



# **Parliamentary Debates**

**(HANSARD)**

THIRTY-FIFTH PARLIAMENT  
THIRD SESSION  
1999

LEGISLATIVE ASSEMBLY

Tuesday, 12 October 1999

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**THE SPEAKER** (Mr Strickland) took the Chair at 2.00 pm, and read prayers.

## **O'NEIL, SIR DESMOND HENRY**

### *Condolence Motion*

**MR COURT** (Nedlands - Premier) [2.02 pm]: I move -

That this House record its sincere regret at the death of Hon Sir Desmond Henry O'Neil and tender its deep sympathy to his family.

Desmond Henry O'Neil was born in Subiaco on 27 September 1920, which happens to coincide with the birth date of the Leader of the Opposition and the Premier, which, I guess, says something about political inspiration at Christmas-time. The son of Henry McLelland O'Neil and Lillian Frances Egan, Sir Desmond married the late Lady O'Neil, formerly Nancy Jean Culver, at St John's Church, Fremantle, on 18 March 1944 and is survived by two daughters, Marilyn and Wendy. Sir Desmond was educated in convent schools before attending Aquinas College and subsequently Claremont Teachers College. In 1939 he joined the Education Department as a monitor and, as a member of the citizens military forces, was commissioned a lieutenant in July 1940. On 5 July 1941 Sir Desmond enlisted in the Australian Imperial Force and served in Australia, New Guinea, Bougainville and New Britain in the Australian Corps of Signals 3rd Australian Division, reaching the rank of captain before being discharged on 13 March 1946. On his discharge from the army in 1946 Sir Desmond attended a three-month Education Department refresher training course before commencing a 12-year career in the Education Department. Sir Desmond was first appointed as the headmaster of Roebourne state school and then served at Dowerin Lakes, Wilga, Nyamup, Donnelly River, and as deputy headmaster at Collier Primary School.

Sir Desmond joined the Liberal Party in 1958 and became a member of this House after contesting the general election on 21 March 1959 for the Legislative Assembly seat of Canning which he held until 31 March 1962. Sir Desmond then became the member for East Melville from 31 March 1962 until 23 February 1980, serving the people of his electorate in this House for a total of 21 years. Sir Desmond served in the Brand Government as Minister for Housing and Labour from 16 March 1965 to 3 March 1971. He was Deputy Leader of the Opposition from 5 June 1972 until 8 April 1974. Sir Desmond then served as Minister for Works, Water Supplies and the North West until 5 June 1975 when he became the Deputy Premier, Chief Secretary, Minister for Police and Traffic and Minister for Regional Administration and the North West in the Government led by my father. He held these posts until he retired from Parliament on 5 March 1980. Sir Desmond also served the Parliament in this House as a member of the Joint House Committee from 1964 to 1965 and from 1971 to 1977. He was a member of the Public Accounts Committee from 1971 to 1972 and was a member of the select committee inquiring into the Fremantle Buffalo Club (Incorporated) (Private) Bill 1964. Sir Desmond also represented the Western Australian branch of the Commonwealth Parliamentary Association at the general conference in Malawi in 1972 and at the 8th Australian Area Conference in Hobart in 1965.

As a member of this House, Sir Desmond was regarded as a consummate parliamentarian. He had a great capacity for the detail of legislation, abundant commonsense which enabled him to foresee the practical consequences of legislation, and a lively sense of humour which ensured that his contribution to debate was always interesting. As a minister, that same attention to detail ensured that he was a competent and confident administrator who was always on top of his portfolio.

Sir Desmond O'Neil was widely respected throughout the Public Service for his intelligence and integrity, and was highly regarded in the community for his ability to find effective solutions. He had the friendship and support of cabinet colleagues, and the full confidence of my father. I know my father regarded him as a very loyal deputy and always felt that the State was in good hands when Sir Desmond was the Acting Premier.

Sir Desmond was appointed Chairman of the Lotteries Commission from 1980 to 1984 after retiring from Parliament. He was Chairman of the Western Australian Greyhound Racing Association from 1981 to 1985 and served as the colonel commandant of the Royal Australian Signals 5th Military District from 1984 to 1985. Desmond Henry O'Neil was knighted by Her Majesty the Queen in 1980 for service to Western Australia and the community. He was one of those exceptional people the poet Rudyard Kipling was thinking of when he referred to the ability to "walk with Kings - nor lose the common touch". On behalf of all members of this House I extend our deepest sympathy to Sir Desmond's two daughters, Marilyn and Wendy, and their families.

**DR GALLOP** (Victoria Park - Leader of the Opposition) [2.08 pm]: I join with the Premier in recording this Parliament's sincere regret on the death of Sir Desmond Henry O'Neil on behalf of the State Opposition, and offer our sympathy to his family. Sir Desmond was a member of the Legislative Assembly for 21 years from March 1959 to February 1980. He was first the member for Canning, and later the member for East Melville. The Premier has already described Sir Desmond's long and distinguished parliamentary career. His intelligence and integrity were widely respected. His ministerial responsibilities included Housing, Labour, Works, Water Supplies, Regional Administration and the North-West, Police and Traffic and the Chief Secretary. He also served on a number of parliamentary committees, and was the deputy leader while in Opposition. Most significantly, Sir Desmond served as Deputy Premier for almost five years under Sir Charles Court until his retirement in 1980.

Before entering Parliament, Sir Desmond enlisted in the Australian Imperial Force during the Second World War. He commenced his career in the Education Department after discharging from the Army in 1946. Sir Desmond served as

headmaster and deputy in a number of schools throughout the State during his 12-year teaching career. This extensive experience was highlighted in his maiden speech when he raised a number of important issues affecting the state education system at that time. Sir Desmond was knighted for service to Western Australia and the community in 1980. Our deepest sympathy is extended to his family.

**MR COWAN** (Merredin - Deputy Premier) [2.10 pm]: I join with the Premier and the Leader of the Opposition in this condolence motion. As I look around this place, I note that not too many of the current members had the privilege of serving in this Parliament at the same time as Des O'Neil. In every circumstance in history, somebody's misfortune is always another's good fortune. Members may recall that in 1975 Sir Desmond O'Neil, or Des O'Neil as he was then, became the Deputy Premier of Western Australia as a consequence of the then National Country Party withdrawing from the coalition. He served in that position for five years and during that period a great number of parliamentarians on both sides of the House, including members in the National Country Party, felt that his appointment as Deputy Premier was his just reward for very long and dutiful service, first, to the Liberal Party and the Parliament and, second, to the electors he represented in this Parliament. In every respect he was, as the Premier has said, a consummate politician. I use the word "politician" rather than "parliamentarian" advisedly, although it could be said that he was both. He certainly did a lot of preparatory work on any business he brought before the Parliament. He was always obliging and able to give a reasoned reply to people who raised queries about his legislation or matters related to issues raised and directed to him. Those of us who are prepared to read the *Hansard* debates will pick that up.

As with most people of his stature, he was a good humoured person and he made a significant contribution to this Parliament and the State of Western Australia. I join with the Premier and the Leader of the Opposition in extending condolences to the surviving members of Des O'Neil's family.

**MR SHAVE** (Alfred Cove - Minister for Fair Trading) [2.12 pm]: Sir Des O'Neil made an outstanding contribution to the good government and political life of Western Australia, as we have heard from the three previous speakers. He was also a conscientious local member for 21 years, first as the member for Canning and then as the member for East Melville. From 1968 until his retirement Des O'Neil represented many of the suburbs I now represent which are contained in the district of Alfred Cove.

As the member for this area, he was well respected for his commonsense and decency. When he first stood for Parliament in the 1959 election, Applecross and Mt Pleasant were part of the seat of Canning which stretched eastwards on both sides of the Canning River. It was a marginal seat held by the Australian Labor Party. Sir Des O'Neil had a resounding win in 1959, and did not even need the help of preferences for his re-election. From that time, he held the redrawn seat of East Melville without serious challenge. The expression "a safe pair of hands" could have been invented to describe the manner in which Sir Des O'Neil conducted himself in several portfolios, and as Sir Charles Court's deputy leader of the Parliamentary Liberal Party for eight eventful years. He remained always a kind and unassuming man, and our sympathies are extended to his daughters and their families.

Question passed, members standing.

### DISTINGUISHED VISITORS

**THE SPEAKER** (Mr Strickland): I am pleased to announce that in the Speaker's Gallery today are Lady Doris Brand and members of her family. Last Thursday was the fiftieth anniversary of Sir David Brand's elevation to the ministry as Honorary Minister for Housing, Local Government and Forests in the McLarty Government. We are delighted that Lady Brand is with us today to celebrate the life of the late Premier, a truly great Western Australian.

[Applause.]

### MR JOHN FRANCIS GILLEECE, REPORT ON INQUIRY

#### *Statement by Premier*

**MR COURT** (Nedlands - Premier) [2.16 pm]: In July this year it was revealed that Mr Jack Gilleece, who worked in the Office of the Premier, had been engaged in paid work outside of his employment. I was concerned that there could be a conflict of interest which was unacceptable for any person working in my office. Prior to this time, I had no knowledge that Mr Gilleece was engaged in work for any organisation other than the Ministry of Premier and Cabinet.

Although Mr Gilleece resigned and I accepted that resignation, I also directed the Director General of the Ministry of Premier and Cabinet to inquire into the matter and report to me. In order to effect a thorough and comprehensive inquiry into the matter, the director general developed terms of reference and appointed an independent inquirer. Additionally, a probity auditor has overseen the inquiry and reporting process. The terms of reference were framed broadly and required the inquirer to report on Mr Gilleece's arrangements with organisations outside of the public sector. Specifically, the terms of reference asked whether there was any conflict of interest or potential conflict of interest in respect of the arrangements entered into by Mr Gilleece with organisations in respect of his duties as an employee of the Ministry of Premier and Cabinet.

That inquiry has now been completed and the report has been delivered to me. The evidence showed that Mr Gilleece provided media services to other organisations for remuneration. The inquirer was of the opinion that this and conduct in relation to three other organisations could be reasonably interpreted as amounting to conflicts of interest. However, there was no evidence that Mr Gilleece was privy to or passed on confidential information that had commercial implications for these organisations. The inquirer determined that Mr Gilleece did make use of ministry assets and resources to earn

remuneration from the organisations to which he provided media services. However, there was no evidence that they engaged Mr Gilleece because of his work in the ministry. They said they engaged him because of his ability to provide media services, and for no other reason. The inquirer was, therefore, of the opinion that Mr Gilleece earned such remuneration predominantly because of his skill in providing media services.

One of the issues that the inquirer pursued related to the Fini Group of Companies, to which Mr Gilleece had provided media services. The Fini Group has bid to purchase and develop the old treasury buildings site. The inquirer said that Mr Gilleece did not approach any of the people involved in the tender process in order to influence them or obtain some advantage for the Fini Group. He noted that aside from the Premier's announcing that the site would be put to tender, the Office of the Premier took no part in the actual tender process. He also noted that the opinion of the probity auditor for the tender process was that the process was fair and equitable. The inquirer said that a reasonable interpretation was that the Fini Group's bid did not appear to be affected by Mr Gilleece's conduct. Now that this inquiry has been concluded, the process for the future development of the old treasury buildings can be completed.

Mr Speaker, I do not resile from expressing my disappointment at this senior officer's behaviour. I also do not resile from the obligation to be accountable in these matters, and for this reason I am tabling the full report of the independent inquirer today. My action in doing this stands in direct contrast with the path taken by the Leader of the Opposition when facing a similar issue last month, an issue involving not an employee but his own members, and an issue he resolved by being the judge and jury. The report has been forwarded to the relevant government bodies. I also table a report provided by the Director General of the Ministry of Premier and Cabinet of the preliminary inquiry into the alleged breach of discipline by Ms Margaret Thomas. That report is self-explanatory.

I table the report on an inquiry carried out on behalf of the Director General of the Ministry of Premier and Cabinet into the conduct of Mr John Francis Gilleece; the memo of transmittal from the Director General of the Ministry of Premier and Cabinet - report of the inquiry into Jack Gilleece; the probity audit on the inquiry into the conduct of Mr John Francis Gilleece; the report of preliminary inquiry into alleged breach of discipline, M.J. Thomas; and the memo of transmittal from the Director General of the Ministry of Premier and Cabinet - report of the preliminary inquiry into alleged breach of discipline by Ms Margaret Thomas.

[See papers Nos 201A-201E.]

## GOVERNMENT VEHICLE FLEET FUNDING FACILITY

### *Statement by Premier*

**MR COURT** (Nedlands - Premier) [2.19 pm]: There has recently been a good deal of misinformed comment about the State's vehicle fleet funding facility that risks seriously misleading the public. The record needs to be put straight.

The facility commenced in 1996, following a national tender and rigorous negotiations. It provides financing for vehicles that is cheaper than the Government's borrowing to buy and own the fleet. That is through private financiers accessing tax depreciation arrangements that are not available to State Governments.

It has been noted that vehicle rents have increased since the facility commenced. The increases are due to a significant fall in the second-hand car market. Lease rates simply reflect the cost of running vehicles; the same costs would have to be met if the Government continued to own the fleet. This effect is not restricted to government, and lease rates for cars across all sectors have increased.

The good old days when cars bought tax-empt by the Government would sell for about what it paid for them are rare, particularly with the changed tax treatment on some vehicles, whereby we now pay the sales tax - for example, the executive fleet.

One media outlet has focused on a so-called \$30m "loss" that is supposed to have occurred. There has been no loss; in fact, the opposite is true. This position has been analysed for the Government by independent actuary PricewaterhouseCoopers. Its analysis found that over the three years to 30 June 1999 the Government actually received a cashflow benefit of \$39m from the facility compared with what the Government's position would have been had it continued to own the vehicles. Even when the accumulated sale price shortfall is offset against this figure, the Government is still \$6m ahead. I table a copy of the actuary's advice on this matter.

[See paper No 202.]

Mr COURT: The capital that was tied up in owning the cars has largely been used to retire debt.

It has also been said that the Government is "locked in" to the fleet funding facility for its full term. This too is untrue. The contract includes an option for the State to terminate the facility early if the ongoing economic benefit falls below a specified level. This option was included at the Government's insistence, recognising that in a long-term deal like this, circumstances can change. The termination process requires the parties to first seek to renegotiate the facility to determine whether an appropriate level of benefit can be restored.

