



WESTERN AUSTRALIA

PARLIAMENTARY DEBATES

(HANSARD)

THIRTY-FOURTH PARLIAMENT
FOURTH SESSION
1996

LEGISLATIVE ASSEMBLY

Wednesday, 21 August 1996

Legislative Assembly

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THE SPEAKER (Mr Clarko) took the Chair at 11.00 am, and read prayers.

PETITION - CRIME RATE, MIDLAND

MRS van de KLASHORST (Swan Hills) [11.04 am]: I present the following petition -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned people of Western Australia wish to express grave concern at the ever increasing Crime Rate in the Town of Midland. We are extremely concerned at the frequency of Break-Ins, particularly the houses of the elderly.

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

The petition bears 387 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 105.]

PETITION - ALINTAGAS, REBATES

DR GALLOP (Victoria Park - Deputy Leader of the Opposition) [11.05 am]: I present the following petition -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned call on AlintaGas to establish a scheme of rebates or discounts for senior citizens, pensioners and other low income earners.

AlintaGas is alone among the public utilities in not providing some form of assistance for low income earners and the elderly and we call on it to display social responsibility in conducting its business affairs.

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

The petition bears 213 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 106.]

PETITION - ALINTAGAS, REBATES

MR CUNNINGHAM (Marangaroo) [11.06 am]: I present the following petition -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned petitioners:

1. Call on the State Government to arrange with AlintaGas to provide a 50% Rebate to Pensioners on the first 10 units of gas used by them each day.
2. Calls on the State Government to pay for this by rebating to AlintaGas, a proportion of the State Government's levy on AlintaGas.

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

The petition bears 157 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 107.]

ABORIGINAL LANDS TRUST REVIEW - REPORT TABLING

MR PRINCE (Albany - Minister for Health) [11.07 am]: I present for tabling the report of the Review of the Aboriginal Lands Trust. The chairman of the review team is former senator Neville Bonner. I advise the House that today copies of this review together with covering letters have been sent to in excess of 3 000 people for comment.

MINISTERIAL STATEMENT - MINISTER REPRESENTING THE MINISTER FOR TRANSPORT

Select Committee on Heavy Transport - Report, Minister's Response 26 September

MR LEWIS (Applecross - Minister for Planning) [11.08 am]: Under Standing Order No 378 the Select Committee on Heavy Transport required the Minister representing the Minister for Transport to report to this House within three months, or at the earliest opportunity after that time following the tabling of the committee's report, on any proposed action to be taken with respect to any recommendations of the committee which fall within the Minister's jurisdiction.

The Department of Transport has been coordinating information from agencies within the Transport portfolio and also seeking comments from other relevant departments. With the size and scope of the select committee's recommendations, this has been a lengthy process and the Minister for Transport, through me, is keen to provide a comprehensive response. The work is almost complete and I expect to be in a position to table a report incorporating the responses of the Transport and Mines portfolios to the select committee report by 26 September 1996.

JOINT STANDING COMMITTEE ON THE COMMISSION ON GOVERNMENT

Leave granted to meet when the House is meeting, Wednesday 21 August

On motion by Mr Cowan (Acting Leader of the House), resolved -

That this House grants leave for the Joint Standing Committee on the Commission on Government to meet when the House is meeting on Wednesday, 21 August 1996.

BILLS (3) - INTRODUCTION AND FIRST READING

1. State Enterprises (Commonwealth Tax Equivalents) Bill
2. Westpac Banking Corporation (Challenge Bank) Bill
Bills introduced, on motions by Mr Court (Treasurer), and read a first time.
3. Public Sector Management Act Amendment Bill (No 2)
Bill introduced, on motion by Mr Brown, and read a first time.

OFFICIAL CORRUPTION COMMISSION AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

Council's Amendments - In Committee

The Deputy Chairman of Committees (Mr Ainsworth) in the Chair; Mr Court (Premier) in charge of the Bill.

The amendments made by the Council were as follows -

No 1

Clause 12, page 14, after line 16 - To insert the following new paragraph -

- (c) the power to appoint a special investigator.

No 2

Clause 13, page 20, lines 16 to 18 - To delete the lines and substitute the following -

- (3) An allegation about the conduct of a person in his or her capacity as the holder of a judicial office shall not be received or initiated by the Commission unless the allegation relates to -

No 3

Clause 18, page 32, line 16 - To delete the words "Minister instead of to" and substitute "Presiding Officer of".

No 4

Clause 18, page 32, line 18 - To delete the words "either House of".

No 5

Clause 18, page 32, lines 21 and 22 - To delete paragraph (b).

No 6

Clause 18, page 32, lines 23 to 26 - To delete subclause (2) and substitute the following subclause -

- (2) If a Presiding Officer receives a report under subsection (1) the Presiding Officer as soon as reasonably practicable shall cause that report to be laid before the relevant House

No 7

Clause 18, page 32, line 28 - To insert before the word "another" the words "the Minister, or".

No 8

Clause 18, page 32, line 30 - To insert after the word "Parliament" the words "or their Presiding Officers".

Mr COURT: I move -

That amendment No 1 made by the Council be agreed to.

Dr GALLOP: As we understand it, amendment No 1 will affect clause 12 on page 14 after line 16. New subsection (c) is inserted so that the power to appoint a special investigator cannot be delegated by the commission. The Opposition certainly has no objections to the amendment. The power is important. The view is that it must be exercised by the commission.

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

Mr COURT: I move -

That amendment No 2 made by the Council be agreed to.

Mr KOBELKE: I am not clear about the intent of the changes to the wording. It seems to follow basically the same line. Can the Premier explain why the amendment has been made?

Mr COURT: It was redrafted to make clear that the restriction on allegations that could be made against holders of judicial office applies only to complaints made against them in their capacity as the holder of judicial office. Although the courts would probably have always interpreted this provision in this way, the amendment makes it quite clear.

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

Mr COURT: I move -

That amendments Nos 3 to 8 made by the Council be agreed to.

Dr GALLOP: The Opposition notes that clause 18 of the Bill currently seeks to insert a new section 7HM, which provides that a report made by the commission can be made to the Minister instead of each House of Parliament, if either House of Parliament has been prorogued, the Legislative Assembly has expired or has been dissolved, or if the commission considers it appropriate to do so. The Council has amended the clause to provide that the commission may make a report to the Presiding Officer of each House of Parliament, not the Minister, if Parliament has been prorogued or the Legislative Assembly has expired or been dissolved. Therefore, the Council has deleted the power of the commission to report to the Minister, if it considers it appropriate to do so. The other amendment simply deletes subsection (2) of the current section 7HM and makes further consequential amendments. In other words, the Council is simply asserting the supremacy of Parliament and seeking to prevent the commission being able to bypass the Parliament by reporting to the responsible Minister when the Parliament has been prorogued or the commission wants to do so. The Opposition certainly believes that piece of reviewing that has been carried out by the other House adds to the quality of the legislation. The Opposition is happy with those amendments.

Mr RIPPER: It is important that reports which would normally be made to Parliament are presented to a Presiding Officer, rather than to a Minister, when Parliament is not sitting. Otherwise, the Executive would in effect usurp the role of Parliament. Ministers have extensive powers and great opportunity to make decisions and influence the political agenda when Parliament is not sitting and they are not subject to the scrutiny of Parliament.

If the form of words in the Bill which passed through this House, rather than the amendments suggested by the Legislative Council, were to stand, we would reinforce the powers of Ministers and reduce the powers of Parliament. This will be particularly important in the run up to an election when the Government is not keen to endure the scrutiny of Parliament, particularly on matters relating to corruption.

Dr GALLOP: Firstly, the Opposition reiterates its general concern that the Government did not take the opportunity to completely rewrite the State's laws in relation to official corruption. It would have been better to start from scratch and redesign the institutions according to the Commission on Government report and the experiences of New South Wales and Queensland. We also feel that proper, full time commissioners are required to perform the job asked of them in this matter. Also, the Opposition is concerned that the whole question of openness, as opposed to secrecy, has not been handled well by the Government in its legislation. We moved amendments in an attempt to overcome that deficiency.

The legislation is minimalist, as *The West Australian* put it, but Western Australian history indicates that maximalist legislation is required in this area. Also, official corruption legislation is only one part of a proper approach to dealing with corruption. The strengthening of the role of Parliament, particularly the role of the Legislative Council, and a proper system of electoral reform are very important parts of tackling official corruption. If we are to tackle corruption in this State, we must strengthen the role of the Public Service and its ability to raise matters of concern. I know my colleague the member for Morley will be moving to strengthen the independence of public servants in dealing with Ministers and government generally. That will be an important part of the Opposition's approach to ensure that official corruption does not occur. The steps the Government has taken to make the Public Service flexible and pliable are not in the interests of good government in this State.

Mr KOBELKE: The need for this amendment reflects the intent of the Government in respect of this legislation. The amendment will ensure that the report comes to Parliament, not to the Minister, through the Presiding Officer. This Government is pushing this legislation for political purposes as a knee jerk reaction; it is not a firm policy of this Government on the Official Corruption Commission. This approach is reflected in the legislation introduced. The problem was not a drafting error; it was part of the process reflecting the Government's view, as it thought the report should go to the Minister when Parliament is not sitting because it wants control: It did not want an independent process of reporting to Parliament. This amendment addresses that aspect, but not the fundamental issues.

As the member for Victoria Park said, the amendment is an attempt to save face for a Government which has become soft on corruption and has been dragged every step of the way to act on this issue. The whole process was not thought through in a proactive manner to ensure that the legislation met the larger issues involved with official corruption in this State. The Opposition wishes that the larger issues had been dealt with; that is, that the Royal Commission into Commercial Activities of Government and Other Matters and the Commission on Government reports had been adopted rather than applying this half-measure.

The clause we are amending also outlines that further reports may be referred to the standing committee, but that

OCC committee is another very sad saga. That issue was raised by members on this side of the House when an earlier amendment was moved by this Government, again as a knee jerk reaction when public pressure was applied. The Deputy Premier is aware of the genesis of that OCC committee from a select committee of this Parliament of 1992, but this Government has not taken any action to establish that committee. Will the Premier respond and give us an updated report regarding the establishment of that committee, which is referred to in proposed subsection (3) of the clause we are amending?

Mr COURT: The committee was approved in the Legislative Assembly on 4 April, and the motion is to go through the Legislative Council. I cannot tell the member the timing of the passage of that motion. I hope it will coincide with this legislation being in place.

Mr KOBELKE: The Premier must give a more in-depth response. He runs away from most big issues. His media people protect him and rush him out the door and into his car. He will not answer questions.

Mr Court: When did that happen?

Mr KOBELKE: Every week.

Mr Court: When?

Mr KOBELKE: The Premier gives his press conference outside Radio 6PR. If he sat down with journalists, he might be embarrassed because he cannot answer the questions. It is the same little game with this legislation. We have had a motion before the Parliament for two years to establish the OCC committee, regardless of whether it is a joint standing committee or a standing committee of one House. Members opposite, including the Premier, have run out the gobbledegook that the matter is in the other place. However, when the Premier wanted his racist Mabo legislation passed, he had no trouble ensuring that his members in the other place rammed it through in the early hours of the morning under a guillotine-type motion. Do not give us the bunkum that the Premier does not control the other place!

Will the Premier give effect to his legislation by establishing the select committee, rather than weaselling out - as he does so often - by saying that he has no control as the matter is in the other place? The other Chamber of this Parliament is more in the Government's pocket than at any other time in its history. The Premier is able to direct members of that place to do his political bidding. Is it his intention to establish this standing committee and to have it operating effectively, or is he running away from the issue? I want an undertaking regarding when he will establish this select committee. Does he intend it to operate in keeping with the legislation, or is this another face-saver because the Government is soft on corruption?

Mr COURT: If one strips away the personal abuse - I do not know why the member carries on in that way - why would we move a motion to establish the committee and put it through the Assembly, and it will pass through the Council, if we were not going to establish the committee?

Mr KOBELKE: Let me give the Premier the facts as he seems to be poor on facts when he is caught out. He brought legislation into the Parliament to amend the OCC Act which had reference to this committee. The Minister handling the legislation clearly indicated that there was no commitment to establish the committee. Therefore, the Premier's members had not even read the legislation! The primary Ministers involved had not read the legislation moved in this House, and that indicates the cynical efforts of the Government on corruption right through the process. Two years ago the Opposition put a motion on the Notice Paper asking the Government to establish this committee. The Premier voted against it, and that is on the record. Pressure has again been put on the Government and a motion was passed in this House, but the committee still has not been established. Time and time again the Premier says one thing for public consumption and does the exact opposite. In this instance I ask the Premier to match his rhetoric with actions, but that might be rare for him. The action he should take is to establish the committee so that it will be operational. Will the Premier genuinely support the operation of this standing committee? When the Premier answers that question we will know whether he has a commitment to fighting corruption or whether we are still at the stage we were at three years ago. Only then will we know whether this is a face saving exercise and the Premier has no intention of ensuring that this State has an effective Official Corruption Commission which is backed up by a parliamentary standing committee to enable it to function as efficiently as possible.

Mr Court: You already have that commitment.

Mr RIPPER: In considering these amendments in conjunction with proposed sections 7HK and 7HL, when a report is presented to a Presiding Officer, will it become public? The legislation requires the Presiding Officer to lay the

report before the relevant House as soon as is reasonably practicable. In other words, the report cannot be made public until the relevant House of Parliament considers it. Between the end of November this year and the resumption of Parliament after the state election there will be a reasonably large gap during which a report could be presented to a Presiding Officer. That could occur in the first week of December and it will not be made public until the Parliament resumes in late March or early April 1997. It would defeat the purpose of the commission being able to report to the Minister or the Parliament if the report remained secret during that time. Quite often in these circumstances an arrangement is made so that the report is considered to be tabled if it is presented to a Presiding Officer, and can be released to the public. How will the proposed sections work? It is of concern to me if the commission reports to Parliament on the facts of a particular matter, or at the request of a person who wants the facts made public to clear his name, and the report remains secret because the relevant House of Parliament does not sit for a lengthy time; for example, at the time of a state election.

Mr COURT: The advice I have is that the legislation includes restrictions on disclosing the details of such a report unless it goes through the procedure of the standing committee or the House. These restrictions would apply particularly if the commission advised that it wanted the report to have the privilege of Parliament. The member for Belmont asked what would happen if the report were given to a Presiding Officer in November and the Parliament did not resume until April. In that instance Parliament would have to resume before the report could be tabled.

Mr Ripper: That is of concern to me. I understand that other pieces of legislation include a provision for presenting reports to the Presiding Officers. In those circumstances it is considered to be the same as tabling the report in Parliament. Therefore, it attracts privilege.

Mr COURT: Given the nature of the reports of the commission it would be the proper process to table them in the Parliament. If that were not the case, before the Parliament had the opportunity to discuss the report it would be in the public arena. I understand what the member is saying in relation to other reports, but I am sure he would agree that the Parliament should be given the opportunity to debate and discuss the commission's reports before they are released to the public.

Mr RIPPER: I do not agree that in circumstances like that the Parliament should have first go at it.

Mr Court: Surely you would accept that process if the advice was that the report should be under privilege.

Mr RIPPER: It should have privilege. Is there any other way of giving it privilege without waiting for the Parliament to resume? The Parliament acts in trust for the people and the people should receive the information. Tabling it in the Parliament is a way of releasing the report to the public, albeit with some privilege. If I were in charge of this issue, I would be looking at a different way of dealing with it.

Mr Court: If the member were to do that, he would be giving privilege to a report without knowing what was in it. I am sure the member for Belmont would not agree with that process.

Mr KOBELKE: I will not highlight the privilege aspect of a report, but I will refer to its availability to the public during the time the Parliament does not sit. Under the amendment to proposed section 7HM(3) the commission must, in this circumstance, decide whether to present the report to the Minister, another Minister or a standing committee. However, that hinges on the possibility that the standing committee could be the avenue by which the report is not necessarily aired publicly, but is presented to the Parliament. The standing committee and the Minister would have access to it, but they may need to keep it confidential.

Mr Court: As would the standing committee if it included matters that were sub judice. If court action is taking place, it is common to remove sections of a report so that it will not affect its release. A standing committee would come under the same disciplines or controls as a Minister or the Presiding Officer.

Mr KOBELKE: The relevant issues must be considered properly. I come back to the question which the Premier will not answer in an effective way. When will the standing committee be established to take on various roles, one of which has been alluded to in this debate? Is the Premier willing to give a clear commitment to the form that committee will take? There are problems in the other place about what form the committee should take. The Premier is the leader of the Government. If his commitment means something and is not just a set of words which are politically convenient to him, he must tell the Committee whether the proposed committee will be a joint standing committee. Is the Premier able to give the date of the establishment of that committee? This legislation will be enacted within the next few months and the establishment of the standing committee should not be left for some time in the distant future. The Premier's track record is to defer putting in the political imperative to establish this committee. The establishment of this committee has been on the agenda since 1992 and every time the Opposition has moved for its establishment, the Government has opposed it or pushed it sideways. I ask the Premier

to give a clear undertaking to establish this committee and advise what form it will take and when it will be in place.

Mr COURT: I have already given the member that undertaking. We would want it in place when this legislation comes into effect.

Mr Kobelke: Is the Premier giving a commitment that this committee will be up and running at the time he proclaims the amendments we are debating? Will he have a standing committee established as of that date?

Mr COURT: I said we would want that committee in place when this legislation comes into effect. I cannot tell the member the specific date. I do not know on what specific date a motion will go through the Legislative Council. I have given the commitment that we want it in place when the legislation comes into effect. We want it in place quickly. We have been doing a lot of work in the last few months on the assumption that it will go through.

Mr RIPPER: Will the Premier provide the date on which he expects the legislation to be proclaimed and the whole scheme will become operational?

Mr COURT: As the member knows, we have to appoint some replacement commissioners. The proclamation of the Act and its becoming operational may be done in steps. However, I imagine we would have the whole of the Act proclaimed within a two month period. We have to go through the proper appointment processes.

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

Report

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

LISTENING DEVICES AMENDMENT BILL

Second Reading

Resumed from 19 June.

MR CATANIA (Balcatta) [11.45 am]: The Bill provides the Anti-Corruption Commission with the power to authorise its officers to use listening devices. Under the provisions of the Listening Devices Act, certain officers, including officers of the Police Department through the Commissioner of Police and customs officers under the provisions of the Customs Act, are able to place listening devices in places that they deem necessary to obtain information which may lead to the apprehension of criminals. This Bill will add a third tier to those departments or authorities able to use listening devices; namely, the Anti-Corruption Commission, which will be able to appoint officers to use listening devices. The Opposition does not agree that a member of the commission should be able to authorise an officer of the commission to use a listening device. The Opposition believes any authority for an officer of the commission to use a listening device should come from the chairman, rather than from a member of the commission. We would prefer that authority to come from a judge as it does under commonwealth telecommunications legislation. However, the Opposition does not oppose the use of this technology to advance the cause of crime detection, and in this case the detection of corruption by allowing the Anti-Corruption Commission to use those devices.

Listening devices technology is well advanced. I have information which indicates that small bugs, as they are known, come in all shapes and sizes. If the Anti-Corruption Commission, the police or customs wanted to use a listening device, all they would have to do is throw a bug onto the lawn of a property and that device would pick up any conversation within a certain radius of it. Therefore, they are very sophisticated devices. However, with the sophistication that has come with the new technology, which is changing and improving daily, we should be very careful to ensure that the authority that we provide to departments and to officers is used properly. These devices should be used only for the purposes required by the three levels; that is, the police, customs and now the Anti-Corruption Commission. These authorities must be accountable in the application and use of these devices. When a department decides to use a listening device, a process should be adopted that will make accountability automatic so that the indiscriminate use of the listening devices is not possible in Western Australia.

The Opposition would prefer to give the authority for the use of those devices to a judicial authority to protect against illegitimate and unauthorised use. The proper use of these devices is necessary because it provides another weapon in the law enforcement armoury to detect crime and bring to book criminals whose activities we want to ensure are rewarded by imprisonment. It is commendable to use that technology; however, let us make no mistake about it, listening devices have been used illegally in this State and in other parts of Australia. We do not want to

increase this misuse by giving another department - in this case the Anti-Corruption Commission - a strong tool if the process for its use is not formalised and there is no accountability behind that process, so that the device can be used in a manner which will lead to the invasion of privacy and of people's rights. That is a serious abuse. Any permission to use a listening device should provide an assurance that the right people are protected. That is an important statement. We do not mind that these devices are used; however, they should be used with all care. The Royal Commission into the New South Wales Police Service recommended that the power to use these devices be given to an independent commission into police corruption.

In debate on this matter the Opposition suggested the appointment of an independent police corruption commission, which is somewhat different from that which has been recommended by the Government. That independent body could be given powers over listening devices. I emphasise the word "independent" because that body may independently scrutinise applications for the use of listening devices. The reaction time of, perhaps, police, customs officials, and in this case the Anti-Corruption Commission, must ensure that any lead is taken up in a manner which is swift and able to return the most dividends. I am sure that a process can be developed for a quick reaction, so that permission to use that device can be fast-tracked and a commissioner of that independent body could be available to issue the permits. It would be more appropriate if an independent body issued permission for the use of listening devices, and it would attract a greater sense of security and less cynicism in the public mind.

The 1978 Act gave permission to the Commissioner of Police and the chief officer of the customs office to issue the authority. The Act states that the Commissioner of Police, the senior assistant commissioner, or an officer of police above the rank of inspector, as appointed in writing by the commissioner, can authorise the use of listening devices. Although permission is granted by the Commissioner of Police, he in turn hands that power down to senior officers, so that the danger still exists that listening devices can be put in the hands of people who will perhaps use them indiscriminately and for a purpose other than that for which they were intended. The New South Wales royal commission has recommended that power be given to an independent police corruption commission. The Commission on Government also recommended that that power be given to an independent body that it recommended be established for the exposure, prevention and investigation of corruption. Both those bodies have made that recommendation.

The New South Wales royal commission, apart from being the most publicised, has undertaken the most wide ranging investigation of police in any State of Australia. Our own Commission on Government, that has just completed its tenure, issued seven reports. One of its recommendations - similar to a recommendation of the New South Wales royal commission - is that these very potent powers to use listening devices should be in the hands of independent body.

Perhaps the Government should have drawn up a completely new Act that would take into consideration the current advice of the New South Wales royal commission and the recommendations of its own Commission on Government. Rather than the amendments that are proposed to the Act, a completely new Act should be drafted that would take into consideration the information and advice that has been forthcoming over the past 12 months throughout Australia. That advice would provide a more appropriate and up to date Act encompassing what is happening around Australia and in Western Australia. The penalties contained in the 1978 Act, which this Bill amends, for misuse of listening devices are not harsh enough and they do not deter the misuse of a privilege.

Section 7 of the Act relates to the destruction of the record of private conversations. If listening devices are more readily used in the future, obviously there will be more records of conversations. Section 7 states -

Where a record whether in writing or otherwise of private conversation overheard, recorded, monitored or listened to by the use of a listening device is made by a person of any private conversation to which he is not a party and the information so recorded is not or is not likely to be of assistance in the performance of his duty then the person who then recorded such information shall forthwith destroy such record or information.

That is a very important statement, because if an innocent person's conversation is recorded, and it is determined after investigation that it is of no relevance to any case, those records should be destroyed, because it may ruin that person's reputation or perhaps embroil him or her in a particular action. If that is not destroyed as designated by section 7 of the Listening Devices Act and is left lying around for someone to use, the penalty is \$200. That is a meagre penalty for not destroying the record of a particular conversation when the consequence of that may be to impugn an innocent party. The sum of \$200 is a small penalty for what may be a grave consequence of a recording that may be interpreted out of context. Perhaps the whole of the Listening Devices Act 1978 should have been redrafted to take into consideration the current information or mood in Australia with regard to corruption and the detection of crime. The penalties that are prescribed in this Bill are too lenient.

The Opposition does not disagree that a third strata of officers or departments - in this case, the Anti-Corruption Commission - should be given the authority to use listening devices. However, this Bill is very loose and may lead to the inappropriate and improper use of listening devices. The Opposition flags that concern. It would have redrafted the Listening Devices Act completely rather than amend it in this minor fashion.

The Opposition is concerned also that the authority for the use of listening devices may be given to many people down the line. The Act provides that, in the case of the Police Service, the authority to use a listening device may be given by the Commissioner of Police or the senior assistant commissioner, or by an officer of police of or above the rank of inspector who has been appointed in writing by the commissioner to authorise the use of listening devices. In the case of Customs, an officer of Customs may be authorised by a warrant under the hand of the Comptroller-General of Customs to use a listening device in the performance of his duty. It provides also that a listening device may be used by a person employed in connection with the security of the Commonwealth when acting in the performance of his duty under an Act passed by the Parliament of the Commonwealth relating to the security of the Commonwealth. Under this Bill, a member of the Anti-Corruption Commission will be able to authorise an officer of the commission to use listening devices.

Therefore, the actual authority can go down the line, and too many people are being delegated that authority. That is too loose; it should be more focused and direct with regard to who may authorise the use of a listening device. In the case of the police, it should be the Commissioner of Police; in the case of Customs, it should be the Comptroller-General of Customs; and in the case of the Anti-Corruption Commission, it should be the Chairman of the Anti-Corruption Commission. This Bill is a better alternative than is provided for in the Act, but the Opposition would have preferred a judicial involvement whereby permission to use a listening device was given by the issue of a warrant. That would be a more accountable and formalised process, because the use of listening devices is a tool that can be abused easily, with horrendous effects on innocent people.

The Opposition's second concern is that there is no formal accountability procedure and no set reporting time or date. The Act states that the only accountability, in the case of the police, is that the Commissioner of Police shall furnish to the Minister on request a report containing such particulars as the Minister requires of the use of any listening device by any member of the Police Force. There is no formal requirement that the Commissioner of Police furnish to the Minister those details; it is on request by the Minister. That is a weakness in the Bill, and that should have been changed when these amendments were considered. There should be a formal requirement that every three or six months, the Commissioner of Police in the case of the Police Service, the Comptroller-General of Customs in the case of Customs, and the Attorney General with regard to this Bill, be given authority to disclose how many times they have given their officers the authority to use listening devices.

The Opposition's third concern is whether police or other officers are committing a trespass. It was found in the Queensland case of *R v Coco* that the Queensland Act, which is similar to the Western Australian Act, failed to authorise entry into premises; therefore, the installation of listening devices on premises constituted trespass. If, as I am advised, the Western Australian Act is similar to the Queensland Act and that does constitute trespass, we should have addressed that matter in this Bill.

Mr Wiese: Would you agree to giving the police the power to enter premises provided safeguards were put in place?

Mr CATANIA: Yes, provided there were safety nets. I am sure that rather than have the police go into premises indiscriminately and trespass, as they do now, it would be better to put in place a formal procedure to ensure that their actions were legal. At present, police officers who have used listening devices can be prosecuted for trespass. If we take the case of *R v Coco*, the only way that officers of the Western Australia Police Service can install a listening device effectively is if it is in a public place or is done with the permission of the owner. I do not think the owner of a premise who might be involved in some criminal activity would give the police permission to install a listening device. The Act provides that the police may use listening devices in public places. If they use them on private property they can be charged with trespassing. In Committee I would like the Minister to address that issue, particularly instructions given to police. We would not like to see the police faced with the possibility of being charged with trespassing when they are trying to conduct their duties properly. This should have been part of the amendments to the Listening Devices Act; it has not been included in this Bill. I wonder whether the member for Wanneroo, who had a listening device installed in his house in Ocean Reef, would be prepared to examine that and perhaps accuse police of trespassing on his property. What was the responsibility of the police for removing the device once the member had left the property? This section of the Act is deficient; the Minister has failed to address the matter in this Bill.

The other concern of the Opposition is the storage and security of information obtained as a result of the use of listening devices. Once again there is no formalised process by which the public of Western Australia can be assured that the storage of information obtained through the use of listening devices is secure and that people with

access to such information are authorised personnel. We have heard of many instances in Australia and other places where information obtained through listening devices has been misused because it has fallen into the hands of unauthorised people or has disappeared because it may have threatened the liberty of influential people.

Again, the Bill is deficient because it does not deal with the secure storage of information obtained through listening devices, nor does it provide for a formalised process by which persons in the three-star structure we are now creating have authority to access that information. Who in the Police Department, the Australian Customs Service or the Anti-Corruption Commission has the authority to investigate, peruse or examine information? Must they give reasons for entering the storage area if there is any storage? These days information is largely held on computers. Who has access to that computer information? Will it be held in computers or on hard copy? Will it be held in a storage area? That is not addressed in this Bill and it is a grave weakness because it could be a source of information for those people who may use it in an inappropriate fashion. People may want to destroy that kind of stored information to avoid the opportunity for them to be impugned or convicted as a result of it. This Bill should include provision of the appropriate penalty for unauthorised access to that information.

These days technology is available to the police, Anti-Corruption Commission and Customs and codes must be used to gain access to information on computers. Supposedly foolproof systems exist by which information can be stored and which allow only authorised persons access to it.

I reiterate that the Opposition is concerned that the present Listening Devices Act is inappropriate and outdated. The amendments in this Bill do nothing to make the Act more sophisticated. This Bill is a very minor amendment giving authority to the Anti-Corruption Commission to use listening devices. It does not deal with process or authority regarding the ability to use listening devices. It is silent on the process to be used.

The three strata of police, customs and the Anti-Corruption Commission will be authorised to use listening devices, which the Police Department has wanted for a long time. The sophisticated technology by which they are available today is a potent tool. If used inappropriately it could impinge on the rights of people and be used as a tool to embroil innocent people. A formalised process must be in place by which application is made to determine whether use is appropriate for what the information is intended. The Opposition suggests that the head of the department or commission is the correct channel; or a more appropriate accountability mechanism would be to make application for a warrant through the judicial process.

I reiterate that the use of listening devices, or bugs, as they are commonly known, can be open to abuse. We have seen it happen in many places in Australia and certainly it has happened in Western Australia. The Minister was asked whether police use them. They do use them, and I believe they have used them on private property. The Opposition believes that once again the police are being put in an invidious position. If the police install listening devices on private property they can be charged with trespassing because no authority is provided in the Listening Devices Act to allow them to enter that property. They can install them only in public places.

The Act does not provide for proper process of application. The Opposition believes that authorisation for the use of listening devices is too loose and lax. The use of such devices should be confined to the appropriate head of department. Better still, warrants should be issued for the use of listening devices. Finally, the information obtained by listening devices should be stored in a safe and appropriate manner. Modern technology functions can allow only people in authority to access such information. To overcome these problems it would have been more appropriate had the Government redrafted the Listening Devices Act completely, because the provisions contained within it are not appropriate in 1996.

We are all aware of the information flowing from the New South Wales royal commission into the police, and that our Commission on Government has made vital and appropriate recommendations about the use of listening devices and which authorities should use them. We have just completed debate on the Official Corruption Commission legislation. All these matters highlight the fact that the Listening Devices Act is inappropriate and loosely worded. As a result, information could go astray and lead to innocent people being involved in matters unnecessarily. The current Act lacks accountability and appropriate processes. Its use should be more defined and formal.

The Opposition does not disagree with certain authorities in this State having been entrusted with the law and order mantle. Such authorities must be able to use listening devices. However, our concern is that the devices must be used appropriately, with due care and attention, and we must ensure that people's rights are not abused. Such considerations should have been reflected in the amendments to the Act. I urge the Minister for Police to examine further amendments before we put aside this issue. Perhaps those amendments can be considered in the other place with a bipartisan approach to ensure that the Act is made stronger and reflects current times. Considering the technology available these days, this legislation is outdated. We support the legislation with reservations because of the concerns I have outlined.

I note that the Deputy Premier shakes his head. With your indulgence, Madam Acting Chairman (Ms Warnock), may I ask why the Deputy Premier shakes his head when I express the Opposition's support for the legislation with reservations. We have legitimate concerns -

Mr Cowan: You have been on your feet for about 40 minutes, and you have said nothing. Finally, you have said that you support the legislation with reservations. You could have said that and sat down 39 minutes ago.

Mr CATANIA: Had the Deputy Premier been listening to our concerns -

Mr Cowan: Regrettably, I have been here most of that time, and that is what upsets me!

Mr CATANIA: Does the Deputy Premier not have concerns about the rights of people?

Mr Cowan: I have concerns about you and your ability to say nothing over a long time!

Mr CATANIA: I have been in this place for a number of years, and I have listened to the Deputy Premier many times. I have been restrained in my comments about his ability to deliver any honest comment.

We support the legislation with reservations because of the five concerns I have expressed. I sincerely hope that the Minister for Police will take action to ensure that the matter is examined further in the other place to ensure that amendments are made to reflect our five concerns.

Mr Wiese: I am dying to respond and answer your questions.

Mr CATANIA: When the Minister responds he should remember the great concern that the police have about installing listening devices on private premises.

Mr Cowan: Their greatest concern is about the shadow Minister for Police. He has lost touch.

Mr CATANIA: Why does not the Deputy Premier go outside and plant a few tomatoes and potatoes, or perhaps bag some wheat? Perhaps he is not accustomed to doing that now. Have all his callouses gone?

Mr Cowan: Wheat has been handled in bulk for a long time!

Mr Minson: Does the member for Balcatta support his leader's comments about Halls Creek?

Mr CATANIA: What comments were they?

Mr Minson: On "The 7.30 Report" your leader blamed the police. He criticised the police for the way they handled the situation at Halls Creek. That was a disgrace.

Mr CATANIA: Does that have any relevance to the Listening Devices Act?

Mr Minson: Watch the member duck!

Mr CATANIA: I will not duck. The Minister could not throw anything that would cause me to duck. His performance in this place does not cause members to duck when he opens his mouth. His performance is similar to that of the Deputy Premier. Let me conclude -

Mr Cowan: You said that 20 minutes ago.

Mr CATANIA: If the Deputy Premier had not interrupted, I could have concluded earlier.

I would like the Minister for Police to outline his instructions for police who enter private premises to install listening devices. This may not be important for the Minister but it is for police officers. Are police officers aware that they may be charged with trespassing when they install such devices? I would like the Minister to address this issue because it is important for the police to know that they are protected when they carry out their duties. Does the Minister for Police agree that this is a legitimate request? Our five concerns could be addressed in Committee, but I would be grateful if the Minister for Police would address them now during his reply.

