing by the taxpayer.