The actuary's report confirms the Government's view that, while the facility has produced a positive benefit to date, changing circumstances mean that the benefit is likely to diminish into the future. The Government is proactively working with the other parties with the aim of ensuring that an acceptable level of benefit for the State is maintained into the future.

The fleet funding facility is part of a wider series of initiatives designed to achieve savings in motor vehicles. These include -

the appointment, again through competitive public tender, of professional fleet managers to provide expert fleet management advice and services to agencies;

greater agency accountability from a focus on whole-of-life costing, selecting the right vehicle for the job and a closer analysis of accessories fitted to vehicles;

strategies to achieve savings in fleet-related fringe benefits; and

more rigorous fleet management requirements that require agencies to maintain their fleet assets in better condition throughout their operating lives and at disposal.

In addition, policy changes have been made to encourage more innovative ways of using and sharing operational vehicles.

All aspects of managing the Government's vehicle fleet are directed to ensuring costs are minimised without impacting on government policy requirements, an aim that I am sure most Western Australians would support.

## EDUCATION, YEARS 11 AND 12 CHANGES

### *Statement by Minister for Education*

**MR BARNETT** (Cottesloe - Minister for Education) [2.23 pm]: Yesterday I released a discussion paper which outlines proposals to make years 11 and 12 more relevant and worthwhile for future students. The post-compulsory review discussion paper outlines possible changes to the structure of post-compulsory education, and offers Western Australians an opportunity to have input into the development of secondary education in this State.

In recent years, two-thirds of graduating students have chosen not to undertake university studies after year 12, instead joining the workforce or undertaking additional vocational studies at training institutions. At the same time, the number of students participating in vocational education studies in years 11 and 12 has increased significantly, from approximately 700 students three years ago to over 7 000 in 1999.

Despite this, the final years of high school remain largely structured around an assumption, now incorrect, that most post-compulsory students aspire to university entrance. It is important to refine post-compulsory education and make it more relevant to the needs of all students into the twenty-first century.

The discussion paper details 18 months of consultation with students, teachers, educationalists, employers and the wider community on how best to do this. Over the next six months, further input will be sought from people around the State.

The paper highlights the need for some common elements in years 11 and 12 regardless of the structure finally agreed on. These include -

that graduation will require students to achieve acceptable standards in literacy, numeracy and technology;

that exams will remain in place but could be delivered in different forms and at different times of the year. Oral exams, interviews and practical demonstrations could also be used more widely;

that values and citizenship will be included in the curriculum;

that all courses will be given equal status and that there should not be any distinction between non-TEE courses and TEE courses;

that standards and rankings achieved by students will be reported, that there will be greater emphasis on vocational education studies and that possibly these courses, rather than only TEE subjects, may also count towards university entrance. Part-time employment, or work carried out to complement vocational studies, may be recognised in graduation results.

Three concepts for the future of post-compulsory education that incorporate these elements are included in the paper to stimulate discussion. They may be modified and new concepts suggested.

New ways of learning are already being developed in the government education system, such as the new \$8m Sevenoaks Senior College in Cannington, due to open in 2001. This campus will be the first in Australia to integrate studies at school with experience in the work force and additional studies at either TAFE or university. The school will also be open 48 weeks a year for 12 hours a day, allowing students the flexibility to work as part of their course and to study after hours.

Similarly, the new \$23m Shenton College will offer senior students a more adult school environment, conducive to a range of academic and vocational programs as well as courses through the nearby University of Western Australia. A discussion paper is available from the Curriculum Council, schools, and public libraries, and is on the Internet. Any changes arising from the review will be implemented after 2004 and will not impact on the current secondary student cohort. I encourage everyone with an interest in secondary education to consider contributing to the review.

## MILLENNIUMWEST PROJECTS

### *Statement by Minister for Citizenship and Multicultural Interests*

**MR BOARD** (Murdoch - Minister for Citizenship and Multicultural Interests) [2.27 pm]: I inform the House that the Premier and I launched the State Government's MillenniumWEST projects on Sunday. The 10 projects are all knitted together under the Government's citizenship and community programs for the millennium period. The projects include the

MillenniumWEST logo, the millennium song *Shine on Western Australia*, the WA Song Contest, the state images project, the MillenniumWEST web site, which is home to Millennium Messages, Visions WA and What's On WA database, and the Citizenship 2000+ initiative.

The BankWest/Lotteries Last Sunset Family Concert was also launched. This is the State Government's major contribution to the celebration of New Year's Eve 1999. The finals of the WA Song Contest, for which auditions start on 1 November, will be a major attraction at the concert.

The Western Australian millennium song, *Shine on Western Australia*, will be available to be used in conjunction with the logo to promote community events throughout the millennium period. I believe that this song will motivate and instill a sense of pride in people. This is the first time that Western Australians have had a song dedicated solely to our past, present and future.

Western Australia has thousands of community events every year. The Government is offering organisers of everything from Chinese New Year celebrations to the local school fete the opportunity to access the branding of MillenniumWEST. In addition to some MillenniumWEST projects already launched, such as the Orange Olympic Ribbon and Sign In 2000, I announced the state images project. The Government, in cooperation with community service organisations, will run a competition in each of the 10 regions for a mosaic design to feature at Barrack Square. A replica of this mosaic design will be duplicated for each region to display.

The MillenniumWEST web site is home to some of the most innovative and exciting millennium projects in the world, and the Government believes it will be one of the most visited sites in Western Australia by the end of this year. The first of the initiatives on the web site is the What's On WA database. This is an extensive list of functions which will be occurring throughout the entire millennium period. Visions WA, also accessible on the site, will be a source of inspiration as Western Australian citizens from a variety of backgrounds share their visions for the future of our State.

The most exciting project is one of the only projects of its kind in the world - Millennium Messages. This provides an opportunity for all Western Australian citizens to send a message 100 years into the future. Messages will be stored on gold compact disks in a specially designed time capsule to be displayed at Barrack Square. Messages can be submitted via the MillenniumWEST web site.

All funding for the MillenniumWEST initiatives has come from within existing budgets, the Lotteries Commission and corporate sponsorship. All the projects are detailed in a pack which has been sent to all members of Parliament. The pack also includes a CD of the millennium song, *Shine on Western Australia*. I invite everyone to be part of MillenniumWEST and to commemorate the Year 2000 and the new millennium as a community. For the benefit of members, I will table the MillenniumWEST logo, the CD containing the millennium song, *Shine On Western Australia*, and the pack which details all of the proposals.

The SPEAKER: Order! I noted the speed with which a minister left the Chamber when his mobile phone rang. It was quicker than the way he left an aircraft when he was wearing a parachute!

[See papers Nos 203A-203D.]

## **BILLS - ASSENT**

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

1. Workers' Compensation and Rehabilitation Amendment Bill (No. 2) 1999.
2. Workers' Compensation and Rehabilitation Amendment Bill 1997.

## **ACTS AMENDMENT (POLICE IMMUNITY) BILL 1999**

### *Appropriations*

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

## **WORKERS' COMPENSATION AND REHABILITATION AMENDMENT BILL 1999**

### *Council's Message*

Message from the Council received and read notifying that it agreed to the Assembly's amendment to the Council's alternative amendment No 3.

## **[Questions without notice taken.]**

## **KALAMUNDA DISTRICT POLICE STATION**

### *Petition*

**MRS ROBERTS** (Midland) [3.09 pm]: I present a petition couched in the following terms -

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

We, the undersigned people of the Kalamunda District, would like our police station to remain open 24 hours and staff increased to a level to serve a population of 50,000.

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

The top page of this petition, which is in order, contains 11 signatures.

[See petition No 50.]

Mrs ROBERTS: I draw to the attention of the House another 499 signatures which were not properly addressed to the Speaker and members of the Legislative Assembly. I seek to table those signatures for the remainder of this day's sitting.

[The paper was tabled for the information of members.]

## **MAIN ROADS TERM MAINTENANCE CONTRACTS, MORATORIUM**

### *Matter of Public Interest*

**THE SPEAKER** (Mr Strickland): Today I received a letter from the member for Armadale seeking to debate as a matter of public interest the following motion -

That this House call upon the Government to place a moratorium on the granting of any further Main Roads WA term maintenance contracts until:

- (1) a comprehensive study on the social and economic impact of such contracts on rural communities is undertaken; and
- (2) a review of the effectiveness of the Regional Buying Compact is completed.

It is signed by the member for Armadale.

If sufficient members agree to this motion, I will allow it.

[At least five members rose in their places.]

The SPEAKER: The matter shall proceed on the usual basis, with half an hour allocated to members on my left, half an hour to members on my right, and five minutes to the Independent members, should they seek the call.

**MS MacTIERNAN** (Armadale) [3.12 pm]: I move the motion.

It is a most extraordinary fact that National Party ministers, who are distinguished by their absence at the moment, are actively developing and executing policies which are systematically undermining rural communities, destroying country jobs and decimating country businesses. The policies of contracting out government services are quite clearly having this effect, but the National Party appears to be in a state of denial. Against all of the evidence and all of the logic, its members continue to defend the indefensible. Not only that, they are now pressing ahead with one of the most truly reckless plans; that is, the contracting out of Main Roads maintenance with a series of term maintenance contracts. We are talking about nearly \$1b worth of privatisation. It is pressing ahead with this plan before the basic homework has been done to see what the impact of it will be.

Last week I received a call from the Narrogin Chamber of Commerce. Its members are very concerned about the impact of contracting out on the town of Narrogin. It went through it only four years ago with the contracting out of Westrail maintenance. Now it is facing a new threat from the imposition of these term maintenance contracts. It was a very wet and stormy night, but over 100 community and business people turned out to tell the Government what this privatisation and centralisation was doing to their businesses and towns. A number of people stood and put their views. A representative of a local earthworks contracting firm, L.R. Archibald and Co Pty Ltd, said that the firm had been in the town for some 35 years.

Mr House: Do you know how many people you took out of Narrogin when you were in government?

Ms MacTIERNAN: The minister will have plenty of time to talk about this. We are very interested in hearing him defend the Government's policies.

For many years, the backbone of the company's work was subcontracting to Main Roads throughout the great southern region. It has been doing earthworks for Main Roads. At its height it employed 85 people. Three years ago the Government decided that it would have a dry run on these term maintenance contracts. It granted to BGC (Australia) Pty Ltd a three-year contract. During this three-year period, Archibalds has not had one iota of work from BGC. It has been replaced by employees and plant brought from the Perth metropolitan district. Likewise, a representative of Narrogin Hire Service said that the company had sent a company profile to all the contractors which had been selected as preferred tenderers for this work in the wheatbelt region. Only one of those companies had responded. Those people are not at all optimistic about their chances of getting work from any of these companies, given that these companies have not even had the decency to respond to the profile which the company had submitted to these preferred tenderers.

It is important that we understand that the scale of these contracts is such that only very large companies - metropolitan, eastern States or in many cases, multinational companies - are getting the opportunity to compete for these contracts. Local companies are going cap in hand to these large contractors. They are doing the detailed work, they are preparing submissions and they are sending them to these large contractors, but to no avail. Representatives of one company pointed out that it used to do a lot of repairs on the small engines for Main Roads but when the three-year term maintenance contract was given to BGC, it lost a lot of that work. BGC was taking its plant back to Perth to be repaired. An Ingrey Ford Pty Ltd

representative spoke about the loss of the contract to supply vehicles. I understand that company traditionally supplied vehicles to a number of government agencies, including Main Roads. Its experience was similar to another Ford dealer who contacted us from Albany. He said that he had traditionally provided utes to Main Roads. He is now, of course, very concerned that once these term maintenance contracts go out, his company will lose the capacity to supply to these large multinationals, which no doubt have buying arrangements at a central level. A Narrogin Town Council representative also spoke at the meeting. The council has a day labour force that does subcontracting for Main Roads. It had not been approached by any of the preferred tenderers who are to take over that work. It is very possible that employment opportunities for the 26 people who are employed by the town in its works unit will be cut back.

Mr Wiese: Why doesn't the member for Armadale tell the House the truth?

Ms MacTIERNAN: The member for Wagin can tell the truth to the House. He can get up here like he did at that meeting and defend the indefensible. The member can tell the people of Narrogin that they are imagining it, that they have never had it so good and that his Government is the best thing since sliced bread. We want the member to continue to do that loudly and clearly because he is making those people very angry.

It is not only happening to businesses, but also to other groups. Kaata-Koorliny Enterprise and Employment Development Aboriginal Corporation is the local Aboriginal consultative council, or umbrella group, in the Narrogin area. Most country members know that, traditionally, Main Roads has been a strong source of jobs for Aboriginal people. KEEDAC put together a profile and went to these companies. It submitted attractive arrangements to use various government programs to provide employees for certain parts of the task, such as the road marking. KEEDAC is angry that only one of the four companies has even bothered to respond to its submissions.

Understandably, the Deputy Premier went to Narrogin to try to defend the Government's position. First, he said that the Government would save lots of money through the contracts because the contracts were about releasing money that could be spent on other things. The comment was made that those other things included belltowers and convention centres! We pointed out at the meeting that the objective evidence did not show that contracting out was bringing home the bacon in cost savings. We said that the objective evidence was - we have said this time and again - that the cost of road maintenance has trebled since the 1992-93 financial year. That is absolutely clear. However, the government chorus tell us that the Government is doing a much better job on road maintenance. Anecdotal, no-one in the State believes that. None of those people at the meeting would say that - they were not very receptive to the proposition. Let us put aside the anecdotal evidence and refer to the hardcore evidence; that is, the regional digest published by Main Roads. Graphs in the digest show the criteria Main Roads uses to assess the performance and quality of its roads. Both of the graphs show that the percentage of the network which is not complying with operational standards has increased, whether it be design, speed or road roughness. The cost of maintaining the roads has increased threefold while the percentage of the road network not complying with the operating standards has increased. That is an objective measure of performance; it is Main Roads' objective measures of performance!

Dr Turnbull: The member's extrapolation is extreme.

Ms MacTIERNAN: This is the data. The member for Collie should stop ranting and raving and look at the data.

Dr Turnbull: The data is not about potholes; it is about age.

Ms MacTIERNAN: The data is about the operational standards. It is not about age.

Dr Turnbull: Yes, it is. The member's extrapolation is disgusting.

Ms MacTIERNAN: I have produced objective data. The member for Collie should produce documentation that supports her claims.