MS ANWYL (Kalgoorlie) [12.29 pm]: I will address briefly some of the concerns that appear to me as a result of having perused this Bill. It is worth considering the Listening Devices Act in its entirety, which was brought into

this place in 1978. I have taken the opportunity of looking up the second reading speech at that time. The electronic devices we now deal with are much more sophisticated than they were in 1978, although at that time Mr O'Neill, the then Chief Secretary, referred to the need to enact that legislation. Western Australia may have been the last State to bring in state legislation at that time. The Government at the time talked about introducing legislation in the knowledge that electronic listening and recording devices were becoming increasingly sophisticated. Given that was back in 1978, in this technological age a far more sophisticated range of devices is in use.

It is worth noting that the then legislators spoke about the basic provision of the Bill being to prohibit the use of electronic or mechanical devices to listen to private conversations without consent. Clear exemptions were provided for state police and Customs officers and any officers acting pursuant to commonwealth legislation in that context. At that time the check in place was that the Minister for Police would be entitled as of right to be informed by the Commissioner of Police of the particulars of the use of any device. We could say that to some extent that is mirrored by the checking device in the Listening Devices Amendment Bill to provide the Attorney General with the power to obtain full particulars of any case from the Official Corruption Commission. We had a great deal of debate in this place about the need for checks within the Official Corruption Commission legislation so that what was being investigated could be monitored. It is a matter of having something in place so that there is somebody to watch the watcher.

It seems that the whole area of listening devices is confusing to the public. Frequently I find that people have no concept of what they are authorised to tape. Many people do not realise that they are at liberty to tape conversations in which they are involved; that is, if they are a party to a conversation, they are able to record that conversation. I was surprised recently to have a discussion with a journalist who did not realise that. Although ethical questions arise about taping conversations, the journalist thought that at large people could not tape their own conversations. Clearly that is not the case. In a publicised case not long ago a young person who had been forced to sign a workplace agreement relied on the use of the tape he made of that coercion - not an inappropriate word in this case. The court made a finding based largely on the evidence provided by the young person's tape. The Act provides that evidence can be given by way of such tapes. It presents a safeguard in the sense that except for cases such as that, people are not able to reproduce or publish conversations in other ways. Notwithstanding that that legislation has been in place since 1978, I suggest that people are generally confused about what they can and cannot do. Some of the comments of the earlier speaker were aimed at achieving a clarification of some of those areas.

I refer to the history of the existing Act. The Act states that if one records a conversation or overhears a conversation to which he is not a party, he is subject to a fine of \$5 000 or 12 months' imprisonment. For further communication by certain officers the Act provides a \$1 000 fine or three months' imprisonment. Interestingly, in debate on the Listening Devices Act in 1978 the then member for Welshpool, Mr Jamieson, interjected and said: "If they don't get the internal telephone system fixed soon there will be a lot more people in gaol." That was clearly a reference to the ability to overhear in this place. I am not clear whether things have improved since 1978; I am inclined to suspect not. In any event, it highlights the ability of people to overhear conversations. It is important that safeguards are put in place.

Given the expansion of powers of officers attached to the Official Corruption Commission to record conversations in very sophisticated ways, we must be aware that the possibility exists of the inappropriate pursuit of information. The most likely types of use for listening devices at present relate to fairly sophisticated police investigations, often where drug deals and drug trafficking occurs. Given some of the evidence that has been presented to the Wood royal commission, it does not seem to be stretching the bow too far to imagine that some of the complaints to the corruption commission will relate to public officers abusing their power for the pursuit of moneys, whether by the sale of drugs or perhaps by protecting people who are engaging in the trafficking of illicit drugs.

It seems not unrealistic to ask that in addition to the ability of the Attorney General to seek the furnishing of a report, a provision could be included by which individuals, assuming there was eventually a clearing of allegations against them or a clearing of their name, could also have access to the means of interception and the basis on which permission was given for those interceptions to take place. We must be aware of the possibility of a vendetta-type or inappropriate pursuit of that information. The furnishing of a report to the Attorney General will not necessarily be an adequate safeguard, yet that appears to be the only safeguard provided pursuant to the Bill.

In relation to the possibility of the inappropriate pursuit of such information, in the context of yesterday's debate on the Criminal Law Amendment Bill it became clear that some people must undergo extremely labourious and expensive legal proceedings to clear their names and that one cannot always rely on the Director of Public Prosecutions to drop prosecutions at the earliest opportunity. Time and again things will be pursued when it is apparent that appropriate information is not available to lodge the charges. Some of the member for Eyre's comments yesterday point to the fact that through no fault of their own, people could find themselves in the midst of a fairly labourious and expensive legal case that could in some cases take many years to sort out. If those sorts

of prosecutions or investigations are under way and the Attorney General, for whatever reason, does not elect to make inquiries as to the type of surveillance - and "surveillance" is the appropriate word - being undertaken, the individual or those individuals who are under surveillance will have no redress. Given that Governments change, that it is possible that inappropriate investigations can be undertaken - as we are seeing in evidence presented to the Wood royal commission - and given the very pervasive powers that are open by way of this surveillance, it is essential that some further check and balance be available.

In the context of listening devices, we have talked previously about the absolute need for some very strong police powers in relation to drug trafficking, and that is not the only way in which these powers are used. I said that I would expect that some of the complaints that are presented to the Anti-Corruption Commission would also concern drug trafficking in its various forms and the potential for abuse. We are not doing enough as a society to pursue those who traffic in drugs. We tend to focus on the soft target or option. If members were to sit in the back of any Court of Petty Sessions around the State, they would see people being prosecuted for possessing fairly small amounts of cannabis in one form or another. However, time and again, when it comes to the interception of those who are trafficking in very large amounts of the more harmful drugs - heroin, cocaine or amphetamines - it appears that the police chase runs out the closer they get to the top of the ladder. I have witnessed that in relation to what occurs and in the allocation of resources. It is appropriate to have these very invasive surveillance methods if it means that we will get to the top of the ladder and stop some of the major distributors of those drugs in this State. Of course, we recently saw the upgrading of the status of the amphetamine group of drugs, which in my view are responsible for a great deal of the violent crime that occurs in this State.

I am certainly not speaking against the widening of powers, because one of the benefits of the anticorruption legislation may be that some change will occur in the existing culture so that law enforcement may actually apply across the board and those in the upper echelon of the drug trafficking industry will finally be brought to justice or, alternatively, may not be prepared to continue to run the risk of apprehension. Again, if members were to look at the Wood royal commission evidence, they would see that right across the New South Wales criminal arena people were conducting their activities in complete confidence that they would not be brought to justice. The difficulty we are faced with is wishing to tackle these very serious matters - as I said, I think drug trafficking is one of the most serious problems - but at the same time we must provide checks and balances to ensure that people's reputations and rights are not completely destroyed by inappropriate use of listening devices. At the end of the day there can be human error and pursuit of information for all the wrong motives. Therefore, those checks and balances are imperative.

Again, at the risk of labouring the point, the issue of interception devices often seems to arise judicially in drug trafficking cases. However, the whole issue of surveillance and interception devices also raises the issue of entrapment. One can set up fairly sophisticated nets to catch particular criminals, but one must also be aware that there can be a fine line between choosing to arrest someone and inducing them to continue to commit further offences. That may also be relevant in relation to the proposal for the commission to use entrapment devices. For example, one could have a drug dealer who would be prepared to supply a particular amount of drugs and one could keep upping the ante and that drug dealer would continue to obtain and supply ever-increasing amounts of the drug. It is a question of when one arrests the drug dealer. I certainly support that type of inducement to the drug dealer if it means that the person supplying the drug dealer with those drugs is brought to justice, but that does not often happen. The drug dealer continues to obtain amounts of the drug but the next link is not addressed; that is, the person supplying that dealer is not apprehended. I query the need for such entrapment techniques if they do not result in the next person up the ladder being apprehended.

I would like a response from the Minister as to how he sees the potential for any abuse occurring. Perhaps the Attorney General's power will not be sufficient to provide checks and balances within that system given that the powers will be available to a number of police officers and investigating officers as a result of the amendment.

MR WIESE (Wagin - Minister for Police) [12.49 pm]: I thank those members who have contributed to this debate for their input and comments. The member for Balcatta indicated that he would prefer to see a judicial process involved in the issuing of approvals for the placement of listening devices. The Government intends to do that in future legislation to be introduced in this House.

I have given priority to getting the telecommunications interception legislation into and through the House because that major weapon is needed. The surveillance devices legislation that will update the Listening Devices Act has been prepared and is ready to bring into the House. It picks up everything that has been raised here in relation to not only listening devices but also videoing and other means of surveillance commonly used within our community. That legislation will include the judicial processes the member for Balcatta indicated we need, and I totally agree with him.

The member for Balcatta also raised the question of penalties and indicated that the \$200 penalty in the existing legislation was not sufficient. Amendments to the legislation enable people working for the Anti-Corruption Commission to have the power to install listening devices. Under that anticorruption legislation - it is already in the existing official corruption legislation - the penalty for disclosing unauthorised information is \$8 000 or two years' imprisonment. I believe that is the type of penalty we will look at, rather than the \$200 penalty for an infringement of this listening devices legislation.

I understand what the member said about the need for an independent body to issue permits; however, in addressing the amendments before the House, he needs to accept that we are giving a very independent body - that is, the Anti-Corruption Commission - powers to install listening devices. Under these amendments the permission to install listening devices can be given only by a commissioner of the Anti-Corruption Commission. I do not believe any person is more independent than that officer. I also do not believe we will find anybody with higher integrity in our community than the three persons who will be the issuing officers for the permits we are discussing. We have the highest degree of accountability and integrity there.

Mr Catania: We are just saying that the chairman might be a better person.

MR WIESE: We need the flexibility. I agree totally that it needs to be someone who is independent. We have done that; it is already addressed in the legislation. This Bill deals with that matter. I do not share the concerns of the member for Balcatta about who issues permits to operatives - investigators - of the Anti-Corruption Commission because those permits will come from the highest level.

The member for Balcatta also mentioned the Coco case and the question of trespass. I am very grateful that he indicated that when the surveillance devices legislation comes into this House, the Opposition will give very strong support to the proposal to enable police officers to enter premises to install the listening devices.

Mr Catania: With the safety nets and the processes?

Mr WIESE: The safety processes must be in place, and I agree with that totally. It will require judicial approval.

Mr Catania: Perhaps you should give that advice to the Deputy Premier. There was some derision in his comments to me.

Mr WIESE: I am very grateful that we will have the support of the Opposition. The Coco case answers some of the member's questions about the situation in Western Australia. In this State the police have operated on the basis that the current legislation provided an implied ability for them to enter premises. Because they were given permission to install the devices, there was assumed to be implied permission to enter the premises.

Mr Catania: Is that the case?

Mr WIESE: After the Coco case that is no longer the case, and I am given to understand it no longer occurs.

Mr Catania: The police commissioner can now issue permits to go onto private property.

Mr WIESE: The police never issued permits to go onto private property. The permit to install a listening device was understood to have an implied ability to go in and do the job. It has now been spelt out in the Coco case that that is not so. In fact, if the member reads the Queensland legislation, he will see a requirement that the permission to install a listening device in that State is given by a judge. In issuing the permit for that surveillance to take place, that judge also issued - obviously the judge understood he had the powers to do so - written permission to enter two premises to install the devices. The High Court of Australia found that, although the judge thought he had the powers to do that, he did not have those powers; hence the information could not be used in the court case. That is what the Coco case was all about.

Mr Catania: Today in Western Australia we do not have police entering private property to install these things.

Mr WIESE: Today in Western Australia, the police know they do not have implied permission to enter; therefore, they do not do so. I refer to the contribution of the member for Kalgoorlie who talked about the reason for the matter going back to the Attorney General rather than to the Commissioner of Police. This relates to the ability of the responsible Minister to get the information he or she requires about the use of any listening devices. The Commissioner of Police is responsible to me as the Minister for Police; therefore, I am able to seek that information from him based on my relationship with that office. I am responsible for the Police Force. Because the Attorney General is responsible for the Anti-Corruption Commission he is able to seek that information. It quite interesting

that the listening devices legislation contains no such requirement for the comptroller of customs to seek similar information.

Mr Catania: The federal Attorney General or the Minister for customs can seek that information.

Mr WIESE: That is not clearly spelt out.

Mr Catania: It is not in our legislation, but it is in the Commonwealth's.

Mr WIESE: It is not in the Bill. I am very thankful to the Opposition for its support of the legislation. This legislation is very much required. It gives the Anti-Corruption Commission very strong powers that every member in this House will agree it needs to investigate corruption, wherever it may occur. This legislation will assist it in the carrying out of its role.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and transmitted to the Council.

Sitting suspended from 12.59 to 2.00 pm

[Questions without notice taken.]

TELECOMMUNICATIONS (INTERCEPTION) WESTERN AUSTRALIA BILL

Second Reading

Resumed from 22 November 1995.

MR CATANIA (Balcatta) [2.38 pm]: This is the second occasion today that we have dealt with listening devices legislation. I will deal first with the legislative basis of this Bill. I am sure we are all aware that under the commonwealth Constitution, telecommunications is a commonwealth responsibility under the Telecommunications (Interception) Act 1979. Accordingly, the power to intercept is essentially a commonwealth power, and the States have been invited to apply for agencies - for example, the Police Service - to have the power under section 34 of that Act to intercept telephones. Section 35 of the Act deals with the conditions under which the Commonwealth may give the States the power to intercept telephone calls. Without these conditions the States cannot use their right to become an agent and intercept telecommunications. The conditions are specific and clear. They include requirements for record keeping in relation to intercepts and the recording thereof. This morning we debated the Listening Devices Amendment Bill. During that debate I pointed out that one of the weaknesses in the Western Australian legislation is the lack of formal procedures. We have no formal process by which record keeping must be maintained and recorded. The Commonwealth Government has identified that situation and provided under section 35 a record keeping process. The Commissioner of Police must furnish a copy of the warrant to the responsible state Minister. This is an essential, formal process which should be included in any Act but especially when considering this Act some people will consider it intrusive.

The next requirement is for the Commissioner of Police to provide the Minister for Police every three months with a report on the use of the information obtained from the intercept and the communication of such information to other persons - that is, other authorities. This is another accountability procedure. The fourth requirement is that the Commissioner of Police furnish an annual report to the Minister as soon as practicable but no later than three months after 30 June. The fifth requirement is that the state Minister give to the federal Minister a copy of warrants issued and all reports relating to the use of the information. We must commend the Federal Government for setting a condition for the State to meet these important accountability requirements.

The sixth requirement relates to the treatment of material obtained from the intercept in a certain way. I refer again to this morning's discussion on the Listening Devices Amendment Bill during which I said that we have no firm direction about the treatment of material other than it be destroyed if it is not relevant to an investigation. These accountability requirements are very important; and they must be adhered to. The next requirement is for the regular inspection of records by an independent person, and for a written report of that inspection to be made. Contraventions of the Act are to be reported by the inspecting authority and by the state Minister to the federal Minister. The final requirement is that the State will pay all costs associated with any interception. I have outlined the conditions which I call accountability conditions. It is incumbent on the State to meet those requirements when applying for an agency to intercept telecommunications.

I turn now to the grounds on which interception will be allowed. This is a very important point because, as I have stated on numerous occasions, the interception of telephones, land lines, mobiles or faxes can be undertaken only when a warrant is issued under sections 45 or 46 of the Act. The types of offences for which intercepts can be used fall under either class 1 or class 2. Class 1 includes murder, kidnap, the importation of narcotics, or aiding and abetting or conspiring to commit any of the above. Class 2 offences are punishable by more than seven years' imprisonment. Such an offence involves the loss of life, serious personal injury, serious risk of such loss or injury, serious damage to property and in circumstances endangering the safety of a person; trafficking in narcotics, serious fraud, and serious loss of revenue to the Commonwealth or State. They are the grounds for interception.

It is more difficult to obtain warrants for class 2 offences than for class 1. Warrants are issued when it is certain that the privacy of any person will not be unduly interfered with, and after the gravity of conduct constituting the offence is examined. If that gravity of conduct falls into class 1, the warrant is issued and the interception is allowed. For class 2 an examination of the probable offences will be carried out. If they can be classed as grave misconduct, serious enough to warrant an examination, a warrant will be issued. It must be realised that before a warrant is issued for an intercepting authority, a judge must be satisfied that all other avenues have been explored. These are the same sorts of actions which should be taken by state authorities under the legislation discussed this morning. This should occur before an application is made for a warrant to be issued to allow an interception authority to be granted. Usually an application is made in writing supported by a detailed affidavit, although in urgent circumstances a judge may grant a warrant by telephone. The judge is required to obtain written material soon after the authority is granted. Such a warrant can be granted for up to 90 days. These are the important processes which the agency and the personnel administering the agency should follow in providing the grounds for interception, and when presenting a case to obtain a warrant.

From the information provided to me, I believe the commissioner intends to establish the capacity to make interceptions similar to those instituted in Victoria. The intention is to provide eight operative lines. I question the necessity to have such a large interception monitoring service. I believe the associated costs in the provision of the personnel and the recurrent costs to set up such a surveillance unit will be in the vicinity of \$1.8m, depending on the sophistication of the equipment.

The ongoing monitoring of intercepts is a particularly resource demanding process. Although the police have stated that it is a necessary tool, one must balance that against the competition for the resources available. It would be interesting to calculate the number of police personnel who could be employed with that \$1.8m. Perhaps the funds used for the sophisticated eight-line interception unit could be better utilised by putting more police officers on our streets or by having more trained and specialist police officers examining the drug and fraud problems in Western Australia and the many other areas of crime that have been increasing over the past three or four years.

The issues raised most frequently in relation to this legislation are: First, what are the resource implications of having an interception unit? Secondly, do we have experiences from other States where these units have been in operation and what are the results of the intercepts? Thirdly, are they units that will provide assistance in solving serious crime - perhaps murder or something else of a serious nature? If one looks at the statistics of crime in our State one sees that the increasing crimes are serious assaults and home invasion or burglary. They are the crimes causing the most trauma to our population. Perhaps we should devote more resources to attempting to deter and detect those crimes rather than using them for telephone interception.

The Opposition supports moves to provide to the Police Service increased resources, advanced technology and the ability to intercept. However, when one must be very conscious of the way in which those resources are utilised and the results of the expenditure in relation to the detection and deterring of crime. We have often been told by police services that telephone interception is a must to enable them to catch the Mr Bigs and the people who deal in narcotics and to be able to determine the process of drug trafficking and money laundering. Other agencies, such as the Australian Federal Police and the NCA, could perhaps better utilise those funds. The moneys that have been cut from the NCA should not have been so removed. The NCA, which has a national connection, should be given the appropriate resources to deal with the problem of narcotics - to trace the line of narcotics to try to get to the Mr Bigs - rather than our having this very expensive detection unit with eight lines costing \$1.8m and the recurrent costs associated with that sophisticated device. Perhaps the States should persuade the Federal Government not to cut the funding of the NCA because that agency can quite adequately cover this area.

The other issue associated with this legislation is the oversight of the procedure for keeping records and so on. We note that a strict regime is imposed for the creation and handling of records associated with intercepts. That is very important because if we do not have this strict regime the information may be inappropriately used. At the commonwealth level, the person with the authority to oversee and be associated with the intercepts is the Ombudsman, who has a whole experienced team in his office spending time and extensive resources overseeing and reviewing the practices of intercepting agencies. This Bill provides that the responsible person or officer in Western

Australia will be nominated through regulation. The Minister actually wrote to the commonwealth Attorney-General seeking permission to include in the state Bill the fact that the principal inspector was to be appointed by regulation rather than nominated in the Telecommunications (Interception) Western Australia Bill. That is inappropriate because the inspector has a primary role and he or she should be nominated in the legislation. The Opposition has indicated to the Minister that it would like to amend that part of the Bill to ensure that the Parliamentary Commissioner is nominated as the principal inspector. This is a weakness in the Bill because, as I said, the principal inspector has a primary role and clearly his functions are principal rather than ancillary functions. We will attempt during Committee to convince the Minister to have the Ombudsman as the nominated principal inspector. In fact, in the commonwealth Attorney-General's reply to the Minister, he stated that, subject to the reservations mentioned - that is, that the Bill does not nominate the Ombudsman - he was satisfied that the Bill made appropriate provision in relation to the matters listed. The Attorney stated that he will accept that but only if the Minister can incorporate the fact that the nominated principal inspector be the Ombudsman. The then Attorney General was being accommodating. I disagree with his line that he agree with the Minister's request. The Minister must adopt the amendment proposed by the Opposition, because it is appropriate that someone like the Ombudsman become the principal inspector.

The third and final issue is whether telephone interception is useful in combatting crime. There has been much discussion about the usefulness of interception. The police have often stated to me and publicly that not having the ability to intercept telephones means their armoury of tools is lacking if they are to carry out their job more efficiently and to tackle crime more effectively. The majority of crimes are at the lower end of the scale, which includes break-ins, car theft and assault, but these crimes are causing most concern in our community. Some connection may exist between breaking and entering and drug purchase or the effects of drugs on that lower end of the crime scale. There may be a nexus between drug dealers and crime and property offences. However, as has been indicated by a number of people whom I have asked about the usefulness of telephone interception, the smart or experienced criminals limit their use of telephones when they are conducting criminal activities. Devoting a lot of resources and a heap of money to set up this interception unit has to be weighed up against its usefulness as a tool against the majority of crimes that are committed in Western Australia. Members must remember that this is Western Australian legislation, although it is obviously under the auspices of the Commonwealth, and any Western Australian legislation must be adapted to local conditions. In Western Australia we are experiencing the highest rate of home invasion in Australia, and sexual assaults and assaults generally have increased by 21.5 per cent over the last year. These crimes are affecting people. Perhaps when the allocation of funds for the interception unit is being discussed, we might look at what funds are being allocated elsewhere for interception. As I have said, the excuse is that we get Mr Big in the drug and money laundering areas, which are very serious crime areas. However, Western Australia is not a big player in the crime scene in Australia. As the big players are centred more in the Eastern States, perhaps the National Crime Authority and Australian Federal Police should be given more resources and help to detect and prevent crime rather than our devoting a lot of this State's resources to this area. In saying this, I am not disputing that the police should have the authority to intercept. I am stating that perhaps that authority should be given and that the resources devoted to interception should be carefully examined to ensure the usefulness matches the scarce resources that are distributed among the numerous areas for which the police have requested funds. The Police Service has requested this ability to be able to intercept. I suppose the Bill is necessary because most other States are bringing forward similar Bills, but telephone interception is not the only tool for combatting crime. It is a tool that should be used sparingly. The commonwealth Act is very specific because telephone interception may infringe on the rights of people. It must be used in a very calculated and responsible fashion because of the propensity for it to be used inappropriately and because of the information one can obtain as a result of telephone interception. As we know, Australia's use of mobile phones is the highest in the world and therefore this tool for interception on telephones is very powerful and should not be misused.

Mr Johnson: You do agree with it surely?

Mr CATANIA: I am not saying I disagree with it. I agree with the authority being given to the Western Australia Police Force and that it must have an agency.

Mr Johnson: It is probably the only solution for getting to the Mr Bigs of the drug world.

Mr CATANIA: The member did not listen to what I said. Very rarely will police get Mr Big as a result of telephone interception. Mr Big, the professional criminal, will limit his use of the telephone for criminal activities.

Mr Johnson: Normally Mr Big's right hand man uses the telephone but that can give information which leads to Mr Big.

Mr CATANIA: I would like the statistics on how many Mr Bigs have been caught and how many Mr Bigs have been caught as a result of telephone interceptions. I am sure we will be able to write them on a small piece of paper.

Mr Johnson: Perhaps we can have a select committee next year at some time.

Mr Board interjected.

Mr CATANIA: That is a very good point. Saying that the only reason for telephone interception is to catch Mr Bigs is surely a fallacy.

Mr Johnson: That is not the only reason. The other reason is to catch drugs going around. Telephone interception can very often tell the police where the drugs will be and at what time, and that can prevent drugs getting to the people on the streets.

Mr CATANIA: I agree it is a necessary tool.

Mr Johnson: Essential is the word.

Mr CATANIA: As I did when this House debated the Listening Devices Amendment Bill, I am advising caution. The legislation contains accountability provisions and I urge the Minister to ensure that the power to nominate the principal inspector of the agency is provided for in the legislation rather than by regulation. If the power is given by regulation, the Government will attract public cynicism. The legislation would be stronger if the Ombudsman were named, as is the case with the commonwealth legislation. The commonwealth Ombudsman is named as the authority to oversee the commonwealth and state agencies and the state Ombudsman should have that role.

The community has judged that telephone interception is intrusive, but it is a very powerful tool and I certainly hope that it is used in accordance with the guidelines and preconditions set out in the commonwealth legislation. I also hope that the Western Australia Police Service ensures that the oversight arrangements are adhered to and are adequate to ensure that there is no misuse of information or the process. The rights and privileges of the public could be seriously affected if innocent people were embroiled in things in which they should not be.

The Listening Devices Amendment Bill does not include a provision to protect the privacy principles. However, this Bill does include that provision, although I believe it could be expanded. During the Committee stage I will suggest some amendments to strengthen the privacy principles in the Bill. I have given the Minister notice of the amendments I would like included in the Bill. In its current form the Bill does not go far enough in the authority to access information which has been gathered by telephone interception.

The Opposition will move five amendments in Committee and I have already outlined two of them in detail; that is, the designation of the inspector and the inclusion of privacy provisions. I am sure members would not object to their privacy or the privacy of their constituents being protected.

Mr Johnson: There must be some reason to think a person is dealing in drugs in order to intercept the phone. Law abiding citizens would have no trouble.

Mr CATANIA: A lot of supposedly law abiding citizens turn out to be sophisticated criminals. The appropriate safety nets must be in place -

Mr Johnson: They are there already.

Mr CATANIA: - to ensure that the agency is used properly. I do not disagree with the Bill. However, the commonwealth legislation provides the agency with authority, the preconditions under which warrants are allowed and the grounds for interception. The Bill will be strengthened by the amendments I have outlined and I hope the Minister will agree to including them in the Bill.

MR BLOFFWITCH (Geraldton) [3.17 pm]: As a member of the justice committee which the coalition Government established, I visited the other States to look not only at prostitution, but also at listening devices, DNA testing and optical devices for visual impact. The committee visited the headquarters of the Federal Police in Canberra and on seeing the phone tapping devices I became aware that the only way it was possible to catch major drug dealers, particularly in Western Australia, was to use not only telecommunications, but also visual interception and DNA testing. The committee was provided with copies of three pieces of legislation which covered DNA testing, telecommunications, and listening and optical devices. A draft copy of these Bills has been provided to all States.

The member for Balcatta made an interesting point when he said that we should use the existing resources rather than duplicate them. That cannot be demonstrated better than by the move into digital phones. While the analogue,

the amplitude modulated signal, is very easy to detect - some embarrassing conversations have been overheard - the digital format is entirely different. The Federal Police said it cost millions of dollars to set up a structure to intercept conversations on digital phones. It is folly to duplicate this agency in every State of Australia. Compared with other countries Australia is unique because it has only one service provider; that is, Telstra. With one network operating throughout Australia the problems experienced in the United States, which has 15 or 20 telephone systems for which separate exchanges must be set up, are not experienced in this country. For example, Canberra could listen in to any conversation in Australia. I am sure from looking at this Bill that we will be given authority to use those facilities. We hear complaints - the member for Whitford would agree - that our telecommunications legislation is so old that many of the things that can be done in other States, cannot be done in this State. The States legislate on behalf of citizens; the Commonwealth does not. The Commonwealth has that power over corporations under its external affairs power, but it does not have that power over individuals. The Commonwealth must operate within the scope of WA's telecommunications legislation, which was enacted in the 1970s, and is not appropriate for today. I am pleased to adopt this legislation.

Unlike the member for Balcatta, I am absolutely confident in the safeguards in place when granting permission. What was a loose system will now be a tight system. A Supreme Court judge must be convinced of the need to do this, so it will not just be a police officer making the decision to tap someone's telephone; it will work through the judicial system and it will work well. I am also pleased that the legislation provides that when someone is found not guilty, records cannot be retained. The Ombudsman, who will look after the records, must destroy all that evidence. That is a sound practice, because if one is acquitted, why should that evidence be retained forever? I am satisfied with those safeguards and that the checks and balances are in place. As every other Parliament in Australia has discussed and not amended the legislation, I doubt that a great deal of improvement is required to this Bill. I have a great deal of pleasure in supporting the Bill and complimenting the Minister on bringing it forward to give the Police Service the support it needs to combat crime.

MS ANWYL (Kalgoorlie) [3.23 pm]: I support the general thrust of the Bill, and echo some of the concerns raised by the member for Balcatta. The necessary exercise that we must go through now is one of weighing up the question of intrusion as opposed to protection of privacy. The federal Act has enabled this interception to occur under some fairly strict guidelines. The difference between the existing protections which apply given the federal legislation and what will apply should this Bill become law is simply that while federally very strict privacy guidelines are in place, it is arguable whether the state police officers who would apply these interceptions are so bound. It is for that reason that the Opposition is proposing an amendment to include the privacy principles as set out pursuant to section 14 of the federal Privacy Act. Those privacy principles, effectively, are aimed at providing some safeguard for individuals who may be the subject of these interceptions. Having said that, the clear intention of this Bill is simply to extend the existing powers of the Federal Police so that state police can apply for and obtain similar powers. With the number of lines proposed, no doubt significant resources will be channelled into the State's extension of power to intercept.

Two classes of offences are provided. Class 1 offences are extremely serious; class 2 offences are not quite as serious, although they attract a maximum penalty of at least seven years' imprisonment. Of course, many matters which are brought to court do not result in anywhere near the maximum sentence, so some of those offences, including intention to defraud the Federal or State Government, could be as simple as social security fraud. On the face of the legislation it appears that the offences are extremely serious; in fact, some of those offences may not be quite so serious. What has come out of the debate so far this afternoon is a readiness to overlook the reality that the investigating officer who would apply for permission to intercept telecommunications must show that other methods of investigation have been employed and, if not exhausted, that they were insufficient to result in the apprehension of an offender. It is worth bearing in mind that we are not talking about obtaining a permit to intercept simply to go on a fishing exercise, and it is important that some check is built into the system. Before I leave that point I wish to highlight that although we tend to focus on the more serious types of criminal matters, such as drug trafficking, it is worth remembering that these interceptions can be obtained for vastly different types of crimes. Although I am sure nobody in this House would dispute the need to have wide ranging powers to trap and convict serious drug traffickers, I urge members to remember that that is not the only type of alleged offender - it is possible that criminal charges may not result.

Another example of a truism is that we tend to focus on the potential for trapping the Mr Bigs. I spoke of that in debate on the listening device legislation. No doubt a great deal of merit exists in widening powers so that we can convict the upper echelons of the drug trafficking cartels. However, the member for Balcatta is quite right in pointing out that the conventional law enforcement wisdom suggests that the Mr Bigs of the world do not in any way incriminate themselves on the telephone or in conversation which is able to be recorded by any means. Of course we must remember that we have increasingly more sophisticated eavesdropping devices or methods of intercepting conversations whether by telephone, mobile or otherwise.

As I said, the concerns of the Opposition relate first to the need to incorporate the information privacy principles into this piece of legislation which would result in an establishment of state powers and a need to define in this legislation the identity of the principal inspector. It seems inappropriate to me to fail to define from what class of persons the principal inspector may come. Certainly the general assumption appears to be that the Ombudsman will be designated by regulation.

As that appears to be the general assumption I will make two brief observations about the desirability of having an Ombudsman as the appropriate principal inspector. First, I believe it is fairly well documented that the present Ombudsman has an onerous workload. My experience with complaints to the Ombudsman is that they can take anywhere up to and sometimes in excess of 12 months to resolve. I do not say that in any sense to criticise the Ombudsman, but to illustrate the fact that administrative investigations tend to be slow, particularly those dealing with government departments or instrumentalities. Police Force investigations seem to me to grind particularly slowly. The point is that where an interception has been granted, some inquiry should be made by the principal inspector. It may take several months before such inquiry would be made effective. The extension of workload for the Ombudsman would not necessarily be desirable should there not be an increase in resources.

It has been mentioned that the number of lines involved will be extensive. Given that one of the Ombudsman's functions is to investigate administrative actions of police, conflict could arise between his role as principal inspector in the context of this legislation and his role as an investigator of police. I do not wish to spend much time discussing the merits of the Ombudsman in the role of investigator of police. The recent report of the Select Committee into the Western Australian Police Service, highlighted some of the deficiencies of the Police Force and its role with regard to prosecutions. However, given that the principal purpose of collecting this information is to enable prosecutions to be laid against individuals and corporations it may be that some conflict could arise with the Ombudsman's role as principal inspector under this legislation and as principal investigator of the administrative actions of police.

In saying that it is also worth bearing in mind that at the end of the day this is after all a State with a fairly small population. One frequently finds that as police are transferred between sections of the criminal investigation branch they will often end up being placed in a variety of investigative roles.

The method in which resources are to be deployed must be kept in mind. Certainly the extent of the existing federal powers to the state police as an agency will not completely solve problems of investigation of crime. I said at the outset that we must balance the concept of privacy with the need for intrusion into individual's lives for the purpose of collecting evidence of criminal acts. In his second reading speech the Minister referred to the 1994 Commonwealth Government Barrett review which referred to long-term cost effectiveness of telecommunications interception. The report is quoted by the Minister as concluding in part that telecommunications interception is an intrusive act; however, it is not as intrusive as other surveillance methods such as personal surveillance and questioning members of the public. To some extent I disagree with the wisdom of that. In balancing the privacy conditions I would rather be questioned by police and have knowledge that I was under investigation and had opportunity to make comment. Therefore, I believe that covert telecommunications interception is an intrusive method of obtaining information. Of course this relates to the central issue of balancing the need for that intrusion; hence my concerns about some of the offences that may be the subject of permission to intercept.

The Minister refers to stringent practices and procedures to keep the intrusion to a minimum. The amount of resources that would go into such telecommunications interception and the cost effectiveness referred to escapes me to some degree because it seems that this would be a fairly costly method of gathering information given the amount of information that would have to be sifted to find any helpful conversations with regard to the drug scenario it seems that the real benefit would be in obtaining information about meeting times and places and so forth rather than getting incriminating evidence as such from the tapped conversations.