The Government has not made any objective evidence available. It has only given us bland assertions that we have never had it so good; that although the roads may be costing three times as much, the quality is better.

The Deputy Premier told the Narrogin businesspeople that they are protected by the regional buying compact. He said the Government was conscious of rural people's concerns and had put in place a regional buying compact. Unfortunately, the compact is next to useless! I am not asking the members opposite - the government chorus - to accept my word for this. In a letter sent to the Deputy Premier, the President of the Bunbury Chamber of Commerce, said in relation to the regional buying compact that is supposed to provide protection -

Over the past five years the regional preference policies in place have not been of any significant value due to fundamental weaknesses. Even the last review resulting in the Regional Buyers Compact did not resolve these weaknesses. Major problems exist in a number of areas, such as: -

The letter details these. The first three are as follows -

The Compact does not cover major projects that are contracted out such as the New Collie Power Station. Inclusion of clauses in these contracts expressing the wish to see "maximised local content" are simply that - wishes. Unless contractually enforceable, we can not ensure major contractors address local content seriously.

The compact is of no value where the State Government have contracted an organisation to operate the utility. Examples of this are Westrail and its contract with John Holland and Western Power with its contract with Pacific Western. In these cases, the application of regional preference is not passed on to the contractor . . .



The compact is restrictive to the extent that it can not be applied to major outsourcing contracts such as Main Roads WA Term Network Contracts. After evaluating the scope Main Roads have advised State Supply Commission that the Compact is of no value in influencing very large contracts of the type being entered in to by State Government.

The last paragraph on this page of the document states -

The reality is that with current actions by State Government in relation to outsourcing and the establishment of large contracts the compact is but a "toothless tiger", needing to be urgently reviewed once again.

Mr Wiese: That letter is the opinion of a person.

Ms MacTIERNAN: It is the opinion of the Bunbury Chamber of Commerce. It and the Narrogin Chamber of Commerce, the Albany Chamber of Commerce and Industry and the Kununurra chamber of commerce could all be wrong. That is a possibility. Those on the other side could be right.

Mr Cowan: Can the member tell me if the letter is from the Bunbury Chamber of Commerce or the South West Chamber of Commerce and Industry?

Ms MacTIERNAN: It is written by Melissa Hyder.

Mr Cowan: Thank you. I just wanted to make sure.

Ms MacTIERNAN: The letter is from Melissa Hyder, and I understood she was from the Bunbury Chamber of Commerce.

Mr Barron-Sullivan: She was the previous chair of the south west chambers.

Ms MacTIERNAN: Okay, so she has been deposed! She sent the letter and she got the bullet! The Opposition is not the only body that is saying that the regional buying policy is not bringing home the bacon to country people. It is not in the southern half of the State only that these problems are occurring. We recently spoke to Carol Dickie of Kununurra Earthmoving Plant. He told us that since Main Roads handed all its construction work in the Kimberley to two large companies, his company has had a marked downturn in work and has not been able to secure any work from those contractors. Much to his horror, those companies are bringing earthmoving equipment all the way from Perth. Not even distance appears to afford any protection for local businesses. Just as L.R. Archibald and Co dropped the number of its employees from about 85 people to less than 30, this company in the Kimberley reduced the number of its employees from 12 to five. I understand that Kununurra Plant Hire is in a similar situation.

Today, the Opposition is asking the Government not to abandon its policy, but to suspend it so that a proper study can be undertaken on the impact of these contracts on regional Western Australia. It is absolutely unacceptable for the Government to embark on a course of action - I ask members opposite to listen to this to get some understanding of the scale of the issue - that would tie any Government's hands for the next decade. These contracts are 10 years long and the eight contracts between them are worth approximately \$1b. The Government proposes to hand over for one decade \$1b worth of expenditure without so much as a preliminary assessment of the impact on local and regional jobs and regional business, and without doing a basic social and economic impact study of this proposal. It is absolutely extraordinary.

It is perhaps not surprising that the whole proposal to contract out the entire operations of Main Roads has been absolutely slammed by one of the most senior operatives, Mr Clive Matson, who likewise left the department after producing this document. He said the decision to set up these term network contracts was based on a \$25 000 report which oversimplifies an organisation with a \$12b asset base and \$550m annual expenditure. He said the business case for outsourcing all road construction maintenance and associated provider activity did not seem to have been attempted. The department has not attempted to provide the business case for this strategy, nor has it attempted to do any sort of social or economic impact study on what is happening in regional Western Australia as a result of these policies of contracting out.

It is in the Government's interest to do these things. The Opposition is selflessly giving the National Party advice; that is, it should place a moratorium on these contracts and give some consideration to the impact of the contract. It should listen to what the people are saying in Narrogin, Albany, Bunbury and Kununurra, and then decide whether it wants to go down the same road with the remaining seven of the term network contracts. As we speak, the regional buying compact is again being reviewed, specifically the maximum value component. At the moment, the maximum value for contracting out services such as this is \$500 000, and that is 0.5 of 1 per cent of a \$100m contract. It is absolutely meaningless in determining the overall outcome of the success of a proponent. The State Supply Commission knows that and the Government knows that. The Government should put a moratorium on these contracts and get it right before going ahead and tying up for the next 10 years \$1b worth of expenditure that may result in many Western Australian businesses and rural jobs going down the drain.

**MR COWAN** (Merredin - Deputy Premier) [3.34 pm]: I thought that somebody from the opposition side of the House might lend a little more substance to this debate. Nevertheless, I found the tactics of the member for Armadale very interesting. Over the period she has been a member in this place, it has been her practice to draw on a few facts, make fairly wild assumptions, have those assumptions corrected with more facts, then draw on those facts and make another round of wild assumptions. That is very much the case we are experiencing now.

I admit that I attended the same meeting as the member for Armadale, and I thought it was very constructive inasmuch as some of the concerns of local contractors and local businesses were clearly enunciated. They were looking for some indication from the Government that they would have an opportunity to participate and to compete for this business. No-one would deny them that opportunity. However, before I deal with the meeting in Narrogin, I will take up some of the assumptions made by the member for Armadale which she has presented as facts.

The first is the maintenance of the road network for which Main Roads Western Australia has responsibility. The funding appropriated by Main Roads to maintain 17 000 kilometres of road network in Western Australia, much of which Main Roads is responsible for properly maintaining, is the highest amount ever allocated to road maintenance. It has increased by a considerable amount and Main Roads is proudly saying that it is spending three times more per kilometre of road on maintenance of the road system. It is not that the costs have risen for the same output, but that the Government is putting more money per kilometre into the maintenance of the road system.

One of the things that irritates me is that year after year in the 1980s and the early 1990s a great asset of this State, the road system, was allowed to deteriorate because no funding was set aside for either maintenance or new construction work to replace an ageing road system. This Government has dealt with that issue, but it cannot be done overnight and we are still some distance from providing the volume of dollars needed for maintenance, as well as the money needed for the construction of new roads.

Ms MacTiernan: I have shown you the data on which I am relying to indicate that the quality of the road network has not improved. You are telling me it has. Where is the evidence? What are you relying on? What performance indicators are you relying on?

Mr COWAN: I will talk about the performance indicators and the charts the member is using in that document.

Ms MacTiernan: I want to know which ones you are using.

Mr COWAN: The same ones the member for Armadale is using, but I am interpreting them differently. Main Roads sets a standard upon which the road surface will be regarded as suitable for traffic today. That standard is rising. The volume of traffic and the vehicle mass have increased substantially across Western Australia. That has led to greater efficiency in the road transport system, but it requires a better quality of road underneath the wheels. The standards are rising all the time. When Main Roads assesses whether roads meet the new standards, those figures are provided in the charts to which the member for Armadale has referred.

Ms MacTiernan: Is the Deputy Premier arguing that operational standards have changed over the time of this graph?

Mr COWAN: The operational standards of the road system, and the expectations that those roads are required to meet a higher standard are increasing all the time. An issue that has been bandied about by a number of people - not just the Opposition but the public generally - is that more money is spent on roads in the metropolitan area than in regional Western Australia. That is not the case.

Mr Riebeling: It is this year. Your minister told me it was. He must have lied to me then.

*Withdrawal of Remark*

Mr COWAN: No, he did not. I demand a retraction of that statement.

THE ACTING SPEAKER (Mrs Hodson-Thomas): I did not hear the comment that was made.

Mr COWAN: It is contrary to standing orders for a member to accuse another member either in this place or another place of lying. I demand a retraction.

Mr RIEBELING: I retract.

*Debate Resumed*

Mr COWAN: I make it clear that, of the \$806m that has been allocated for roads in Western Australia, more than half is being spent in regional Western Australia. If local government funding for roads is added to that figure, the expenditure on road funding in regional Western Australia surpasses the expenditure of road funding in the metropolitan area. The only difference is that the funds expended on roads in the metropolitan area are generally highly visible. The extensions to the Narrows Bridge and the Northbridge tunnel are visible examples of expenditure on improvements to the road system.

A number of issues are important. The maintenance criteria cited by the member for Armadale that maintenance costs have increased threefold per kilometre have nothing to do with the equivalent amount of work; it is the amount of money that is set aside for maintenance as a whole to improve the standard of an ageing road system. Unfortunately, that volume of money is still not enough. The member for Armadale would agree that we have extracted as much as we possibly can from road users through vehicle registration fees and fuel taxes which are recouped from the Commonwealth for road funding.

Mr Brown: Are you going to drop registration fees before the next election?

Mr COWAN: I did not say that. That is the situation with revenue that would be used for expenditure on roads. The total expenditure on roads by Main Roads and local government has increased. Finally, Main Roads always wants to improve the standard of roads. As the volume of traffic and the gross vehicle mass increases, the standards must rise. It is a never-ending chase for Main Roads to reach those standards. I have answered the three questions posed by the member for Armadale.

Term maintenance contracts have been in place since 1995 when they were offered to a number of private sector contractors and also to some Main Roads divisions. In many respects, most of those contracts have been very successful; for example, 18 local contractors are being used by the tenderers who won the term maintenance contracts to look after the roads in the northern wheatbelt section. We have now reached the stage at which we will advance from term maintenance contracts to term network contracts.

Ms MacTiernan: The Government had a dry run with three small contracts. Did it conduct a social and economic impact study on the effect of those contracts on local businesses before it decided to go down the path of 10-year term network contracts?

Mr COWAN: I do not know whether a formal study has been done. However, I am sure that enough evidence and information would be available.

Ms MacTiernan: Could we access that information?

Mr COWAN: I am not the Minister for Transport but I am sure information was gathered. I have not done that from a regional development perspective, because nobody has told me that this is an issue that needs to be dealt with.

Ms MacTiernan: The minister received this letter from Bunbury and he was at the Narrogin meeting. What more do we have to do to bring it to his attention?

Mr COWAN: At the meeting that was also attended by the member for Armadale there was lot of loose talk about declining population and about towns dying. That trend in the meeting came to a thundering halt when it was pointed out to the people of Narrogin that in the past year Narrogin's population has increased by 4.6 per cent, and has been increasing since 1995.

Ms MacTiernan: They did not accept that; the shire president spoke against that.

Mr COWAN: It is true. I do not think even the member for Armadale could twist data from the Australian Bureau of Statistics. The population of Narrogin is growing. Nobody has put to me that we should have a specific social and economic impact statement based on Main Roads term maintenance contracts being converted to Main Roads network contracts, which is what the Government is seeking to do now. The member for Armadale referred to the three experiments that were conducted. I thought it was the other way around, and three Main Roads divisions were allocated term maintenance contracts and the rest went to private contractors. However, I may be wrong about that. Seven contracts were established; four of them were private sector contractors - three of which were in regional areas - and three were contracts with Main Roads divisions that already existed. Those term maintenance contracts are nearing the end of their time. They have been assessed by Main Roads and we are moving to term network contracts.

The member for Armadale has ridden lightly over the issues associated with the contracts, including the requirement for the preferred tenderer to maintain a significant regionally-based work force, and for the preferred tenderer to indicate clearly how it will source some of its services from the local area. Those provisions will be written into the contract. The member for Armadale must understand that to date only one term network contract has been allocated and that is in the metropolitan area. The end of this month will be the earliest that some of those regional contracts with the preferred proponent will be written.

Ms MacTiernan: There is no obligation in that contract for them to do it.

Mr COWAN: This is the very assumption I have been trying to refute time and again. Because there is no obligation, no contract has been let.

Ms MacTiernan: There has; one.

Mr COWAN: One was let in the metropolitan area, which has nothing to do with the regional location of those contractors. In this case, the first of the term network contracts for regional Western Australia is likely to be let no earlier than the end of this month but probably in November, and it will be followed by some others, I hope, by the end of this year.

Ms MacTiernan: You just want people to trust you.

Mr COWAN: Members can be quite sure that from where the proponents or the contractors - or whatever word the member opposite wants to use - will source their materials and their services or their subcontractors will be taken into consideration. Those matters will be written into the contract.

Ms MacTiernan: The maximum is 0.5 of 1 per cent; half of 1 per cent.

Mr COWAN: There is a weighting on regional development of 10 per cent - I do not know why the member is talking about 0.5 of 1 per cent - in the initial assessment to determine the preferred bidder. Once we get preferred bidders, or preferred proponents, importance will be placed on the issues that they must demonstrate. I do not know how much time the Minister for Services wishes to take to put his case, but I know other members would like to speak in this debate. I would have liked to have had time to go into the detail of the regional term network contracts. To date none has been let. I despair that the member for Armadale makes these assumptions on the basis that no protection or encouragement will be given to people living in regional areas, because there will be.

**MR BOARD** (Murdoch - Minister for Services) [3.52 pm]: With some pride, I respond to this matter of public importance. The Government has a very proud record since it has been in office, particularly in the past few years, of making sure the private sector is involved in providing services and works to government, and also in the amounts of money that are now going to regional areas.

Ms MacTiernan: It is big business there.

Mr BOARD: Only the other day I was looking at some information which indicated that \$6b a year had been awarded for government procurement in both works and goods and services. I was extremely pleased to see that 30 per cent of that amount had gone to regional areas. That is a massive increase on the amounts allocated years ago, and certainly on the funds provided during the period of the previous Labor Government.

Mr Brown: It ought to be; the budget was only \$4.2b. You have whacked up charges by 17 per cent.

Mr BOARD: Those opposite brought on this matter of public importance and it has provided an opportunity for me to show how much money is being put into regional areas.

Ms MacTiernan: Who is getting it?

Mr BOARD: Small business is getting it. Of the total, 80 per cent is being won by small business, and that is what the member fails to see. Every contract put in place is subcontracted down.

Ms MacTiernan: They are bringing the plant up from Perth. They are saying it is not happening.

Mr BOARD: The whole purpose of the regional preference policy is to put as much money as possible into country regions, particularly into small and medium businesses. Through our 20 or so selling-to-government workshops in country areas, we have been able to show how a one-man operation can access government contracts. We have changed the access to the branches of the Department of Contract and Management Services by making them shopfront offices. We have shown small businesses, which never thought they could contract or sell something to government, how they can access government spending. I am very proud of what has been achieved in that regard.

Ms MacTiernan: Do you believe the Bunbury Chamber of Commerce is talking rubbish or do you think there are problems?

Mr BOARD: I will respond to that as I move through my remarks. I am also proud of the fact that 25 per cent of the staff in the Department of Contract and Management Services is now regionally based. We put them there by moving the thrust of contracting into regional areas. In the past 12 months at least \$130m in government contracting has gone into works in regional areas, and this financial year that figure is expected to be in excess of \$155m. The biggest winners have been small businesses. We have looked at the flow of subcontracting. As I indicated to this House some time ago, that figure is running at about 80 per cent of subcontractors. In regard to the success of the regional buying compact, 91 of the 127 construction contracts let by Homeswest in 1997-98 were won by regional firms, many in their own right. The regional buying compact was successful in getting regional companies to win 12 of those contracts.

I required some information to be provided to me on the success of the regional buying compact right across regional areas. In every region of Western Australia we have had success. As the member is concerned with the south west region, I indicate that the buying compact was influential in the cleaning contract at the Bunbury campus of the South West Regional College of TAFE, valued at \$250 000 per annum. The contract let by the Department of Conservation and Land Management and the Ministry of Justice for the refurbishment of the Manjimup courthouse valued at \$222 000 was won under the regional buying compact. The Education Department contract for the administrative upgrade of the Margaret River primary and high schools, valued at nearly \$1m, was won through the regional buying compact. The contract let by the Health Department of Western Australia for the kitchen upgrade at the Kojonup District Hospital, valued at \$173 000, was won with the application of the regional buying compact.

Ms MacTiernan: You are missing the point.

Mr BOARD: I am just indicating how the regional buying compact is assisting companies in the country regions to win contracts.

Ms MacTiernan: It doesn't work on contracts of this order; that figure is only 0.5 per cent.

Mr BOARD: We are very proud of the amount that is going into the private sector and the thrust that we have been able to put into regional areas. I can show the member the amounts of money flowing into regional areas in all forms of contracting and subcontracting. She will find that to be an incredible boost compared with what happened a few years ago, in particular, when the Labor Party was in government.

Yes, I am reviewing the regional buying compact, as I do on an annual basis these days. The reason for the review is twofold: First, one of the provisions within the regional buying compact indicates that for works contracts, if a city-based construction firm accesses 80 per cent of its goods locally, it can also apply the buying compact preference. In many cases that was nullifying the opportunities of many local construction companies to have that advantage. I am also reviewing the \$50 000 maximum preference. It has not risen in the past two years, since the regional buying compact was strengthened. As the member has indicated, it may be that in contracts of a certain order, the amount of the preference may need to be increased.

Ms MacTiernan: Will you support this motion which asks you to suspend that until the review is completed?

Mr BOARD: At the moment I am talking about the regional buying compact.

Ms MacTiernan: I know. The motion asks you to suspend it.

Mr BOARD: We are continuing to strengthen it. I am also reviewing the way in which we give weighting through the expressions of interest process to regional companies. At the moment there is a strong movement, especially within the Department of Contract and Management Services, to ensure that the weighting we look at through the EOI process favours regional companies, particularly those that have been substantial and those that employ a large number of local people.

Ms MacTiernan: Let me just ask you this question: Why do you not suspend granting these term network contracts until the review is completed? You recognise there are problems with them. Let's complete the review and then grant these contracts. These are 10-year contracts.

Mr BOARD: We are continuing to strengthen what we have done.

Ms MacTiernan: The horse will have bolted before you strengthen the stable door.

Mr BOARD: The Opposition did not even have one. We are continuing to strengthen the regional compact. We are continuing to put more money into regional areas, and it is something of which we are particularly proud.

Many members also want to indicate what is coming to their areas as a result of the regional buying compact, but the work we are doing, particularly in electronic commerce, and the way in which we are using consultancies, is showing a great return. Regional areas will also be able to share in the number of consultancies, particularly the architecture and building consultancies that are being won regionally as a result of the increase in delivery of services across the net.

**MR WIESE** (Wagin) [4.00 pm]: I will very briefly tackle some of the issues that have been raised, especially some of the comments of the member for Armadale. Some of the comments, by omission, tend to put a wrong story before the House, and the House must be aware of them. Let us deal firstly with the meeting and why it happened - the meeting on which the member for Armadale is trying to ride and build. The meeting happened because one of the persons who was part of the L.R. Archibald and Co Pty Ltd team made a decision to bring to the surface a lot of community concern to try to support its proponent as one of the term network contractors. It has never been said, and the member for Armadale certainly would not say it, but Archibalds is part of one consortium that is currently in the tender process for the term network contractor in the upper great southern-lower central wheatbelt area. It has not lost any contracts. It is part of one of the four consortiums that are currently in the tender process. The meeting was called as a result of the work of one person, Peter Jackson, getting the community concern worked up and having the member for Armadale come down to the area. Archibalds is not out of the operation; it is part of the operation and it may well finish up being part of the successful consortium for this tender or for one of the other term network tenders. That must be clearly put before the community.

The member for Armadale also commented about Archibalds being one of the companies which were losing all the work and not getting access to jobs. She commented about Narrogin Hire Service not being responded to and not being able to get work. Narrogin Hire Service is a very small hire company. It has equipment such as trailers, cement mixers, compactors and that sort of thing. It is not a supplier of the sort of equipment that, generally speaking, will be used by any of the successful tenderers for a term network contract or even for some of the work around the shire. The member must be aware of some of these factors and the untruths or the incorrect insinuations about some of the issues that came out of the meeting.

The member also said that some people were saying that Narrogin was going through a decline, that the numbers were down and all that sort of nonsense. In reality, as the Leader of the National Party clearly pointed out, Narrogin's population is not decreasing; in fact, it has been expanding. Further to that, the member must be aware that the towns around the perimeter of Narrogin are experiencing major growth. Cuballing, which is 10 miles from Narrogin, has gone from approximately 30 houses to now almost 90 houses. A great number of people in Cuballing work in Narrogin. It is about lifestyle, with people living on two to five acre blocks. Some of them have built extremely good houses and are travelling to, and working in, Narrogin. To all intents and purposes, they do all their spending in Narrogin. They are part of the Narrogin community. Exactly the same applies to my home town, Highbury, which is 10 miles south of Narrogin. It had four houses when I was on the shire council; now it has nearly 20 houses. People who live in Highbury work and spend their money in Narrogin.

Another part of the picture which was not presented is that of the Shire of Narrogin, which completely surrounds the town of Narrogin. The Shire of Narrogin is experiencing an enormous growth stage in all of the areas surrounding Narrogin. This year the number of rate notices issued rose by 16; that is 16 individual rate notices going out to properties which, in the majority of cases, will be new houses being built on either a subdivided block or on an existing location of anywhere from 50 to 100 acres in size. Large, good houses are being put on those properties by people who want to live not in town but in the rural community.

**MR BROWN** (Bassendean) [4.05 pm]: I am pleased to speak on this matter of public importance today because of matters that were raised with me when I was in the south west recently. I am indebted to the Minister for Services for remaining in the Chamber while I raise these questions. One of the matters that was raised with me when I was in the south west related to the long-term contracts that the Government is issuing. Some Westrail contracts, and now Main Roads contracts, are being issued. The concerns raised have been about the operation of the regional buying compact by the contractor; that is, a head contractor receives a contract of a specified amount from government to deal with specified matters under that contract. That head contractor does not perform all the work. The head contractor then subcontracts work by calling for tenders from subcontractors and small businesses in the area or areas concerned. The concern that has been raised with me by industry members in the south west is that in allocating its contracts, the head contractor does not apply the regional buying compact; that is, those regional businesses which seek to tender for work let by the head contractor do not get the benefit of the regional buying compact that would exist if the Government tendered that work directly.

Can the minister tell me whether that is wrong? Is my understanding or the understanding of the small business people who spoke to me wrong? That is their understanding of the way in which the long-term contracts that are issued by the Government work. The minister is nodding his head. I suggest that that means that the minister is agreeing with my statement.

Mr Board: I am agreeing to respond to you.

Mr BROWN: The minister might want to respond by interjection. I am trying to get it on record today because I have a pile of questions on this issue. I often have difficulty getting direct answers to questions. However, I am not hearing from the minister that I am wrong. I am not hearing from the minister that the small businesses in the area are wrong in their interpretation of the way the long-term government contracts operate.

Mr Board: The regional buying compact is a direct relationship between the Government - in this case, the purchaser - and the person who wins the contract. In the past, the member for Bassendean has directed to me many questions about the relationship between the contractor and the subcontractor, whether it be in a regional buying compact or in the application of any other controls. There is a dilemma for the Government in how much it can control what the private sector will or will not do, and what the Government should control in that regard. There is an expectation within the regional buying compact that subcontracting should favour regional areas. That is why we do it. I am happy to look at that point raised by the member as part of our review, and I will direct the State Supply Commission to look at the effect of the subcontracting parts of the contracts we have with people under the regional buying compact. However, the evidence I have indicates that at least 80 per cent of subcontracting in any case is going to regional areas, whether or not that is through the regional buying compact.

Mr BROWN: That is the nub of the issue that has been raised with the Opposition. I emphasise that the Government is moving to long-term contracts. These are not short-term, finite contracts for specific things but, rather, long-term contracts. What has that meant for regional and small businesses? It has meant there is no obligation on the head contractor to let that work to regional businesses. Regional businesses are missing out on the work because the 10 per cent addition does not apply. A large, city-based contractor with a wealth of contracts around the State shifts and moves its services around the State to the detriment of business people in the regions. The minister need not take my word for it; he should ask the people in the business organisations. I sat down with them and they explained it, even to me! I am sure they could explain it to the minister! The Government should not have a blind adherence to the view that it has it 100 per cent right, because it has not. The Minister for Regional Development said that no-one has raised the question of conducting a social impact study on the changes coming about as a result of these contracting arrangements.

Mr Cowan: Just Main Roads.

Mr BROWN: Main Roads. People from small businesses ask me whether I understand the implications of these long-term contracts on regional development. They explained it in this way: When businesses have long-term contracts in place for a number of years, the very senior personnel of the government department or agency are no longer needed. Those people in that government department or agency are being transferred back to Perth with junior officers remaining in the regions. When the small business people raise significant policy issues with those junior officers in the regions, the officers tell them that they do not have the authority to deal with the issues and that they must be dealt with in Perth. No-one has worked out yet that this is the issue for regional development. The minister and the Government have not worked out yet that this has a fundamental impact on regional development and on the amount of business that goes to small contractors in the regions. Hopefully today the penny has dropped!

The minister said that he will review the compact as a result of this matter of public importance being raised. I am pleased about that and I am sure a great number of the small business people will be pleased about that. However, a number of long-term contracts have already been let and, as a result, the small businesses that previously performed part of that work for many years have been excluded. That is the way in which those small businesses have been treated. There has been no comprehensive and proper assessment of the policy nor has an impact study been conducted. When we talk about the blind ideology of the Government and of its rushing headlong in this direction, it is obvious that is a fact because this Government, which claims to represent regional Western Australia and which has more members than the Opposition in regional Western Australia, has not even given this matter a thought. It has not even considered the impact it will have on regional businesses, on employment in regional areas and on the number of people employed by government departments in regional areas.

Question put and a division taken with the following result -

#### Ayes (18)

Ms Anwyl	Mr Graham	Mr McGinty	Mr Ripper
Mr Brown	Mr Grill	Mr McGowan	Mrs Roberts
Mr Carpenter	Mr Kobelke	Ms McHale	Ms Warnock
Dr Edwards	Ms MacTiernan	Mr Riebeling	Mr Cunningham ( <i>Teller</i> )
Dr Gallop	Mr Marlborough		

#### Noes (28)

Mr Ainsworth	Mrs Edwardes	Mr Masters	Mr Sweetman
Mr Baker	Dr Hames	Mr McNee	Mr Trenorden
Mr Barnett	Mrs Hodson-Thomas	Mr Minson	Mr Tubby
Mr Board	Mrs Holmes	Mr Omodei	Dr Turnbull
Mr Court	Mr House	Mrs Parker	Mrs van de Klashorst
Mr Cowan	Mr Kierath	Mr Prince	Mr Wiese
Mr Day	Mr Marshall	Mr Shave	Mr Osborne ( <i>Teller</i> )

#### Pairs

Mr Thomas	Mr Bloffwitch
Mr Bridge	Dr Constable

Question thus negatived.

**GAS CORPORATION (BUSINESS DISPOSAL) BILL 1999***Consideration in Detail*

Resumed from 23 September.

Debate was adjourned after clause 24 had been agreed to.

**Clause 25: Consumer contracts -**

Mr RIPPER: This clause specifies matters regarding consumer contracts when AlintaGas moves from the public to the private sector. It provides that a contract will be in a form approved by the Coordinator of Energy and set out in a notice published in the *Government Gazette*. My understanding is that these matters are currently covered by regulations and by-laws which are disallowable by either House of Parliament. It appears that in the new arrangement, only the Coordinator of Energy will have the power to veto the form of the consumer contract. In other words, consumers will lose the protection of being governed by a disallowable instrument, and will be subject only to a decision of the Coordinator of Energy if they have a problem with a contract.

Also, it is unclear from the legislation's wording how long this inferior form of protection will apply. At the time that AlintaGas moves from the public to the private sector, its contracts will be in the form approved by the Coordinator of Energy. However, it is not clear whether that circumstance will continue, or whether at some later stage the privatised AlintaGas will be able to change its consumer contracts without reference to the Coordinator of Energy.