The need to look to effective use of resources is of course something of which Governments are ever mindful. This extension of power will not of its own improve our means of fighting crime, but must be used in connection with other available avenues. Certainly the causes of crime are fairly complex, but it appears clear that some of the more common every day causes of crime have their antecedents in education, training and employment. Given the federal government budget cuts we have heard about so fully in the media over the past day, it appears that, if anything, there will be more crime because there will be more unemployed people and fewer people with the opportunity to take on full time education.

In that context we must be vigilant against those other causes of crime. Although I support this legislation on the proviso that we define the identity of the principal inspector and enshrine the privacy principles as set out in the federal Privacy Act, it will be appropriate to spend some of those precious resources on other more intangible causes of crime. To that end it was somewhat disheartening to note that the Premier does not appear to feel that any of

those matters - that is, the cuts to areas such as education, employment and training - will be matters for this State Government. For that reason it is clear to me that there will be no decrease in crime if the necessary resources are not spent on those sorts of issues.

MR D.L. SMITH (Mitchell) [3.41 pm]: Members on both sides of the House are concerned about the level of crime and organised crime in the community. We therefore support most moves that are made both to detect crime and to assist in the prosecution of offenders, especially those who are involved in organised crime as we know it. However, in the interception of telecommunications, when permission is sought to extend police powers and to provide a method to utilise commonwealth legislation that has not necessarily been scrutinised by this Parliament, there is some duty for a better explanation to be given of that legislation than I think is being provided in this instance.

For instance, first and foremost I would like the Minister to inform me about the types of telecommunications he anticipates could be accessed using this legislation. Is the legislation limited to intercepting simple telephone calls or to facsimile machine communications? Does it include Internet access or computer to computer information and the like? I would appreciate a brief outline of some of the technology and methods that are used to intercept. Are they simple bugging devices on a telephone or something Telstra or the other communications businesses place on them? What cooperation occurs in the installation of these kinds of devices? Although not wanting to interfere with or gain intelligence that would be useful for those involved in organised crime to avoid these kinds of detection methods, if we knew that, at least we would be clear about the sorts of powers we would be conferring on people as a result. I would appreciate it if the Minister could address those matters in response to the second reading debate.

This legislation and, as far as I am aware, the commonwealth legislation, do not appear to contain any distinction in the people involved in the telecommunications that are intercepted. For instance, some organisations should be exempted from being intercepted in the way provided for in this legislation. It would concern me if I felt that the Parliament House telephone system was being intercepted in any way.

Mr Bloffwitch: They would have to get a Supreme Court judge to agree with it.

Mr D.L. SMITH: Yes, but there do not seem to be any criteria for the judge to consider the matter based on the nature of the people or organisations that are being listened into.

Mr Bloffwitch: I thought only serious crimes, such as murder, rape, assault and drugs, were the parameters they were working with. I thought it was specific.

Mr D.L. SMITH: Yes. However, apart from the parameters on the seriousness of the crime - I am satisfied with the provisions on that - I still believe certain types of telecommunications should not be listened into for any purpose. For instance, it would worry me if parliamentary privilege were intruded upon and our telephone system here were intercepted in any way. It would worry me if the communications of a defence counsel acting for a defendant in a trial were intercepted for the purpose of procuring evidence in relation to that trial. It would worry me if the conversations of the Leader of the Opposition were listened into. Is the protection of the nature of the conversations that are intercepted solely a question for the discretion of the judge hearing the application, or do criteria restrain those types of people being intercepted? I would be concerned if the Chairman of the Reserve Bank, for instance, were intercepted when he was considering interest rates changes and the like.

Mr Wiese: Although some of us might think they are criminal, I do not think they actually come into it.

Mr D.L. SMITH: Nonetheless, I would not like to see a police officer using these provisions, which are about the detection of crime, to in effect obtain information that could be used profitably by that officer or by people with whom that officer might be associated. We all hope that police officers are never corrupt; that they do not do anything for a wrong motive. However, the fact is that there are occasions when police officers act improperly and corruptly. We should be aware of where the protection lies to ensure that these matters are strictly considered in the course of obtaining approvals and in the supervision of those approvals.

Another matter that concerns me - it is a difficult area to get into - is the kind of operational information that is to be provided to the state Minister to enable him to provide it to the federal Minister, and in some cases for the purposes of reporting to the Parliament and so on. I have no problem with proper accountability so that there is a method by which the Parliament can find out about what the Police Force is doing with these powers. However, we must be careful, to ensure for all the traditional reasons, that a lot of operational information does not go to the Minister, especially if there are no constraints on the Minister's use of that information. I note, for instance, that there does not seem to be much of a penalty for a breach of duty of the secrecy of records.

In this case it seems to me that, rather than simply being a report that is very limited, the information the chief officer of the eligible authority is to give to the Minister is quite wide reaching. God forbid that it should ever happen, but if, for instance, someone was on the list in whom the Minister had some political interest, it would start to concern me. The capacity for the information to get out in some way also concerns me. This is one area where we must examine very closely how much information is required for proper accountability and how much information would be dangerous in the case of a Minister who was the least bit tempted to misuse it in any way. I am not suggesting this Minister or any federal Minister would ever misuse that information in any way. However, we know some people become Ministers whose behaviour is not always of the standard we would hope it to be. Where information of this kind is being handled by Ministers, we must be very particular about the nature of the information that is being received and the use to which it is put. I have a concern that the nature of the information to be provided seems to go into operational matters. There does not seem to be any strict duty on the part of the Minister, at least under the state legislation and under the Bill we are considering, in terms of what he or she does with that information. In the end, I wonder whether this is a function that we should impose upon the Minister. Is the Parliamentary Commissioner a more appropriate person to whom the police should report in those matters and should the Parliamentary Commissioner keep the Parliament informed about the things we need to be told about to form some judgment about whether these matters are being properly managed? On balance, I believe the information being provided to the Minister under clause 6 should be provided to the Parliamentary Commissioner, who has a direct responsibility and a link with the Parliament because he is our commissioner. In my view he would never be likely to be guilty of any of the sorts of misdemeanours of which Ministers, for political reasons, can sometimes be guilty.

Another issue canvassed by other members relates to the identity of the principal inspector and the like. It seems that the Minister either wants a greater degree of flexibility in that regard or has not done work required to decide where the responsibility should lie. I would like to know from the Minister why there is not a more direct identification of who the principal inspector will be. Is it simply that there is a need for a degree of greater flexibility, or is it that it has not yet been decided what sort of officeholder should have that responsibility? Why has the Minister not been able to give us more information?

In summary, I return to my starting point. We support the use of any modern technology to try to reduce the level of crime, particularly organised crime, in our community, but when we start to intercept telecommunications of any description and all descriptions it must be done extremely carefully. We all treat the telephone as an extension of ourselves. We would all be concerned if everything we said to our wife, brother, political colleagues or people whom we do, or do not, like became public by a tape being taken of that sort of communication. Those are exactly the sorts of communications that the police can tap under these arrangements. We would similarly be concerned if every letter we sent by fax, or every communication we sent to another person by facsimile or by computer exchange, or anything that we have accessed on the Internet generally, became available to a public officer. Generally speaking, we all regard that invasion of our privacy and the privacy of the people with whom we are dealing as anathema. The only reason we are giving any consideration to facilitating it through this legislation in cooperation with the federal legislation is because of our concern about the level of crime. This is a very delicate area that must be dealt with sensitively, and it must be done in such a way that we, as a Parliament, properly understand what we are facilitating when we give approval to this legislation. When the Minister responds, I hope he will be able to give the answers to questions asked by previous speakers and me.

MR WIESE (Wagin - Minister for Police) [3.55 pm]: I thank members for their contributions. I appreciate the fact that all members who made a contribution seem to have a very good understanding of the need for, and the importance of, providing these powers to the Police Service, as was detailed in the second reading speech and as was picked up by each speaker.

We must be very careful about providing powers in relation to the use of telephone interception. I feel very strongly about that. I hope that is reflected in the legislation. It is certainly reflected in the attitude applied by the Commonwealth in allowing this State to become an agency that can exercise these powers. We must be very aware that at the end of the day the Commonwealth empowers the States to utilise telephone interception. This legislation is the vehicle whereby we are empowered. If this legislation meets the Commonwealth's requirements, and it does, we can go ahead and move in this direction.

I will add to the comments made by various speakers who asked questions like these: What are the results in other States? Should we put resources into this type of tool to combat organised crime or should we put police resources into matters such as those mentioned by the member for Balcatta; that is, burglary and house invasion, crimes that are having an impact on the everyday lives of people? That is important. My response to those questions is that very clearly a great number of those types of crimes, the lesser crimes, those that are not mentioned as needing these sorts of powers to deal with them, go back to the serious types of crimes, especially those associated with organised crime in the drug industry.

It is my belief, and it is pretty much recognised and accepted by law authorities around the world, that much of that smaller crime goes towards providing the finance for people to feed a drug habit. By providing the Police Service of Western Australia with these powers, we are trying to give it a very powerful tool against organised crime, especially against those who are involved in the drug industry in this State and around Australia. As all members will know, several other States already have the power to use telephone interception. Several commonwealth agencies have, for many years, had the power to use telephone intercepts. In those agencies it has proved to be a very effective and powerful tool in bringing people to justice, especially in areas of large organised crime and in the drug industry.

Mr D.L. Smith: You keep saying telephone. Is it only telephone or all forms of telecommunications?

Mr WIESE: That is why we are going down this path. Generally, speakers have accepted that this legislation contains substantial safeguards. If we as a Government, or I as Minister, did not want to ensure that safeguards were in place - I certainly want such safeguards which are critical when giving the police such extensive powers - the Commonwealth Government would not give approval for the State to be part of the federal telephone interception network.

Virtually all speakers have asked why the chief inspector will be put in place by way of regulation rather than writing that person into the Bill. It is simple: Members like the member for Mitchell who have been in this House for a long time would be aware that the previous Government endeavoured to get this legislation before the Parliament. Those attempts foundered because no agreement could be made about who would carry out the role of the chief inspector. It was required, intended or hoped under the previous attempts that the role would be carried out by the Ombudsman. However, he had some serious misgivings about taking on that role, not only in relation to resources and ability to do the job, but also about the potential conflict relating to his role of dealing with allegations of police misconduct. Clearly, there was a potential problem with that. I understand that that was the reason that the previous Government was unable to bring this legislation to fruition.

Mr Catania: Do you not see it is as a conflict now?

Mr WIESE: We have had extensive discussions with the Ombudsman and he has agreed to accept that role. The Ombudsman took advice from the Commonwealth Ombudsman who carries out this role of oversight of the commonwealth legislation acting as the commonwealth inspector. The Ombudsman in Western Australia has accepted that he can perform this role, although he indicated that he will need an increase in resources to do so.

I understand that the matter has been addressed and he has agreed to do it. Nevertheless, we are faced with rumblings within other States that some Ombudsmen would like to get out of the role of chief inspector. We must take account of that. We must be aware that, if the Ombudsmen in other States relinquished that role, resulting in the same occurring in this State, we would need to put somebody else into that position of chief inspector. Clearly, a chief inspector is needed to perform the role of examining records and ensuring that the Western Australia Police Service is performing its role and fulfilling all its requirements. A chief inspector is an important part of ensuring that the Police Service in Western Australia performs as it should perform and in no way bypasses its requirements or misuses the power this legislation will provide.

Mr Catania: If you will use the Parliamentary Commissioner, why not enact that position rather than appoint him by regulation? It may be that at another time the chief inspector may not be the Parliamentary Commissioner. Another Minister may determine something else.

Mr WIESE: That is the point I just made. If the Ombudsman were to relinquish that role, for whatever reason - it may be that other Ombudsmen in other States relinquish that role - we must be able to put somebody else into the position. We had serious discussions with the Auditor General the other day about the potential for him to fill the role. We allowed those two agents to have discussions regarding how and where that role should be carried out. It was essential before we could proceed with this legislation that we had an agent agreeing to perform the job.

I am pleased that the Ombudsman accepted the role and responsibility. We had to take account of the fact that the situation could change quickly. One could not allow a situation where the Ombudsman relinquished the job without the possibility of someone else filling the position. If the Ombudsman relinquished the role, we would immediately approach the Auditor General.

Mr Catania: What concerns did they express? Why would they not readily take it on?

Mr WIESE: The Ombudsman's major concern was the potential conflict of interest. After discussions, the state Ombudsman accepted that the commonwealth Ombudsman has performed that role for several years without that

conflict of interest arising. He has agreed to take on the job. We need to be in a situation where someone else can be put into the position if something changes; it is crucial that that be the case in legislation under which, virtually without notice, the chief inspector will have the power to inspect records required to be kept by agencies. That is why we have chosen this route.

I thank the member for Geraldton for his contribution, and the matters raised by him have been covered. The member for Kalgoorlie indicated the differences between the classes of offences. The person applying for an intercept must be able to show the judge that the offence for which he or she is seeking the warrant is serious, or that the potential of the matter investigated is serious and warrants the use of those powers. Clearly, if that person is not able to do that, those powers will not be enforced and the warrant to put in place a telephone intercept will not be given.

The member for Kalgoorlie also touched on the Ombudsman's potential and existing workload. Although that point is accepted, it did not appear to be the reason that the Ombudsman was reluctant to take on the job; it related to the potential conflict of interest. The member expressed concern that it may take time for the Ombudsman to perform his chief inspector role outlined in the legislation; namely, at least twice a year he must perform an inspection of all material and records kept by the Police Service in relation to the use of telephone intercepts. Therefore, it might take a couple of days every six months or so to perform that duty. Also, he will have an ability - I hope he will use it - to act on short notice to spot check records. Although time requirements will add to his workload, it is envisaged that extra resources will be provided to the Ombudsman to enable him to carry out this very important role. It is not envisaged that that important role will involve anywhere near the sort of workload he has in relation to all of his other tasks.

A couple of members queried the need for eight lines. That is a minimum requirement that has been assessed based on the advice and experience in the other States. To some degree the South Australian experience has been used because it is probably very similar in workload to Western Australia. The indication is that that is the minimum number of lines that will be needed to utilise this power in a satisfactory manner. I guess that decision was based on the experience of the Western Australia Police Service in working with other agencies such as the National Crime Authority, which has operated in Western Australia for many years and which has worked with the Western Australian police in combatting those matters that come within its jurisdiction.

Mr Catania: My information is that there will be eight lines, the system will cost \$1.8m, and you will have huge recurrent expenditures. Is that correct?

Mr WIESE: No, it is not correct. I will dig up that information for the member. I cannot lay my hands on the exact figures and until I do I will provide the figures in rough form. The cost of all of the equipment needed will be roughly \$800 000. From memory, the ongoing costs will be in the vicinity of \$300 000 per year. I will provide more accurate figures to the member during Committee. That figure is nowhere near the figure referred to by the member.

The member for Kalgoorlie said that telephone interception will not address crime in the community. That is nonsense. Much of the crime in our community relates to drugs and drug abuse and usage. Telephone interception will be the most powerful tool that the police have ever had for addressing high level, organised crime in Western Australia. The member for Mitchell asked me what sort of telecommunications will be intercepted. All forms of telecommunications will be intercepted. Telephones, facsimiles, anything that is on the Internet that goes through a telephone system, and any computer information that goes onto the telephone system will be subject to telephone intercept. However, we should bear in mind that the judge who issues the warrant to allow the intercept to be put in place must be satisfied that the authority is addressing serious organised crimes, including murders or kidnappings, that are indicated as being category 1 or category 2 types of offences.

Mr Catania: First you have to go through the process of using all other devices.

Mr WIESE: Absolutely. That is part of the process of getting the warrant to put the initial intercepts in place. The officer will have to provide the judge with evidence of the reasons he is seeking to install intercepts. The information should convince him that he needs to utilise this tool to apprehend a criminal.

Mr D.L. Smith interjected.

Mr WIESE: Absolutely. It will depend on the faith the member has in the judiciary.

Mr D.L. Smith: I have no problem with the judiciary. I am referring to the bona fides of the information provided to the judge.

Mr WIESE: The member is intimating that if the information is false, the judge will base his decision on that.

Mr D.L. Smith: I am saying that it is not tested in any way. He will not question the bona fides of the requesting officer.

Mr WIESE: If there is any indication at any stage that a warrant was provided under false pretences, the warrant will be removed and the telephone intercept will cease immediately. That is part of the very important reason for having that chief inspector in place. Part of his responsibility will be to ensure that it is done for the proper reasons. That person has to have access to all of the records that are being kept. The legislation clearly requires that extensive records are kept of all usage of the intercept and that the records were made at the time.

Mr D.L. Smith: That is a critical part of the process.

Mr WIESE: Absolutely. The member for Mitchell also sought some outline of the technology. If I can use the horrible term, it is operational. I am not in a position to provide the member with that information. If I were, I would have to seek advice as to whether I could provide that. That brings me to the next point that the member for Mitchell made; that is, the potential misuse of an intercept by a police officer. He used the examples of parliamentary conversations, conversations between a lawyer and his client or conversations relating to the operations of the Reserve Bank. All of those would involve a potential misuse of the legislation. Unless there was an indication that some criminality had occurred in relation to the Reserve Bank's operations, a telephone intercept would be a very serious misuse of the legislation. My understanding is that if there were indications that a member of Parliament was involved in a category 1 or category 2 type crime, he or she would not be exempt from having his or her telephone conversations intercepted. I believe that a judge in issuing a warrant would look very carefully at all the information.

Mr D.L. Smith interjected.

Mr WIESE: Absolutely. That is where the judge would rely enormously on the information provided. However, I would be amazed if a judge allowed an intercept to be placed within the parliamentary precincts. That would be appalling. I do not believe he would have the same problem with a home phone of a member if clear evidence were provided that a member of Parliament was involved in the serious types of crimes we are talking about.

Mr D.L. Smith: They would be treated exactly the same as everybody.

Mr WIESE: Exactly. A person involved in organised crime could have conversations with his lawyer and if there were justifiable reasons for a judge to issue a warrant to allow interception, it would be done. That is what the legislation is about, and it clearly gives that power. It must be recognised that the police are working in the real world of organised crime and extraordinarily large amounts of money are involved. The police need that type of tool to operate in that area.

The penalties provided in the legislation are sufficient. Certainly, if members want to raise that matter in Committee, it can be discussed, but I believe the penalties are adequate. Quite obviously, they meet the requirements of the Federal Government in relation to its legislation.

I thank members for their contribution to the debate. I understand that amendments will be discussed in Committee, as will any further matters that are raised. I was somewhat appalled when, at 2.15 pm today, I was handed eight pages of amendments to the legislation. My comments were unprintable. However, when I read the amendments, I realised they were not as bad as they looked.

Mr Catania: You know I would not do that to you. It is eight pages dealing with one amendment.

Mr WIESE: I made the comment based on experience!

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Mr Strickland) in the Chair; Mr Wiese (Minister for Police) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation -

Mr CATANIA: I move -

Page 3, lines 18 to 20 - To delete "an inspecting officer prescribed by regulations as the principal inspector for the purposes of this Act" and substitute "the Parliamentary Commissioner".

Under the commonwealth Act the commonwealth Ombudsman is the principal inspector, and I think this State should follow that line. That is the first reason for the proposed amendment. The second reason is that, as the Bill currently stands, the Minister will decide by regulation who will be the principal inspector. That is totally wrong and inappropriate because the functions of the inspector, set out in part 3 of the Bill, are not ancillary functions. They are functions of a principal nature, as the inspector has an overseeing role. The Minister said in his address a short time ago, that it is an important function. I do not believe it should be left to regulation but should be enacted in the legislation. The Minister's excuse for this provision is that if the Ombudsman relinquished that position the Government could immediately appoint, say, the Auditor General or some other person. That is not a valid excuse. The situation is open to manipulation if the appointment of the principal inspector is a political appointment. The proposal carries some dangers and it sends a wrong message to the community. The corresponding legislation in the Victorian and commonwealth Statutes gives that monitoring function to their respective Ombudsman. This State should follow that line.

Progress

Progress reported.

GRIEVANCE - POWER AND INCOME REDISTRIBUTION; MINDARIE LANDS

DR GALLOP (Victoria Park - Deputy Leader of the Opposition) [4.30 pm]: My grievance is to the Minister for Local Government. One of the untold stories of the past three years of conservative Government in this State has been the huge redistribution of power and income away from the suburbs where most of the people of Western Australia live and into the central business district of Perth. We have seen the creation of a new City of Perth, which is based upon the boundaries of the central business district and is unencumbered by any reference to the surrounding suburbs, which are basically residential. We have seen seven day trading for the Perth central city zone but not for suburban shopping centres. We have seen the expenditure of taxpayers' money on inner city projects when, in fact, many projects in the suburbs have to battle for funding. One example is the State Government's purchase of the R & I Bank building for around \$12m. That amount could go a long way in many of the suburbs that I represent to build up the community infrastructure. The story of this redistribution of power and income has not yet been told fully, but certainly the Opposition will maintain its view that it has involved an unjustifiable change in power and income.

My grievance is about one example of that redistribution; namely, the totally unjustifiable position of the Government in sanctioning the theft - I will use that word - of the Mindarie lands by the newly constituted City of Perth. We all know that in 1993, the previously constituted City of Perth was abolished by this Government, by way of a process that enabled it to circumvent the existing laws that would have required a referendum of the people in that area, and was broken up into the new City of Perth and the Towns of Victoria Park, Cambridge and Vincent. The last three of those authorities are very concerned about the failure of this Government to ensure that they have a fair and equitable share of the Mindarie lands. This matter has been raised with me, as the member for Victoria Park, by the Mayor of the Town of Victoria Park, Mick Lee, and by the councillors of Victoria Park. On 23 July, the Town of Victoria Park passed the following resolution -

- I. In view of the Minister for Local Government's statement made in the Legislative Assembly on Wednesday 10 November 1993, the council write to the leaders of all Western Australian State Parliament political parties and Independent members seeking their support of a bipartisan approach to expedite proceedings that will result in a fair and equitable share of the Tamala Park land holdings (Mindarie lands) to the Towns of Victoria Park, Cambridge and Vincent;
- II. The Towns of Vincent and Cambridge be advised of the council's decision in (I) above.

The Town of Victoria Park has raised this issue because it has been pursuing it for some time, but without satisfaction. It has corresponded with both the Minister for Local Government and the Premier in respect of commitments that were given in this Parliament and also in respect of what it believes would be a fair and equitable solution to the problem.

I will summarise the two reasons in support of the view that there should be an equitable sharing of those Mindarie lands. Firstly, let us go back to when the then Cities of Perth, Wanneroo and Stirling combined their forces to invest in a rubbish disposal site at Mindarie. Mr Deputy Speaker (Mr Strickland), you may have been involved in that matter in your previous capacity as a councillor of the City of Stirling. That was a major investment on behalf of the ratepayers of the former City of Perth and also of the Cities of Wanneroo and Stirling. That investment was made on behalf of all of the ratepayers of those cities - not just on behalf of the ratepayers of what is now the City of Perth, which is confined to the central business district. It includes the suburbs of St James, Carlisle, Lathlain, Victoria Park, East Victoria Park and Burswood. Therefore, it seems reasonable that they should be in a position to share equally in that important asset, which is valued at around \$200 million. From the point of view of the ability of those councils to conduct their affairs in a financially prudent way over the next decades on behalf of their ratepayers, their being part owners of that asset would play an important role. That is the fair way to go about it. If all of those ratepayers invested in that resource, all of those ratepayers should share in the ownership of that resource.

Secondly, and very importantly, I refer to the statement of the Minister in this Parliament on 10 November 1993, when members of the Opposition were pursuing the question of the Mindarie lands in the debate about the City of Perth Restructuring Bill, when he made it clear to the Parliament that the commissioners who would be put in place should ensure that that asset was split evenly between the new towns of Victoria Park, Vincent and Cambridge. For these reasons, the Minister has a moral obligation, given his statements in the Parliament, and given the doctrine of fairness, to ensure that the equal division of the property occurs.

MR OMODEI (Warren - Minister for Local Government) [4.37 pm]: I will start with where the member for Victoria Park left off and the statements that were made in Parliament when we were talking about the redistribution of the assets of the City of Perth to create the new towns. That issue has been taken out of context, particularly by the ratepayers' association; I think Peter Lesiter has been pushing that issue for some time. The valuation of the land was a bit of a guess so far as the member for Victoria Park was concerned; it could be worth anything, because it depends on whether the land will be developed and judging from the environmental nature of the land, it may never be developed. I should remind the House that in my humble opinion, the restructure of the City of Perth has been a resounding success. The mayors of the towns of Victoria Park and Vincent have expressed satisfaction with the different issues that we have discussed, and most of those issues have been resolved. We still have a couple of unresolved issues in the Town of Cambridge, and we are working on those issues. There seems to be a level of satisfaction from the people who live in Victoria Park. The people to whom I talk - there are quite a few, and most of them are the member for Victoria Park's constituents - are certainly happy with their lot, and if asked whether they would like to go back to the old City of Perth would say, I am sure, that they are pretty happy.

There had been talk for some time about a restructure of the capital city of Perth, and it was mooted at one stage by the previous Government that there should be a capital city planning authority, so we embarked upon the restructure. Times were tough in those days, particularly for the Minister for Local Government, but I believe now, with the benefit of hindsight, the restructure has been a success. We have created three viable new towns that would be in the top 20 town councils in Western Australia. We have a more focused central business district council where funds have been allocated to the capital city.

All the towns were established debt free and the Perth City Council was required to pay all loans on services and facilities. Each town was provided with \$1m to establish a capital reserve fund. A slight technical problem occurred with the restructuring Bill. The consultant's report proposed that the plant and equipment be allocated to each of the towns and the city. That was not possible, so each town was provided with new equipment from infrastructure funds. Each town was provided with new council offices, a civic centre and depot. We are still resolving the depot situation with the Town of Vincent, but those negotiations are at an advanced stage. I have been asked by the Town of Cambridge to open its facilities. These council facilities are looking very good.

The Perth City Council underwrote a substantial part of the cost of the inaugural postal vote elections. The council had to bear the cost of all redundancies as a result of the down-sizing of that council. So far it has cost the Perth City Council parking fund and the endowment lands fund about \$50m to establish the towns. When matters are referred to the local government advisory board I hope the towns will become even more viable.

The Burswood issue has been brought to my attention. Burswood has been allocated to the Town of Victoria Park. That facility provides about \$2m in rates, without one dollar being expended by the town. It has land held in fee simple which is estimated to be worth between \$10m and \$20m. From my discussions with the towns I have found a different situation from the story espoused by the member for Victoria Park.

Dr Gallop: My story was about the Mindarie land, and you have not mentioned that.

Mr OMODEI: I will. After discussion with the council I believe there is a high level of satisfaction about how the towns were established and the level of cooperation between my office and the towns.

As to the Mindarie Regional Council, the land known as Tamala Park is owned by the Cities of Stirling, Wanneroo and Perth. Part of the land is leased to Mindarie Regional Council for waste purposes. This was the situation prior to the appointment of the commissioners, and the Constitution has been finalised over the past few weeks. The towns receive concessional dumping rates, and the Perth City Council has funded their entry to the regional council. I understand the towns will receive dividends of about \$175 000, which have been accruing. They are awaiting the finalisation of constitutional amendments.

As to whether part of Tamala Park should be allocated to each town, we cannot have it both ways. The city cannot establish all the towns and pay for them, and also be expected to provide a quarter of the old City of Perth's Mindarie area for the towns as well. How would we do it? Would it be on a 65 per cent basis - that is, with 65 per cent of rates coming from the City of Perth? The Government appointed consultants who made recommendations to it. The Government accepted that advice. The splitting of the former City of Perth, and the allocation of assets to each town, has been very successful. Despite some early animosity it has been a success story.

GRIEVANCE - UNDERGROUND TANKS AND SOIL CONTAMINATION

MR BLOFFWITCH (Geraldton) [4.44 pm]: I direct my grievance relating to underground tanks and soil contamination to the Minister for the Environment. This is an interesting subject particularly for people who own such tanks. A classic example is the old Bellevue site, which was used for re-refining oil. This type of system has been used all over the world in the past. However, the Environmental Protection Authority standards were not what they are today.

Dr Hames: You aren't talking about septic tanks!

Mr BLOFFWITCH: No. I am talking about the re-refining of oil and what happens to the waste. Waste has been placed in underground reservoirs, and the contents have leached into the ground. The area is now extremely contaminated. Who should pay the Bill? Who is responsible? Is it Mr Quackenbush senior who is now dead? Will his estate be responsible? Will his son, Mark, be responsible? What is the EPA's stance on compensation?

The majority of underground tanks in the metropolitan area are situated at service stations. They hold diesoline, super, unleaded and super unleaded petrol. Some of these tanks have been in the ground for 40 to 50 years, and some of the contents have leaked into the ground. Who is responsible for the cleanup? Is there a need for a cleanup? We are told that a need exists, particularly if the tanks are close to ground water supplies. I remember the argument that took place when the Minister gave approval for the building of the Gnangara service station. The main concern at that time was the possibility of leaks into the underground water supply. The matter was of great concern to all of us.

The current situation is of particular concern to the operators of such sites - particularly people who own the service stations or lease a service station not owned by a major oil company. Most of these people did not install the tanks. They either bought the sites from an oil company or took them back from a head lease when the oil company put the tank in the ground. Today, such tanks are significantly different from the tanks that were put underground 15, 20, 30 or even 50 years ago. As a result of leakage problems, tanks these days are stainless steel or specially treated steel, covered with fibreglass, with a vacuum type gap between the fibreglass and the steel. An isometer protects leakage from the inner skin and any leaks will be registered on a panel upstairs.

Mr Pandal: Is it claimed that they are foolproof?

Mr BLOFFWITCH: It is. They can detect any leak. Of course, the problem is that they are twice the price of a normal tank. A tank costs between \$35 000 and \$40 000; the cost of four tanks would amount to \$160 000 approximately. With the current state of the industry, it makes an average of two or three cents a litre. Therefore, reserves are not available. It is not so much the reserves being necessary for replacement; it is the uncertainty of the condition of the tanks underground and what should be done. The Australian Competition and Consumer Commission put out a paper relating to the service station industry. It ran a small section on spillage and underground storage. The suggestion was that, because of the problem that is building up, the Federal Government should take a small surcharge of perhaps 0.1 or 0.2 cents a litre from revenue raised on petrol and put it towards a national fund for massive cleanups. It is very easy to argue against this particular point. One could say, "Why should the public pay for something that oil companies or private individuals put in?" This is a very complex problem. It is causing a great deal of concern to people who are trying to sell sites and who are having potential buyers balk because of the liability that will be involved in the underground storage. We need to address this issue

not only as a State but also as a nation. Our EPA needs to come down with a position on this problem. I urge the Minister to request that the Federal Government look at this situation and put forward a proposal that will resolve the anxiety that exists for many small businessmen in our community. It is something I believe Governments need to address.

MR MINSON (Greenough - Minister for Mines) [4.51 pm]: I rise to reply on behalf of the Minister for the Environment. The member for Geraldton is quite correct: Contaminated sites are a huge problem and it is not just confined to fuel tanks. It is a particular problem on the Swan coastal plain, where there are perhaps up to 10 000 polluted sites, many of which are orphan sites. While I would need to check that figure, my experience as Minister for the Environment leads me to believe that it is about right. To put the issue into perspective, members can imagine the problems that Victoria must have with its industrial background - it has many more contaminated sites, perhaps in the order of 100 000.

I cannot comment specifically on the Bellevue site. However, I do want to tell the member about some action that has been taken. A discussion paper was put together on contaminated sites, which I took to Cabinet as Minister for the Environment. That paper had many gaps and a number of anomalies, and it was not endorsed by Cabinet at that time. However, it made Cabinet focus on a problem that until that time had not received very much attention, otherwise someone would have acted earlier. The paper was reworked and there was some consultation with industry and business. Last August it was released for public comment and, although I understand it did not receive a great deal of comment from the wider public, it did attract a huge reaction from the industry. Because of the sometimes quite complicated issues, it has taken a long time to sort through and address those comments. My information this afternoon from the Minister's office is that legislation is currently being drafted to try to deal with this issue.

Some of the problems are almost insoluble because there are orphan sites and sites that are owned by \$2 companies. There would appear to be no solution for some of those sites other than having the public pick up the tab. On the other hand, as the member suggests - and I think very wisely - it is time for some sections of the industry, perhaps the petroleum retailing sector, to look at contributory self insurance or, indeed, for the Federal Government to say, "You pay enough so we will put a certain percentage of that aside each year to create a fund to deal with these things." Either way, it is a form of insurance.

The member may be even more horrified to know that in a paper put forward by the Commonwealth, when Roz Kelly was the federal Minister, the suggestion was made that, as well as the standard approach, the liability for all contamination should rest with the polluter, and if the polluter could not be found it moved to the owner of the site and so on. If the owner of the site went broke - as can easily happen because the cost of the cleanup of industrial land worth, say, \$30 000 could be \$1m or more and the company simply goes bankrupt - the horrifying consequence would be that the liability would transfer through to the mortgagor. So, a bank that lent in good faith may find itself with a bill for a couple of million dollars to fix up a site when all it had done was carry out the normal commercial activity of lending money. At the moment, as the member quite rightly said, most of the new tanks being installed are stainless, double skinned and have metering in between to determine whether there is any leakage. I understand that they are regarded as foolproof. However, I am sceptical about the term "foolproof" - the meter can always malfunction.

It is true to say that a huge percentage of the old petroleum tanks do leak. Estimates suggest that as high as 40 per cent of the current tanks, pipes or joints in those pipes have leaks, and that leads to a certain amount of pollution. That is something we must address. I do not know when the Minister intends to bring the legislation to Cabinet. I understand that it is pretty complicated and that there will need to be a lot of consultation because there are some fairly solid penalties and ramifications for owners of sites, for polluters and for those who buy sites in good faith. Cabinet will need to have some pretty lengthy discussions about those issues. Following that, I suggest that the party room will also have some lengthy discussions.

The question of orphan sites is a huge problem, and to date the State Government has picked up the liability. There have been a couple of cases of long standing pollution - for example, the Stephenson and Ward incinerator - involving a joint effort between the State and the owner. It is not an easy matter, and the Government, whatever Government is in power, will have to come to grips with the problem. The member's suggestion that the industry approach the Federal Government with respect to having self insurance taken from the levies collected is a good one.

GRIEVANCE - MAIN ROADS WESTERN AUSTRALIA; MR AND MRS SMART, COMPENSATION

DR WATSON (Kenwick) [4.59 pm]: I am happy for the member for Vasse to speak before me because the Minister concerned is not in the Chamber.