Mr BARNETT: This change is necessary as we move from government ownership to private ownership, as we will move to private, commercial negotiations between the supplier, AlintaGas in private ownership, and the customers, both household and commercial. I see no risk to consumers in what is suggested. Protection is provided in the tariff level regulations, and trade practices and fair trading legislation will apply. One could argue that a more formal relationship will be established. Therefore, the consumer - we refer here particularly to the commercial customer - will be in a stronger position legally if the supplier does not meet the contract. The Government is conscious of consumer protection, which has been part of the policy development of the Bill. Protection will be afforded to consumers' rights to be connected and with price and the like. It has been looked at carefully. This proposal represents a reasonable, normal commercial arrangement. If any predatory behaviour should occur, or anything untoward be done to consumers, which is not covered by fair trading and trade practices legislation and the powers of the Coordinator of Energy or the gas regulator, Parliament will always have the opportunity to introduce legislation as a last resort to deal with those matters. That power will not be lost, but I believe it will not be needed.

Mr RIPPER: It is not clear whether the role of the Coordinator of Energy applies only during the transition period or will be an ongoing role in approving or otherwise consumer contracts entered into by AlintaGas.

Mr BARNETT: I am advised that the Coordinator of Energy approves the arrangements for existing customers, and this is in an ongoing role.

**Clause put and passed.****Clause 26: Proceeds of disposal -**

Mr RIPPER: This clause deals with the proceeds of disposal of AlintaGas and sets out a hierarchy for the allocation of the proceeds. The last element in the hierarchy reads -

- (d) fourthly by the payment of the balance into the Consolidated Fund.

I have argued that the Government is engaged in the privatisation of AlintaGas and Westrail freight partly because it has significant budgetary difficulties. According to Australian Bureau of Statistics guidelines, the Government is running a budgetary deficit this year of \$638m on a cash basis. The Government has scheduled in its forward estimates to run a deficit, if not to the same extent, on the same basis, in the next financial year. The budget papers show that state debt has increased by \$800m. When I put this argument, *The West Australian* commented that I presented no evidence to back my claim that the Government was seeking to use the proceeds of privatisation to plug a hole in its budget. The argument is clear: The Government is running a budget deficit which must be financed through an increase in state debt. Part of the proceeds of the privatisation of AlintaGas will go towards paying off that state debt. The Government might say that it is doing the right thing in using the proceeds of privatisation to pay off state debt and not for current activities. However, the truth is that the Government is proposing to pay off state debt, which is rising because the Government is running a deficit. By a series of steps, the proceeds of privatisation will be used to compensate for state debt which is rising because of state government budgetary difficulties in this and the next financial years.

I am prepared to believe that the Government has an ideological commitment to privatisation, but this commitment is being accelerated or enhanced by the budgetary difficulties the Government faces. The Government needs to sell AlintaGas and Westrail freight because it has been unable to control expenditure and has a budget deficit.

Mr BARNETT: The member speculates on motive. The privatisation of AlintaGas has merit in its own right. It is important for the gas industry. If AlintaGas were not privatised, a question mark would arise on whether deregulation could realistically be taken down to the level of the household; therefore, service and competitive price would be jeopardised. The industry essentially involves a great deal of competition, and the protected part of AlintaGas represents only 4 per cent or so of cash sales. It would be difficult to have a government-owned utility compete in the marketplace with private companies to sell gas at the household level. The time has come for AlintaGas to appropriately move across to direct public ownership, rather than be in indirect public ownership through government. It will continue to operate in that sense.

The decision to proceed with the privatisation of AlintaGas was made prior to Christmas, which was six months in advance of the delivery of the last state budget. The Deputy Leader of the Opposition can surmise what he likes about the Government's debt position, but that was not the basis on which the decision to privatise AlintaGas was made. Certainly, the proceeds are of use to Government as they can be used to retire debt and to fund capital projects.

There seems to be a tendency to lump AlintaGas with Westrail as one and the same. They are not the same at all. There are significant policy decision differences between them. Also, while AlintaGas will generate significant net proceeds into the consolidated fund, the same is not true of the Westrail sale. A high level of debt is attached to Westrail's freight and rail business. AlintaGas has about \$232m of debt and if one argues that it may fetch around \$1b, that is a significant net return to the consolidated fund. I do not know that the same result could be achieved from Westrail's figures.

Mr GRILL: At a briefing held yesterday on Westrail, it was indicated that the Westrail debt had increased in the past few years by \$70m to \$80m per annum on the basis of capital investment in track and maintenance. Earlier in this debate the minister indicated that the net debt of AlintaGas is \$232m. What is the history of that debt? Has it increased in recent years? Is it going up in the way that Westrail's debt has escalated? Are there problems in that area? What was the debt four or five years ago? Is it increasing or decreasing?

Mr BARNETT: When the State Energy Commission of Western Australia was split into Western Power and AlintaGas, the assets and liabilities were apportioned between the two enterprises. Some people in Western Power argued that it carried too much and that AlintaGas was let off lightly. It is a moot point. Great care was taken to allocate debt that had been raised by SECWA to the assets it funded. It was done objectively and I think very well. AlintaGas' debt has not increased significantly; it has probably gone down marginally and it is not an issue. Arguably, under private ownership the debt equity ratio would be different and it would carry more debt because of tax considerations. It is not a highly geared enterprise. If it theoretically has a capital value of \$1b and is carrying only \$232m debt, it is an attractive structure. The sale of the pipeline took away the biggest component of AlintaGas' debt, after SECWA was split, which was the debt attached to the pipeline. It was approximately \$1b.

Mr GRILL: Is the minister working on notional figures in terms of anticipated outcomes of the sale? Does the minister have notional figures for debt repayment and other areas?

Mr BARNETT: Obviously - this clause makes it clear - apart from the sales transaction costs, AlintaGas' debt, through Treasury Corporation, would be retired immediately. I talk about \$1b, which some financial advisers may think is optimistic, but I think it is a good business, and there will be demand from other utility organisations and private shareholders who want a long-term and secure investment. Under private ownership it can grow in not only the gas business, but also other fields of activity which would not happen if it stayed in government ownership. It has a large customer base and customer contact, and it can grow and prosper and probably become a more diversified energy business in private ownership.

Mr GRILL: I thank the minister for being so frank on his prognostication of the likely scenario on the sale outcome and the amount that might be received. Has a similar prognostication been done on the outcome in the event of disaggregation of AlintaGas, along the lines of the disaggregation that took place in Victoria?

Mr BARNETT: I used that figure when I responded to the second reading debate. It was estimated by Deutsche Bank. The loss from sale proceeds of disaggregating AlintaGas is estimated to be in the order of \$70m, which is a very substantial amount. I argue that it is too high a price to pay for whatever benefits might come from disaggregation. I also note that AlintaGas would be the only vertically disaggregated gas utility in Australia. In the access codes and competition rules there are procedures for dealing with that, and \$70m is a very high price to pay for what might be seen to be an economic ideal. I understand the arguments for separation, but it is a very small utility even by gas industry standards.

Mr GRILL: I was under the impression that disaggregation took place in Victoria.

Mr Barnett: No, there was horizontal disaggregation by geographic area but not vertical disaggregation.

Mr GRILL: Disaggregation took place, but it was horizontal?

Mr Barnett: It was by geographic area, so the Melbourne metropolitan area was broken into different utilities by geographic location. They each remained integrated and had the pipeline business and the retail sales business within them. AGL Pipelines Ltd, which is the biggest gas utility in Australia, has always been vertically integrated and continues to operate as such under the national access code rules in New South Wales. Sydney is one vertically integrated utility that is far bigger than AlintaGas.

Mr GRILL: The minister is saying that the sale in Victoria produced three competing entities, each of which is vertically integrated.

Mr BARNETT: No, they do not compete. There are three entities operating in different geographic areas of metropolitan Melbourne, and they have similar numbers of customers to AlintaGas - about 400 000 each. However, because of the different climatic conditions, each entity on average sells three times as much gas as AlintaGas sells. There are three distribution and retail companies operating in metropolitan Melbourne. They are similar to the model we propose for AlintaGas. They buy and sell gas and run the pipeline business. They operate under the national access codes, but they are separated geographically. The three areas are divided with a boundary around each. Each is vertically integrated. AGL in New South Wales is vertically integrated and even owns some of the transmission pipelines feeding Sydney, as well as being involved in distribution and retail sales.

Mr GRILL: We are all well aware of AGL in New South Wales. It is a very old monopoly and has been in place for a long



time. With regard to these three vertically integrated suppliers and retailers in Melbourne, are there plans in the future for their retail elements to compete one against the other; in other words, in the same areas against each other?

Mr BARNETT: I am advised that their boundaries have small areas of overlap. The areas are circular and there are common area segments in which the companies compete. I imagine the pipeline infrastructure is not quite discrete and the pipes cut across each other. However it works, there are boundaries over which there is competition and the gas customers have a choice between company A and company B; but, in the majority of areas there is no choice.

Mr GRILL: Can the minister clarify that there are no plans for future competition between these three agencies as time goes on? I understood that after a period of years there would be open competition on a retail basis.

Mr BARNETT: There will be the ability to sell gas through the other distributors' pipelines. That is not precluded here. Already CMS Gas Transmission of Australia has proposals to put gas distribution lines into industrial areas such as Canning Vale to pick up some of the larger customers. Nothing in this Bill will stop another company sending distribution lines through the metropolitan area. That could well happen given the relatively low capital costs and the materials available to put distribution lines through now. Currently, some approval processes are in train to allow that. They are the normal sorts of pipeline clearances and approvals. Even with the so-called monopoly position of AlintaGas it will still be subject to independent pipeline proponents picking up its major customers or, arguably, servicing a new urban subdivision. No-one would build a pipeline to service one house, but a gas company may build a pipeline to service a new subdivision. Apache Energy, or another very competitive company, may propose a special deal to develop some part of urban growth within Perth. We will still get elements of vertical and geographic competition. I cannot foretell that, but breaking up AlintaGas will not progress us very far at all. Not only will we forgo potentially \$70m of receipts from the sale, but also we might be left in the situation in which the prime part of the asset, which is the distribution business, is sold and the Government - particularly with some of the take or pay contracts hanging over from the North West Shelf agreement and disaggregation - will be left holding the retail business with take or pay contracts, which is the most exposed part of the business. It could lead to some bizarre outcomes. If this entity were to be split, I doubt the Government would proceed with the sale.

Mr GRILL: From what the minister has said the Deutsche Bank's calculations were made on the basis of the disaggregation of the pipeline business from the retail side.

Mr Barnett: Yes; what it is worth if it were sold as a staple business with ring fencing, and what it is worth as two separate bases, which would be \$70m less in time.

Mr GRILL: Did Deutsche Bank do any calculations with respect to the breakup or disaggregation along the lines of what was carried out in Victoria?

Mr BARNETT: I can remember some informal discussions on the way about a geographical disaggregation. However, given the size of AlintaGas and the amount of gas sold that was not seen as viable. One could argue about a north of the river, south of the river type deal, but that does not add anything, because the real competition that AlintaGas will face, apart from electricity, will be from other gas suppliers that will come into the marketplace in urban and industrial areas. This entity will be subject to even more intense competition than AlintaGas is currently subject to. I do not think the Government should be holding AlintaGas when that comes. It goes down to 100 terajoules access on 1 January next, down to 1 TJ on 1 January 2002 and totally open access in July 2002. The powers of competition are there. People are putting in proposals to develop third-party pipeline infrastructure into industrial sites to key customers in anticipation of that timetable. We will have real competition. At the moment, to use economic jargon, we are experiencing potential competition. AlintaGas is having to renegotiate with some of its commercial customers knowing that an independent gas supplier will be knocking on the door.

Mr GRILL: When Deutsche Bank came up with the calculation that \$70m would be lost in the event that there was a disaggregation of a vertically-integrated AlintaGas business, did it consider the other side of the equation? Did it come up with any figures that might indicate what might be gained as a result of a disaggregated business in terms of additional competition, or how it might affect pricing?

Mr BARNETT: Allan Consulting did some work on the costs and benefits of disaggregation. From memory, it did not create a strong case for disaggregation at all. The combined impact of privatisation and the deregulation timetable already in place, which is real deregulation rather than structural change within the organisation, is projected by Deutsche Bank's analysis to produce nearly a 50 per cent cut in real gas prices for small business.

Mr Grill: Did they prepare a report?

Mr BARNETT: It was a requirement under the National Competition Principles Agreement.

Mr Grill: Is that report available?

Mr BARNETT: I do not have any in-principle objection to making it available. I am advised that the conclusion of the Allan report was that the stapling of the business into two ring-fence components satisfied the national competition policy guidelines, as do all other gas utilities around Australia. Unless there is some reason that I cannot, I undertake to provide a copy to the member for Eyre. I am not aware of any reason that I cannot.

Mr RIPPER: Four paragraphs relate to the allocation of the proceeds, and the minister has mentioned a notional figure of \$1b that might be gained from a sale. Could the minister lead us through clause 26(2)(a), (b), (c) and (d)? Assuming that we receive roughly \$1b, how much is likely to flow to each one of those four elements, how much will go to expenses of disposal, how much will be paid to the corporate vehicle, how much will go to the liabilities of the corporation's subsidiaries and how much will we get into the consolidated fund?

Mr BARNETT: These are guesses at this stage. The expenses of sale may come to \$20m. I stress that for commercial reasons the business entity will be restructured financially. Essentially, debt will be retired from Treasury and it will be refinanced into the private capital markets prior to the sale. There will be a refinancing of AlintaGas. We will not be selling it with Treasury debt; it will be sold with an equity position plus private debt. Much of that \$20m is accounted for in refinancing costs. The advice from Deutsche Bank is that while that incurs extra expenditure in the sale process, it will be well and truly recovered by an enhanced price from selling it as a properly financially structured entity. That is not a government decision-making process; it is the financial advice we have received to maximise the proceeds. An amount of money will be retained in the shell that will remain within Government for a period of three months or so to deal with unmet liabilities or contingencies that might arise from contractual disputes, employee issues or whatever else. That was done with the pipeline sale. The debt of AlintaGas will be retired. That has been determined at \$32m. The balance will be paid into the consolidated fund. It will then be a decision for the Treasurer - the Premier - and Cabinet as to how that may be disbursed, whether it is left as debt retirement or whether it is used for some capital project.