Mr Blaikie: My grievance is addressed to the same Minister.

Mr Cowan: I will relate every word the member utters to the Minister.

Dr WATSON: I hope so; it is very important and the people it concerns are in the gallery.

My grievance is addressed to the as yet absent Minister representing the Minister for Transport. It relates to an argument for compensation to be paid by Main Roads to Mr and Mrs Smart for extensive and adverse impacts on their business, Pine for Outdoor Living on Albany Highway, Cannington, during road works.

I will document some dates from the diary to persuade the Minister that compensation must be paid and that neither Main Roads nor Mr and Mrs Smart should be forced to go to court over this matter. On 13 August the Minister for Transport replied to a letter I had written to him. He made many inappropriate statements, among which were that delays in completion of the works were unfortunate and that the inconvenience was regrettable. He also wrote that access had been maintained throughout the construction time. I want to impress on the Minister that it is not at all a matter of inconvenience but the ruination of that couple's business and lives. On 17 May Mr Smart first contacted me by phone. To cut a long story short, on 23 June he wrote to me outlining his grievances and the costs and loss of revenue that had been incurred to that date. In March, for instance, he had undertaken an advertising campaign in newly developing estates in Canning Vale to try to notify people that his business was still operating and persuade them that if they intended to use pine in extending their houses or leisure areas, they should consider going to him. He has a very well documented claim. On 5 July I met him and together we drafted a letter to the Minister for Transport, Hon Eric Charlton. In that letter I wrote, among other things, that not only had access to the business been severely reduced because of roadworks and diversions but also that the shop was not seen from the highway, gates had been closed, telephone and fax services had been disconnected on several occasions, land outside the premises had in effect been a construction site and people had been turned away. There has been no consultation to allow the Smarts to plan anything. The delays in the completion of the road construction have caused an acute revenue downturn and severe cash crisis. For the first time in five years the Smarts had to increase their overdraft and to extend credit limits; in fact, they doubled their limits. Main Roads had not responded to that letter by 23 July when I spoke to officials by phone. On 13 August the Minister eventually wrote me a letter that was ill advised, I can only say, because the statements he asserted are simply not true. The truth is contained in a diary dated 20 August that Mr Smart sent to me. Let me read to the House four facts of this case. The diary reads -

That without any advance warning, consultation or consideration of our business activity, Main Roads Department commenced major roadworks directly outside our retail premises. General mobilisation of this construction activity started in mid February this year.

That on 27th February with total disregard for customer access into our yard, they closed off the right turn from Albany Highway into Wimbledon Street such that all Southbound traffic had to make a 2km detour around back-streets in order to reach our yard.

That after verbal and written assurances given on 25th March, that . . . Wimbledon Street would re-open by mid April, this did not happen until the end of the July.

That without any prior notification, or consultation, the construction contractor used the area directly to the front and to both sides of our yard "over a 5 month period" as a general storage yard.

This severed their site from any kind of access. They were really trying to operate from a construction site through which people had to traverse. I have sat down and watched a video tape which I have passed on to the Minister. It is very compelling. It is easy to see how the Smarts have been adversely affected by this construction and why they should be compensated. Mr and Mrs Smart have also provided me with dates on which Main Roads was contacted by them. This is just a litany of disaster and no communication. On 4 April, for example, it was confirmed that the right turn from Albany Highway to Wimbledon Street would be reinstated in three weeks but, as I have said, it was reinstated only at the end of July. The yard manager made a diary of construction activities, including documentation of when access was closed, when mounds of material up to four metres high were in front of their business, when exit gates were closed off all day, when the plant was working outside the main gates, and when fax and telephone lines were cut. The story is here. It seems to me that the Minister must decide that it has been impossible to conduct a business from this site and that the Smarts have been adversely affected in their business and family lives. On Monday they had to go to the bank for the last time. There is no more leeway. Their case must be acknowledged and compensated. I look forward to the Minister's response.

MR LEWIS (Applecross - Minister for Planning) [5.06 pm]: I have read the correspondence that has been made available to the member. In listening to the grievance put to the House, I must say on the face of it I can have only

sympathy for the Smarts, who have obviously been placed in a difficult situation. I am not sure of the legal issues associated with a claim for compensation for loss of trade. Unfortunately I have not been advised of that circumstance. I have also read the letter from the Minister in response to the letter from the member for Kenwick. It is true that the letter in some respects does contradict some of the points that have been made, certainly in the correspondence that has been given to me and in the grievance that has been put. I am aware that from time to time some of these inconveniences do drag on, as it were, because of bad weather and the like. Although civil works are planned to be completed on a certain date, road construction is such that optimum water content of subbases has to be obtained and so on.

Dr Watson: The site has been dug up three times in front of the business.

Mr LEWIS: That is part of the process. One of the critical things with road making is getting the moisture content of the subbase correct. That is affected if there has been excessively bad weather. I am not in any way trying to make excuses, but people do not deliberately go out and cause inconvenience where otherwise they should not. In no way would Main Roads want that to happen, bearing in mind that businesses rely on physical access to road frontages and access and egress by people. If they are restricted, people's businesses suffer. The difficulty is in how to undertake construction along major roads where people must have access and exposure.

Dr Watson: It was certainly done without earlier consultation and discussion.

Mr LEWIS: I accept that, although from what the Minister has written in his correspondence, Main Roads did conduct letter drops and speak to people along that road. Obviously, there has been a misunderstanding. Perhaps the contractor did not speak to Mr and Mrs Smart, but it appears that officers from Main Roads Western Australia did speak to them. I sympathise with these people.

Dr Watson: What can be done for them?

Mr LEWIS: I will view the video and forward it, together with a copy of this grievance debate, to the Minister for Transport and ask him to give due consideration to the situation confronting the Smarts. I will ask him what measures can be taken to ameliorate this difficult situation. It is easy to say that these sorts of things should not happen. However, roads must be constructed and one of the difficulties confronting this Government with the city bypass project is that the work cannot be done without upsetting people.

Dr Watson: When you view the video you will understand the situation.

Mr LEWIS: As I said, I sympathise with these people and I do understand their situation. I received similar complaints when South Street was constructed. I reiterate that I will take the grievance, together with the video, to the Minister for Transport and suggest that he ask Main Roads to give due consideration to what has occurred to ascertain whether the situation confronting the Smarts can be ameliorated.

Dr Watson: As a matter of priority?

Mr LEWIS: Yes, of course.

GRIEVANCE - MAIN ROADS WESTERN AUSTRALIA, BUSSELTON BYPASS ROAD

MR BLAIKIE (Vasse) [5.12 pm]: My grievance concerns the need for Main Roads Western Australia to fast track the construction of the Busselton bypass road well before the department's forecast date of the year 2000. Visitors to the area are delighted to visit one of the nicest locations in Western Australia. However, they are frustrated by the tortuous drive they are subjected to along the Busselton highway to Dunsborough and Margaret River. I am referring to that section of the highway from the town of Busselton to the Margaret River turn-off. The level of frustration increases day by day and week by week. In any holiday period the level of frustration with the traffic bottlenecks is evident. People are frustrated by having to drive through a built-up area. The local community is also concerned about the situation. The people whose properties adjoin the highway are concerned that the local traffic is decreasing the value of their properties. Main Roads has scheduled a four-lane road to the Vasse turn off. While that will alleviate the problem it will not solve the peak traffic problems on that section of road. The problem is not confined to the local area. I represent a large part of the Shire of Augusta-Margaret River. Main Roads must understand that, although it has indicated it understands the concerns of the local people, the local people are totally frustrated because they are obliged to drive through mainstream Busselton. The visitors to the area have the same degree of frustration. Not only is it a local matter, but also it is a matter of significant regional importance and the problem should be regarded in a regional context.

The Government has made significant decisions concerning projects within the electorate I represent. I am delighted that the Government, in recognising the needs of the community, has funded \$3.5m for a regional airport. It is a government initiative. The Government recently announced the introduction of natural gas to Busselton and Dunsborough. Again, that is an AlintaGas and government initiative. The Government has embarked on a major infill sewerage program for Busselton and \$6.5m has been advanced for that project. Again, it is a government initiative. My frustration is not with the Government's program but the Main Roads' program.

It is important for the Minister for Planning to advise the Minister for Transport that the programs outlined by Main Roads must be fast tracked. I was one of those members of Parliament who strongly supported the Government's initiative to increase the fuel levy by 4¢ a litre to raise additional revenue to meet the road transport requirements of this State. The increase in that levy was to assist in the level of funding provided to Main Roads for its road program. I do not resile from the position I took on that occasion. I have told my electorate I supported that proposal because I considered it was an important medium for providing a pool of money to help Main Roads to advance its projects, and the bypass road is one of them.

I am echoing the frustrations of not only the local and regional community, but also the thousands of visitors to the area who express their delight at being able to visit the region, but are frustrated by the tortuous drive through Busselton. The bypass road is long overdue and I ask the Minister for Transport, through the Minister representing him in this place, to consider what Main Roads can do to fast track this project.

MR LEWIS (Applecross - Minister for Planning) [5.19 pm]: The advice conveyed to me by the Minister for Transport is that the Government considers the construction of the Busselton bypass road a high priority. The Government also recognises the very strong local support for this important roadworks. Main Roads Western Australia is using its best officers to bring the project forward as quickly as they can. Of course, there is a limitation to road funding. As members are aware through debates in this House, the Government has found it necessary to dramatically increase road funding over the three and a half years it has been in office. Unfortunately, we do not have the necessary funds for all those projects. Priorities need to be set. It is a matter of dealing with as many projects as possible by prioritising the tasks as seen by the Minister for Transport and Main Roads Western Australia. Moneys have been allocated in this fiscal year's Budget for the design and survey work associated with this project. Consultants, Halpern Glick Maunsell Pty Ltd, were appointed in December last year to undertake the detailed design of the bypass, and survey works associated with that detailed design have commenced. I understand that the surveys are proceeding. They will be the forerunner to the land acquisition that is required for the construction of the project.

I have been advised also that the Minister for the Environment, when approving the bypass project, placed a condition on Main Roads Western Australia to establish a vegetation buffer between the broad water and the bypass. A dense vegetation buffer is necessary for the protection of the environment and to minimise the fauna kills that are sometimes associated with roads that are designed without thought for those matters.

Unfortunately, the advice given to me is that this project will not be completed within the next two or three years, notwithstanding that work is proceeding. Land acquisitions and other matters such as the design and survey of these works take time, and must be completed before construction can take place.

Although action is under way, even if additional funding is found, a lead time is associated with a project of this type and it would be very difficult to complete the works in the short term. I thank the member for Vasse for bringing this matter to the attention of the House. I assure him that I will convey this grievance to the Minister for Transport and ask that he review the project and the priority associated with it in the hope that it can be refined to try to get those necessary works performed.

Mr Blaikie interjected.

Mr LEWIS: I find it quite frustrating, particularly when proceeding through Busselton, to have to keep one eye on the speedometer and the other eye on the road, because of the vigilance of the traffic policemen in that area who are doing a responsible job to try to keep down the speed of traffic in those built up areas.

I thank the member for Vasse, and will convey his grievance to the Minister.

The ACTING SPEAKER (Mr Johnson): Grievances noted.

MOTION - ECONOMY, AND COMMONWEALTH BUDGET

MR McGINTY (Fremantle - Leader of the Opposition) [5.28 pm]: I move -

That this House regrets that the Western Australian economy is not fulfilling its full potential due to continuing consumer uncertainty brought about by employment insecurities associated with workplace agreements, the Howard Government's Budget, continuing high rates of unemployment, and misplaced cuts to government services.

It is a matter of some considerable concern that we live in a State of enormous opportunity, where our natural resources, not only mineral but other natural resources, should mean we live in the richest of all societies, but it is clear that we do not. There are a number of reasons for that. Many of those reasons relate to missed opportunities or clear examples of where the Government of the day has its priorities wrong in ensuring that Western Australia enjoys the benefits of that richness, so that every citizen can feel comfortable and assured that they will take their fair share of the richness of this great State. I will address a number of the reasons that is not the case. The first of those is last night's federal Budget.

There has been considerable comment on the impact of the federal Budget. In the lead-up to the Budget we were subjected to a very cynical political exercise of some of the worst elements of the Budget being deliberately circulated in the public arena prior to its delivery. Those were very serious and heavy-handed cuts in funding to tertiary education, Aboriginal affairs, the Australian Broadcasting Corporation, and job creation programs. Let us look at the trends in each of those areas. They can be seen in cuts in funding to programs to get the unemployed back to work. The many job creation programs that flowed from the One Nation statement of the former Federal Government are simply being cut, effecting in excess of \$1b in Federal Government savings, but at the cost of cutting training programs designed to get particularly young people and the long term unemployed back into the work force. The people who are carrying the largest proportion of the sacrifice that was contained in this federal Budget are those who can least afford to make that contribution - the underprivileged and the unemployed in particular.

Who is suffering as a result of cuts to the ABC? Disproportionately, that is regional Western Australia. The cuts to the ABC will have enormous impact not only on ABC outstations, but also on the regional radio stations that have operated in Western Australia. When the full implementation of those cuts is known I have no doubt that it will be, firstly, regional Western Australia - by that I mean anything outside of the Sydney-Canberra-Melbourne area - but, in particular, rural Western Australia that will suffer.

If we are to capitalise in any way on the great opportunities this country presents we must be in a position to educate our young people, to give them the opportunity to develop the skills that they need for the future of this country to enable them to extract their fair share of wealth from the natural resources of this country. Suddenly, we find that Western Australia can no longer afford four public universities; that is extravagance, that is giving the people far too much. We also find that we cannot afford the number of places available in those universities. The effect of the Budget cuts will mean that 500 kids who are completing year 12 this year will be denied a place at one of the State's four public universities next year. That means that the hopes of 500 families will be dashed as a result of these changes. Not only will people find that the number of places in universities will be reduced, but also those who are fortunate enough to have the benefit of a tertiary education will pay more for it and pay it back far more quickly. However, if one is not smart enough to qualify for a place in a university, but one's parents are rich, one can buy a place. That very much flies in the face of the notion of equal opportunity, that every citizen should be equal and that we live in an egalitarian society. What is egalitarian about telling the son or daughter of an affluent Western Australian that although they are not smart enough to compete against a working class kid, their parents can buy them a place and give them the start in life that the institution denies them? It is essentially unAustralian to do that, but it lies at the heart of so many initiatives in this Budget. It is the creation of two Australias - one for the rich and one for the poor. The same is the case with a number of initiatives announced last night.

The \$400m cut to Aboriginal funding is a disgrace. If one group in our community needs the support and assistance of the Government more than anyone, it is not the farmers, the industrialists or the accountants on St George's Terrace, it is the people who live in extremely deprived circumstances in remote and urban Aboriginal communities. It was a cynical, racist ploy to slash the funding for Aboriginal programs in this federal Budget so that the most oppressed group in our community, the greatest group of battlers that we could possibly imagine, will be enormously, disproportionately disadvantaged. That indicates the priorities in this Budget.

We should now consider what the federal Budget has done for Western Australia. Despite the Premier's protestations today that the impact of the federal cuts was limited to the \$60m that he had previously announced, plus perhaps approximately \$30m in specific purposes payments from the Federal Government, research done today by the Opposition shows that in reality the figure is somewhere between \$160m and \$200m. That amount will be taken out of this year's state Budget figures presented to this Parliament only three months ago. The Premier was guilty of either not knowing his subject or deliberately misleading the Parliament today when he tried to pretend to us that the only impact on the state Budget would be the \$60m in financial assistance grants from the Commonwealth.

I have identified a list of areas which will be affected. It is not exhaustive, but it so far runs to \$160m. Many other cuts will affect the state Budget, but they have not yet been able to be sufficiently isolated to indicate to us precisely how much money is outstanding. In my view additional amounts will bump up this figure to at least \$100m. We are aware of the specific purpose payments which were cut as a result of the Premiers' Conference about a month ago. They amount to almost \$30m. It has also been agreed that the financial assistance grants to the State this year will be cut by \$60m. In addition, we know of the abolition of the sales tax exemption on executive service vehicles which was estimated by the Premier to cost this State \$10m. Each of those three areas was clearly announced before the Budget was handed down. They total \$100m.

In addition, other significant cuts will be made to Western Australian grants from the Commonwealth which appear in the state Budget presented to this Parliament three months ago. First, I refer to tertiary cuts which will impact on State funded TAFE colleges. The amount that will now be withdrawn from the state Budget on that account is \$10m. Secondly, the abolition of the commonwealth dental program, which we discussed at some length during question time today, will be more than \$10m. Thirdly, notwithstanding the attempt by the Premier to confuse the issue - or perhaps the Premier himself was confused - there will be \$12m less available for road construction works this financial year than presented to this Parliament in the state Budget. In Landcare programs we have isolated \$4m which will not be available through the Department of Conservation and Land Management budget or the Agriculture budget this year as a result of funding cuts in last night's federal Budget. Cuts have been made to regional development programs which will impact on Western Australia to the amount of \$5m. Each of these figures will impact on the state Budget in Western Australia.

I have left out of consideration altogether amounts allocated to programs which are either directly funded by the Commonwealth or which will not impact on the state Budget. Cuts in funding for government schools in Western Australia will be \$2m. Cuts to vocational education through the Department of Training will be \$1m. Reductions in hospital funding grants, in addition to the specific purpose payments and the financial assistance grants, to which I have already referred, will be \$7.3m. Reductions in grants for case mix funding, mental health, and health workforce development will be \$1.2m. Cuts to the Better Cities program will be \$6.5. Those amounts have been taken out of the state Budget as a result of the federal Budget last night; yet the Premier in this place tried to pretend that the extent of the cuts was \$60m. Already we have identified \$160m. That figure is rising the more we identify components.

It is obviously a political strategy of attempting to minimise and confuse. However, the Opposition will not be deflected from identifying how those cuts will impact on Western Australia. Who will be most hurt by those cuts? We all know that the dental program is to provide assistance to the underprivileged, low income earners and pensioners, the battlers - the very people Mr Howard went out and courted so assiduously during the recent federal election campaign. If members will excuse the pun, they have now been kicked in the teeth by this measure. Unless the State is prepared to pick up that funding those people will have no option but to go without essential dental care. To go to a private practitioner is simply not an option and that is why the Labor Government accepted responsibility for providing that assistance to those people in the first place.

Mr Thomas: They were successfully Courted!

Mr McGINTY: They were. The other programs relating to education, health and regional Australia fit into the same pattern as the announcements which preceded the federal Budget last night. It was an attack on the battlers, the underprivileged and regional Western Australia. The Premier is refusing to tell us what this Parliament and the public have a right to know. The Premier is trying to keep people in the dark about the impact of those cuts on the state Budget. How will the state Budget be adjusted to make up for the shortfall in income? We have heard glib, throwaway lines by the Premier to the effect that the Government has found efficiencies of \$40m, but he will not tell us where they are. Surely, if he has found an efficiency, what is wrong with telling the people? If the Government can make the public sector more efficient, surely it is something it is quite proud of and wants to boast about. The reality is that the Premier does not want to tell this Parliament the extent to which he will revise the state Budget to incorporate cuts approaching the \$200m mark. He was not even prepared to tell us those cuts which he claims to have already identified. I suspect it was a make up line thrown to the media; the media printed it and the Premier thought all was well. Truth is of no great consequence when it comes to dealing with these matters; clearly, neither is the question of accountability. Through the budget process the primary accountability mechanism of this Parliament is to take to task the Ministers for the expenditures in their departments. The Opposition is always prepared to give credit where credit is due. When the Budget was handed down three months ago we said that it was not a bad Budget because we knew then, as the Premier did, that the entire budget strategy would be undermined by the federal Budget when it came down. We did not have to wait even three months. About a month and a half after the state Budget was handed down the first cuts, totalling \$100m, came from the new Howard Government in Canberra. We did not have then a mini economic statement or a revised budget forecast incorporating those changes. The Premier was extremely coy, taking the public and the Parliament into his confidence on those matters. Now

the Premier seems not to know or is hiding from the public the extent of these cuts. In each of the areas I have identified there are cuts to an express provision in the state Budget that was handed down only three months ago.

In this State we see an extremely unfavourable impact of the Federal Government. I suppose it can be considered in one of two ways. First, we can consider the human dimension of the Budget: What benefit is there for Aboriginal people? They will get a lot less. What benefit is there for the elderly? Half a billion dollars will be taken out of nursing homes and aged care hostels in the Budget. It contains nothing for our senior citizens. What happens to the unemployed? The dramatic cut of over \$1b in employment creation programs means that the unemployed are the victims. The general view that came through last night from the commentators, such as Ross Gittins, who I think is the economic writer for *The Sydney Morning Herald*, was that the Budget was best categorised as being simply unfair because the burden was being borne by the battlers - the low income earners and the underprivileged. The Budget even attempts to buy middle Australia with the family tax package: A family will get \$3.85 extra as a tax concession as a result of these grandiose new measures. To members of this House, \$3.85 is not a great deal of money. In the community it will buy one whopper and a regular fries; yet that amount is heralded in the community as this great family oriented tax package. A person would get half a packet of cigarettes for that amount. As much as \$3.85 might be welcomed by those families it is an insult to middle Australia to put this forward as a great panacea for the problems of the struggling middle and lower income groups in Western Australia.

Let us take it beyond the personal dimension and consider what this Budget does for the economy. Certain Liberal Party supporters say that this is a good Budget or perhaps that it should even have been a little tougher. The yardstick is: What is the greatest issue confronting politicians and community leaders in this country? It is getting our people back to work. Without any doubt, that must be the end objective of creating the real jobs and the sustainable economic growth that will keep these people in employment. We all know that quite a bit of pain is contained in this Budget; a great deal of it I have already addressed. What will be the end benefit to employment, if we use that as a yardstick? We already exist in a moderate growth, low inflation economy. That will not change significantly. However, what will occur with the unemployed? If there is to be this pain, one might hope that we would see a dramatic reduction in the level of unemployment. No; the Budget predicts that unemployment will remain stuck above 8 per cent for 12 months after this bitter medicine has been taken. Even if we consider it from an economic point of view, what will be its impact on the broader economy? The broader underlying conditions will remain the same. There is no suggestion that there will be dramatic improvements in the balance of payments or an improvement in the issue we all use as our yardstick for economic success; that is, whether the economy can provide jobs for our young people. They remain stuck there, and I believe that is the true test of how good this Budget is economically. Whether it is considered from an economic perspective or a human perspective, this Budget has nothing to offer the Australian people. In every sense it is a truly dismal Budget.

Having dealt with the political manipulations that led to the delivery of this Budget, it is important to consider the political manipulations that have succeeded. Amid the Premier refusing to take the public and this Parliament into his confidence about the extent of the cuts and their impact on the Western Australian Budget, we have also had the glib throwaway line that this State can absorb these cuts, that it can handle these matters, that there will be no need to increase state charges and taxes, and that there will be no cut to services. I would be inclined to believe that if the Premier said that the Government would maintain the dental program; however, today he walked away from it. He gave no commitment to maintain those services that will be cut out of the state Budget as a result of these moves. We will inevitably see one of the two solutions to this problem applied in Western Australia: Either the Premier will ultimately have to increase taxes and charges, or we will see a reduction in services that are directed at and most needed by the battlers in our community.

The only reason the Premier is trying to hose it down so dramatically is that a state election is due in six months. Next February the Premier will go to the polls and ask the people to vote for him. Who would want a Budget like this on their back, heading to a state election? Who would want to tell the people that they must be honest with them and that either the services will go or the taxes and charges will increase? Certainly not this Premier. He is not telling the people the truth about it. It is interesting that the Premier referred earlier to the fact that one of the nation's senior political commentators who was in Perth this morning commented on the impact of the removal of \$1.6b in federal grants to the States over the next three or four years. He said that elsewhere in Australia where a state election was not imminent people had either already announced increases in charges and taxes or had foreshadowed that possibility. New South Wales has already announced its intention in that regard. I noted from the Queensland newspapers today that exactly the same thing applies in that State. The Treasurer of its Liberal Government, Joan Sheldon, who does not face an election in the foreseeable future, said that there was no option: If that State is to deal with these matters, it must either cut services or increase taxes and charges. She has foreshadowed the increases to taxes and charges.

We see from this Government political manipulation and attempts to avoid the truth and accountability. It is trying to avoid explaining what the full impact of these budget measures are in order to advantage the Premier politically.

The Opposition will not give up on ensuring that the Government is held accountable on these matters and that it explains itself when its budget programs are not delivered to the people in this State.

Another matter I should refer to as part of my contribution this evening on the motion is the change of character we have seen in the Premier recently. We can all remember the shrillness of his objections to anything that happened in Canberra when the Labor Government was in power. If a Labor Government had brought down a Budget like this, we would have been prising the Premier off the ceiling. He would have been screaming and ranting and raving about the evils of Canberra, the Australian Labor Party and Paul Keating. What do we get now? Is the Premier out there looking after Western Australia's interests? Throughout the length and breadth of the State, the cry is going out, "Richard, where are you; we can't hear you; where is your voice when you are talking on behalf of the people of Western Australia?" He is nowhere to be seen.

Five hundred kids will not have access to university education next year. Did we hear the Premier raising his voice to speak out on behalf of those kids? No way. All we heard was the call, "Richard, where are you; we can't hear you; you must be out there somewhere because we could rely on you when Paul Keating was in Canberra to go out screaming, ranting, raving and carrying on in a tirade against the Federal Government?" When the Federal Government is of his political colour, it is no longer the people of Western Australia whom the Premier purports to represent; it is the interests of the Liberal Party. He has no interest whatsoever in putting forward a case for Western Australia's interests.

I will develop this theory a little further. Who first spoke out to represent Western Australia's interests when the Federal Government proposed to abolish the diesel fuel rebate? It was not the Minister for Energy, the Minister for Resources Development. I thought we might have heard from that Minister, but no. It certainly was not the Premier. The Premier's problem was that he did not want to be critical of his Liberal Party friends. His first requirement is to keep those in the Liberal Party happy, and the people of Western Australia come second.

It took the Labor Party in this place to move a motion before we heard for the first time from the Premier or any of the Ministers that the State should take up the fight and oppose what their federal Liberal Party colleagues were proposing to do. I am delighted the shadow Minister for Resources Development was the first person to speak out in opposition to it. That is well known throughout the resources sector. Had we not stirred some sort of activity from those on the other side, nothing would have been forthcoming from the Government in Western Australia. Members of the Labor Party were meeting with the resources sector, saying that they would take up the fight on its behalf because it could not rely on the Government to do it. It is in this place to achieve a political end, to appease its Liberal Party colleagues in Canberra. The Government does not give a damn about the resources sector. It is well entrenched in the resources sector in Western Australia that the people who first blew the whistle on this matter and took up the fight belong to this side of the House.

We did not hear boo from the Premier, and we still have not, about the cuts to the university places. Does the Premier think it is fine that 500 Western Australian kids who otherwise would have been offered university places next year will not have that opportunity as a result of this Budget? I did not think he would say no.

Mr Court: The Keating Government introduced the fee scheme.

Mr McGINTY: I am talking about the cuts in funding.

Mr Court: Did you support that scheme?

Mr McGINTY: We supported the most dramatic expansion of university places ever seen. We presided over the greatest increase in school retention rates. Two things have happened in this federal Budget: One is an increase in the higher education contribution scheme fee and a more rapid repayment of it; the other is a cut in the opportunity for our young people to enjoy university education. Does the Premier support the reduction in the number of university places available for our students?

Mr Court: I support the nation living within its means.

Mr McGINTY: Does that mean the Premier supports the cuts? The answer is yes.

Mr Court: Don't put words in my mouth.

Mr Thomas: You would be saying something different if they were your kids.

Mr Court: You are the people who introduced the scheme.

Mr McGINTY: We have a Minister for Education who is supposed to represent the interests of the players in the education industry; that is, the schools, the universities and their clients, the students in those establishments. Did we hear boo from the Deputy Leader of the Liberal Party when 500 university places were cut from next year's student intake? We heard not a word. There was no interest on the other side of the House in defending the interests of Western Australia.

I can only presume that the extent of the transformation of the Premier has been a result of his being struck by something on a road somewhere or other. A most fundamental metamorphosis has taken place in him. He is not the same person he was. One of his great political crutches has been taken away from him. Obviously he is now totally supportive of the centralists in Canberra and the Prime Minister. It is a most remarkable character transformation.

Mr Thomas interjected.

The ACTING SPEAKER (Mr Johnson): Order! The member for Cockburn is continually interjecting while out of his seat. I will take further action, if he continues to do so.

Mr McGINTY: When people's personality and character undergo a transformation to this extent, where they are black one day and white the next, when they go from the left one day to the right the next, when they go from being a State's righter to a rabid centralist, I do not trust them, and neither do the people in Western Australia. The transformation of the Premier is too fundamental. He has not raised his voice once to oppose these cuts to the extent of the impact they will have on Western Australia. I will ask the Premier about the dental program. Will he make sure the funds are made available through the state Budget to make up for the moneys that are being cut by the Federal Government?

Mr Court: Would you make a decision 24 hours after an announcement when there has not been any discussion with the Federal Government? You would, but we won't.

Mr McGINTY: During question time today the Premier was still denying the cuts had occurred.

Mr Court: We take responsible decisions, not your fly by the seat of your pants decisions.

Mr McGINTY: How responsible is the cut in road funding, given the "Fix Australia, Fix the Roads" campaign for which the Premier committed taxpayers' money to attack the Federal Government politically? The Premier now rolls over and allows Peter Costello to tickle his tummy like a little puppy dog. He is quite happy to yap, yap, yap and do whatever the federal Treasurer wants. The Premier is happy to go along with him.

Mr Court: To the contrary, my friend; we have not gone along with the road funding cuts at all.

Mr McGINTY: I have not heard the Premier's voice anywhere. It must be echoing somewhere. Where is it?

Mr Brown: Are you going to run another advertising campaign?

Mr McGINTY: Will it attack John Howard this time?

Mr Brown: I'll bet you don't. You don't spend the taxpayers dollars on that, do you? Oh no, it was all right against Keating, but the Premier does not stand up for Western Australia at all now.

Mr McGINTY: Was the Premier happy with the \$400m cut in funding for Aboriginal programs?

Mr Court: I am not happy with a lot of the cuts.

Mr McGINTY: That is an improvement!

Mr Brown: Unlike previously, you won't spend taxpayers' dollars opposing them, will you? You did that before. You spent taxpayers' dollars on that. I have never seen such hypocrisy in my life.

The ACTING SPEAKER: The member for Morley will come to order. I formally call to order the member for Morley.

Mr Brown: You are the greatest hypocrite on the face of this earth, Premier.

The ACTING SPEAKER: Order!

Mr McGINTY: I think a more appropriate description is that he is a chameleon. What colour is the Premier today? Is he still fighting for the interest of Western Australia or is he licking John Howard's boots? That is really what he has done. Many people want this Parliament to stand up for them, to fight for their interests in a way the Premier has not done. He has betrayed the interests of Western Australia.

Mr Court: What did you do when the deficit went up to \$70b? Did you do anything? Did you say anything? No, you just sat there and continued to spend, spend, spend.

Mr McGINTY: That is a poor excuse from a Premier who has sat on his hands while Western Australia has been torn apart. People in this State are bitterly disappointed with the Premier's lack of activity, his inaction, over all of these matters where one expects that if the Premier had any consistency whatsoever, he might raise his voice to protest about what his federal colleagues are doing. It is apparent and obvious for everyone to see that the Premier is a political operative, prepared to use taxpayers' funds to attack the Labor Party; however, we will not hear boo from the Premier - not even a whisper - when his federal colleagues are attacking the interests of Western Australian citizens. Frankly, I am disappointed in the Premier. I thought he was a bit better than that.

Mr Court: You obviously don't listen to the news, do you?

Mr McGINTY: I do.

Mr Court: You will know exactly what the reaction is.

Mr McGINTY: When did the Premier criticise any of these cuts in the lead-up to the Budget or when he may have been able to influence it?

Mr Court: On road funding and the like?

Mr McGINTY: That was when Labor was in power. Does the Premier remember that?

Mr Court: We got commitments before the election about the diesel fuel rebate.

Mr Ripper: Then why did the mining industry have to campaign in the way in which it did?

Mr Trenorden: Probably because there were billions of dollars involved.

Mr McGINTY: It was looking like just another broken promise.

Sitting suspended from 6.00 to 7.30 pm

DR GALLOP (Victoria Park - Deputy Leader of the Opposition) [7.32 pm]: I second the motion that this House regrets that the Western Australia economy is not fulfilling its full potential due to continuing consumer uncertainty brought about by employment insecurities associated with workplace agreements, the Howard Government's Budget, continuing high rates of unemployment and misplaced cuts to government services. The Opposition believes the Western Australian and, indeed, the Australian economies carry great potential, and in recent years we have seen that potential realised. For example, the export sectors of the Australian economy have seen some significant improvements in the last decade as our manufacturers and many service industries join the traditional export sectors of resources and agriculture to create new employment as they develop a wider base for the Australian economy.

One of the great tasks of Government is to ensure that the full potential and maximum value is achieved from the natural resources and human resources available. It is important that we attempt to counter the impact of the trade cycle which occurs in most industrialised capitalist economies. Also, it is important that we try to ensure that all those people willing and able to work, can work to achieve full value from them. The Opposition must report to the Parliament that the Australian and Western Australian economies are not working to their full potential as around 8 per cent of the labour force remains unemployed. It should not escape our attention that these people should be contributing to the wealth of our country and State, and at the moment they do not have the opportunity to make that contribution.

A more specific issue is the extent to which our Government policy is assisting growth potential in our economy. The Opposition considers that the federal Budget released yesterday in Canberra was not a growth budget. The philosophy of the Howard Government and its Treasurer Peter Costello is not one of growth; they have taken an

essentially accounting view of the Australian economy with revenue on one side and expenditure on the other. It does not attempt to consider how the decisions they make about revenue and expenditure link into a strategy for growth. That is nowhere better illustrated than in the approach to exporters and the new manufacturing sector developed in Australia during the last decade. It was clear that the speech given by Treasurer Costello last night was radically different from the speeches heard from Labor Treasurers over the past decade. Labor Treasurers focused on the region in which we live and on export potential, and targeted many Government initiatives to fulfill that export potential.