Mr Ripper: How much will the corporate vehicle retain to deal with the delayed results of contractual disputes and so on? Earlier in the debate you made some reference to a figure of \$10m.

Mr BARNETT: Initially in the pipeline negotiations it was a significant amount of money. I would prefer not to state that publicly, because that can raise the expectations of those who think they can mount some litigation. It was a significant amount of money, but in the case of AlintaGas, it will be far less. I imagine several million dollars will be retained for a short period until the Government can satisfy itself that AlintaGas, in terms of its government ownership, is totally wound up. Some issues must be dealt with; for example, an old industrial site in Albany was at one time a town gas operation in private ownership under the Albany Town Council and also in the ownership of the State Energy Commission of Western Australia, and there are potential issues involving rehabilitation of the site. Whatever responsibility might rest with government over that 60 or 70 years, we are not trying to on-sell it in connection with AlintaGas. That will be retained in government and it will deal with whatever obligations arise in the rehabilitation of that old town gas site. Some money may be retained for a few issues like that, but there is nothing untoward about it.

Mr RIPPER: I am interested to know whether the expenses associated with the disposal, which the minister quoted at about \$20m, include all the commissions and other fees which may be charged in the process of the public float. Sometimes the costs of disposing of a privatised entity can be quite high as a result of brokerage fees, commissions and so on. Does the \$20m cover all that?

Mr BARNETT: It will not cover all the costs of the sale. We have made some conscious decisions which will increase the total sales costs of the steering committee and those associated with the float. Those decisions included the desire to have majority public ownership; that is, small investors' institutions and the like. A price was attached to that, and it will be more expensive. We would have maximised our price simply by selling AlintaGas in a trade sale to another utility and we would have had minimum transaction costs by doing that. Costs are attached to both types of transactions. The decision to have majority public ownership will cost more and at the end of the day we will receive less, but it will give wide public ownership, hopefully Western Australian, of AlintaGas. Another decision was to make use of local stockbrokers. We are very pleased three have emerged as the lead managers. We have given somewhat of a bias to those brokers who have wide influence among average Western Australians in the retail market. Again, there is a cost attached to that. There are probably less costly ways of organising the float, but they would not have achieved the Western Australian or wide public ownership objectives.

Mr Ripper: How much are we paying beyond the \$20m for those costs?

Mr BARNETT: I do not think we can estimate that at this stage, but that is not unusual. By way of comparison with the pipeline sale, the cost as a proportion of sale price was quite outstanding in terms of low costs. Obviously that was assisted by the high price. We will not get that result here. Bearing in mind the way it has been done and given the other objectives - we will pay a price for those - we think the results will be in line with those achieved by other privatisations. That is the role of Deutsche Bank. Although it is the financial adviser, it is not directly involved in the share issues and the float process. It is an adviser and will help oversee the process. The Government is its client. It is trying to achieve the objectives of wide public ownership, high return and minimum direct cost. It is not cheap. This is pretty expensive, sophisticated stuff. The legal and financial advice is top drawer, and it is expensive.

Mr Ripper: Can the minister give some idea of the order of magnitude?

Mr BARNETT: We are talking about \$20m for seeing through the cornerstone, the prospectus and those processes. People buying the shares end up paying that, of course. At the end of the day we will provide all the details of the proceeds and costs, and of how the privatisation was done for both this project and the pipeline. I assure members there is nothing untoward, other than the fact that we will not get the very lean result we achieved from the pipeline which was a trade sale, was quite simple and for which we got a high price. This is a more complicated process, albeit for a smaller entity.

Mr RIPPER: I am disappointed that the minister cannot be more explicit. I am interested in the total amount that must be paid in fees and commissions and the cost of advice. How much does that industry get out of the privatisation of AlintaGas? The financial services industry tends to be a strong advocate of privatisation, and one assumes there is more than ideology involved in its advocacy. I am interested to know what this industry gets out of it. The minister has been a little vague for my taste in answering that question. Can he give any further detail?

Mr BARNETT: The \$20m will go to the financial advisers and the legal firms, and also covers the cost of the sales steering committee. It is a lot of money. Obviously the financial advisers are making several million dollars. At the end of the day

we will publish the details of exactly who was paid what. I have just been advised that the final contracts for the second stage of the sale with Deutsche Bank have not been concluded; they are still going through final negotiation. The same applies to the broker contracts. The brokers have a role to play, as does Deutsche Bank, in the preparation of the prospectus. They have to do their due diligence investigations and sign off to it so they give confidence to investors. Many provisions must be met under the securities legislation and the Companies Code in Australia. These are required of any float. It is not a cheap exercise, but I hope the proceeds will amount to a billion dollars-plus, and we will absorb that with consummate ease.

**Clause put and passed.**

**Clauses 27 and 28 put and passed.**

**Clause 29: Offence of disclosing information -**

Mr RIPPER: This clause creates an offence of disclosing information in connection with the disposal. I am concerned that although this clause is targeted at, presumably, insider trading and other nefarious commercial activities, it might restrict the public's right to knowledge about the disposal of AlintaGas. This is a public asset worth about \$1b. This clause creates an offence for releasing information with a penalty of \$100 000. I would not want to encourage insider trading. I would not want anybody but the taxpayers to profit from the privatisation of AlintaGas, even though I do not think it is the right policy from their point of view. Can the minister assure us that this will not have the effect of interfering with accountability in the mind of the public and the ability to obtain information about the sale?

Mr BARNETT: This is a standard clause. As the member says, it is to ensure that commercial espionage or insider trading, or whatever we might want to call it, does not happen. As the member quite rightly said, this is a public issue about proceeds. Once the sale is concluded, I am quite happy to undertake to table in the Parliament a report about it. We did that for the pipeline sale. Clause 37 requires the Auditor General to report on the sale process. There are two accountability measures in the legislation.

**Clause put and passed.**

**Clause 30: Saving -**

Mr GRILL: This is a savings clause and it has been said that it is a normal clause that is placed in a Bill of this nature, especially where there is assignment of contracts and things of that nature; I am just not used to it. I wonder whether the minister can give an example of where it might apply.

Mr BARNETT: Greater minds than mine think that the clause's objective is to ensure the contracts can be assigned in the way intended, even if the terms of the contract seem to limit assignment in some way. It essentially allows the movement of all contracts from government to private ownership. I cannot think of an example where it may be required. Some of the contracts, particularly some of those inherited from the split of the State Energy Commission of Western Australia, are complicated, such as the Wesfarmers Limited liquefied petroleum gas contract. There are all sorts of complications within it. Short of going through every contract, the clause protects what might be there. The major contracts have been examined where due diligence is necessary. The clause just facilitates the complete transfer of the contracts. The last thing I want is to find that various contracts cannot be transferred across and that the Government is left trying to buy gas and meet those contracts in some way. It is just moving it all across.

**Clause put and passed.**

**Clause 31: State indemnities and guarantees -**

Mr RIPPER: Clause 31(2) lists people to whom the Treasurer may grant an indemnity. Is that an exclusive list of the people who might be granted indemnities? A second question arises when I read the last part of subclause (2), which says the indemnity may be granted by the Treasurer "whether or not the liability relates to the matter referred to in subsection (1)"; that is, which relates to a clause 6 disposal. This clause appears to give the Treasurer power to indemnify those people, although the liability against which they are indemnified does not actually relate to the disposal of AlintaGas. Why is that clause required?

Mr BARNETT: This is a difficult issue which arose in the sale of the Dampier-Bunbury natural gas pipeline. What has been learnt as a result of that has been incorporated within the Gas Corporation (Business Disposal) Bill. The issue in the case of the pipeline was that the AlintaGas directors did not, under the Gas Corporation Act, have the power to sell the pipeline. Under the Corporations Law, they could be exposed to the liabilities and responsibilities of directors. The minister, backed by a cabinet decision, directed the board to sell the pipeline. It is a way of protecting the board from some sort of financial claim down the track. This clause reinforces it through the legislation. Similarly, it is necessary that the minister direct what the board does with the proceeds. The board does not have the power to decide those sorts of things. The clause ensures that the current board of AlintaGas and the members of the sale's steering committee are not personally exposed for putting decisions made by the Government and the minister into place. That is all it does. It was a vexing issue in the pipeline sale. When some of the directors looked at the legislation, they felt they would be somewhat exposed if litigation were to arise from it, because of the large amount of money involved. There are some large and complicated contracts. It would not happen, but there might be an issue or commercial dispute relating to the terms and conditions of the Alcoa of Australia contract - which is the largest contract - that could somehow legally find its way back to the sale of the pipeline. The directors thought they could be exposed. This clause makes it clear that the sale is a government decision enacted by the Minister for Energy and the directors are simply legally following those directions. Should a contractual dispute occur in the future, they will not be personally exposed in any way.

Mr RIPPER: That is a good explanation. However, it does not cover my point about whether liability relates to a matter referred to in subclause (1). Why else would these people be granted indemnities other than for matters arising out of the sale?

Mr BARNETT: I guess the clause will catch anything else that may arise. Clearly, if the directors did something improper -

Mr Ripper: Is it a Crown Law clause?

Mr BARNETT: Yes. If the directors did something improper, they would be liable under the normal Corporations Law, as would any director of any listed company. They are not absolved from improper behaviour under the clause, but they are protected in terms of effecting the sale process and any consequence of that or unrelated activity. I do not think it could come back to the directors who effected the sale if a dispute over a contract arose that was not related to the sale. The Crown is essentially taking responsibility for the issue. Directors have a due diligence and a company code requirement to behave properly as directors during the process.

Mr GRILL: The minister has provided a good explanation. However, I refer to the point made by the Deputy Leader of the Opposition. A very wide discretion is being given to the Treasurer. Does this discretion also extend to criminal liability? Subclause (3) says -

In subsection (2) -

**"liability"** includes civil liability under the Corporations Law.

Mr Barnett: I am advised the discretion will not extend to criminal liability.

Mr GRILL: That is a matter of interpretation. The clause states that it includes civil liability, but it does not say that it does not include criminal liability. It is not terribly specific.

Mr Barnett: Obviously, we have had Crown Law advice on this issue. I am advised the directors will not be given immunity for criminal activity. It will not protect them from improper behaviour as a director under the Corporations Law. For example, if they engaged in some sort of insider trading activity, they would still be subject to the Australian Stock Exchange companies code.

Mr GRILL: Has the minister received Crown Law advice on this issue? I am not an expert in this form of law and have not practised law for a long time, but the provision seems to be pretty wide. It looks exceedingly wide.

Mr Barnett: It is wide. Legal consultants to the sale committee and Crown Law officials have advised us on this. It was an extremely complicated issue in the pipeline sale. It delayed the process until the Government got it right so that everyone felt confident of their position. One of the strengths we have in AlintaGas and Western Power are strong boards who are conscious of the commercial responsibilities of directors.

Mr GRILL: The real point is whether the minister has obtained legal advice indicating that this clause will not cover a situation of criminal liability.

Mr BARNETT: My understanding is that the clause will not cover criminal liability. I can ask Crown Law for reassurance, if the member for Eyre wants that. I will convey the answer to the member in writing. However, the advice I have been given is that the clause will not protect people from criminal liability. If the member wants me to follow that up, I am happy to verify it for him.

### **Clause put and passed.**

### **Clause 32: State takeover of certain obligations -**

Mr RIPPER: Clause 32 allows the State to take over certain obligations, rather than have them on sold with AlintaGas. I am naturally concerned that the State Government, which is seeking returns now, may be tempted to take over obligations which would reduce the price of the sale if they remained with AlintaGas. The State might raise the short-term returns by taking over negative aspects of AlintaGas' operations or obligations. The consequences for the State of taking over those obligations would not become apparent until some years down the track - perhaps when another Government was in power.

Mr Barnett: I doubt we will be using natural gas by that time. It will be some new technology.

Mr RIPPER: I would like the minister to outline to the Chamber how the Government proposes to use clause 32. We are owed some assurance that we will not have an artificial boosting of the short-term return at the expense of long-term obligations being imposed on future Governments.

Mr BARNETT: The example I gave before of the contaminated site in Albany is a real one. The State cannot walk away from that obligation. It will remain with government although I am not yet sure where it will reside. Legally we have no choice but to keep it within government. When the pipeline was sold, there were potential liabilities and there are some outstanding issues from the pipeline. They are disappearing gradually but they still exist. The residual liabilities from the pipeline sale currently reside in AlintaGas. We cannot sell them to whoever buys the AlintaGas distribution and retail business; they must stay within government. There is some baggage which government will retain although we do not expect any major issues. The only one I am conscious of is the contaminated site in Albany. I do not know what the cost will be if it has to be cleaned up. However, that is clearly a government responsibility.

Mr Ripper: You are obviously not expecting these obligations to impose any significant costs on the State.

Mr BARNETT: No. In the pipeline sale there was a period of 12 months from the date of sale in which the buyer could come back with any other claims. There were a few issues, some of which have already been resolved and I imagine the others will be resolved soon. Those issues are still there and currently lie with AlintaGas. If AlintaGas is sold, they must lie somewhere else within government. We do not expect any major problems to arise, certainly not in the sale of AlintaGas.

Mr GRILL: This is a prudent clause and I do not have any problem with it. However, I thought the thrust of the member for Belmont's question was not about the import of the clause but the accountability in relation to it. For example, how would we know what obligations were being taken on? Is it intended that the minister would report on this? How would we know what obligations were being retained by the State and what financial obligations might be pursuant to them? Will there be some form of reporting about this?

Mr BARNETT: It is quite difficult. I have identified one issue I am aware of.

Mr Grill: I am not asking you to do it now.

Mr BARNETT: No, but it is difficult conceptually. Through the sale steering committee we have defined AlintaGas and what is being sold. By definition, everything else stays with the State. Some of those things may not be known. There may be some action or issue that arises from some previous behaviour which has not been sold on. However, everything commercial or physical in the business and the contracts will be sold on. There is a residual element and that will be confined to a 12-month period. The buyer may come back and say something was not as we said it was when it bought the business and it would have a course of redress for 12 months. However, after that, the ability to redress evaporates except in cases such as an ongoing problem with a contaminated site.

Mr Grill: Would that be written into the contract?

Mr BARNETT: The ability to come back is part of the sale contract.

Mr Grill: What about the question of disclosing obligations in relation to liabilities to the public as they become known?