We have seen through the federal Budget, and the bungling of the Foreign Affairs Minister, Alexander Downer, that our reputation in the region has been damaged. The traditional reputation that Australians will honour their commitments and contracts has been undermined by his bungling. Also, this reputation has been intruded upon by the Expenditure Review Committee and the Costello-type approach to the federal Budget. No doubt many good initiatives of the past decade to project Australia into Asia will be damaged by not only the bungling of foreign policy, but also the approach taken to export growth, export enhancement programs and inducements for research and development.

I now turn to the factors mentioned in our motion. First, the general position of the Australian economy and the way in which the Budget will operate is mentioned. It is interesting to look at the federal budget papers which came out yesterday to see the performance of the Australian economy. Overall growth in 1994-95 was 4.1 per cent, but the budget papers pointed out that that growth was patchy. We had strong growth in the service and farm sectors. Of course, the farm sector is coming out of recession. However, we had weakness, and the Treasury analysis focused on weakness in our construction and manufacturing industries. Therefore, overall we had slower employment growth than was predicted as we entered the financial year. As the year progressed, the economy weakened, and we now see an unemployment rate of 8.5 per cent as well as other worrying signs.

The key issue with the federal Budget is whether a rate of economic growth predicted by the Federal Government - namely, 3.5 per cent - will occur in 1996-97. The first thing we can say about the federal Budget is that on the Federal Government's assumptions and analysis, the rate of unemployment in Australia will change only marginally. In other words, we already have a Budget which accepts that 8 per cent of the labour force will not make a full contribution to the wealth creation potential of the nation.

Another issue is whether the Government prediction of 3.5 per cent growth will be realised. The average growth in the June quarter of 1996 dropped to only 0.1 per cent. Some economic commentators are predicting growth of 2.3 per cent, not the 3.5 per cent predicted by the Budget.

It is important that we look at the impact of the Budget on the overall growth of the Australian economy and the potential growth of the Western Australian economy. How will the federal Budget assist with economic growth in Australia? The best analysis provided of the Budget is that it will be deflationary in its impact on the Australian economy. The best, and ultimately the only, way to overcome budget deficits is through economic growth. We have seen, if we look at trade cycles throughout the last 20 years, that when growth emerges in the economy, revenue comes in quickly. Good government management of funds can then ensure that a budget is balanced. However, the federal Budget has been cut at the very time of weakness in the economy and downturn; therefore, it will not get rid of the deficit.

I will make a prediction this evening that in 12 months' time, at the bringing down of the next federal Budget, the Treasurer will tell Australians that the Government has been unable to reduce the deficit. Indeed, all the measures that were taken this year will not have achieved their purpose and, if the Federal Government does not change its approach to economic development, it will want to cut even further into social, educational and economic programs. It comes down to an assessment: Will the federal Budget undermine the Federal Government's assumptions by contributing to a deflation of the economy rather than to promoting economic growth? It is very interesting that the federal Treasurer talks about only the medium and long term growth potential of this Budget. The third greatest economist of all time!

Several members interjected.

Mr Court: You ridiculed Adam Smith.

Dr GALLOP: No, I did not. He is the greatest economist of all time to comment on economic matters.

Mr Bloffwitch: Your philosophy is that the State should own everything.

Dr GALLOP: I said that Adam Smith was the greatest economist of all time and I am sure that was not his point

of view. What I liked about Adam Smith is that he wanted ordinary people to have increases in their wages. He believed that if profits in the economy were too high, something was wrong.

Mr Court interjected.

Dr GALLOP: In the next 12 months judgment will be passed on whether this Budget will lift or damage growth. If it damages growth, by how much will it damage it and will it damage it to the extent that the assumptions behind the Budget will be undercut? I believe the latter will prevail. Let us consider the evidence. The federal Budget has been brought down in an economy with increasing household debt and growing signs of debt repayment problems in the community.

Mr Lewis: You must miss the lecture theatre.

Dr GALLOP: I do not miss it because I think I have a good one in this place, and I am protected by parliamentary privilege.

Mr Ripper: The students on the other side are a bit dim!

Mr Cowan: No, they are a little more disbelieving or discerning.

Dr GALLOP: I watched the 7 o'clock news on the ABC this evening and I was very interested to hear what Malcolm McPherson said about the state of the Australian economy. I will refer to that later, but first I will take up the issue of household debt. Personal credit has been growing steadily since 1994 and household debt is nearly 90 per cent of after tax income. It was about 70 per cent a decade ago.

Mr Court: You have a bit to answer for.

Dr GALLOP: I am talking about personal credit. When this situation emerges, any disturbance to the economy, either from interest rates on the one side or economic growth and employment on the other, could have a devastating effect on those families and could quickly turn a marginal downturn in the economy into a recession. The Federal Government must play its game very carefully. It must ensure, through its Budget, that the worrying signs in the economy do not deteriorate. The banks are saying that the asset quality of a lot of that debt is very strong, but they are worried that if there is a downturn in the economy, it could be calamitous for ordinary families and the economy overall. It is what the banks call an amber situation. The warning signs are certainly apparent.

In the Western Australian economy there are also some patchy signs. The general public and serious economic commentators are concerned that reference is continually made to the resources boom. I congratulate the resources sector on its ability and strength. However, members must bear in mind that it is only one part of the Western Australian economy and it plays its role. It is not the only player in determining economic development and growth. Concerns have been expressed in recent times about other sectors of the Western Australian economy.

I will move on from the analysis I gave of personal credit and its increasing role in overall income levels for individuals and the potential pressure that places on them. Of course, that is reflected in consumer confidence. The Australian Bureau of Statistics figures show that Western Australia is experiencing a decline in sales on a month by month basis, and that its situation is worse than the other States. It has gone on for longer than the other States. In the past four months sales have been static or falling. Building approvals have dropped by about one-third in the past 12 months. In June this year they totalled 1 097 and in June 1995 they totalled 1 510. Unemployment in Western Australia has been rising.

The context of the Budget is an economy that is patchy. Some sectors of the economy are performing very well, while others are not. Underpinning the economy are worrying signs in the increase in personal debt levels, lack of consumer confidence, a decrease in building approvals and the rigidity of high rates of unemployment. That brings me to an important fact about our modern economy. This was referred to in a very knowledgeable way a few weeks ago by Ian McPharlane, who is now the head of the Reserve Bank.

Mr Court: I thought you were going to quote the senior political commentator who was in town today.

Dr GALLOP: The Premier is referring to former Senator Richardson and from what I heard on the news he had some interesting things to say. He referred to the pressure on States to increase taxes.

The structure of a modern economy, referred to by Ian McPharlane, is what I would call a low inflation, hard working economy. There is a lot more competition around today. In fact, not many sectors of the economy are

impacted upon by international competition. We must understand the implication of that. This is an area in which we need the economists rather than the merchant bankers. One of the great tragedies of the modern world is that the power of the merchant banker has increased and the status of the economist has fallen. It is a tragedy in the way we commentate.

Mr Court: We need fewer of both and more workers.

Dr GALLOP: The increased competition and the increased uncertainty in the world in which we live is a new environment for Australians. Australians are yet to come to grips with what that means. It is making it much harder for investment decisions with a long term scenario. It is also making it much harder for individuals to make decisions about their future. Further, it is complicated and exacerbated by the development of workplace agreements and contracted employment conditions. Only recently I was speaking to the local bank manager of one of the more prominent banks and he pointed out to me the difficulties in justifying housing loans in the modern Western Australian economy because workers are on such short term contracts. When bankers look at an individual's situation, it is no different from looking at a commitment to a major industry. They want to justify their investment in either the industry or that person over a certain time. How can they justify an investment in an individual when that person does not know whether he will be employed the following year? Not only are people uncertain about their future and hesitant to make a financial commitment, but also banks are uncertain about the future of those people and hesitant to invest in them.

This is a major problem in our economy that is not being addressed by the rampant push to contracting out and workplace agreements in our labour market and in the government sector. It is a major problem that must be addressed if we are to ensure that the growth path is consistent and continuing. Of course, it is the role of the Government to provide an environment that gives a basis for security and an overall vision for the future. Those economies that do well have governments that are capable of providing that framework. The problem with a right-wing government is that it understands the value of competition in our economy, but it simply fails to understand the consequences that flow from the failure to provide a proper context for that competition. That is precisely the problem that exists with the current Government. We have created an economy where uncertainty reigns supreme, where people do not know if they will be in employment in the next year, and where banks are uncertain about investing in those people. Therefore, any jolt to the economy will lead to a significant downturn.

Let us look at the possible jolts that can occur to the Western Australian economy. The first jolt, which I have already talked about, is the potential impact of the federal Budget on the overall macro economy through the deflationary impact that it is agreed it will have. It may be a mild deflationary impact; nevertheless, it is deflationary. What must happen in Western Australia? We have this resource potential. We see, as a result of developments in the gas market, for example, the potential for further development in the north of the State. We also see room for development in the south west and the goldfields. Will this Budget assist in ensuring that those developments occur? The State of Western Australia, which has a very important role to play in providing infrastructure, will bear the brunt of many of the cutbacks. Will the Western Australian economy offer a proper framework for development to be assisted by the \$12m cut in road funding to Western Australia that has resulted from the \$120m cut in national highways funding? Will the cuts to the regional development programs assist the Western Australian economy respond to its potential? Will the cuts that will filter through with higher charges for students in the TAFE sector assist the Western Australian economy? Will the ability of the shipbuilding bounty assist the Western Australian economy? That is the reality of Western Australia, an economy with growth potential. I would like to hear from the Premier how this Budget will assist us in realising that growth potential. I certainly have very grave reservations as to whether it will.

The problem in Western Australia and in Australia is that the Federal Government has been more concerned about its own ideological prejudice and winning its political battle against the previous Labor Government than it has been in taking a serious and objective look at the Australian and regional economies to determine how best to help them along.

The best way to overcome a deficit is to have economic growth. However, this Budget will have a deflationary impact when put into the context of the rising debt levels to which I referred, of consumer uncertainty, of building approvals falling, and of retail sales being very flat. The Budget has the great potential to shift the balance between an economy that is growing and an economy that is sliding into recession. Certainly it is the Opposition's view that on the broader front one part of the Australian economy that can assist in avoiding the recession - the Western Australian economy, a growth economy - will not be assisted in any way in the contribution it can make to the national growth potential by the cuts in services that are being made in this Budget. We are back to the good old days in Australia. We have a conservative Government in Canberra dominated by people who have no vision for Australia, and no understanding of the requirements of State Governments. In fact, we will see John Howard returning to where he was as Treasurer in the late 1970s as a rampant centralist. His centralism is different from Labor centralism.

Mr Marshall: How can you say that, knowing the record of previous Governments?

D GALLOP: I will explain. Labor centralism is different from Liberal centralism. Labor centralism is based on the desire to lift the level and quality of the Australian people; therefore, Labor centralism promotes growth and development in Western Australia and we become beneficiaries. Of course, there can be arguments between Labor state and federal Governments.

Mr Court: Give me an example?

Dr GALLOP: An example is the whole approach in recent years of the federal Labor Government's infrastructure plan for Australia to enable us to get better value out of our infrastructure and to encourage investment.

Mr Court: What infrastructure plan?

Dr GALLOP: Has the Premier heard about the national electricity grid?

Mr Court: What has that got to do with Western Australia

Dr GALLOP: Just because Western Australia happens to be on the west and every other State is not does not mean that that is a subject that does not concern us. If there is economic growth in the Eastern States we gain as well. The Premier's view of Australia is a zero sum game. The Premier's real desire is to secede; that is the logic he applies to politics all the time. Should we ever go down that path we would all be eating grass, because the requirements of running an independent nation would mean the poor old consumers would have no personal income left. Liberal centralism on the other hand is defined as stingy.

Mr Bloffwitch: Here we go.

Dr GALLOP: Does the member for Geraldton know whom I will quote to support this point of view? It is the Premier's own father who was in charge of this State during the Fraser years when John Howard was Treasurer. Sir Charles Court was right when he said that the coalition was a stingy Government, and that it lacked any vision for the nation or for Western Australia when it cut back on important programs that could allow Western Australia to achieve its potential. I am happy to quote the Premier's father in backing up the view that John Howard is a stingy centralist. Paul Keating was an expansive centralist.

Mr Court: I think you mean expensive.

Dr GALLOP: No. He had a vision for the country from which we all gained.

Mr Lewis: Self-praise is no praise.

Dr GALLOP: The Minister for Planning has been sitting in his ministerial office too much. He should talk to the business community about Paul Keating's vision. They did not like him, but they liked his vision. That is one thing they approved of, because it helped their businesses. They are now bemoaning the fact that we have a Government without any vision at all. If members saw the television news tonight, they would have seen some of our leading economic commentators from the business sector saying that very thing.

Mr Lewis interjected.

Dr GALLOP: Malcolm McPherson is my reference. He is an excellent businessman and a man of quality whom the Government very wisely appointed to some important positions on statutory authorities in this State.

We will not fulfill our full potential as a nation and we will be incapable of fulfilling our full potential as a State because the Budget will be deflationary in its impact upon the Western Australian economy. Secondly, the Budget is undercutting important programs that are particularly useful for Western Australia when it needs to provide the required infrastructure and resources for development. Finally, the contracting out-workplace agreements ideology of this Government is undermining certainty in our economy.

Mr Court: I wonder when you will get back to the motion.

Dr GALLOP: It is in the motion, and the Government cannot get to grips with this because its ideology will not allow it. Contracting out, which is now worth up to \$1b in Western Australia, creates a form of employment which is essentially short term, and workplace agreements, which undermine the certainty of revenue flows to individuals, are undermining certainty in our economy. That is a fact, and the Government needs a solution to it, but members

like the member for Jandakot cannot develop a solution because their ideology prevents them from doing that. The tragedy of the modern world is that as the reputation of merchant bankers has increased, the status of economists has decreased, and the very people who can assist us in overcoming the problems of uncertainty - that is, economists who are trained to deal with these problems - have lost status in our community.

MR COURT (Nedlands - Treasurer) [8.04 pm]: The Deputy Leader of the Opposition has a lot more faith in economists than I have. I have never heard a speech before where a member opposite has put faith in economists being able to lead us into a more positive and bright future. The speech which I have just heard reminds me of some of the Deputy Leader of the Opposition's earlier speeches when he explained to us the ideology and philosophy of the Burke Government's business dealings and how he supported that Government's involvement in a wide range of business activities.

Dr Gallop: I cannot see the relationship.

Mr COURT: I can see the relationship, because that Government went down that path and lost this State \$1.5b and left it with a debt legacy. It is important that we put this federal Budget in perspective. The former federal Labor Government was in government for 13 years, it went through some periods of strong growth, it had access to all of this nation's growth revenues - income, sales and company taxes - and it had record revenues, yet it allowed the debt to keep increasing. During the same period, New Zealand got control of its financial situation. It has a small economy, but it got its Budget back into surplus. How can members opposite be proud of the fact that when this country has magnificent wealth and natural resources, and a relatively small productive work force, we cannot even put our Budget into surplus? That is ludicrous. What the Labor Party did at the federal level it did at the state level: It kept borrowing and borrowing and did not worry about it.

Members opposite come into this Parliament and cry crocodile tears about cuts here and cuts there. Yes, there have been cuts, and I agree that in some cases those cuts will not assist the economy. I use as an example the cut to funding for road infrastructure, which I think is ludicrous in a State like Western Australia, because we are performing well and have tremendous growth in our road system, with the compounding growth of the large commercial trucks on our roads, whether it be to the goldfields, the Pilbara or the south of the State, and we need that infrastructure improved. Another area about which I will agree with members opposite is the question of centralism. I do not agree with the argument about whether former Federal Governments were Keating centralist or Fraser centralist, but there is no doubt that the Keating Government was a highly centralist Government. If this Federal Government does not reverse the trend - and it has not shown the right signs initially - by giving the States more autonomy with regard to financial matters, it will certainly deserve that criticism. I believe any Government can bring about that major change only if it is prepared to tackle changes to the taxation system as a whole, and, sadly, that has been taken off the agenda for some years. It is important to have lower income tax rates to give people greater incentive to save.

This federal Budget was brought down after the debt in this country had been allowed to grow during a time when the former federal Labor Government had record revenue growth. What concerns me is that we have had an opportunity today to have a constructive debate about where the economy of the nation should be going, yet not once have members opposite said that it is appropriate to get the debt situation under control.

Dr Gallop: Yes we have.

Mr COURT: Members opposite have criticised where the cuts have been; that has been their knee jerk reaction. They have said what will happen here and what will happen there, they have cried crocodile tears and had their knee jerk reaction, but none of them has spoken about his vision for this country. Does the Deputy Leader of the Opposition - the leading economist - believe the deficit that we run in a Budget should come down?

Dr Gallop: The debt should come down; it should be a manageable debt.

Mr COURT: From where should it be cut?

Dr Gallop: I will tell the Treasurer what I would not do if I were the federal Treasurer. First, the family tax package of the federal Liberal Government is pathetic. Secondly, what about private health insurance incentives? They are two good examples.

Mr COURT: Members opposite know there is no easy way to reduce a deficit. We must control expenditures. The federal Labor Government had 13 years to control expenditures and it did nothing. The state Labor Government had 10 years to control expenditures and it did nothing. It allowed state debt to blow out to the point where we lost our AAA credit rating, and it can hardly be proud of that.

Mr Kobelke: Have you controlled your revenue? You have not, have you?

Mr COURT: There is not one Western Australian who does not know about the lack of financial credibility and the mismanagement of the former Labor Government; it is unbelievable what it was able to do in that period. When we talk about the Western Australian economy, members opposite want to talk things down. They do not want to accept that we have been successful in attracting record rates of new investment, which have enabled us to create about 100 000 new jobs. Members opposite do not like to hear it, but our growth rate has been considerably higher than that of the national economy. Members opposite do not want to know about those things. The one thing about which I will agree with members opposite is that there are some problems with regard to what is holding up growth. The biggest single issue in this State which is stopping new investment relates to the problems we are experiencing with unworkable native title legislation.

Mr McGinty: What is John Howard doing?

Mr COURT: That is a good question. Not enough is being done, quickly enough. We have large numbers of small investors in motels wanting to build in places such as Kununurra, but we cannot give clear title to land because of the previous federal Labor Government's unworkable legislation.

Several members interjected.

The SPEAKER: Order! I formally call to order the member for Cockburn. I have been allowing interjections. The Deputy Leader of the Opposition received interjections but he was able to respond to them very competently. At that time we did not reach a stage of major confrontation, but we have now. Members must not try to shout down the Premier. If the member has something to say, he should say it in due course. Most members sound more impressive when they interject in a moderate voice, not when they try to shout down the person on his feet.

Mr COURT: Today the Leader of the Opposition had the opportunity to outline how the Labor Party would offer an alternative economic plan for the future of this State and how he saw the federal Budget helping in that regard.

Mr Thomas: What has been the biggest threat to the mining industry in Western Australia - native title or the removal of the diesel fuel rebate?

Mr COURT: The former federal Labor Government gave us a commitment that it would not alter the diesel fuel rebate. When the coalition came to government it did not change it. I hardly call that a threat. I criticised those politics because those people did not come out sooner and state that they would not change that policy.

Mr Thomas: Don't you agree that the rebate is a greater threat than native title?

Mr COURT: I do not. When members opposite talk about native title they always refer to the mining industry. I am talking about the tourism industry, and the agriculture and horticulture industries, and about the expansion of towns in regional centres, in Kalgoorlie and Port Hedland, and the difficulties we have in approving the allocation of land. Whether members like it or not, we have major problems with that legislation. It is a major threat to investment; it holds back investment. If members opposite do not recognise that, they are living in a fool's paradise.

Several members interjected.

The SPEAKER: Order!

Mr COURT: Our major customers have a lot of confidence in Western Australia. They believe the reforms that have been introduced in this State - such as in industrial relations, and energy deregulation - and the efficiencies we have introduced in the public sector have built up confidence. These people have huge confidence in this State. That is why we are experiencing a new generation of investment in this State.

Several members interjected.

The SPEAKER: Order! The member for Cockburn, seems to be talking at greater length than the member who has the call. I cannot allow that to continue. I cannot allow him to shout down the Premier. If he wants to speak, I urge him to speak shortly. He can then say what he wishes to say.

Mr COURT: The Leader of the Opposition has come into this House today and said that the state Budget is affected by \$200m as a result of the federal Budget -

Mr McGinty: Is it right?

Mr COURT: No, it is not. I have explained that we were told in advance about the effect of that Budget.

Mr McGinty: That was \$100m.

Mr COURT: No, it was \$90m. That is the effect on the state Budget.

Mr McGinty: What about the \$10m on executive vehicles?

Mr COURT: What about the shipbuilding bounty, etc? That has nothing to do with the state Budget.

Mr McGinty: I listed these matters for you tonight. I have listed those that directly take money from the Budget.

Mr COURT: Is the Leader of the Opposition saying that increased sales tax on executive vehicles does this? That matter came out of the Premiers' Conference two months ago; we had no option. The Leader of the Opposition does not understand; that is why he does not have good financial management. When talking about the State, we do not just bring down a state Budget and say that is the beginning and end of the exercise. We must manage the economy. We must live within our means. Members opposite have a revenue downturn and borrow more to make up the difference.

Several members interjected.

Mr McGinty: You have not answered my questions.

Mr COURT: The effect on our Budget is around \$90m, and the Leader of the Opposition does not like the fact that we have that under control. He does not like the fact that we are able to manage that situation.

Mr McGinty: What about dental care? That is in your Budget.

Mr COURT: The Leader of the Opposition just plucks figures from the air and says that the effect is \$200m, when he knows that is not the case.

Mr McGinty: You are not telling the truth. I hope your speech tomorrow gives us more detail and honesty than what you are giving us now.

Mr COURT: I listened to the speech by the Leader of the Opposition but I could not hear any detail in that speech.

Mr McGinty: Tell us about dental care!

The SPEAKER: Order!

Mr McGinty: You deny it is a cut from the state Budget.

Mr COURT: That program will be phased out over two years. We must negotiate with those people. In this case the Commonwealth Government is cutting out a program.

Mr McGinty: It is not coming from the Commonwealth; therefore, you must reduce the state Budget accordingly!

Mr COURT: I have explained that for the specific purpose programs we have already taken into account \$30m -

Mr McGinty: Don't you know this is not one of them?

The SPEAKER: Order! The Leader of the Opposition.

Mr COURT: The Leader of the Opposition does not understand that last year we were able to put additional funds into health and education, and a number of other areas -

Mr McGinty: You had already taken them out. Forget the rhetoric and answer the question!

Mr COURT: We did not increase debt. We are able to live within our means.

Mr McGinty interjected.

The SPEAKER: Order!

Mr COURT: What happens if we are able to -

Mr McGinty interjected.

The SPEAKER: Order! I formally call to order the Leader of the Opposition. If he does not take notice of my directions -

Mr McGinty interjected.

The SPEAKER: I formally call the Leader of the Opposition to order for the second time. If he continues with his behaviour, he will be out of this place. When he spoke, he spoke in virtual silence. He received the odd interjection, but that did not interrupt or put him off. Now, he is taking over the whole debate and that cannot happen.

Point of Order

Mr McGINTY: Mr Speaker -

The SPEAKER: Order! The Leader of the Opposition will not need to speak like he did today, or I will take action.

Mr McGINTY: Although I appreciate that all interjections are disorderly to a degree, it has always been the practice of the Chair to accommodate interjections when they are received by the other side. Mr Speaker, it is your duty to administer fairly the rules of this House. You will have noticed that the exchange between the Premier and me was well received. He was putting questions to me and I was responding to the points he made. It was very much a two-way exchange. With due respect to the high office you hold, you were interfering with an appreciated exchange between the Premier and me. When that has occurred in the past it has been the practice of the Chair to tolerate that sort of exchange because it fleshes out the detail of the matter. I ask you to rule that when the Premier puts a question to me, as the Leader of the Opposition I should be able to respond by way of orderly interjection. I do not think you are allowing that to occur.

The SPEAKER: Order! Some of the points made by the Leader of the Opposition are quite reasonable. He knows that I allow him particularly - than anyone else in this Chamber - to make interjections. If he ignores me continually and makes gestures, and statements as he did earlier today, it will not be tolerable. I have called the Leader of the Opposition to order formally twice. I accept that questions were directed to him, but then he began to interject again. I did not take action because of the point he just made. There is some merit in the point made.

This is not a point of order, because now the leader has been interjecting excessively. Further, the Leader is deliberately taking no notice of me when I call for order. That cannot be tolerated. He should show leadership in this place. While obviously there is a place for some interjections - despite the standing order the Leader quoted - they cannot reach the point where the person who is giving the speech is totally distracted, interrupted and controlled by them.

Debate Resumed

Mr COURT: There is one point the Leader of the Opposition cannot comprehend.

Mr McGinty: Here we go again!

Mr COURT: Can the Leader of the Opposition not keep quiet? The only time I interjected on him was when he called Senator Richardson a senior political commentator, and I thought that was going over the top.

Several members interjected.

Mr COURT: What the Leader cannot comprehend is that we have factored \$90m into a budget of over \$7b. He also cannot comprehend that we actually brought the Budget down and had it passed through this Parliament before the financial year commenced, and as the financial year progresses we are cutting our cloth to suit what we have available to us. We have been told that we must do something to find the \$90m one way or another, and that is exactly what we are doing. That is our responsibility - to provide good financial management. Under the Opposition's system we would not have a budget in place until Christmas - the year would be half over. We are now

at the beginning of the financial year and these points are factored already. I believe that is a very responsible way to handle the situation.

The Federal Government has had a very difficult job in starting a three-year plan to get this nation's economy back into surplus. All members opposite can do is ask, "What are you doing here?" and "What are you doing there?"

Mr Riebeling: It is in far better shape than it was when we took over from the Liberals.

Mr COURT: The member must be joking!

Several members interjected.

Mr COURT: The combined deficits -

Mr Riebeling: Have a look at the figures.

Mr COURT: I have had a look at the figures. I have a graph showing the increase in government debt over the last five years and it was unbelievable. We know what we inherited in relation to the state Budget and we know what has been inherited at the federal level. The Federal Government has set out on a three-year plan to get this nation back into surplus.

Yes, the Federal Government cuts in expenditure will cause pain; yes, we are critical of some of the areas where it has cut expenditure. However, the Leader of the Opposition should have the decency to stand up in this House and say whether he agrees with the strategy to get the Budget back into surplus.

Mr McGinty: You will not even agree to the cuts to your own budget. You are a joke.

Mr COURT: Is the Leader of the Opposition prepared to accept that the Federal Government should get the Budget back into surplus?

Mr McGinty: Do you want to ask the Speaker whether I can respond?

Mr COURT: The answer is that he does not want to respond. The Leader of the Opposition does not accept it, but will the other members opposite accept the fact that this Government has got the state Budget into surplus and that it is keeping it there?

Several members interjected.

Mr COURT: Thank you very much. The Opposition has even come out with its own policy stating that it will keep the state Budget in surplus.

Mr Shave: That will be the first time ever it was.

Mr COURT: That is exactly right. Members opposite cannot comprehend that we have the ability to manage this State's finances so that we can address the issue of \$90m over a \$7b budget -

Mr McGinty: It is \$200 million, and you know it. I hope in your statement tomorrow you are honest enough to admit it.

Mr COURT: We have put confidence back into this State. We have been able to get the state Budget in surplus and I hope the Federal Government can do the same within the time frame it has specified. We are concerned about the expenditure cuts in a number of areas. I believe the Federal Government should be assisting wealth creating infrastructure such as our roads system. However, the incredibly short-term "Let's try to grab the political advantage for a few days on expenditure cuts" approach of the Opposition underlines a lack of long term vision to implement proper financial management in this State.

MR RIPPER (Belmont) [8.25 pm]: The Premier said that native title was the chief impediment to development in this State. Native title is an important problem. It has affected the confidence of the mining industry.

Mr Court: That is the first time you have recognised it.

Mr RIPPER: Was it native title that caused the collapse of the pulp mill project? Was it native title that caused the

BHP petroleum ethanol project to fail? Was it native title that caused North to abandon the Robe palletisation project? No, native title had nothing to do with those three projects falling over.

We have heard a lot from this Government about investments in the resources industry. Yes, there are good things happening in that industry. Yes, significant investment is being planned for the resources industry over the next five years. However, not all the optimism the Government has put out to the public is justified. We are starting to see the shine come off the boom with those three projects falling over and with others also not likely to proceed. Not only are we seeing the shine coming off the resources boom but also this State is not making the most of the investment that is occurring.

I will deal with two problems: First, the question of skilled labour shortages and, secondly, the issue of local content. The Government's own report prepared by Worley Limited entitled "Skill Requirements of Resource Development Projects in Western Australia 1996-2000" suggests that in 1997-98 resources development projects will generate demand for 12 000 employees; that is; assuming, of course, that all of Worley's predictions about the future come to pass - perhaps there has been some fall off since it completed that report in May 1996. What is alarming about the report is that it suggests there will be a shortfall of skilled labour of about 7 000 employees in 1997-98. It suggests that in 1996 there will be a shortfall of about 3 300 employees. The shortfall may not be as much as 7 000 next year and 3 300 this year because some of these projects may not proceed. However, it will make the progress of the surge in resources investment much more difficult. The cost of labour will increase and there will therefore be increases in the overall cost of getting projects started. There will also be delays because companies will not be able to supply services to the resources projects while they are having difficulties finding the labour they need. There will be a flow-on effect in terms of loss of confidence as resource developers look at this State and see labour costs increasing and delays. They will find Western Australia to be a less congenial place in which to invest.

This Government has a responsibility to facilitate the surge in resource investment and to remove any obstacles that might stand in the way of steady progress. One of those obstacles is the shortage of skilled labour, on which its own consultants have reported. The Government has missed the boat. The shortage is happening now and it will be even greater next year. We cannot train the sorts of people required in the time available.

The Government should have acted last year on this question of skilled labour shortage and not waited to prepare a report in May this year presumably for action in the next Budget. It will all be too late. As a State we will perhaps have lost investment which we could otherwise have. Certainly, as a result of the skilled labour shortage and the Government's failure to plan ahead, we will have lost work from investment. As the Deputy Leader of the Opposition has said, the Government has too much of a focus simply on the accounting bottom line. We must plan for the future rather than simply looking at the bottom line in terms of a state Budget surplus and a reduction in debt. Perhaps there should have been more preparedness to increase the training budget, the budget for TAFE and the budget for special projects to make sure we did not run into the skilled labour shortages to the extent that are forecast in this report. All this will be exacerbated by the federal cuts to the training and labour market programs. We all know the training and labour market programs are one of the areas most savagely hit in the Budget.

Mr Bloffwitch: The emphasis is less, to be fair.

Mr RIPPER: The programs that assist long term unemployed people to develop the skills they need to move into the work force have been savaged. With a reduction in the Federal Government's effort in training, the situation in this State will only be exacerbated. The State will have to look carefully at this area. It missed the boat last year and it does not seem to have caught it this year. Now the situation will be even worse because of the Federal Government's reduction in its commitment to the training and labour market programs. The report recommended among other things -

The Department of Training . . . review the potential for implementing a range of training strategies including: increased training provision in skill areas of existing/predicted shortage; the promotion of adult apprenticeships; accelerated trade training programmes; skills upgrading training; and the development of appropriate recognition or prior learning processes.

These are good recommendations and would have been even better had they been made at the end of 1994 or the beginning of 1995, but the Government commissioned the report only this year, when it was already far too late.

Mr Bloffwitch: Better now than never.

Mr RIPPER: Certainly, but if we look at the strategies, we will see that most will not deliver the skilled labour that resource developers need until it is too late.

Mr Bloffwitch interjected.

The DEPUTY SPEAKER: Order!

Mr RIPPER: Perhaps if the skills upgrading training were embarked on vigorously, it might have some impact, because that implies having workers already in the work force upgrading their skills which takes less time than training from scratch. Providing recognition for prior learning is also good where people can be credentialed to undertake jobs. It is a matter of recognising their existing skills. If some of those strategies were embarked upon vigorously, they could have some impact on the forecast skilled labour shortage. Unfortunately most of the recommended strategies will not be timely enough in their impact because the Government did not commission the report and investigation early enough and it has not been willing enough to invest extra money. The Government cannot simply rest on the economic and revenue benefits of the resources boom. It has a responsibility to act and spend some money itself.

Turning to the question of local content, recently the Minister for Resources Development released the Government's local content policy, which is supposed to enhance the amount of work which flows to Western Australian and Australian suppliers from resources development projects. Does the member wish to interject?

Mr Bloffwitch: The thing that annoys me is that the State and government departments accept local content and yet the Federal Government with its tenders never has. I admit that we now have a Liberal Government, but for the past 10 years when tenders have gone out this has applied. I had a coffee shop owner say to me, "Is there 5 per cent?" I said that I would ring up and find out. Under the federal system there is no regional preference whatsoever. Did you lobby for that?

Mr RIPPER: I am talking about the local content that flows from resources development projects, which is a slightly different issue.

Mr Bloffwitch: It is the same thing.

Mr RIPPER: I do not think that we want a mandated 5 per cent preference policy to be foisted on resources developers. They might find it better to develop projects elsewhere where they do not have that.

Several members interjected.

The DEPUTY SPEAKER: Order! This is all very interesting, but we cannot have a parlour chat.

Mr RIPPER: If I could finish the sentence I was uttering, resources developers might go elsewhere if the local content policy is too clumsily developed and implemented. The Government showed no interest at all in the question of advancing local content until it began to realise that it might be a significant issue. Recently the Minister for Resources Development released the local content policy document, which also contained a photograph of the Deputy Premier. It shows the lack of government concern in this issue because the policy is virtually the same as the clauses which over a long period of time have been included in agreement Acts of the Government for major projects. In addition, some assistance is provided to the Industrial Supplies Office and a local content advisory committee is to be established with representation from resources development suppliers and the trade union movement. It represents no advance.