Mr BARNETT: I think the Auditor General would pick that up. There is nothing untoward here. The only thing I can think of is the Albany situation.

Mr Grill: Will the Auditor General have the ability to pick those up?

Mr BARNETT: Those obligations will stay with government. The member for Eyre is a lawyer and could imagine better than I an issue which might arise commercially. However, we are not aware of any and do not expect any.

#### **Clause put and passed.**

#### **Clauses 33 to 35 put and passed.**

#### **Clause 36: Modification of other written laws -**

Mr RIPPER: Subclause (1) states -

Regulations may modify the effect of any written law, in so far as it relates to a subsidiary, as may be necessary or convenient for the purposes of this Part.

This seems to be a fairly extraordinary power and I wonder why it is there, how the minister intends to use it and what check there is on what seems to be a large power to grant.

Mr BARNETT: Those are good questions. I am trying to think of an example but one does not readily come to mind. There is much generally throughout legislation such as this which tries to imagine a "what if" situation. Clauses in the Bill are designed to cope with unforeseen situations which arguably could occur. I cannot think of an example where this clause would be used.

Mr Ripper: I could understand it if the Bill referred to specific energy legislation or the legislation which currently governs AlintaGas or even that which governs Western Power, but the use of the words "any written law" makes me wonder.

Mr BARNETT: It could be something to do with an easement or even property. There is an array of different ownership and titles relating to various easements. I think there were 10 different types of titles with the Dampier to Bunbury easement. The clause exists in case issues like that arise. We cannot think of anything now, but the clause allows for those issues to be handled if they occur. If I think of something during the course of the debate, I will come back to the member.

Mr Ripper: Meanwhile it is a bit like Hitler's enabling Act.

#### **Clause put and passed.**

#### **Clause 37: Auditor General to report on certain matters -**

Mr GRILL: It appears that clause 37 gives a complete answer to the question I posed a few minutes ago.

Mr Barnett: Somewhat more succinctly.

Mr GRILL: I am happy with that. However, I am concerned with how accountable the new company might be. AlintaGas at the moment is subject to the audit of the Auditor General and various reports including a report on the sale. The new company, which will be privately owned, will be largely vertically integrated. At least in the early years it will be a near

monopoly and will not have the scrutiny of the Auditor General yet it will be performing much the same tasks as AlintaGas performs now.

Mr Barnett: It will only have monopoly powers over that regulated part of the market, which is essentially initially the household and small business sector. It does not have any monopoly powers now over the larger commercial customers.

Mr GRILL: I am aware of that, but AlintaGas, as it stands now, is subject to the scrutiny of the Auditor General and scrutiny within Parliament. The minister would appreciate that quite a few questions will be asked about this agency as time goes by. What scrutiny will there be of AlintaGas under whatever name it might have in the future? I presume it will not be under the Auditor General and although, as the minister has indicated, it will we hope come under increasing competition pressure, it will still be the animal which is supplying gas to the great bulk of gas users in Western Australia. I am not talking about the industrial users; I am talking about the residential and commercial users. To what extent will AlintaGas be accountable? How will we scrutinise its operation or bring it into check? I understand the regulator will not scrutinise its operations any further than its transmission pipeline operation. How will it be accountable to Parliament, the public and its customers generally?

Mr BARNETT: It will be more accountable than it is now under government ownership. It will be accountable from a shareholder point of view through the Stock Exchange requirements, which are exacting. It will be subject to the Companies (Western Australia) Code, the Trade Practices Act and fair trading legislation. Its economic operation involving access codes, transmission and distribution charges will also be subject to the gas regulator, and that will be a public, formal process. The standard contracts entered into with consumers will be subject to approval by the Coordinator of Energy. A strong case could be made that it will be more open and accountable to the community under private ownership than it is under government ownership.

There is a view that if a utility is in government ownership it is managed properly and always in the public interest. If that were true there would be no need for an opposition spokesman on accountability. Often, a utility that is publicly owned may not have the rigour of accountability afforded by more formal market-oriented processes.

Mr GRILL: I should know this, but when the minister referred to accountability of the contracts the company can write with its customers, was he referring to powers under the Energy Coordination Act or powers under this Bill?

Mr Barnett: I was referring to powers under the Energy Coordination Act. The Coordinator of Energy can oversee the contract with the consumer. I assume that in the commercial world the rest of the fabric of law will work.

Mr GRILL: Will the minister enlarge on the degree to which the Coordinator of Energy will scrutinise contracts with customers?

Mr Barnett: It is his statutory responsibility.

Mr GRILL: Can individual customers make individual complaints to the Coordinator of Energy?

Mr Barnett: I do not know quite what would be the process. I am sure they would be allowed to complain to the Ministry of Fair Trading and to the Australian Competition and Consumer Council. There is nothing to stop people complaining to the coordinator. If there is something punitive about the arrangements it would be within the power of the coordinator to examine it. Ultimately in an extreme case a legislative solution could be found because AlintaGas will be operating under Western Australian legislation and regulatory powers.

Mr GRILL: The minister referred to the Coordinator of Energy scrutinising contracts.

Mr Barnett: I was referring to standard contracts.

Mr GRILL: Can he go beyond those contracts and examine the operation of the new entity in the way it deals with customers? If customers are disgruntled can they complain directly about the operation of the new entity?

Mr BARNETT: I do not think he is free to look into its corporate philosophy or conduct. However, a licence to operate is granted through the Coordinator of Energy. It must operate under licence and it must apply for it to be renewed and maintained.

## **Clause put and passed.**

### **Clause 38: Regulations -**

Mr BARNETT: I move -

Page 26, after line 30 - To insert the following subclauses -

- (2) Without limiting the generality of subsection (1), the regulations may apply the provisions of regulations made under section 26(2) of the *Energy Coordination Act 1994*, with such modifications (if any) as are prescribed, to the sale or supply of gas within a distribution area to persons who -
  - (a) are tariff consumers within the meaning of section 25; or
  - (b) are not contestable customers within the meaning of section 91(1) of the *Gas Pipelines Access (Western Australia) Act 1998*.

- (3) Regulations made for the purposes of subsection (2) may require a person selling or supplying the gas to offer persons described in paragraph (a) or (b) of that subsection a form of contract that has been approved by the Coordinator.
- (4) In subsection (2) -

**"distribution area"** means the area to which a distribution licence granted under Part 2A of the *Energy Coordination Act 1994* to -

- (a) the corporation or a subsidiary; or
- (b) the corporate vehicle or a subsidiary of it within the meaning of the Corporations Law,

applies.

This amendment seeks to give power to make regulations for only transitional purposes during the period leading up to full deregulation in July 2002. It relates to tariff arrangements for the larger, non-contestable customers. It gives the Coordinator of Energy power to approve standard contracts for these customers. The regulations are only transitional and apply through the deregulation period. At that stage regulations will be in place for only small customers.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 39 to 44 put and passed.**

**Clause 45: Section 38A inserted -**

Mr RIPPER: This clause amends the Electricity Corporation Act and provides that the Government may from time to time direct the corporation not to sell or supply gas. It will have the effect of limiting the competition that Western Power can offer in the gas market to the privatised AlintaGas entity. I can appreciate why some limitation may be imposed on the ability of Western Power to sell gas. If the Government wants to get any price for AlintaGas it needs to assure the buyer that it will not immediately go back into the gas business through its other energy utility, Western Power.

However, exactly what restriction should apply and for what duration are matters for judgment. If the Government were to give a direction to Western Power not to enter the gas market for a decade, that would increase the value of AlintaGas and increase the short term returns to the Government. However, those improvements in returns to the Government would be at the expense of gas consumers, who would not have the benefit of competition between AlintaGas and Western Power. On the other hand, consumers could benefit if the Government were to say that competition should be restricted for only a year and after that it should be open for Western Power to compete with AlintaGas. However, that would have the effect of reducing the value of AlintaGas in the potential short-term returns to the government budget. I understand that the Government has chosen a five-year limitation on the ability of Western Power to compete with AlintaGas. People with an interest in this issue have certainly put to the Opposition that five years is an excessive period in which to prevent Western Power from competing with AlintaGas and that two years may be a more reasonable approach. Throughout this debate we have pointed to the various anti-competitive elements of the Government's program. We have criticised the Government for focusing on privatisation rather than on competition as the solution to lower energy prices. We see here the Government perhaps erring on the side of maximising the returns to the Government while accepting some reduction in the level of competition and thus in the level of benefits that otherwise may flow to the consumers. The minister must justify the choice he has made of this five-year period.

I note that the five years is not set out in the legislation. The Government may decide on some other duration for the application of this restriction. I note also that the Governor will make this direction to the electricity corporation by an instrument in writing. I do not think that instrument is disallowable. Therefore, the legislation presumably gives the Government the power to make any direction that it sees fit with regard to Western Power's participation in the gas market without any capacity for the Parliament to overturn that direction. If we pass this clause, the Government can decide on any restriction on Western Power's participation in the gas market which it finds convenient. There would be no recourse to Parliament if the Government decided to keep Western Power out of the gas market for a decade, 15 years or 25 years.

Mr GRILL: As all lawyers know, courts have always frowned on these restraint of trade provisions, certainly when they are placed in sole contracts. Courts have very severely limited them. In some cases they have simply overruled them altogether. Restraint of trade clauses in contracts are very dubious animals indeed. Generally speaking, courts have not looked well upon them. The clause does not reflect the five years that the minister mentioned in his second reading speech or in the debate; it is simply open-ended, as the member for Belmont has pointed out. I wonder whether in those circumstances a court would simply rule that such a restraint of trade is too extreme and goes too far. I am sure that the draftsman of this legislation would have looked at that. I suggest to the minister that he needs to look at it very carefully. I simply ask the question: Is this very open-ended clause in fact legal, and will the minister not find himself in a situation in the near future where it is challenged in court? If a challenge in court is made, it will be made not on the basis of the five-year period but on the basis that the period is too long, too vague and probably not enforceable. I am wondering whether the minister has taken advice on that.

Mr BARNETT: This is an interesting clause. At the end of the day the topic is one of judgment. The State Energy Commission of Western Australia was selling both gas and electricity. One of the premises of the Government's policy was

to introduce direct competition between electricity and gas; so they were clearly separated into different entities and competed in the marketplace. I would argue that has been a significant competitive force. The two entities are at each other's throats in the marketplace, which is a healthy thing. However, no law puts that in place at the moment; no law prevents Alinta selling electricity or Western Power selling gas - indeed, Western Power sells gas to AGL Pipelines Limited through the pipeline going to Mt Magnet at the moment. It is government policy, not even stated formally, that keeps the separation in place. The member suggests that this could be challenged in the courts. That would only happen if there were a scenario where Western Power was privately owned. A private owner of Western Power would certainly challenge it. While Western Power is in government ownership, I do not see that as a likely prospect at all; indeed, it would be a very strange scenario. There will be nothing different from that which currently applies.

Western Power would see itself as having greater scope to compete with a privately owned Alinta rather than a government owned Alinta. However, if we were to put no restriction on Western Power, the judgment, which I share, is that Western Power, whether in government or private ownership, would have a capacity to effectively swamp AlintaGas in the marketplace, simply because of its customer base, its financial resources, its ability to offer electricity and gas together in a package, and all sorts of things. Perhaps there are benefits to consumers in that, but the net effect may be that the clock winds backwards and we end up with one energy company providing both electricity and gas. I do not think the competitive outcome is obvious at all. As I say, it is a matter of judgment. By doing this we are saying to the buyers that we cannot perfectly foretell the future - no-one can do that - but at least for five years Alinta will be there as a gas distributor and retailer, facing competition from other gas suppliers, but Western Power, which is the biggest energy entity in the energy distribution business, will not be competing directly with it with gas. Western Power will compete indirectly because it will have the ability to sell gas into cogeneration projects, where it takes back some of the power, and to sell processed gas into industry in association with that. It is proposed that some guidelines and regulations be set up to that effect.

As to whether this clause gives the Governor power to make a direction, such a direction is disallowable in the Parliament.

Mr Ripper: Having read a little further on, I accept that.

Mr BARNETT: I quite agree that it is one of those murky areas. Quite a vigorous debate has taken place about how we should do this. The member for Belmont referred to the period of five years after the date of sale, which I think is a reasonable period. I would argue that two years is too short. I certainly agree that 10 years is too long. I guess that a countervailing argument to what I am saying is that probably a trend is emerging in the energy industry of more diversified energy companies supplying electricity, gas and whatever else - perhaps communication services. Although we are talking about competition in one sense, and the member has focused on structural competition and on vertical or horizontal disaggregation, I tend to focus on competition between the fuel sources of gas and electricity and different gas and electricity suppliers. While we are doing that, the world may move into large, diversified utilities supplying a whole range of services in both energy and non-energy fields, particularly communications. I do not think that we can foretell how it will fall out at the end of the day.

The judgment was made that five years would give stability and confidence to buyers and shareholders. Implicit in that, because Western Power is obviously within government ownership, Western Power will still be able to enter into cogeneration operations, and in fact it will probably have more freedom to sell gas than it has currently under the way the policy has been implemented.

Mr RIPPER: I accept the minister's argument that a direction to Western Power is a disallowable instrument; I now concede that part of the clause. Has the Government done any modelling about the trade-offs that are involved with this matter? Has the Government made any calculations about the likely impact on the sale proceeds of AlintaGas of shorter and longer periods of restriction of competition by Western Power; and, if the Government has conducted any such analysis, can the minister inform the House of the outcome?

Mr BARNETT: The basic premise, other things being equal, is that a restriction on Western Power will enhance the value of Alinta and will, therefore, give buyers confidence to bid and shareholders confidence to buy. The prime motivation for this was to provide a sense of stability, status quo and confidence during and immediately after the sale process. I do not believe we can cover all the options or risks for investors beyond that period. We have decided, rightly or wrongly - and that is a debateable fact when we need to pick a number out of the air - that five years is a reasonable period to give that stability.

Mr Ripper: Some of the industry groups argue for three or four years.