The local content advisory committee is a revival of a committee which existed before this Government came to power and which this Government let lapse. All it has done is to remedy to a small extent the negligence it demonstrated in its first years in office. This Government is talking about local content, but it must adopt a more vigorous attitude. What is needed is not one local content advisory committee which has a sort of global debating shop role; we need specific local content committees for major projects. Those committees should examine what is going on before the contracts are finalised. The Government must take a proactive role and look at what obstacles exist which would inhibit the benefits going to Western Australian or Australian suppliers. The Government should then seek to overcome those obstacles. Maybe the Government should make some financial commitment here as well. Sometimes what prevents Western Australian companies successfully tendering for work on those projects is the lack of suitable infrastructure to support their operations. The State Government has a responsibility to provide some of that infrastructure. We need a more vigorous government approach to this whole question. It is not good enough for the Government to make these gestures to revive a committee which it let lapse and to continue with only what is in the agreement Acts. The Government needs to take a proactive role. Consideration must be given to what is happening before the contracts are finalised and the Government should be prepared to act to remove the obstacles to the work being undertaken by Western Australian companies and it should spend a proportion of the money which it is receiving from the resources industries by way of royalties to provide the necessary infrastructure to support Western Australian industries' participation in supplying to these resources development projects.

I said that the Government's role is to facilitate the growth that we expect to come out of our resources sector and to ensure that Western Australians benefit as much as possible from that growth. I do not think the Government is fulfilling either of those two aspects of its role. It is not facilitating the growth to the maximum extent possible because of its failure in the training area and the resulting skilled labour shortages we will experience, and it is not ensuring that the Western Australian people will benefit to the greatest extent possible from the resources investment because it is too weak on the question of local content. On the other hand, the Government is benefiting enormously from the resources boom and the economic growth that is occurring. It is benefiting especially in its revenue flows. According to its own budget papers, this Government has available to it \$1 051m more in revenue in 1996-97 than the Labor Government had in its last Budget in 1992-93. The Premier makes great play of his financial management. It is much easier for a rich man to say he is a good manager than it is for a poor man. Compared with the last Government, the Premier is the rich man. He has more than a billion dollars extra revenue to play with than the Labor Government had in 1992-93. That benefit is coming from economic growth. It is coming mostly from the resource sector. The Government has a responsibility to do more than accept the benefits. The Government should be using part of that benefit to facilitate investment and to make sure that Western Australian companies and workers benefit as much as possible from the investment which is occurring.

Mr Minson: Do you want us to run a deficit Budget again?

Mr RIPPER: No. I am also not suggesting outrageous expenditures. I am saying that economic growth produces revenue. The Government has a responsibility to facilitate that growth and also to ensure that Western Australians get a fair share of the benefits that come from that growth. The Government should be devoting a proportion of its increased revenues to those two issues. I am suggesting that the community reinvest some of the proceeds from the economic growth which we are experiencing in ways which will promote economic growth in the future. Those are some of the reasons that the Western Australian economy is not fulfilling its potential at the moment. However, factors arise also from the latest federal Budget. I will want to look at the impact of that federal Budget on the Western Australian economy.

One of the most disappointing aspects of the Budget is the changes to the research and development tax concession which will be much less valuable for Australian and Western Australian companies than it has been. At a time when our competitive advantage in this region depends in part on the skills of our people and the innovative cultures of our companies, it seems an act of vandalism to inhibit research and development. It is an area where the Australian and Western Australian economies have been weak in the past. Our private sector has not spent enough on research and development historically. As a country we have been relatively good at inventing things and coming up with new ideas and we have been relatively poor at developing and commercialising them. The successful economies now and of the future will be those which are good at innovating and commercialising their innovations. It is an act of vandalism and an act which demonstrates very poor vision to attack these research and development tax concessions. It will have an impact on the resources sector in Western Australia, because projects in Western Australia receive assistance from that tax concession; for example, BHP's hot briquetted iron project in Port Hedland. That is using a new process. A lot of new development is going on. I understand the process has been used only in one other plant in the world and that is in Venezuela. BHP is taking a risk by taking this relatively untried process and developing it to use in Port Hedland. Fortunately, the HBI plant is protected for the most part from the changes to the tax concession because much of the contract has been let and much of the work has been finalised. However, the company says that the change will have a significant impact on the project. There are other HBI and direct reduced iron projects waiting in the wings. This sort of change will have a disincentive effect on those projects and make it less likely that they will proceed. CRA has the hi-smelt project, another project which is innovative and which is about the downstream processing of our iron ore resources. I understand that it has announced publicly it will spend \$60m on that project this year. That project will be disadvantaged also by the reduction in this tax concession.

Mr Cowan: Do you know by how much?

Mr RIPPER: I do not. I inquired of CRA by how much, but it was not able to give me a figure. It is still doing work. It did confirm that there would be an impact. It will be in a position to advise the Deputy Premier and me in several days' time about the exact impact that will have. This is an attack on a scheme which encourages innovation and which in Western Australia is encouraging downstream processing. It is an act that will be a disincentive for future innovative projects in the downstream processing of our mineral resources. That cannot be a good idea.

Mr Cowan: I did not hear you make these comments last year when the previous Government announced it was changing the rules of syndication and the issues associated with the loss of incentives for that.

Mr RIPPER: The Deputy Premier did not hear me making those comments because I do not recall having done so. I also do not recall his commenting at the time.

Mr Cowan: I thought the proposal at that time was fair and this is an extension of that in many respects.

Mr RIPPER: This is a reduction in the tax concessions for research and development and it will reduce the encouragement the Government has been giving the private sector.

Mr Cowan: It is a reduction from 150 per cent to 125 per cent, and it is still an incentive.

Mr RIPPER: I agree that it is an incentive but it is a reduced incentive. It will have an impact on the two projects I have mentioned and on others that are waiting in the wings. I am not saying it is an absolute catastrophe and total disaster, but it is a wrong move when the Government should be doing more to encourage research and development in the private sector in Australia.

In one other area the federal Budget has had an impact on the progress of the resources development sector in Western Australia; that is, the prolonged debate over the diesel fuel rebate scheme. Had that scheme been abolished, it would have had a very significant impact on the Western Australian economy. It would have taken \$400m out of this State.

Mr Bloffwitch: Who started the rumours?

Mr RIPPER: The member for Geraldton appears to be suggesting that the rumours were some sort of Labor plot. It was not a Labor scare; it was very well sourced information from within the federal bureaucracy which greatly alarmed the mining industry in this State and nationally. When the mining industry representatives went to the Federal Government and said if it took this action it would be in breach of its election promises and it would be extraordinarily damaging to an important export sector, did the Federal Government say it was just a Labor Party rumour and it should not be believed? No, it did not. The Government said it could give a guarantee that the rebate would not be withdrawn from farmers, but it could not provide the same guarantee to miners. If people anticipate that something bad will happen and the Government cannot give a guarantee that it will not happen, they naturally become alarmed. That happened in the mining industry, but it very successfully campaigned and was able to force the coalition Federal Government to honour its election promise. Much damage occurred because the debate continued for a long time and it must have affected the confidence of people who were thinking about making investments in the Western Australian resources sector.

The resources development sector in Western Australia is not the only sector of the economy. Good things are happening in that sector - although they do not match the rhetoric of the Government - but other sectors are not doing very well. For example, it appears that the unemployment rate will remain at 8 per cent in the foreseeable future. The housing sector is not doing well. Small business people are gloomy and say things are not going well. Retail sales are not progressing as well as the retailers would like. There is progress in the resources sector but it is not reflected in other areas of the economy. There is a connection between government policies at a state and federal level. The confidence of workers in their future is being severely undermined as a result of privatisation, downsizing, contracting out, restructuring, redundancies, and the wave of change sweeping over public sector and private organisations. Individual workers feel insecure about their future. In those circumstances how can they make decisions on large financial investments such as the purchase of a house? They are not confident about making such decisions and, because the confidence of workers in their future security has been undermined, there is a lack of consumer confidence. Of course, workers make up the bulk of consumers. That is the connection between the flatness in the rest of the economy and the policies of the Court and Howard Governments. To get action in those sectors of the economy, we must instil confidence in consumers and that means giving workers confidence in their future security.

MR THOMAS (Cockburn) [8.56 pm]: I shall start on the note on which the member for Belmont ended; that is, the lack of consumer confidence in Western Australia and the impact it is having. The member for Belmont referred to the unacceptably high level of unemployment and those who are employed but who are not feeling secure and, hence, have no confidence about making major investments. My electorate office is next door to the Cockburn office of the Commonwealth Employment Service so I have a continual parade past my window of people going into and coming out of the CES seeking employment. It is not a pretty sight. The rate of unemployment in this State is unacceptably high and, as the Leader of the Opposition said, probably the most important task we, as leaders of the community and members of the Parliament of Western Australia, and our colleagues in the Federal Parliament have is to reduce that figure. This Budget in its own terms, apart from the construction that may be placed on it, offers absolutely no hope whatsoever.

Apart from those who do not have jobs, those who have jobs are feeling insecure, for the reasons to which the member for Belmont has referred - namely, privatisation in the public sector, and downsizing in the public sector and private sector - and are not prepared to take out mortgages. There is no confidence throughout the community

among consumers and, therefore, among business. That was brought home to me dramatically in the last week or so because I have been carrying out some home improvements.

Mr Bloffwitch: Is that because of the recent pay rise?

Mr THOMAS: No, it is because of the tax refund cheque. I had some relatively minor work done because I was in part a beneficiary of the Government's infill sewerage scheme. That involved engaging some drainage workers to connect my house to the sewerage system. I was talking to those workers last Saturday and they said they had not had much work for weeks. They work in the cottage sector and the amount of work they have is an index -

Mr Bloffwitch: With all the sewerage work, they should be very busy.

Mr THOMAS: They are not, because the vast bulk of work in the sewerage industry is connecting new cottages and houses to the sewerage system and the extent of that work is not as it should be.

Mr Bloffwitch: There is a lot of infill in the metropolitan area. I find it surprising that they do not have much work.

Mr THOMAS: Whether or not it is surprising, that is the case. I will give the member their telephone number if he wants to check with them. These are subcontractors who work with their own labour in the cottage industry and they are significantly underemployed.

Another small project I am carrying out involves the construction of two doors. The carpenter I engaged had to go to the Cockburn joinery works to have the doors made and was told it would take a couple of weeks for the work to be completed. One may think that the Cockburn joinery works was so busy that it could not get the work done. However, that is not the case. The reason Cockburn Joinery cannot get my doors built as rapidly as in the past when I have wanted minor works done is because it has laid off staff. It has virtually closed down because there is no work in the cottage sector. That is an index of the way the economy is going. Over the past couple of years we have heard a fair amount of hype that we are in a boom, particularly from the Minister for Resources Development, who has not chosen to grace the Parliament with his presence this week, the Premier and others. People who hang around my office, which is near the Commonwealth Employment Service in Spearwood, will know that not everyone is experiencing the benefits of that boom. People who speak to drainers working in the cottage industry will also know that they are not experiencing the benefits of that boom, if there is one. Cockburn Joinery has sent its staff off to use their accrued leave because that company does not have any work.

Mr Bloffwitch: Is it closed?

Mr THOMAS: No; it has sent its staff to use accrued leave. It prefers not to sack its staff if that can be avoided. That is an indicator that there is not a lot of work around in a fairly important industry. As I am sure you, Mr Deputy Speaker, will be aware with your background in local government, the cottage building industry is an indicator of the health of the economy in general. Things are not going as well as the Government wishes us to believe.

Tonight we are debating the impact of the commonwealth Budget on the economy of Western Australia. I wish to speak about two aspects of that: First, the abolition of the development import finance facility in Western Australia, which I believe has been quite tragic and is probably as bad, if not worse, than the reduction in the tax concessions for research and development and the cuts to the number of university places in Western Australia. The abolition of DIFF and the reduction in places in universities in Western Australia is an attack on what should be the future direction of the growth of the economy of Western Australia. Anyone who takes time to sit back and look beyond the immediate short term will realise that if we are having a boom or if there is to be a resurgence of growth in the Western Australian economy, it must be different from those that have preceded it.

The booms of the past; that is, the surges in resources development, have not been the same as those which preceded and the economy has matured. The surge in resource development which is taking place, relative to that which took place in the immediate past, must be part of a maturing of the Western Australian economy. In other words, apart from the actual development of the resources, an increase should occur in industries which are in some sense related to them; that is, manufacturing industries related to the mining and resources industries in providing services, and plant and equipment for them and other industries which involve manufacturing of a highly skilled nature.

Most of those industries also involve an increase in our penetration of local markets. As a maturing economy, we must not simply be a quarry for other parts of the world; we must manufacture sophisticated goods and products and export them to growing markets. We should be not only a place where goods are manufactured, but also increasingly a provider of services to those economies around us because, relative to other parts of the world, we are blessed with a highly skilled work force. If we wish to take advantage of the situations which present

themselves, we must be a provider of sophisticated trading services to growing markets overseas. We are well located near the growing markets of South East Asia and south Asia. It has been a continual theme of this Government, the previous Government, the Commonwealth Government and its predecessor that those are opportunities that we should take advantage of. I think everyone will agree that is desirable.

Agreeing with that and doing something about it are two different things. The abolition of the development import finance facility and the reduction in university places in Western Australia is, as the Leader of the Opposition said earlier, an act of vandalism toward those aims which I think we all agree are desirable. I will enumerate three acts of sabotage of the Western Australian economy. Whatever else members opposite may say to justify the actions of their political allies in the federal jurisdiction, they must agree that these actions are economic sabotage or, if that is not their intent, at least they will have that effect, and they should be reversed. We know that members opposite believe they should be reversed because they have argued that case. However, they have argued unsuccessfully. The Government has failed to influence its political colleagues to change the direction which it set itself and as a result the economy of Western Australia will suffer.

Mr Cowan: That is not quite right. But I will explain it.

Mr THOMAS: I hope I am wrong.

Mr Cowan: I wish I could say you were completely wrong, but I cannot. There is a slight variation.

Mr THOMAS: We both agree. I wish I was completely wrong, but I know I am not. I would not say it if I knew I was wrong. A matter close to my heart as shadow Minister for Commerce and Trade but also as the member for Cockburn is Transfield Ship Building Pty Ltd. That company has lost contracts worth \$66m as a result of the abolition of the development import finance facility. Transfield had sewn up contracts which were dependent on the availability of DIFF financing for the construction at Henderson of, I understand, two sophisticated search and rescue vessels for the Philippines. They would have been built here in Western Australia in what I hope after the next election will be my electorate, presently the electorate of my colleague the member for Peel. Sadly he is not here this week because he is not well. It is a matter to which I feel very close even though it is not in my electorate because a substantial proportion of workers employed at the Transfield shipyard at Henderson reside in my electorate.

I am painfully aware of the fact that when work which has been anticipated for shipyards in that area does not go through it is felt sorely in my electorate. Transfield spent in excess of \$1m in obtaining those contracts. It entered into arrangements and gave undertakings to the authorities in the Philippines for the construction of those ships. The actions of the Commonwealth Government in ending the DIFF scheme in a cavalier manner has had an adverse effect on Transfield and the commercial standing of Australia in the Philippines. It virtually means that there is no chance whatever of our getting follow-on contracts for those vessels which would have been worth \$138m. Together the contracts would amount to more than \$200m; that has been lost specifically to the district of Cockburn. It cannot be assumed that it would have won the follow-on contract; however, it would have the first contract. There is \$66m gone. That is a lot of money that has gone because of an act of international bad faith - one that will cost Australia dearly in the years to come.

Advanced Energy Systems Pty Ltd, based in Technology Park in Bentley, had virtually a \$23m contract for the construction of 100 small power stations to service some 65 000 villages in East Java in Indonesia. This is a project that was at the cutting edge of the development of technology in the field of renewable energy systems. Renewable energy systems will be one of the growth areas of technology in the world. There is a huge market in the developing areas of South East Asia and south Asia for the reticulation of electricity. Those areas do not have established grids such as we have in this country and there is an enormous market for small scale power projects that will allow electricity to be provided to those areas in a manner that does not involve the use of fossil fuels. Because it does not involve the use of fossil fuels and due to the international conventions on greenhouse emissions, the area has an enormous future.

The project that Advanced Energy Systems had for the 100 power plants in East Java was promoted by the Centre for Applied Solar Energy, the body which is endowed by UNIDO. It is set to be a world centre for the development of renewable energy sources and something that will potentially put Western Australia on the map in an area that has enormous growth potential for the future. This State has lost a \$23m project involving an enormous amount of work. With regard to the submission made by the Department of Commerce and Trade to the Senate inquiry into the abolition of the development import finance facility, that loss has set back the new cooperative research centre into renewable energy technology a few years. That is a substantial loss.

I believe that Harris Controls Australia Ltd is located also at Technology Park and is involved in a \$4.2m project,

also for the Philippines, in computerised energy control; that is, switching systems and the like in electricity grids. One of the areas of development in energy systems is the control system. We all agree that it is necessary to minimise the emission of fossil fuels. One of the areas for increasing efficiency and therefore reducing the emissions of fossil fuels is efficiencies in the systems. Substantial efficiencies can be obtained by computerised controls so there is a minimisation of waste. This \$4.2m project is relatively small in relation to the other projects that were \$66m and \$23m, but it is a substantial project in comparison with others and one that has been lost to Western Australia because of the abolition of the development import finance facility.

The abolition of the development import finance facility was foreshadowed some time before the Budget, although it was consummated in the Budget. The State Government made representations to its commonwealth coalition colleagues in order to reduce that. The Department of Commerce and Trade put forward a well argued submission for the retention of that facility. As we learnt last night, that was unsuccessful. The Government should admit that it has failed the State in those three projects. It had a degree of significance for Western Australia in that it was penetrating the markets in a number of areas that are prospective for growth. For the most part those projects involved the development of industries in the direction in which Western Australia must flow. We all wish to see the resources sector develop and the sorts of projects with which Western Australia is traditionally associated develop. Further than that, we want to see further processing. My colleague the member for Belmont mentioned a number of those and the disappointment we on this side of the House feel about the number of processing projects that have fallen over.

Mr Cowan: Nominate them.

Mr THOMAS: The pulp plant and the Robe River pellet plant.

Mr Ripper: And the ethanol plant.

Mr Cowan: That's three.

Mr THOMAS: I spoke to the chairman of Wesfarmers CSBP Ltd and he said that the company had walked away from the prospect of a pulp mill.

Mr Cowan: I would not say it had fallen over. I think that is taking an extreme position. That is not quite right.

Mr THOMAS: The Deputy Premier might think that it is not quite right; however, that person happens to be the chairman of Wesfarmers and he said it walked away from the prospect of a pulp mill. I take his word for it.

Mr Cowan: I can tell you now that I would have spoken to the chairman of Wesfarmers more times than you have, and I have never heard him say that the company walked away from there.

Mr THOMAS: There is no prospect of its advancing that project in the foreseeable future.

Mr Cowan: That is not right.

Mr THOMAS: The Deputy Premier seems to know the chairman better than I do. I hope the Deputy Premier is right. In public announcements Wesfarmers said that it would not proceed with the project. In casual conversation - it was simply that at a social function - I expressed my disappointment at that. It is a project in which I have taken a great degree of interest for a long time because I would like to see further processing of forest products in the south west. As shadow Minister for Energy I would like to see that 100 megawatts of market for electricity in the south west. It was something I hoped would come to pass and I was disappointed when it did not proceed. Perhaps another proponent might come along to develop a pulp mill.

Mr Cowan: That would be interesting.

Mr THOMAS: It is possible. I am not particularly attached to that proponent. I would like to see the project proceed. However, in the life of this Government there is no prospect of that occurring.

The other matter I refer to is the reduction by 500 in the number of university places in Western Australia. This Government must look seriously at what it will do about that. Precedents have been set in other places. In Victoria, for example, the State Government provided additional university places over and above those the Commonwealth was prepared to provide. This Government will have to face the fact that in the next three to five months thousands of young people finishing high school in Western Australia will aspire to tertiary education. Their parents will want them to obtain a place at university if they are able to do so. Some 500 of them will not be able to do so as a

consequence of the Budget that was brought down last night by the Howard Government. That represents personal tragedy and anguish for those people because they are 500 people who are capable of availing themselves of university education; however, the Federal Government has taken away the wherewithal for them to do so.

They have the capability, but the Government has taken away the places that could be occupied, and that is a personal tragedy for those people. I am sure over the next few months those people will make their views about that matter very apparent to the Government. The Opposition will certainly make sure those people are aware that the commonwealth Liberal-National Party Government has taken away those places and that the State Government has gone along with its colleagues in that action. Of course, the State Government could make up the difference in those places, as has happened in Victoria. It is up to the Government. This State Government recommended a federal coalition to the people of Western Australia at the last federal election. Now the people of this State must reconcile themselves to the fact that there are 500 fewer places in universities in Western Australia because of the decisions of the coalition Federal Government.

Mr Kobelke: I remind you that an election promise of this Government was that it would maintain and increase the number of places if the Commonwealth Government did this.

Mr THOMAS: I was not aware of that, and I thank the member for drawing it to my attention. Perhaps over coming months the people of Western Australia should be reminded of that undertaking of the State Government.

Apart from that personal tragedy associated with this decision, this Government is cutting off its nose to spite its face. The Federal and State Governments are undertaking these counterproductive actions. If our economy is to mature, it will be because we are a clever country; because we have an educated work force; because we are able to engage in the types of industries that require university educated people in sophisticated manufacturing that needs engineers, medical practitioners, scientists and other people who graduate from universities. The Deputy Premier will be aware that this State tried very hard to induce the Motorola organisation to set up a major research facility in this State. It became apparent that this electronics giant, one of the world's electronics majors, was looking for a place to set up a research facility in this part of the world.

Mr Cowan: It still is.

Mr THOMAS: I thought it had decided to go somewhere else, but if that is the case, I hope it succeeds. From the briefings I had and my awareness of that project -

Mr Cowan: You are right about that project, but Motorola is still looking.

Mr THOMAS: As I say, I hope it succeeds. When it was looking for a facility that involved hundreds of research scientists - eventually it was located in New South Wales - for the most part those negotiations were undertaken by the Department of Commerce and Trade, and Curtin University sought to have a role in that process. One of the major considerations was whether this State had the capacity to produce the number of highly skilled graduates necessary to operate that facility. A certain critical mass of graduates in the sciences, engineering, accounting and information technology and other fields are necessary if an economy is to take off and become sophisticated and mature. That is the next step from an economy based on a quarry, farm or forestry operation. That requires the State to have universities that will produce the graduates, and that a number of people in the community will be educated at that academic level. It is totally counterproductive, and I despair for the future of this State, if at a time such as this when we are said to be in some sort of a boom - I have said before that that information is not filtering through to everybody - we are cutting back university places. There will be 500 fewer university places in Western Australia. That is economic vandalism and something for which the Commonwealth Government should stand condemned. I hope the State Government will join the Opposition in condemning the Commonwealth for that decision, and support the motion that is before the House.

The Leader of the Opposition made this further point when he spoke earlier: The Commonwealth Government has attempted to portray this Budget as one which will make the rich pay to help the middle classes. Let us look at the reduction in university places and the changes that are taking place to the remaining university places and the fact that if people cannot get into university on competitive merit, by academic competition, they can buy a place at a university. It is the reversal of the direction in which Australia has been going since Sir Robert Menzies introduced the commonwealth scholarships, and expansion of universities in the 1960s that was continued by the Whitlam Government, although in a different way. We are going back to the situation where if people have the money, they can buy a place in a university, which will give them career prospects; however, even if people have the ability but not the money, they will not be able to get into university.

MR COWAN (Merredin - Deputy Premier) [9.26 pm]: In case someone reads *Hansard*, I would like to correct a couple of statements about issues that have been taken up by the member for Cockburn that are wrong. In the first

instance when he referred to the development import finance facility, he nominated three companies that had received a letter of advice, which the Federal Government did not recognise as a position at which it could continue to approve any proposed applications under DIFF. The companies had to get a letter of offer from the Federal Government. The member indicated the three proposals. I do not dispute those proposals - he is quite right about them - although I might dispute the funding, but that is immaterial for the purpose of this argument.

As a consequence of the representations of the State Government on DIFF, the Federal Government has invited four countries to nominate projects, which it regards as having significance, to have continuation of support for eligibility for DIFF funding. One of those countries is Indonesia. The Indonesian Government now has the challenge placed on it to nominate the proposal put forward by Advanced Energy Systems Pty Ltd to be a priority project that would attract DIFF funding. I am very confident that the Indonesian Government will submit that proposal, which is a very good one, for support from DIFF funding. The member for Cockburn is perfectly correct.

Mr Thomas: It was almost a dead cert before.

Mr COWAN: Yes, it was. I would not say the other two projects were dead certs. Nevertheless they, too, were well advanced. The member is quite right in saying that the companies had spent considerable amounts of money supporting the program. In all of those instances they were very close to reaching a stage where the Federal Government had to give consideration to submitting a letter of offer to those companies to proceed with the engagement of a contract and then to produce the products that were necessary to meet the contract.

Although the member for Cockburn might be well intentioned, he is not quite right about the Motorola issue. The Motorola organisation made a request to the State Government, in conjunction with Curtin University of Technology, to build a combined production and research unit in Western Australia. As a consequence of a previous agreement that company had with the New South Wales Government - I am quite sure there is some insinuation about all the telecommunications that will be necessary to meet the obligations of the New South Wales Government for the Olympics - Motorola decided it would establish its manufacturing plant in that State. The research facility that the company was to build was destined for South Australia, although I do not know whether that was followed through. How was it that South Australia was able to win that project in respect of the research aspects of Motorola's project? The then Federal Government, through Senator Schacht, made it very clear to Motorola and the South Australian Government that it was prepared to reallocate funds which had been originally earmarked for its multifunction polis project. Whether that has come to fruition, I do not know - I have not bothered to follow it through. Nevertheless, I assure the member for Cockburn that Motorola is still interested in establishing something in Western Australia, and we will follow that through. While not breaking the commercial confidences of any discussion with Motorola, I am certain I can keep the member informed of the process.

Mr Thomas: I wish you well in that. The point I was making was that the issue is the capacity of Western Australia to create or provide the number of people who can work in the facility.

Mr COWAN: It was and still is an issue. In this instance we had to satisfy the company, as we still must, that we are capable of having the learning institutions produce good quality graduates, and also to have the research and development capability to test what could be done. That is important. I will come back to that point at a later stage.

I now return to the motion before the House, which deals with the question of the Western Australian economy not fulfilling its full potential due to consumer uncertainty. That uncertainty in the motion has four parts, the first of which is employment insecurity. I think I heard the Deputy Leader of the Opposition in an earlier debate say that this was leading to a significant impact within the home building industry because no-one was prepared to take out a housing loan. There is no sense in trying to hide something which is a reality.

The economy in this State is in two parts: I have always avoided the term boom, because associated with boom comes, and usually very quickly, bust. I do not think the Western Australian economy is so unsophisticated that we need to go through a boom and bust cycle if we can avoid it, which I am confident we can do. No doubt, the level of investment in the resources sector is an important part of our economy, and that sector is undergoing some very interesting times. This has led to immediate demand for people involved in the construction and fabrication industries. Unquestionably, some of the Deputy Leader of the Opposition's comments, such as those regarding the lack of qualified tradespersons, were correct. It has taken some time for that situation to flow through other parts of the economy. It is correct that we have difficulty in retail, in small business and in the cottage building industry. However, I do not think one can claim that workplace agreements is the sole reason for flatness in that section of the economy.

It might be of interest to the opposition leader of the House that at a recent function I attended the matter of the length of loans taken out by Australian citizens was discussed. Interestingly, whereas some five years ago the

average term of a loan was just under seven years, it is now well under four years. I am not quite sure of the reason for that.

Mr Ripper: It might be increased competition in the banking sector. People have increased obligations, and the obligation continues with the new financiers.

Mr COWAN: It indicates that people are borrowing money for shorter periods. Anybody knowing that fact could not level the claim of some insecurity associated with the workplace leading to a lack of consumer confidence. That is nonsense, and I think most people know it.

Mr Ripper: There is great insecurity out there.

Mr COWAN: There is not.

Mr Ripper: Ordinary workers are uncertain about their future, and do not know what will happen within their enterprise.

Mr COWAN: Undoubtedly, one is entitled to have an opinion on that issue but, like so many opinions expressed in this place, it is not based on fact. The statement that we are experiencing some insecurity is nonsense. I accept a lack of confidence and a degree of added caution being exercised by all people irrespective of their income regarding how they manage their financial affairs, but to talk about insecurity is nonsense. I certainly disagree with that opinion.

I can certainly empathise with opposition members in some of their comments about the federal Budget. As the Minister responsible for science and technology, and many of the related issues raised tonight, I take no pleasure from hearing the Federal Treasurer tell us that he will reduce university places. It might come as a surprise to members in this place that no State or Territory in Australia, or the national Government for that matter, has a science and technology policy - not one. When I first took on this portfolio, the industry policy I inherited was flawed. It provided assistance to specific industries, and some of that was in pretty large lumps. For example, the Orbital Engine Corporation received in excess of \$25m of taxpayers' money in order to get its operation up and running. The only policy of the previous Government was an industry development or attraction policy. In other words, it granted money to individual companies.

Upon coming to office, I sought to put other products on the shelf for industry to take up. The first of those - again, members have talked about this to some extent tonight - was the need for companies to be at the leading edge of technology and to be innovative, and through those qualities to retain their capacity to be internationally competitive. As a consequence, this Government has gone to great lengths to improve the capacity of this State to utilise science and technology and to undertake research and development.

The Government has done the hard yards and has put money into that process. It has committed in excess of \$30m to attract the Commonwealth Scientific and Industrial Research Organisation's petroleum and mining research institute to Western Australia. In discussions with the Chief Executive Officer of CSIRO only last week it became apparent that it is still very keen to come to Western Australia. It disappoints me that in a \$50m-plus program the State Government has committed over the next three years an amount of \$35m. The CSIRO has committed \$5m and this Government is seeking \$13m from the Federal Government. The score at the moment is Western Australia, \$35m; CSIRO, \$5m; and the Commonwealth, zip. It makes it difficult for this Government to accept the bona fides of the Federal Government when it talks about promoting the work of the CSIRO by granting an additional \$60m over the next three years, especially after reading the fine print in the budget document which indicates that that amount is required to be repaid through asset sales. It does not serve any purpose.

Mr Ripper: It is outrageous that this State has to bid for its share of CSIRO facilities.

Mr COWAN: We are in accord on that. I said earlier that the member for Belmont had an opinion with which I could not agree, but I do agree with him on this issue. Undoubtedly, there are issues with which this Government does not agree. I have identified a couple of issues on which the Opposition and I agree. However, I cannot agree with the Opposition's claim that all things in the federal Budget are bad. It can certainly make that claim, but I do not have to agree with it. In the same way that in 1993 the State Government had an obligation to reduce this State's debt, the Federal Government has an obligation to reduce the national debt. The Federal Government has chosen to cut its expenditure in certain areas and, although I agree it had to be done, we can always tinker around the edges to find reasons why there should not have been cuts in certain areas or question the way in which the cuts have been implemented. The fact is that it had to be done.

In the last two days we have begun to see a resurgence in confidence in areas such as the stock market. That resurgence will increase because of the release of the federal Budget and confidence will be automatically restored. The result will be an increase in consumption. Many of the claims which have been made by the Opposition tonight about the lack of consumer confidence, even though they have been true in the past, will become something of the past and confidence will be restored.

Other matters which have been raised in this debate include unemployment rates. I said earlier that the two part economy was clearly outlined in the unemployment figures which were quoted for the last quarter. Western Australia was leading the nation in employment, but in that quarter it came back to the field. It is very much the case because of this State's dependency on small business employing labour. As a result of the flatness in the small business sector it was not taking on employees and that was reflected in the employment figures in the last quarter.

It must be remembered that the Government is being criticised by the Opposition for being able to stay with the rest of the field. However, I believe it is quite commendable. Everyone will say that no matter how hard the Government tries, it will always want full employment. No-one has ever been able to indicate what is the meaning of full employment. Using the statistical data which is published by the relevant bureaus, some people suggest that anywhere between 5 per cent and 7 per cent is as close as the State will get to full employment. Other people will dispute that. Although the current 8 per cent unemployment figure in Western Australia is not as good as it was a quarter ago, there will be, without any question at all, a very clear assault on the figures as a result of the flow-on effects of the significant investment within the resources sector.

Mr Acting Speaker (Mr Day), I am sure you will allow me, because of my background, to say that the reason Western Australia always leads this nation in economic growth is as a result of the resources sector, but also a buoyant agricultural industry. For obvious reasons, this State does not suffer the debilitating droughts which are experienced in the Eastern States. As a consequence, the agricultural sector tips into the State's economy somewhere between \$2.5b and \$3.5b annually. It makes a significant contribution to this State's gross domestic product. People should not forget that.

Mr Ripper: It is about one fifth of the mining industry's contribution.

Mr COWAN: That is probably right, but a greater proportion of employment comes out of agriculture. I am interested to learn how the Opposition rates employment. If it thinks that the mining industry can be valued only by its investment levels or the export production that it contributes to this State, I have misjudged it. Its assessment would be based on a range of criteria, including the number of people employed.

Mr Thomas: I am surprised by the number of people in the Cockburn electorate who work in the mining industry. Many of my constituents are employed on a fly in, fly out basis. The number of people employed in the mining industry cannot be measured only by the number of people who live in Kalgoorlie, Port Hedland, Karratha and other mining towns.

Mr COWAN: Perhaps the member's interjection is timely because I should turn to some of the good points in the federal Budget. One of those is the recognition that a fringe benefits tax does not have to be levied against companies in remote areas which provide facilities that will entice employees. I do not accept that \$20m is enough, but it is a start. It is the greatest recognition this State has had. If other decisions are made to offset the ability of companies to fly employees in and out of a mining site, it will make a significant contribution to regional development in this State.

Most members know I have something of a bent towards regional development and I recognise that fly in, fly out is one of the greatest contributors to centralisation that this State has ever known. Members need go only to the light aircraft section at Perth Airport to identify how many people fly in and out of different mining ventures throughout this State. Members should also bear in mind that that is only part of it. Some of the bigger operations leave from the main domestic terminal. The whole issue of fly in, fly out was initiated by two factors - the willingness of a previous Government to allow Argyle Diamonds to pay \$50m into the consolidated fund for the privilege of having written into its agreement a variation which did not require it to build infrastructure at Argyle or Kununurra. In other words, it was a \$50m commission granted by the State Government to allow people to fly in, fly out. That concept has been aggravated by stupid conditions imposed on fringe benefits tax, as well as other issues, which makes it easier for companies to recruit their labour from Perth. They charter an aircraft and have their employees work for 11 days and then give them a spell for nine days. That has been detrimental to many of the regions in Western Australia; it is to be deplored. The Federal Government has started to address that issue. At least it is a start. We have waited some 13 years for that.

We could go through the budget statements, as I have been doing for the past 24 hours, and identify issues which

impact on Western Australia. Every Federal Government has reduced the level of funding to the States. However, I am pleased to say that this Budget has not reduced the funds that normally are made available to the States to the extent that previous Governments have. The State Government still has some difficulty accepting that, although Western Australia has something like 25 per cent of the nation's national highways, it receives only 7 per cent of the total funds for national highways. That is a disgrace. It is disappointing that that anomaly was not corrected in this Budget. I am confident that over time we will be able to convince the federal Transport Minister, John Sharp that it will be necessary to put more funds into the national road program. One thing that is significant is that the funding for roads for local government has been increased. That will be quite important to local government and to all of those bodies which are responsible for the maintenance and construction of secondary roads. That is a first.

We can be critical of a number of things. However, I regard a number of issues as being a start. I have read with great interest this document entitled "Rebuilding Regional Australia" in which the Federal Government has outlined the program for regional Australia. It contains a number of very strong social issues that are finally being addressed. Some of them are in there for the long haul. Issues such as the reduction of pressure on interest rates will assist people in certain industries who borrow money - many farming industries have a fairly high debt ratio and are required to use a lot of their surplus income in servicing debt - and any reduction in interest rates is keenly felt by the rural sector. One can say the same thing about the reduction in capital gains tax which will allow small businesses to plough some of their capital gains into their own business and so reap the rewards for that. The road safety black spot program is one way of compensating for the lack of funds for the national road program. I am not quite sure what the supermarket to Asia strategy will mean for Western Australia, because we have developed very good programs to support our small to medium enterprises in our export markets in Asia. Nevertheless, we will be willing participants in that and we will make a significant contribution to that strategy irrespective of whether we become the major beneficiary. A range of other initiatives need to be supported. These are simple things that should have occurred a long time ago. For example, I refer to the establishment of six departments of rural health around Australia. We welcome those things because that will contribute significantly to the social standing of regional communities.

I agree with the Opposition on one point: I have not seen any funds set aside for the development of regional infrastructure throughout Western Australia. That is something we need and that puts out a challenge for Western Australia, for this Government to seek some participation from the Commonwealth through the provision of funding for the development of regional infrastructure. Many places need funds for that purpose and that will make a significant contribution to the development of this State and allow every Western Australian to benefit. Like every member on this side of the House, I reject the motion.

MR KOBELKE (Nollamara) [9.56 pm]: If I had the time I would develop the argument that this Government has failed to let this State develop its full potential. Unfortunately, time does not allow me to do that. The major failing of this Government of being too narrowly focused is not a failing of which I would accuse the Deputy Premier. He is perhaps the one voice in the Government who has tried for a broader understanding, at least in economic issues, of the fundamentals of full development to our State.

I will take issue with one matter that the Deputy Premier raised; that was his treating as nonsense that part of the motion which says that part of the problem is due to the workplace agreements put in place by this Government. It is not just workplace agreements it is the whole uncertainty created in the workplace through the range of restructuring and downsizing in the government and private sector, of which individual workplace agreements is one part.

The Deputy Premier may think that is nonsense, but that view was put forward by Anne Arnold, the Executive Director of the Urban Development Institute of Australia. I respect her as a professional, who, in my judgment, largely supports the approach taken by the Court Government. She is reported in *The West Australian* of 10 August as saying -

All kinds of reasons have been given as to why the market is in a poor state but everything is ideal for buying at present yet the market is still in a bad way.

She is referring to the real estate market. The article continues -

She said there were several well-known reasons for the slump, particularly over-building in the boom years, but another factor had emerged.

People working under short-term contract arrangements or employed in sectors where massive job cuts were scheduled or threatened were delaying or abandoning plans to buy land or a house in the near future because of job insecurity.

"This seems to be having an increasing influence on the market", Mrs Arnold said.

"If redundancies in your industry have been announced or threatened you're not going to commit yourself to a major investment such as land or property.

"This can also be true if you are working on year-to-year job contracts."

Anne Arnold is involved in the development industry and believes that to be true. She is very close to this Government - she was appointed to the State Planning Commission by the Government. Most people in the industry know it to be true. While the Deputy Premier does not accept it, a wide body of opinion says that it is a major factor in the low level of activity in the home construction and residential development industries. That is one example of where this Government has so narrowly pursued its objective that it has failed to advance the interests of this State; therefore, I hope that members opposite will consider the arguments and vote in favour of the motion.

Question put and a division taken with the following result -

Ayes (18)

Ms Anwyl	Dr Gallop	Mr Ripper
Mr M. Barnett	Mrs Hallahan	Mrs Roberts
Mr Brown	Mrs Henderson	Mr D.L. Smith
Mr Catania	Mr Kobelke	Mr Thomas
Mr Cunningham	Mr McGinty	Dr Watson
Dr Edwards	Mr Riebeling	Ms Warnock (<i>Teller</i>)

Noes (27)

Mr Ainsworth	Mr House	Mr Prince
Mr Blaikie	Mr Johnson	Mr Shave
Mr Board	Mr Kierath	Mr W. Smith
Mr Bradshaw	Mr Lewis	Mr Strickland
Dr Constable	Mr Marshall	Mr Trenorden
Mr Court	Mr McNee	Mr Tubby
Mr Cowan	Mr Minson	Mrs van de Klashorst
Mrs Edwardes	Mrs Parker	Mr Wiese
Dr Hames	Mr Pandal	Mr Bloffwitch (<i>Teller</i>)

Pairs

Mr Marlborough	Mr C.J. Barnett
Mr Grill	Mr Nicholls
Mr Graham	Dr Turnbull
Mr Bridge	Mr Osborne
Mr Leahy	Mr Omodei

Question thus negatived.

TELECOMMUNICATIONS (INTERCEPTION) WESTERN AUSTRALIA BILL

Committee

Resumed from an earlier stage of the sitting. The Deputy Chairman of Committees (Mr Day) in the Chair; Mr Wiese (Minister for Police) in charge of the Bill.

Clause 3: Interpretation -

Progress was reported on the clause after the following amendment had been moved -

Page 3, lines 18 to 20 - To delete "an inspecting officer prescribed by regulations as the principal inspector for the purposes of this Act" and substitute "the Parliamentary Commissioner".

Mr WIESE: The member for Balcatta asked whether the principal inspector would be put in place by way of regulation or by way of this legislation. It will be by way of regulation, and I spelt out the reasons during the second reading debate. However, I reiterate that the safeguards which I am sure the member for Balcatta is endeavouring to put in place in this amendment are very significant to ensure that a proper and totally independent person is put in place, even if that is done by way of regulation. The commonwealth Attorney General has the power to withdraw the certification of a principal inspector whom a State may put in place if he believes that person does not meet the criteria required by the Commonwealth. Those criteria are spelt out in the commonwealth legislation. The criteria are, firstly, that the person must be independent - so it cannot be a political appointee - and, secondly, that the person must have sufficient powers to be able to carry out the role that is intended to be carried out.

It is the intention of the Government that in this State that person will be the Ombudsman, and the Ombudsman has agreed to take on that position. At least one other alternative has been put in place: In South Australia, a police tribunal fulfills that role, and that has been approved by the commonwealth Attorney General as meeting the criterion of independence. We believe that the Ombudsman meets all the criteria and is the ideal person. The Ombudsman in several other States is fulfilling that role, and obviously the commonwealth Ombudsman is fulfilling a role, and that is why we intend to continue down that path and put the Ombudsman into that position. If, however, the circumstances change, we will need some flexibility to fill the position with someone else without having to return to Parliament to amend legislation. If it were not the Ombudsman, we would be considering the Auditor General as a person who met that criteria, was independent, and would have sufficient powers. At this stage, we do not need that alternative, because we have settled on the Ombudsman.

Mr CATANIA: Because the position of principal inspector is very important it should be enshrined in Statute. The Minister said that perhaps a quick response will be necessary if the Ombudsman does not wish to continue the task. Even the alternative of the Auditor General is somewhat questionable because the overseeing of the operation of an agency is a huge task. At the federal level, an entire branch of the Ombudsman's office deals with overseeing commonwealth legislation. The branch comprises qualified lawyers and ex-investigators. The reviews they undertake are rigorous. The branch is completely occupied with those duties. To say that those duties can be dropped in the lap of the Attorney General - who has a different task and different of terms of reference - is ridiculous.

The Ombudsman should have the responsibility of the principal officer. The position should be enshrined in legislation. Should the Ombudsman not want to continue that service, provision should be made for a temporary replacement while a substitute is sought. This Parliament should be advised of such a substitution, just as this Chamber should be advised if the Ombudsman does not agree to continue in that position. Because the overseeing role is so important, Parliament should be advised of any change. The principal inspector has a primary role, not an ancillary one, under this legislation. I disagree with the Minister's saying that a quick reaction may be required if the Ombudsman refuses to carry out his responsibilities. The Minister wants to be able to appoint a person by regulation, but that is wrong. This Parliament should be advised of such changes. I hope that the Minister will agree with my suggestion; it is an important one and I am sure it will receive the acceptance in the community that it deserves.

Amendment put and negatived.

Clause put and passed.

Clauses 4 to 8 put and passed.

New clause 8A -

Mr CATANIA: I move -

Page 7, after line 24 - To insert after clause 8 the following new clause to stand as clause 8A -

8A. For the purposes of this Part, any officer of an agency in this State shall be bound by the Information Privacy Principles set out in the Schedule to this Act.

As I have said several times today, both in debate on the Listening Devices Amendment Bill and earlier on this Bill, one of the most important considerations for Parliament when addressing matters such as listening devices and telecommunication interception is to ensure that privacy principles are maintained. We must ensure that the rights of individuals are protected because the provisions of such legislation can be intrusive and affect people's privacy. We want to ensure that the principles enunciated in the Commonwealth's privacy Act become part of this legislation. It is very important that people feel comfortable with the fact that an agency in this State is able to tap telephones

and obtain information; they should feel comfortable that the information is stored appropriately and is protected by the privacy provisions. It should be a paramount feature in such legislation to ensure that privacy principles are established and protected for the good of the community. Those principles are expanded in the commonwealth Act and we would like them to be included in this Bill. The principles are set out in the schedules with which we will deal later. Proposed section 8A flags the information privacy principles which should become part of the schedules to this legislation.

Mr WIESE: I certainly understand why the member for Balcatta is moving this amendment. However, I believe this is all taken care of in the legislation; it is in the commonwealth legislation. The application for a warrant to put in place an interception device must first be made to a federal judge, and that judge is bound by the federal privacy legislation. One of the many requirements, and certainly one of the major requirements, that he will have to take into account is laid out in section 46(2) of the commonwealth legislation as follows -

The matters to which the judge shall have regard are -

- (a) how much the privacy of any person or persons would be likely to be interfered with by interception under a warrant communication made to or from the service referred to in subsection (1).

That is already taken account of and it is a very particular requirement upon that federal judge when he is making his decision as to whether he will grant a warrant. What the member is trying to include in this legislation is exactly what is covered specifically in the commonwealth legislation, and it is unnecessary.

Mr CATANIA: I am not entirely convinced that that is correct. That is why we have included the schedules, which state not only that the information privacy principles should be maintained but also how that should be done. In fact, they enunciate exactly the process and what should be protected as part of this privacy principle.

Legislation is made stronger, more effective and more efficient if one enunciates what is required. It is not sufficient to say that an Act is silent because there is some other legislation to which the judge may refer - and that may be the protection to which the Minister is referring. We are suggesting the amendment to strengthen the legislation; it is not there to dilute it or to include requirements that will burden it. In fact, it strengthens it and clearly identifies the responsibilities involved - the information privacy principles that exist in the commonwealth legislation. This complements the legislation perfectly. To refuse to pass this amendment is plain stubbornness and not wanting the Opposition to help in formulating more effective legislation. The Minister should have a good look at the information in the schedules and the information privacy principles which the schedules insist upon and which they enunciate. They are very clear and, as I said, this improves the legislation rather than burdens it. The Minister should support this amendment.

Mr WIESE: I have explained what is behind the reason we will not support these amendments. One must look at some of the principles outlined. While the principles are fine, they were not designed or put in place to deal with the particular circumstances to which we are referring.

Let us look at principle six and try to think through some of the implications. Principle six gives the person the ability to access personal information that may be kept on the records. The persons to whom the member is referring are criminals involved in organised crime, major crime or drug trafficking. Giving them automatic access to the information contained in the records would absolutely defeat the purpose of this legislation. That is the sort of problem that would arise. I believe the requirements already laid out in the legislation - that the judge must give cognisance to how the privacy of a person would be likely to be interfered with if he allowed an interception to be made under a warrant - give the judge the ability to take account of those privacy requirements as part of his decision making process. It is not he that "may" take account of that - he "must" take account of it.

Mr Catania: The Minister is presuming that every bit of information held relates to criminal figures. It may be information about innocent people. Solicitors can obtain records by way of discovery. One has to ensure that innocent people are protected as well as ensure that criminals are put away.

Mr WIESE: Quite clearly, one also must understand that if the information that has been collected relates to innocent persons and is not able to be, nor will it be, used for the purposes for which it was gathered, it must be destroyed. That is already in the legislation. The type of information that the member is saying an innocent person should be able to access will not be kept - it is required to be destroyed.

New clause put and a division taken with the following result -

Ayes (18)

Ms Anwyl	Dr Gallop	Mr Ripper
Mr M. Barnett	Mrs Hallahan	Mrs Roberts
Mr Brown	Mrs Henderson	Mr D.L. Smith
Mr Catania	Mr Kobelke	Mr Thomas
Mr Cunningham	Mr McGinty	Dr Watson
Dr Edwards	Mr Riebeling	Ms Warnock (<i>Teller</i>)

Noes (26)

Mr Ainsworth	Mr House	Mr Shave
Mr Blaikie	Mr Johnson	Mr W. Smith
Mr Board	Mr Kierath	Mr Strickland
Mr Bradshaw	Mr Lewis	Mr Trenorden
Dr Constable	Mr Marshall	Mr Tubby
Mr Court	Mr McNee	Mrs van de Klashorst
Mr Cowan	Mr Minson	Mr Wiese
Mrs Edwardes	Mrs Parker	Mr Bloffwitch (<i>Teller</i>)
Dr Hames	Mr Pental	

Pairs

Mr Grill	Mr C.J. Barnett
Mr Graham	Mr Nicholls
Mr Leahy	Dr Turnbull
Mr Bridge	Mr Osborne
Mr Marlborough	Mr Omodei

New clause thus negatived.**Clause 9: Functions, generally -**

Mr CATANIA: Mr Deputy Chairman, I seek your guidance. Some of the amendments that have been placed before you are dependent on clause 3; that is, those that seek to delete the reference to the principal inspector and replace it with the Parliamentary Commissioner. That has been refused in the first instance. As the balance of these amendments are dependent on that first amendment, I do not see the purpose of consuming the time of the Chamber by going through each amendment. However, as I have stated at various times in this debate and the previous debate on listening devices, the Opposition is very concerned that the independent officer, who is the Parliamentary Commissioner, should be included in this Act by way of Statute rather than regulation. That consideration is a very important proposed change by the Opposition, and we are concerned that the Minister has not accepted that.

I also seek your guidance, Mr Deputy Chairman, as a result of the second amendment I made; that is, for the purpose of this part the information privacy principles should be as set out in schedule 2. Once again the Minister has refused that amendment. The schedule is dependent on the acceptance of that amendment. The changes on pages 18 and 24 are that the schedule be part of the Bill. I can come to no other conclusion than that the Minister will not approve that schedule either.

The DEPUTY CHAIRMAN (Mr Day): The amendments which the member caused to be distributed tonight throughout the Chamber are not on the Notice Paper and he is not required to move them. Therefore, I take it the member will not proceed with the listed amendments.

Mr CATANIA: I think it would be a waste of time.

Clause put and passed.**Clause 10: Regular inspections of the eligible authority's records -**

Mr WIESE: The clause contains the date "before 1 July 1996". Quite clearly that indicates the length of time that this Bill has been sitting on the Notice Paper. That should now read 1 July 1997. Do I need to move an amendment

to alter that date or will it automatically be changed?

The DEPUTY CHAIRMAN: My advice is that the Minister must move an amendment to that effect.

Mr BLOFFWITCH: It would be a terrible shame if we put this Bill through and it went to the other place and the astute Clerk noticed there was a wrong date and it had to come back to this place. I am grateful to the Minister for Police for being so observant.

Mr Catania: We pointed that out during the previous debate.

Mr BLOFFWITCH: That is the only amendment the member could have put in that we would have supported. Look at the lost opportunity!

Mr CATANIA: It is an indictment of this Government that the Bill has taken 16 months to pass through this place. On many occasions the Government has stated that it is an important Bill which the police have requested and have asked to be implemented. The agency has been available to the Police Service since the proclamation of the commonwealth Act. A direction has been given that the Bill should have been passed and in operation in Western Australia and other States sooner than this. The Government is indicted when it says it supports the police in their endeavour to have available the Statutes and the resources to detect and fight crime. The Government's priorities are askew on law and order issues. It is also an indictment of its lack of will to give to the police the tools they have requested. I go back to the words of the member for Geraldton: The Opposition lost its opportunity to get an amendment passed. However, I will not lose the opportunity to point out that this Government is not as committed as it states it is to providing the Police Service in Western Australia with the tools to fight organised crime, money laundering and those crimes that are a drain on the proper functioning of our society.

Mr WIESE: I move -

Page 8, lines 13 and 18 - To delete "1996" and substitute "1997".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 11: Reports -

Mr WIESE: I move -

Page 9, line 3 - To delete "1996" and substitute "1997".

Mr Catania: What is the reason for that amendment? Why is the Minister extending that date to 1 October 1997? Why is he taking so long to make the appointment of the principal inspector?

Mr WIESE: If it were left as it is, by 1 October 1996 we would be struggling to have the legislation in place and operating and the principal inspector in place. He would not be in a position to report to the Minister in writing, as is required, about the results of the inspection carried out under the previous provision. The reality is that this legislation when passed - presumably it will be passed in the next month or so - will then be proclaimed. The police will then purchase the equipment. I estimate that we will be lucky to get it operating by 1 January. That gives us six months in which to get the thing operating. The inspections that are referred to in clause 11 would not occur because there would be very little to inspect by then.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 12 to 24 put and passed.

Title put and passed.

Bill reported, with amendments.

House adjourned at 10.48 pm

QUESTIONS ON NOTICE

ERG LTD - INDUSTRY INCENTIVE PACKAGE

665. Dr CONSTABLE to the Treasurer:

- (1) Has the Government recently given a \$3m loan to Energy Resource Group Ltd?
- (2) If yes,
 - (a) what is the purpose of this loan;
 - (b) for what period of time is this loan;
 - (c) what is the rate of interest payable;
 - (d) when is the interest to be paid;
 - (e) what security was the Government given in relation to this loan?

Mr COURT replied:

- (1)-(2) The Government has offered an industry incentive to ERG Ltd estimated at a net cost of \$1.5m to the Government. The purpose of the incentive is to assist ERG Ltd to win a major contract with ADC Telecommunications Incorporated. An amount of \$3.120m will be provided to ERG Ltd in quarterly instalments over a four year period. At the end of this period an independent audit will establish the increase to State revenues through additional payroll tax paid by ERG Ltd as a direct result of winning the contract. The amount of the incentive which has not been recovered through these payments will have to be repaid by ERG Ltd within the subsequent four year period. This amount is estimated at \$1.970m. During this period the outstanding amount will be revised upward on a quarterly basis at the prevailing local consumer price index. Security for any amount outstanding over the period of the incentive will be through the provision of a bank guarantee.

CROSS-CULTURAL TRAINING - GOVERNMENT PROGRAMS

679. Mrs ROBERTS to the Premier; Treasurer; Minister for Public Sector Management; Youth; Federal Affairs:

- (1) What cross-cultural training programs have been undertaken by respective departments, offices or instrumentalities within the Premier's responsibility?
- (2) Who provided the training?
- (3) When was it undertaken?
- (4) Are any other cross-cultural training programs planned?

Mr COURT replied:

Public Sector Standards Commission

- (1) Cross-cultural training sessions for the staff of the Director of Equal Opportunity in Public Employment.
- (2) Aboriginal Consultant to the Director of Equal Opportunity in Public Employment.
- (3) 1994.
- (4) Yes.

Public Sector Management Office

- (1)-(3) The Public Sector Management Office (as the Public Service Commission) established a pilot cross-cultural program in the past which was provided to a variety of agencies to expose them to the training and subsequently design training suitable for their particular agency and client relations. In the intervening period, many agencies have undertaken cross-cultural training.
- (4) The Aboriginal Employment Unit within the Workforce Management Branch co-ordinates the Aboriginal

Cultural Awareness Training Reference Group, which has a membership of experienced trainers from state and federal departments. The group is currently formulating support materials for departments planning to formulate Aboriginal cultural awareness training programs. Some members of the group present training programs within their own departments, and all are available to assist other departments plan how best to meet their training needs. There are no current plans within the PSMO to present Aboriginal cultural awareness training programs, although support is available for those managers choosing to do so in the future.

Office of State Administration

- (1)-(3) No such training has been undertaken within the Office of State Administration.
- (4) While no specific programs are planned the issue will be considered when formulating the Ministry's equal opportunity management plan for 1996-97.

Gold Corporation

- (1)-(4) No specific cross-cultural training has been undertaken. However, it should be noted that Gold Corporation is not a provider of community services, but a self-funding commercial operation that competes with the private sector in all areas of business. Most of its sales are made and service provided to other business, either within Australia or overseas. At the corporate level, it has significant commercial interest in the United States, Europe and several countries in Asia, where it employs foreign nationals. A considerable portion of the corporation's domestic retail sales is made to the tourist market, and marketing and sales staff within Australia, a number of whom are from a non-English speaking background, between them speak nine languages other than English. The nature of the corporation's market makes it particularly sensitive to cultural issues both domestically and abroad.

Treasury Department; Office of Youth Affairs; Government Property Office; Policy Office; Official Corruption Commission; Office of the Auditor General and Government House

- (1)-(4) Not applicable.

NATIVE TITLE CLAIMS - ACACIA RESOURCES LTD AND WALJEN COMMUNITY

744. Mr GRILL to the Premier:

- (1) Has there been a settlement of an Aboriginal native title claim by the Waljen Community and Acacia Resources Limited in respect of the Sunrise Dam mine near Laverton?
- (2) What were the terms of settlement?
- (3) Which persons were the recipients of the settlement money?
- (4) Is it correct that the settlement moneys were paid to one Leo Thomas exclusively and that other members of his extended family and tribe have received nothing?
- (5) Is the Minister aware that other members of the tribe including Leo Thomas's brothers and sisters claim that they were never consulted about the claim?
- (6) Is there any evidence that other members of the tribe were consulted over the terms of settlement?
- (7) Does the Minister concede that the agreement may have been fraudulently entered into in that the said Leo Thomas has no right to bring and settle the claim without the consent of the other members of the tribe?
- (8) Does the Native Title Tribunal take any steps to ensure that settlement moneys are disbursed to the correct persons and shared by the extended family and tribe?
- (9) What such steps were taken in the present instance?

- (10) Has the State Government filed an agreement consenting to the issue of a mining lease to Acacia Resources pursuant to the aforementioned agreement between the Waljen Community and Acacia Resources?
- (11) What inquiries did the Government make before it acted upon, what now appears to be a fraudulent agreement between Leo Thomas and Acacia Resources Limited?

Mr COURT replied:

- (1) There has been no settlement of the native title claim between the Acacia Resources Limited and the Waljen Community but an agreement was made in regard to the future act regime of the Commonwealth Native Title Act between the company and native title claimants.
- (2)-(4) The terms of any agreement between the company and the claimants are not known to the Government.
- (5)-(6) The State Government has no role in deciding which Aboriginal people are consulted about native title claims. Registration of native title claims is entirely the responsibility of the National Native Title Tribunal.
- (7) As per (5) and (6) above, this is a matter for the NNTT to address.
- (8)-(9) The Government is not aware of any steps taken by the NNTT.
- (10) A deed of grant was given by the Government to the NNTT as required by Section 34 of the NTA.
- (11) The source of any difficulties over an agreement between Acacia Resources Limited and the Waljen Community is the lack of proper scrutiny required under the Act by the NNTT at the time the claim is lodged. It must be the responsibility of the NNTT, or a state body established under the Act, to ensure proper inquiry and assessment is made before claims are registered.

KALGOORLIE-BOULDER - TASK FORCE ON SOCIAL PROBLEMS

845. Ms ANWYL to the Premier:

- (1) With reference to the taskforce on social problems promised by the Premier for Kalgoorlie-Boulder in early March 1996, will he provide details of -
 - (a) the date of establishment;
 - (b) membership/chair;
 - (c) terms of reference;
 - (d) Budget;
 - (e) timetable;
 - (f) agency and community representation?
- (2) If not, why not?

Mr COURT replied:

- (1)
 - (a) 1 August 1996.
 - (b) Ms Karen McGay - Deputy Mayor for City of Kalgoorlie-Boulder.
Mrs Kath Finlayson- Chairperson of the Goldfields Esperance Development Corporation.
 - (c) - Identify the major social problems that currently affect the people of Kalgoorlie-Boulder;
- develop a five year strategy for addressing these problems;
- identify and make recommendations on the effectiveness of existing State Government programs;
- identify and make recommendations on the effectiveness of State Government Departments in communicating their services to end users;
- identify priorities and ways of reallocating existing funding to more effectively address the needs of the community;

- identify and make recommendations on the effectiveness of the current level of decentralisation of services;
 - identify the ability of Government Departments to attract suitably qualified service providers to Kalgoorlie-Boulder;
 - identify and make recommendations on ways of improving the level and effectiveness of liaison between Government and non-Government social service providers; and
 - identify special needs projects that should be given priority.
- (d) It is estimated that \$40,000 will be expended on this project.
- (e) 6 months.
- (f) All government agencies and community groups will be invited to submit proposals.

(2) Not applicable.

ENVIRONMENT - PREMIER'S RECORD

874. Dr EDWARDS to the Premier:

- (1) As the Premier stated in the House on Thursday, 28 March 1996 that he was proud of his environmental record, will the Premier state what exactly he is proud of?
- (2) Is the Premier proud of his record on the Northbridge tunnel, given that the assessment of the tunnel occurred in less than three hours?
- (3) Is the Premier proud that the Supreme Court ruled that the Environmental Protection Authority (EPA) did not carry out a proper assessment of the Cockburn Cement project?
- (4) Is the Premier proud that a negligible number of the promises made to the public of Western Australia have yet to be kept in the environment portfolio?

Mr COURT replied:

- (1) I am proud of the fact that during our first term in office spending on the environment has risen by 47.4% and that previous expenditure will be built on in next year's budget in issues such as salinity, coastal waters, conservation, air quality, industrial planning and feral animal control. In the meantime, the Coalition Government has increased reservations for Parks and Recreation in the Perth metropolitan region by almost 30%. Western Australia has also joined other States and Territories in endorsing the National Strategy for the Conservation of Australia's Biological Diversity. The Government has protected Ningaloo Reef, commenced operation on Western Shield, passed legislation to ensure environmental assessment of planning schemes and many other measures.
- (2) Once again the member has shown her ignorance of the procedures of the Environment Protection Act. When a matter is referred to the Environmental Protection Authority it has to decide whether or not it will assess the proposal within the terms of the Act. The process for this is to do a checklist of the environmental issues that arise and how they impact. This is a very straightforward task especially for departments of the experience of the Department of Environmental Protection. The misrepresentation of this process is a product of misinformation and misunderstanding on the member's part.

What she have called "the three hour assessment" was the process between the Chairman of the Environmental Protection Authority and departmental officers to set an appropriate level of assessment. It was not for the actual assessment itself. The level of assessment set recognised that for some time previously extensive interaction had occurred between the Department of Environmental Protection and Main Roads Western Australia. The Northbridge Tunnel will be built and operated in accordance with stringent environmental requirements set by the Department of Environmental Protection.

- (3) That is a misstatement of the case. There was no criticism of the environmental assessment process. The Supreme Court ruled that the EPA advised on matters outside "environmental factors" which were for the Minister to decide. It even went so far as to say that upon reconsideration the result may very well be the same. The Government and the Environmental

Protection Authority has welcomed the clarification of the Environment Protection Act provided by the Supreme Court in the Cockburn Cement case.

- (4) We are proud of what has been achieved and I thank the Member for drawing attention to the fact that a negligible number of our promises are yet to be kept.

ELECTION PROMISES - BROKEN

878. Dr EDWARDS to the Premier:

Given that the Premier stated on 29 August 1995 in *The West Australian* that he would identify and explain all areas in which it has failed to deliver on election promises, will the Premier provide the date on which he will do this?

Mr COURT replied:

Since being elected in 1993 the government has achieved its election platform of "more jobs, better management". A total of 100,000 jobs have been created with unemployment being reduced from 9.8% in February 1993 to 7.6% in July 1996. In addition, 1995/96 was the fourth successive year of positive growth.

Western Australia's public debt was reduced for the first time in 1993/94. Net debt at July 1996 stands at \$6.7 billion, compared with \$8.4 billion when the Coalition was elected to office, a \$1.7 billion reduction.

Furthermore, the Government's program of competitive tendering and contracting has demonstrated savings in the order of 24% and provided a range of new business and industry development opportunities for the private sector.

ASSETS SALES - TO REDUCE STATE DEBT, FURTHER SALES

1052. Mr BROWN to the Premier:

- (1) Is the Premier aware of an article that appeared in *The West Australian* on Saturday 4 May 1996 concerning assets sales being used to reduce Western Australia's debt?
- (2) Was the Premier quoted correctly in that part of the article which quoted him as saying "But I am not going to pre-empt what might also occur in other government trading enterprises. The government has a huge asset base with its trading enterprises."?
- (3) Is the Government contemplating further assets sales?
- (4) If so, what asset sales?

Mr COURT replied:

- (1)-(2) Yes.
- (3) Government will consider future privatisation where it is in the clear interests of the State and the community.
- (4) No specific assets have been identified for sale beyond those already announced, the most significant being the Dampier to Bunbury gas pipeline.

GOVERNMENT DEPARTMENTS - FREECALL FACILITIES FOR COUNTRY PEOPLE

1163. Mr GRAHAM to the Premier:

- (1) Which Departments have freecall facilities for country people?
- (2) What are those numbers?

Mr COURT replied:

(1)	(2)
Official Corruption Commission	1800 653 622
Commission on Government	1800 622 054
Public Sector Standards Commission	1800 676 607
Gold Corporation	1800 098 817
Ministry of the Premier & Cabinet	1800 198 274
Western Australian Treasury Department	1800 0988 828
Department for Local Government	1800 620 511
Office of the Minister for Finance; Racing & Gaming	008 199 135
State Government Insurance Commission	
- General Enquiries	1800 643 338
- Mineworkers' Relief Fund Enquiries	008 812 724
Government Employees Superannuation Board	1800 634 133
Lotteries Commission	
- Help Desk for Country Agents	008 199 833
- Community Funding Public Enquiries	1800 655 270
Totalisator Agency Board	
- Telephone Betting	132 368
- Racing Information	132 369
- TAB Agents (WA Country)	1800 193 353
- TAB Agents (WA Country)	1800 191 444
- INFOTAB (Australia Wide)	1300 363 638
Western Australian Greyhound Racing Association	1800 628 600
WA Training Information Centre	1800 999 167
New Enterprise Scheme	1800 199 060
Central Metropolitan College Information Service	1800 672 411
North Metropolitan College Small Business Centre	1800 643 892
TAFE International	1800 018 833
CY O'Connor College of TAFE	1800 627 256
Western Australian Tourism Commission	
- consumers	1800 812 808
	1800 993 333
- tourism operators	1800 644 887
- travel agents	1800 679 442
- Commission's Office	1800 193 343
Office of the Minister for Primary Industry; Fisheries	
- Perth Ministerial Office	008 803 749
- Mt Barker Office	008 817 334
Fisheries Department - no freecall service but a State wide toll free service for FISHWATCH	008 815 507

Agriculture Western Australia	
- Exotic Animal Diseases Hotline	1800 675 888
- Rabbit Calicivirus Hotline	1800 802 766
- Rural Adjustment and Finance Corporation	1800 198 231
Heritage Council of Western Australia	1800 644 177
Ministry for Planning Head Office	008 626 477
Ministry for Planning Mandurah Office	008 654 471
Ministry for Planning Albany Office	008 658 122
Ministry for Planning Bunbury Office	008 670 577
Ministry for Planning Geraldton Office	008 652 700
Police Service	
- Crime Stoppers	1800 333 000
- Health and Welfare	1800 013 313
- Aboriginal and Police Relations	1800 191 015
- Police Advice Line	1800 656 166
- Victim Support	1800 818 988
WA Fire Brigades Board	
- Karratha Regional Office	1800 631 227
- Bunbury Regional Office	1800 676 079
- Kalgoorlie Regional Office	1800 621 309
- Perth (Main Switchboard)	1800 199 084
- (Operations) Volunteers	1800 198 140
- O'Connor Depot	1800 630 766
Women's Policy Development Office	1800 199 174
Ministry of Fair Trading	1800 199 117
	1800 198 333
	1800 193 373
Office of Seniors Interests	188 671 233
	1800 199 087
Family and Children's Services	
- Head Office Switchboard	1800 622 258
- Family Helpline	1800 643 000
- Consumer Advocate	1800 013 311
- Crisis Care Unit	1800 199 008
- Parent Help Centre	1800 807 648
- Family Information and Adoption Service	1800 640 555
- Child Care Services Board	1800 199 383
- Family Court Counselling Service	1800 199 228
- Parenting Line	1800 654 432
Department of Productivity and Labour Relations	
- Wageline Service	1800 645 401
- Workplace Agreements Hotline	1800 622 727
Commissioner of Workplace Agreements	1800 627 740
WorkSafe Western Australia	1800 198 118
WorkCover Western Australia	1800 670 055
	1800 633 108

Western Australian Industrial Relations Commission	
- Freefax	1800 624 263 1800 804 987
Homeswest	
- Homeswest Head Office (Main Switchboard)	1800 093 325
- Maintenance A/H Emergency Number	1800 193 320
- Corporate Development Customer Feedback line	1800 628 165
- Aboriginal Housing Directorate	
- Homeswest Carnarvon Office	1800 621 826 1800 014 685
Government Employees' Housing Authority	1800 193 320
Department of Commerce & Trade	
- Reception	1800 628 767
- Business Assistance Gateway	1800 199 251
- Bunbury Office	1800 805 394
Small Business Development Corporation	
- Advisory Information	1800 199 125
- Business Enterprise Centre Link	1800 093 340
- Small Business Awards Hotline	1800 806 925
Mid West Development Commission	1800 676 056
Main Roads Western Australia	
- Road Condition Reports	1800 013 314
- Mid West Region	008 803 480
- South West Region	1800 648 448
State Supply Commission	1800 806 599
Disability Services Commission	1800 998 214
Ministry of Justice	
- Guardianship and Administration Board	1800 191 009
- Counselling Service of Family Court	1800 199 228
- Public Guardian's Office	1800 807 437
- Public Trustee (Property Maintenance)	1800 642 777
- Victim Support Service	1800 818 988
- Intelligence Unit	1800 677 780
- Coroner's Office	1800 671 994
- Geraldton Community Corrections	1800 801 067
- Karratha Community Corrections	1800 646 530
- Northam Community Corrections	1800 633 242
- Roebourne Community Corrections	1800 630 865
Office of the Information Commissioner	1800 621 244
Equal Opportunity Commission	008 198 149
Legal Aid Western Australia	
- Main Switchboard	008 809 619
- Child Support Unit	008 199 363
- Bunbury Office	008 632 692
Department of Environment Protection	1800 018 800
Water and Rivers Commission	1800 645 191
Department for the Arts	1800 199 090

Library and Information Service of Western Australia	
- Infolink	008 199 057
- Public Library Services	008 198 107
Perth Theatre Trust	1800 193 300
Health Department	
- WA Cervical Cancer Prevention Program	1800 800 033
- Women's Cancer Prevention South Eastern Mobile Screening Unit	1800 805 611
- Women's Cancer Prevention Northern Regions Screening Unit	1800 191 007
- Women's Cancer Prevention South West Mobile Screening Unit	1800 199 011
- Princess Margaret Hospital Door Knock Appeal	1800 193 339
- Princess Margaret Hospital Poisons Information Centre	
- Pathcentre	1800 119 244
- Patient assisted Travel Scheme	
- Safe Sex Talk About It	1800 672 274
- Rural Alcohol Campaign	1800 670 550
- Alcohol & Drug Information Service Counselling	1800 626 669
- Princess Margaret Hospital - fundraising	1800 248 899
- Sexual Advisory Referral Centre	1800 198 024
- Fremantle Hospital	
- Royal Perth Hospital - Youthline	1800 160 126
- Rural Health Development	1800 199 888
- Helpline using TTY machine for people with hearing difficulties (not yet operational)	1800 622 662
- Breastsreen WA Program - Appointment booking service (local charge only)	1800 803 256
	1800 643 936
	1800 067 211
	132 050
Healthway	1800 198 450
Alcohol and Drug Authority	1800 198 024

Water Corporation	1800 014 610 1800 016 015 1800 064 299 1800 191 016 1800 198 219 1800 624 144 1800 624 377 1800 626 248 1800 626 636 1800 627 606 1800 628 266 1800 628 290 1800 628 326 1800 633 601 1800 634 244 1800 635 215 1800 636 922 1800 637 277 1800 640 302 1800 641 554 1800 648 277 1800 648 485 1800 651 103 1800 651 410 1800 657 266 1800 658 275 1800 671 523 1800 808 682 1800 810 075 1800 811 336 1800 811 644 1800 626 636 1800 802 366 1800 800 209 1800 652 897 1800 063 508
Office of Energy - Technical and Safety Division	1800 678 198
Western Power - North Country Branch - Statewide	1800 630 344 13 13 53
Alinta Gas	Alinta Care Line (1800)
Education Department of Western Australia - School of Isolated and Distance Education - Equal Employment Opportunity Access Line - Employee Advisory Services in Education Counselling Service - Disabilities & Learning Difficulties Access Line	1800 642 300 008 198 102 008 013 309 1800 644 082
Country High School Hostels Authority	1800 645 212

CONTRACTING OUT - GOVERNMENT SERVICES

1394. Dr GALLOP to the Premier; Treasurer; Minister for Public Sector Management; Youth; Federal Affairs:

(1) Since 1993, what services have been contracted out by individual agencies within your portfolio

and what is the total cost of those contracts for each year?

- (2) What are the names of the companies that have received contracts in the 1995-96 financial year?
- (3) What is the value of each contract in excess of \$50 000?
- (4) In relation to (3) above, what is the demonstrated saving of each service contracted out?
- (5) In relation to (3) above, does the contractor have access to, or use of, any government services or facilities in the performance of the contract?
- (6) If so, what are they?

Mr COURT replied:

- (1)-(6) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programs. Given the large number of contractual arrangements in place at any time the details sought are not readily available. I am not prepared to direct considerable resources to obtain this information. However, if the member has a specific query I will have the matter investigated.

CONTRACTING OUT - GOVERNMENT SERVICES

1394. Dr GALLOP to the Minister for Family and Children's Services; Seniors; Fair Trading; Women's Interests:

- (1) Since 1993, what services have been contracted out by individual agencies within your portfolio and what is the total cost of those contracts for each year?
- (2) What are the names of the companies that have received contracts in the 1995-96 financial year?
- (3) What is the value of each contract in excess of \$50 000?
- (4) In relation to (3) above, what is the demonstrated saving of each service contracted out?
- (5) In relation to (3) above, does the contractor have access to, or use of, any government services or facilities in the performance of the contract?
- (6) If so, what are they?

Mrs EDWARDES replied:

- (1)-(6) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programmes. Given the large number of contractual arrangements in place at any time the details sought are not readily available. I am not prepared to direct considerable resources to obtain this information. However, if the member has a specific query I will have the matter investigated.

LAND TAX ASSESSMENTS - VALUE OF PROPERTY INCREASES

1594. Dr CONSTABLE to the Minister representing the Minister for Finance:

- (1) What was the highest increase in land tax assessments issued for the -
 - (a) 1995-96 financial year;
 - (b) 1994-95 financial year?
- (2) What was the lowest increase in land tax assessments issued for the -
 - (a) 1995-96 financial year;
 - (b) 1994-95 financial year?

- (3) What was the average increase in percentage terms in land tax assessments for the -
 - (a) 1995-96 financial year;
 - (b) 1994-95 financial year?
- (4) What was the average increase in percentage terms in the site value of property assessed during the -
 - (a) 1995-96 financial year;
 - (b) 1994-95 financial year?
- (5) How does the average increase in land tax compare to the rise in the CPI between the 1994-95 and 1995-96 financial years?
- (6) What was the average site value of property assessed during the 1995-96 financial year?
- (7) What percentage of properties assessed in the 1995-96 financial year are in the following site value ranges -
 - (a) \$10 000 and under;
 - (b) \$10 000 to \$100 000
 - (c) \$100 000 to \$350 000
 - (d) \$350 000 to \$700 000; and
 - (e) over \$700 000?

Mr COURT replied:

The Minister for Finance has provided the following response:

- (1)-(2) Data is not retained by the State Revenue Department to enable these questions on individual land tax assessments to be answered.
- (3)
 - (a) 10.4%
 - (b) 7.4%
- (4) Data is not retained on average unimproved values of individual properties as land tax is assessed upon the aggregate taxable value of property under the same ownership. The total unimproved value for taxable properties increased by 14.1% in 1994-95 and 19.0% in 1995-96
- (5) Between 1994-95 and 1995-96, the average land tax assessment increased by 10.4%. Over the same period, the CPI increased by 4.0%.
- (6) \$98 721.
- (7) As per (4) above, data is not retained on the average value of individual properties.

DEBIT TAX - REVENUE

1615. Dr CONSTABLE to the Minister representing the Minister for Finance:

What was the total amount of State debit tax collected in the past five financial years?

Mr COURT replied:

The Minister for Finance has provided the following response:

1995-96	\$54 473 807
1994-95	\$51 305 967
1993-94	\$47 292 830
1992-93	\$42 526 893
1991-92	\$39 510 604

LEAD - LEVELS IN CHILDREN AT BUCKLAND HILL PRIMARY SCHOOL, ROCKY BAY VILLAGE

1622. Dr EDWARDS to the Minister for Health:

- (1) Have children attending -
 - (a) the Buckland Hill Primary School; and
 - (b) the Rocky Bay Village in Mosman Parkbeen tested for lead exposure?
- (2) If yes, when and what range of levels were found?
- (3) If not, why not?
- (4) Why was concern expressed about possible high lead levels in 1986 in children at these institutions?
- (5) Why was testing not undertaken in 1986?

Mr PRINCE replied:

- (1)-(3) No, children attending the Buckland Hill Primary School and the Rocky Bay Village have not been tested for lead exposure. An offer has been made by the Health Department to co-ordinate blood analysis for lead if parents of children are concerned. The same offer has been made to local residents. Concerned parents have been asked by letter to present to their GPs to discuss blood sampling during August so that analyses can be performed together. The Health Department has no information on how many parents have asked for their children to be tested at this stage.
- (4)-(5) Departmental records show that the Health Department expressed concerns about exposure in 1986 because the study reported in the Maunsell Report had examined soil samples from the CSBP site but had excluded any assessment of samples from the Rocky Bay and Buckland Hill sites. The Health Department questioned whether there was any evidence that children at Rocky Bay Village and Buckland Hill Primary School had been exposed. Records show that there was a proposal to ask doctors looking after Rocky Bay Village and Buckland Hill if they had patients with evidence of metal toxicity. However, a specific program of blood sampling to test for metals was not proposed.

TEEN CHALLENGE - GOVERNMENT

1638. Dr EDWARDS to the Minister for Family and Children's Services:

- (1) Does the organisation known as "Teen Challenge" receive State Government funds?
- (2) What services are provided by Teen Challenge?
- (3) What qualifications do the staff have?

Mrs EDWARDES replied:

- (1) Teen Challenge is not funded on a Service Agreement by Family and Children's Services.
- (2) Drug rehabilitation.
- (3) Unknown.

DEMENTIA - STATISTICS

1645. Dr WATSON to the Minister for Health:

- (1) What is the State's commitment to a plan for the care of people with forms of dementia?
- (2) How many people in Western Australia are estimated to have dementias?
- (3) What proportion live -
 - (a) in care;
 - (b) at home?
- (4) What is the budgetary allocation from the State for dementia care?

Mr PRINCE replied:

- (1) The State provides for a number of people with severe dementia within the context of its various psychogeriatric services.
- (2) As the Commonwealth Health Department funds nursing homes, the statistics in respect of numbers of sufferers would be available on request to that Department. Otherwise it is not possible to accurately estimate numbers of people in WA with dementia.
- (3) This is unknown.
- (4) There is no specific budget allocation for dementia care. The needs are accommodated through commonwealth nursing home and hostel funds, HACC funds and state psychogeriatric funds.

FAMILY AND CHILDREN'S SERVICES - HOMESWEST TENANTS, COMPLAINTS ARRANGEMENTS

1647. Dr WATSON to the Minister for Family and Children's Services:

What reciprocal arrangements and agency coordination are made with Family and Children's Services when complaints are made about tenancies in Homeswest houses when children are resident in those houses?

Mrs EDWARDES replied:

A referral process has been established in which Homeswest, subject to the agreement of the tenant, may refer a family to Family and Children's Services for the provision of support services to assist the family manage difficulties and maintain the Homeswest tenancy. Services may include counselling and advice, assistance from a family resource worker or education officer, referral to other community resources, or financial management through the department's bill paying service.

HOSPITALS - PRIVATE, EMERGENCY FACILITIES FEE

1657. Mr RIPPER to the Minister for Health:

- (1) Are private hospitals in Western Australia permitted to charge a flat service fee to patients attending their emergency facilities?
- (2) Is the Minister aware that such a fee is not refunded by at least one private health insurance organisation in Western Australia?
- (3) Will the Minister take steps to have this fee either prohibited or made refundable by all private health insurance organisations?

Mr PRINCE replied:

- (1)-(3) Emergency sections of some private hospitals do charge a facilities fee which is associated with the use of the facilities rather than doctors' services. Private hospitals fees and health insurance companies are not regulated by the State Government.

FAMILY AND CHILDREN'S SERVICES - FINANCIAL COUNSELLING SERVICE, BELMONT

1658. Mr RIPPER to the Minister for Family and Children's Services:

When will a new financial counselling service, to replace the one previously operated by the Belmont Community Advice Service, be established in the Belmont area?

Mrs EDWARDES replied:

A recommendation has been made to the Minister and the successful applicant will be advised and an announcement made in the near future.

QUESTIONS WITHOUT NOTICE**BUDGET (COMMONWEALTH) - IMPACT ON STATE BUDGET; SHORTFALL****380. Mr McGINTY to the Treasurer:**

I refer to last night's federal Budget -

- (1) Has the state Treasury provided figures on the impact of last night's federal Budget on the state Budget?
- (2) Is it not true that the full impact is to take between \$160m and \$200m out of the state Budget from dollars that were proposed to be expended by the State this financial year and not the \$60m about which the Treasurer has been speaking publicly?
- (3) How will the Treasurer cover this shortfall?
- (4) Is it not true that the Treasurer's budget strategy is now in tatters?

Mr COURT replied:

- (1)-(4) I do not know where the Leader of the Opposition gets his figures. It is quite public that the \$60m from the general revenue grant is built into the Budget and is in the budget papers. The Treasury has not got any detail on specific purpose payments but it estimates they will be closer to \$27m. I would be interested to know from where the Leader of the Opposition's figures have come. The state Budget is completely intact.

Several members interjected.

The SPEAKER: Order!

Mr COURT: As I said publicly yesterday, there will be no need for the State to have any increase in taxes and charges as a result of the federal Budget.

BUDGET (COMMONWEALTH) - IMPACT ON STATE BUDGET; SHORTFALL**381. Mr McGINTY to the Treasurer:**

As a supplementary question, why will the Treasurer not take this Parliament and the public into his confidence and tell us, knowing that the budget figures he presented are now wrong because of subsequent events, where he has reduced budget allocations to departments in order to meet the shortfall and why is he running away from it?

Mr COURT replied:

I do not want to upset the Leader of the Opposition, but tomorrow I will be presenting the final figures for the results of the end of the financial year just completed. At that time I will also be giving the Treasury's estimates, which are the best estimates it can give in relation to the federal Budget and specific purpose payments, etc. I am sorry to upset the Leader of the Opposition but our state Budget is well and truly intact and in place. We are mighty proud of our financial record. It was with some interest I read this morning the article in *The Australian* about the federal Budget. It is not all good news for us, because there are a lot of difficult stories in it for the State. I quote -

The horror figures in this Budget are not Peter Costello's spending cuts; they are the \$69b of deficit accumulated over the last five years of the Labor Government, mostly during the Keating Prime Ministership.

Several members interjected.

Mr COURT: Members opposite shed crocodile tears.

Several members interjected.

The SPEAKER: Order! I formally call to order the Deputy Leader of the Opposition.

Mr COURT: Over the past six years commonwealth debt has increased nearly threefold, yet not a word was heard on that matter from members opposite. They sat there and allowed debt to grow. When they were in government, it was the same situation as debt skyrocketed. Now that the Government has debt under control, they say that their policy is to have no increase in debt. The Opposition has changed its position. When in government, blow out debt; when in opposition, control debt. State and Federal Labor Governments have absolutely no credibility when it comes to financial management. Tomorrow members will find out how the State is travelling financially, and it will be good news.

ROADS - GREAT NORTHERN HIGHWAY, PASSING LANES CONSTRUCTION

382. Mrs van de KLASHORST to the Minister representing the Minister for Transport:

When will the urgently needed safety overtaking lanes be built on Great Northern Highway between Bullsbrook and the Upper Swan bridge, how many lanes will be built, and what will be the direction of those lanes?

Mr LEWIS replied:

I thank the member for Swan Hills for some notice of the question as it has enabled the Minister for Transport to provide some advice. Three passing lanes will be constructed between November 1996 and January 1997 on Great Northern Highway as follows: Northbound between Willunga Road and Woolbrook Road; northbound, north of Bullsbrook between Rutland Road and Morrissey Road; and southbound, immediately south of Bullsbrook.

BUDGET (COMMONWEALTH) - IMPACT ON HEALTH DEPARTMENT

383. Dr GALLOP to the Minister for Health:

- (1) Will the Minister confirm that the following budget decisions by the Howard Government will place enormous pressure on Western Australia's health budget: Cuts to the State's financial assistance grants; cuts to the hospital funding grants; abolition of commonwealth funding of the dental program for low income earners; cuts to state run health programs, including the national mental health program; and cuts to specific purpose payments not yet specified?
- (2) What is the Health Department's estimate of the total impact of these cuts?
- (3) How does the Minister propose to address the problems created for Western Australia by the decisions of his federal colleagues?

Mr PRINCE replied:

- (1)-(3) With respect to the list which the Deputy Leader of the Opposition just read out, the only one on which any definite information or figures are available from the commonwealth Budget last night is the dental program, which is a cut of \$47m across the whole of Australia. I have received an estimate from the Health Department this morning that the program will be phased out over two years; in the first year the cut will be in the order of \$4.89m, and the balance in the second year. The total dental payment in this State is \$9.2m. The dental program is a commonwealth initiative started under the previous Labor Government in 1992. Reservations were expressed at the time in this State by Labor Health Ministers, and by other state Ministers, about the Commonwealth stepping into this area because the State ran a very good dental health program. However, that service was subsumed into the commonwealth program, and the money was used to provide dental health services to aged people and disadvantaged people through the dental hospital clinics and private dentists.

What may or may not be done in this regard is a matter for management. With other Ministers, I will be meeting the commonwealth Minister for Health, Dr Michael Wooldridge, on 4 October, and another meeting is scheduled in November. That issue will be discussed at the meetings. I wish to discuss it on a bilateral basis with him. With regard to the other matters raised by the Deputy Leader of the Opposition, there is not enough detail in the announcements that have been made and I was advised by officers of the Health Department at lunch time -

Dr Gallop: They have all left or are on leave. The Commissioner for Health is on three months' leave and the Minister approved it.

The SPEAKER: Order!

Mr PRINCE: The Commissioner for Health met me at lunchtime today.

Dr Gallop: For how long was he on leave?

Mr PRINCE: He was on leave for less than three weeks. During that time, among other things, he visited the Hammersmith Hospital in London, which has a superb information system which we are looking at from the point of view of using it in remote areas of this State. Although he was on leave, he was working and he has been back for a couple of weeks.

Dr Gallop: You should put him to work solving the problems you created.

Mr PRINCE: He is at work. He is one of the finest officers in the Health Department and he is working very hard. I have a great deal of time for him and the advice he gives me. The advice he gave me on the matter the Deputy Leader of the Opposition raised is that insufficient detail is available and obviously there is a need to talk at both officer and ministerial level with the federal Minister for Health and commonwealth officers about what effect, if any, the other changes will have on the hospital and health services in this State.

DENTAL HEALTH SERVICES - COMMONWEALTH HEALTH PROGRAM, FUNDING

384. Dr GALLOP to the Minister for Health:

- (1) Will the Minister guarantee the maintenance of the dental program for low income earners now that the Howard Government has abolished its funding?
- (2) If yes, will the Minister guarantee that there will be no extra restrictions for places on access to the scheme?

Mr PRINCE replied:

- (1)-(2) I will guarantee that I will talk to Dr Michael Wooldridge as soon as possible - 4 October is the earliest date I can do that - to work out how to manage the matter, bearing in mind it is a commonwealth funded program for which the State is merely the agency.

Dr Gallop: I am asking what your position is. We know his position.

Mr PRINCE: I just told the Deputy Leader of the Opposition what the State's position is.

Dr Gallop: We want a commitment from you.

The SPEAKER: Order!

Mr PRINCE: I will negotiate with him the management -

Dr Gallop interjected

The SPEAKER: Order! I have not called the Deputy Leader of the Opposition formally to order. I allowed him to make interjections before I called order. However, when he goes on at length and talks over the Minister, it is intolerable.

Mr PRINCE: I have told the Deputy Leader of the Opposition what I will do.

Dr Gallop: That is not what I want to hear. I want to hear what you will do with the program.

Mr PRINCE: If all the Deputy Leader of the Opposition ever hears is what he wants to hear, it is no wonder he made such a mess of things when his party was in government.

The SPEAKER: Order!

Mr PRINCE: The Deputy Leader of the Opposition will not get a sycophantic answer out of me.

Dr Gallop: You have no commitment to low income earners of this country or State. We will tell you about it.

Several members interjected.

The SPEAKER: Order! I formally call to order the Deputy Leader of the Opposition.

Mr PRINCE: I have given my answer: I guarantee I will negotiate with the federal Health Minister over the management of what the Federal Government has announced.

Dr Gallop: You have nothing to negotiate.

Mr PRINCE: I will do that as soon as possible. So far as having a commitment to low income earners, the Deputy Leader of the Opposition, who lost \$400m out of the third party scheme, is a fine one to talk.

ENTERPRISE BARGAINING - SUPPORTED BY UNION MOVEMENT; CONDITIONS NEGOTIATED

385. Mr JOHNSON to the Minister for Labour Relations:

The union movement has supported the concept of enterprise bargaining. Will the Minister inform the House of the sorts of conditions that are being negotiated?

Mr KIERATH replied:

I thank the member for some notice of this question.

It is interesting to note what is happening with enterprise bargaining. Members may be aware that recently a new deal was negotiated with the employees of Worsley Alumina Pty Ltd. They went to the trouble of having their award varied to cash out their long service leave. The deal was approved by the Western Australian Industrial Relations Commission. It was interesting to note the attitude of the unions involved. The Australian Workers Union, the Construction, Forestry, Mining and Energy Workers Union of Australia, and the Communications, Electrical and Plumbing Union opposed this provision. However, they recognised that the members wanted it because their current shift arrangements already give them 10 weeks leave a year. They understood that anyone on 10 weeks' leave has no real need for three months' long service leave and agreed to be cashed out.

This is another example of the employers and the employees getting together and leaving some of these outdated unions behind. They are rusted, as someone said, to some of their old ideas and allegiances instead of trying to find a new niche in the changing workplace. It is sad that unions are doing that to their members. They should be negotiating a new deal for their members instead of clinging to the old, silly ideas which do nothing but disadvantage the ordinary working man and woman.

CONSULTANTS ENGAGED BY GOVERNMENT - REPORTS TABLING; CHANGES

386. Dr CONSTABLE to the Premier:

My question relates to yesterday's tabling of the six monthly consultants' report. Given the Government's redefinition of consultants, will the Premier give an undertaking to the people of Western Australia that he will continue to table in this Parliament information which was included in previous consultants' reports and which itemised a range of services provided to government by consultants and companies in the private sector? If not, why not?

Mr COURT replied:

We have had no difficulty in responding to the member's request to table consultants' figures. I explained that we have tabled all of the consultancy work undertaken. However, many different services are undertaken in the day to day operations of government. We are prepared to provide details of specific areas to the member. Putting the reports together has not been easy. It took us some time to get the travel report in place. We had to change the travel report a number of times because of the difficulties involved. At times we were tabling information about travel which was paid for by people outside government. The consultants have not found it easy to put that report together. However, we will always provide to the member specific information about any specific department.

BUDGET (COMMONWEALTH) - IMPACT ON STATE BUDGET; SHORTFALL

387. Mr McGINTY to the Premier:

I refer to his earlier assertion of the limited impact of federal cuts on the WA state Budget to that which had been previously announced prior to the delivery of the Budget. I also refer to the answer by the Minister for Health which indicated that abolition of the dental program in last night's federal Budget means a further reduction in the availability of funds in this year's state Budget beyond that which the Premier announced. I also note the refusal of the Minister to guarantee the maintenance of the level of service. In what other areas has state budget funding been reduced by the commonwealth Budget?

Mr COURT replied:

The Leader of the Opposition seems to be confused about federal commitments and what they fund and the state Budget and what it funds. There has been no consultation between the Federal Government and the State Government about the changes to the dental health program announced yesterday.

Mr McGinty: Are you going to maintain it?

Mr COURT: Let me answer the question. When a Federal Government says that it wants to hand responsibility for that service to the State Government, I expect it to provide the funds that go with that handing back.

Mr McGinty: That is what the federal Budget was about. It abolished the funding to the dental program.

Mr COURT: Will the Leader of the Opposition listen? It is phasing out that program over two years. To not negotiate is not a very good way for a Federal Government to do business. The Federal Government is phasing out the funding. The state Minister said he will meet the federal Minister.

Mr McGinty: You are not looking too good on this one, Premier. You are looking very sick at the moment.

Mr COURT: I will put our record on financial management against the Labor Party's any day of the week. In Perth, Graham Richardson told an audience at breakfast this morning that Court had it wrong when he said he would be able to handle the changes to the federal Budget. Who is he to make that judgment? His claim to fame is that when he gets in a corner he tells lies! He does not even belong to the Labor Party.

Mr McGinty interjected.

The SPEAKER: Order! I have been extremely tolerant in this regard. The Leader of the Opposition has interjected 14 times since he asked this question. He ignores me completely when I call for order, and he is backed up by other interjectors as well, which makes it difficult for people to hear his interjections. It is not good. I ask the Leader of the Opposition to cease interjecting like that or I will begin the chain.

Point of Order

Mr McGINTY: I ask that in making your rulings from the Chair you be evenhanded in your approach. I think that is what the standing order requires of you. If you are going to criticise one side, perhaps you might like occasionally to suggest to your side that it comply with the same rules.

The SPEAKER: Order! Your remarks are impertinent. You have interjected 14 times. I know of nobody in this Chamber who does that when they ask a question. If the Leader of the Opposition does not cease interjecting, I will do something about it.

Questions without Notice Resumed

Mr COURT: It is difficult to answer a question with the constant interjections; if it is not the Leader of the Opposition, it is the Deputy Leader of the Opposition. The Leader of the Opposition asked about the front bench and I suggested that his front bench has an interesting lineup. The Leader of the Opposition is confused in the matter of road funding. None of the state road funding programs is affected.

Mr Brown interjected.

The SPEAKER: Order!

Mr COURT: The Federal Government has responsibility for the national highways.

Mr Brown interjected.

The SPEAKER: Member for Morley, order!

Mr COURT: The Federal Government has cut the funding for the national highways program, which is its responsibility.

Point of Order

Mr THOMAS: The Leader of the Opposition asked a question of the Premier on dental funding. The Premier is now giving us a monologue about road funding, which is completely unrelated to the question that was asked. He is using this opportunity to give us a monologue on the subject of his choice unrelated to the question.

The SPEAKER: There is no point of order. There is no requirement in relation to the answers that Ministers give. I ask the Premier to begin to conclude his answer.

Questions without Notice Resumed

Mr COURT: It is a pity the member for Cockburn did not listen to his leader's question; it specifically asks in what areas the State is affected. I explained that the State's road funding program is not affected; the Federal Government's national highway funding is affected.

Mr McGinty: You do not understand what you are talking about.

Mr COURT: The member does not understand federal and state funding.

Mrs Roberts interjected.

The SPEAKER: Order! Member for Glendalough.

POLICE SERVICE - BUNBURY, REGIONAL HEADQUARTERS PROJECT

388. Mr OSBORNE to the Minister for Police:

I welcome the Minister's recent confirmation that funds will be made available in the 1996-97 state Budget to conduct a feasibility study for the construction of a regional police headquarters in Bunbury. Will the Minister advise the House what will be the scope of this study, when it will be completed and when the construction of the project is expected to begin?

Mr WIESE replied:

I am pleased to be able to answer this question, because misinformation has been put around the community by one member of the Opposition. I make it clear that the Police Service budget this year includes an allocation in the capital works section of \$150 000 for that study. That is a general allocation which does not spell out the projects on which money will be spent or where those feasibility studies will be carried out. That study will be made of the proposed Bunbury project and the funds will come from the \$150 000 allocated to those feasibility studies.

Normally between four and six months is taken to carry out such studies. It is anticipated the feasibility study into the proposed Bunbury project will be finished by March or April 1997.

Mr D.L. Smith: Who is doing it and what are the terms of reference?

The SPEAKER: Order! The member for Mitchell.

Mr WIESE: The scope of the feasibility study, which will answer the questions the member for Mitchell has posed by way of interjection, will cover, among other things, determination of police requirements in the Bunbury townsite and redevelopment of the existing site. If that is not a viable option, the study will examine alternative options and determine the estimated cost of any proposed options as well as redevelopment of the existing site. On the proposed

capital works program for the Bunbury district complex, it is listed this year for a feasibility study and it will be carried out. The Bunbury project is listed for planning and construction to commence in 1997-98, with anticipated completion in 1999-2000.

I hope that will clear up some of the misinformation circulating about the proposed project. I find it absolutely amazing that the member for Mitchell should bleat in this House and comment in the public arena about a proposal to put in place in the city he supposedly represents a project for which the community has been crying out for many years, including during the term of the previous Labor Government, when nothing was done. Now that somebody is proposing to do something in the member for Mitchell's home town, he is bleating about it going ahead. I am amazed.

SHIPBUILDING INDUSTRY - BOUNTY ON VESSELS, WITHDRAWAL

389. Mr THOMAS to the Minister for Commerce and Trade:

Will the Minister explain how the State Government will salvage Western Australia's internationally acclaimed and very efficient shipbuilding industry in the face of its federal colleagues' decision to abolish the shipbuilding bounty, which is vital to the continued viability of the industry? The industry is reeling from the abolition of the development import finance facility. Given that these companies operate on very low profit margins, will the Government be able to replace the federal funding dollar for dollar?

Mr COWAN replied:

With respect to the bounty payable on vessels, I do not think Western Australia's share of the market for aluminium vessels, for example, is likely to be greatly affected. Of course it will have some impact.

Mr McGinty: The Premier seemed worried about it on the radio program this morning.

Mr COWAN: I am concerned about it, but I do not think it is likely to have much effect. It will be phased in, and the industry will have some time to identify the markets, tenders or bids for vessels that will not be competitive because of the withdrawal of the bounty. It will certainly have some impact. Bearing in mind that the industry in Western Australia has an income of more than \$500m and represents more than 75 per cent of the shipbuilding industry, I am not sure the removal of a \$19m bounty across Australia will have the impact implied by the member for Cockburn in the framing of his question.

It must be acknowledged that one company in particular did have some difficulty with the development import finance facility because it got caught between the letter of advice and the letter of offer, and, as everyone is aware, the Federal Government stopped the DIFF program when people were able to show that they had a letter of advice but not a letter of offer. In this case, Transfield had an opportunity to supply two vessels to the Philippines, and it was believed the initial contract would be in excess of \$50m and that it could have expanded to \$128m, but that project has collapsed because of DIFF. That is a matter of concern to the State. We have made representations to both Mr Downer and Mr Fisher, to no avail, and that is a disappointment to me.

JANDAKOT MOUNT - RURAL GROUND WATER CATCHMENT PROTECTION ZONE

390. Mr BOARD to the Minister for Planning:

In line with the recommendations of the Select Committee on Ground Water Supplies the State Government has recently moved to provide ongoing protection for ground water in the Jandakot mound. Will the Minister outline how this will be achieved?

Mr LEWIS replied:

The protection of our vital ground water assets is a high priority of this Government. I thank the member for Jandakot for this question; this matter is, of course, close to his heart because he chaired a select committee of this House to investigate this matter. Members may recall that in June, I announced to the House that a new category will be introduced into the metropolitan region scheme - the first new category to be introduced in 33 years - which will be known as the rural ground water catchment protection zone.

Mrs Roberts interjected.

Mr LEWIS: If the member for Glendalough listened, she might learn something.

Mrs Roberts: Table the report that you have been refusing to table.

The SPEAKER: Order! Member for Glendalough.

Mr LEWIS: It will provide a statutory mechanism for the protection of ground water resources in the Perth region. It is pleasing to say that since that time, and in line with the recommendations of the select committee, the Government has moved to complete a study to identify by scientific means the boundaries associated with what we know as the Jandakot mound. That scientific work has determined those boundaries more accurately than occurred previously, wherein the boundaries were determined by cadastral survey and perhaps according to where people thought the mound was and the draw downs were. We have established scientifically where those boundaries are -

Mrs ROBERTS: Where is the embarrassment in producing that report?

Mr LEWIS: There is no embarrassment. I do not know what the member is going on about.

A week or so ago, I initiated a major amendment to our metropolitan region scheme which introduced this new category and delineated clearly what those boundaries would be for the protection of that vital state asset. That major amendment will be available for community consultation for three months.

Mrs Roberts interjected.

Mr LEWIS: The member is really peeved that this Government has taken the initiative and got on with protecting our ground water, something which members opposite failed to do.

Mrs Roberts interjected.

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

Point of Order

Mrs ROBERTS: Mr Speaker, the Minister for Planning put his comments to me directly; he accused me of being peeved. I believe it is appropriate that I be permitted to respond on those occasions, and I seek your guidance.

The SPEAKER: Order! There is no point of order, particularly not today, because the member for Glendalough has been interjecting at frequent intervals and I could have called her to order many times. I am inclined to do that at present, because the member is interfering with the answer. The member may not like the answer - stacks of people in this place do not like the answers that are given - but the member does not have the right to become the alternative answerer. I ask the Minister to draw his answer to a conclusion.

Questions without Notice Resumed

Mr LEWIS: Thank you, Mr Speaker. This ground water protection zone will be underpinned by two policies: A policy of the Western Australian Planning Commission under its planning legislation, and an Environmental Protection Authority policy that is intended to protect the ground water and the wetlands associated with the Jandakot mound. If members opposite do not believe we should protect our ground water, that is fine, but this Government is getting on with the job of protecting that ground water for future generations. Members opposite may not like it, but I know what the public thinks, and members opposite will continue to go nowhere when they complain about initiatives that people in the community believe should be taken.

QUESTIONS ON NOTICE - UNANSWERED, No 324

391. Mr BROWN to the Parliamentary Secretary representing the Minister for Employment and Training:

When may I have an answer to question 324 of 20 March 1996, given that it is now five months and one day since that question was asked?

Mr TUBBY replied:

I do not have the answer today but I will ensure that the Minister forwards the answer as soon as possible.

QUESTIONS ON NOTICE - UNANSWERED No 452

392. Mr BROWN to the Minister representing the Minister for Transport:

When may I have an answer to question 452, which was asked over four and a half months ago?

Mr LEWIS replied:

I have asked my office to communicate as a matter of urgency with the Minister for Transport so that the answer can be provided.