Mr BARNETT: Yes, and I can see that argument. We do not have an estimate of what that will mean with regard to the value of Alinta. We know that it will probably protect the value of Alinta, but we do not know by how much. It will probably protect what the business is worth, because Alinta will go into more direct gas-on-gas competition, and gas will be more competitive than electricity. There are other risk factors, and in a scenario where Western Power was privately owned - and please do not misquote me, as I know the member would never do, because the Government has no intention of privatising Western Power - that would be seen as a significant risk factor to a buyer of Alinta, because a privately-owned Western Power would be more aggressive one way or another in getting into the gas industry, whether that be through subsidiaries, associations with other companies, or whatever. This is about trying to hold the status quo during the sale and for five years after the sale. We can have a debate about how long the period should be, and that is nothing more than a judgment. However, it should not be assumed that at the end of that five year period, Western Power would be given approval by the minister of the day to get into the gas business. Western Power is not legally prevented from doing that now, other than the fact that the Government does not want that to happen. I have stressed to Western Power and made it very clear in writing that it should not assume that when the five years is up, it will have government sanction to immediately



become a gas utility. That will be a decision for the Government and minister of the day, and I do not presume to make that. All I am saying is that the status quo will hold for five years.

Mr RIPPER: I was interested to hear the minister's last comments. Would it be possible to amend a direction that had been made under this clause? Could the minister, for example, give AlintaGas a direction under this clause that it could not engage in gas sales for five years, and would such a direction be binding on the minister's successor following an election, or would the successor minister have the power to rescind that direction if that was what that minister wanted?

Mr BARNETT: Heaven forbid that it would happen, but if the member for Belmont found himself Energy Minister and decided to change that, he would have the power to do so. However, he would need to confront the issue of sovereign risk and whether it was morally right for a Government to effectively change a commercial undertaking. Legally that would be up to the Government of the day, and a future Government might decide that while there was a negative in that, the benefits outweighed that negative. It would be an obligation that was by direction tabled in the Parliament, and also a moral obligation, but legally and technically the Government could change that in the future.

Mr GRILL: Has the minister consulted on this clause with the relevant commonwealth agencies? Has the Australian Competition and Consumer Commission been consulted and has it had the opportunity of commenting on the legislation? The minister has binding obligations under the competition and consumer policy. Are those obligations being fully met with a clause of this nature? Has any other State adopted a provision like this on the privatisation of any of its energy agencies?

Mr BARNETT: I may need to check the details. I am advised that Victoria has placed some restrictions on electricity. In a sense, competition policy is not a matter for the ACCC. The Government owns Western Power and it can, as the owner, direct Western Power to do whatever it wants, and the competition commission cannot do or say anything about it.

Mr Grill: Are these clear exceptions under the competition and consumer policy?

Mr BARNETT: We are not bound by that as the owner of Western Power. Western Power is not legally prevented from becoming a gas utility, but government policy is for it not to do that, because we want gas versus electricity competition.

Mr Grill: A range of government agencies have come under scrutiny and are affected by that policy.

Mr BARNETT: That is the regulation of the electricity market in terms of access and transmission costs and the like, but just because the Government happens to be the owner, the ACCC cannot dictate under competition law what an owner may do with a business; and if it does not transgress competition or trade practices law, so be it. If Western Power were privately owned, its owner might decide for commercial reasons that it would stay in the electricity business and not go into the gas business. The Government also has that prerogative; because it is the Government does not change that.

#### **Clause put and passed.**

#### **Clauses 46 to 49 put and passed.**

#### **Clause 50: Section 26 amended -**

Mr RIPPER: Clause 50 provides power for regulations to be made to fix the fees and charges, or the means of determining the fees and charges, that are to be paid by customers of a prescribed class. I take it that the "prescribed" customers who are covered by this clause are the small residential customers of AlintaGas. The minister and I had some discussion during the second reading debate about the full meaning of protection for small consumers from tariff increases. In my remarks during the second reading debate, I operated on the basis of information that was in the minister's press release of 29 June 1999. In outlining key conditions of the sale of AlintaGas, the minister's press release states -

increases in any standard tariffs to residential users beyond the full opening of the market to competition between retailers in July 2002, be capped at no more than the CPI plus two per cent in any year and that on average, it's expected residential tariff increases in any year would not exceed CPI, save that any GST impact may be passed on in full;

It appears from that press release and others that gas consumers in general, or at least some gas consumers, could be facing tariff increases of 4.5 per cent. The Government's budget papers for the relevant years estimate that the consumer price index will increase by 2.5 per cent. The minister has said that AlintaGas in its privatised guise can increase gas prices for small consumers by the CPI plus 2 per cent. That means a total increase of 4.5 per cent. It is unclear from the wording of the press release whether all consumers can experience an increase of 4.5 per cent in any one year, or whether it applies only to some consumers. This is a matter of some importance because the publicly-owned AlintaGas has been able to keep gas prices steady for three financial years. In offering protection under the new privatisation arrangement, the minister exposes some consumers to annual gas increases of 4.5 per cent in one or two of the years covered by his guarantee.

In much of the public debate on this matter, the minister has linked privatisation to lower gas prices. That link is fallacious. Competition will produce lower gas prices, not privatisation. To the extent there is any association between lower gas prices and the sale of AlintaGas, that association will be a coincidence and not causal. It is wrong of the minister to argue that we must sell AlintaGas to achieve lower prices. We need more competition in the gas market, in particular for smaller consumers. The facts indicate that not only will small consumers not benefit as a result of privatisation but that they will also be exposed to much higher price increases than have occurred while AlintaGas has been in public ownership.

Mr BARNETT: Price was an important policy issue addressed early in the process. It is something in which I took a direct personal interest. Larger and smaller to medium-sized business consumers will be big winners as a result of deregulation in association with privatisation.

Mr Ripper: It is the deregulation and competition that achieves that.

Mr BARNETT: I agree that deregulation is the driving force, but privatisation is complementary to that in raising capital and in many other corporate activities. Large business consumers have already achieved substantial price cuts of about 30 per cent following the disaggregation of the North West Shelf contracts in the south west. It is estimated that small business consumers will enjoy real price cuts of close to 50 per cent over the next four to five years following the sale.

There is an argument for consumer protection for the household sector beyond what might be achieved by competition in the marketplace. Members should bear in mind that all supplies to households will be contestable to alternative gas suppliers from July 2002. When the Government started the privatisation process it was decided that there would be no tariff increase for householders in 1998-99, 1999-2000 and 2000-01. In 2001-02, any tariff increase could not exceed the CPI. That is effectively three years of nominal tariff increases. It implies real tariff increases equal to the inflation rate for that year. From 2001-02, increases would be limited to the CPI plus 2 per cent for individual households. In other words, there is a cap. While the owner could readjust tariff rates and implement different tariff structures, it would not be able to increase the tariff in any year by more than the CPI plus 2 per cent. Some consumers might experience increases above the CPI, but competition between gas and electricity would keep prices down. Since 1991, the gas price has increased only once - I think in 1994 or 1995 - and by about 3 per cent.

Mr Ripper: That was when you introduced your infamous supply charge.

Mr BARNETT: It was associated and it was an appropriate thing to do. There will be zero price increases during the sale process and thereafter increases will be capped to the CPI. In the long term, price increases will be capped to the CPI plus 2 per cent. There is no opportunity for extortionate increases to be imposed and the Government does not expect the price to be at CPI plus 2 per cent. Some very small consumers will experience increases marginally above the CPI, but the dollar amount will be very small. It will affect consumers to whom it is uneconomic to supply gas but to whom the owner is required to provide a service.

Mr RIPPER: When we debated this matter during the second reading stage, I raised the prospect of all residential gas consumers possibly being subjected to increases of about 4.5 per cent. The minister told me to look at the detail of the legislation, because some small consumers might experience increases of CPI plus 2 per cent, but on average the price to all consumers had to be kept within the CPI from July 2002 onwards. The legislation contains no specific caps. It provides a power to impose caps, but we will need to wait to see the regulations when they are tabled.

Mr Barnett: They are currently being drafted in anticipation of the Labor Party's support for the legislation.

Mr RIPPER: It is not pleasing to know that the regulations are being drafted. We hope that it is a fruitless exercise on the part of the minister's staff and that shortly he will be required to find something more constructive for them to do.

I refer again to the debate during the second reading stage. The caps are not in the legislation; they will be in the regulations. So far the only information we have about the caps is in the minister's press release, which states that increases will be capped at no more than CPI plus 2 per cent from July 2002. It is then stated that residential tariff increases in any one year are not expected to exceed the CPI. Will we have both the condition and the expectation in the regulations, or only the condition? In other words, I know what the minister hopes will happen, but will that be included in the regulations? Will there be a double-barrelled test to ensure that no individual consumer will experience a tariff increase of more than 4.5 per cent and that the new owner will not be able to increase tariffs beyond the CPI after July 2002? On the other hand, is that second issue simply an expectation and not something that will be regulated?

Mr BARNETT: There is no expectation that it will be put into regulations. The regulations will simply provide for an ongoing cap post-July 2002, which will be the consumer price index plus 2 per cent. Therefore, there can be no increase for any individual customer beyond that cap level. Similar to the member opposite, I put my faith in competition under a deregulated market, and I believe that consumers will benefit from low gas prices. However, on the off-chance there is a flaw in the market, then prices cannot go beyond this cap. Therefore, it is a backstop to ensure consumers are protected. However, I believe the market and competition will drive prices in the other direction. I do not expect them to be running along at the cap. That is my expectation.

*Sitting suspended from 6.00 to 7.00 pm*

Mr RIPPER: This clause relates to tariff protection for small consumers of gas. Before the dinner break we were debating what level of protection would be offered by this legislation, and the regulations under it, to small consumers of gas following 1 July 2002. I asked the minister who was then presiding over the debate whether he would be regulating to provide two sorts of protection; that is, a limit on the maximum increase to any one consumer of the CPI plus 2 per cent, plus a provision that tariffs as a whole could not rise beyond the CPI increase. The minister indicated that the regulations would provide for the first sort of protection; that is, a limit of CPI plus 2 per cent on an increase to any single consumer. However, with regard to the average tariff increase, the minister indicated that his view that tariffs, taken as a whole, would not increase by more than the CPI was simply an expectation and would not be part of the regulations.

This is a matter of concern to small gas consumers. Under public ownership, there has been no increase in gas bills for the past three years. The annual gas charge for a household using 14 units per day for the past three years has been \$315.69. If one takes the three years after privatisation and takes into account the restrictions that the minister has foreshadowed will be in the legislation, the annual gas charge for a household using 14 units per day may rise from \$315.69 in 2000-01 to \$338.14 in 2002-03; in other words, it may increase by \$22.50. That does not include the impact of the Federal

Government's goods and services tax. That may not be what happens, but that is what is allowed to happen under the regulations which the minister has foreshadowed.

When I took up this matter with the minister during the second reading debate, he said that I should read the legislation and I would see that it contained a different detail. I have now read the legislation in fine detail, and I can see that the clause that we are debating provides for the power to regulate for tariff controls, but it does not say precisely what those controls will be; we must rely on what the minister has told the House will be in the regulations. What he has told the House will be in the regulations vindicates the argument that I put during the second reading debate. Despite the minister's view and expectation that there will be declines in real gas charges, the consumer protection which he is proposing to put into the law will allow gas charges to rise by the CPI plus 2 per cent. Given that the CPI is forecast to be 2.5 per cent, charges may rise by 4.5 per cent per annum following 1 July 2002. That is to be compared with the situation that has existed under public ownership, where there has been no increase for the past three years.

Mr BOARD: I will reiterate what the Minister for Energy indicated, which is that by regulation the increase will be zero in 1998-99; zero in 1999-2000; zero again in 2000-01; for the years 2001-02, a maximum of CPI; from July 2002 onwards, a maximum of CPI plus 2 per cent. However, that is when we expect the marketplace to kick in. I know that the Opposition may be concerned about competition driving prices down. The Government believes that will be the case. This is only a cap, and we expect the price to be cheaper than that. Those regulations will be before the Parliament, as the Deputy Leader of the Opposition would appreciate. I can only reiterate what the minister has already said; that is, that capping will take place from 1 July 2002 at CPI plus 2 per cent.

Mr RIPPER: My concern is that consumers have a record of what has happened under public ownership. Their experience under public ownership has been no price increase for the past three years. When the minister has promoted the privatisation of AlintaGas he has argued very strongly that privatisation will result in a decline in prices. I do not think that is a correct correlation. Competition will drive down prices, not privatisation. Nevertheless, when the minister is asked to put his argument into law and provide some certainty for his predictions, he is much more cautious than when issuing press releases. When he issues a press release he says privatisation will drive down the price of gas. However, when it comes to drafting regulations to give some certainty and security to consumers, he provides for a gas price increase of the consumer price index, plus 2 per cent. The minister is prepared to put into law a maximum increase of around 4.5 per cent, given that in the budget papers his own Government forecasts a CPI increase of 2.5 per cent. The minister's press releases say the price of gas will go down. Given this circumstance, I think small consumers might be a bit cautious. They have had a good experience under the public ownership of AlintaGas. What is being offered to consumers under law will not be anything like their experience of the past three years, despite the minister's expectations.

**Clause put and passed.**

**Clauses 51 to 53 put and passed.**

**Clause 54: Section 56 repealed -**

Mr RIPPER: The clause notes explain the impact of this clause as deleting a section of the Energy Corporations (Powers) Act 1979. This section allowed for restrictions to be imposed on trading in liquefied petroleum gas. The clause notes state that all restrictions on liquefied petroleum gas trading were lifted at the beginning of 1998 and the section is no longer required. What concerns me is that Wesfarmers Limited has the contract with AlintaGas for the production of liquefied petroleum gas and Wesfarmers is required to negotiate with AlintaGas for the extension of the contract. Wesfarmers is one of AlintaGas' potential buyers. Wesfarmers may need to negotiate with itself for the production of liquefied petroleum gas, which could give it a fairly favourable negotiating position. After the minister has taken his advice, could he tell the House what would happen to competition in the liquefied petroleum gas market if Wesfarmers successfully purchased AlintaGas?

Mr BOARD: I will seek further advice, but the House would be aware that the minister completely deregulated the access to and competition in liquefied petroleum gas from 1 January 1998. As a result of that, section 56 of the Energy Corporations (Powers) Act is to be repealed because it is no longer valid.

Mr Ripper: I do not oppose the deletion.

Mr BOARD: Is the member seeking an opinion?

Mr RIPPER: I am seeking an opinion. I am arguing that the deregulatory impact of the deletion of this clause could be overturned by the advent of Wesfarmers Limited purchasing AlintaGas. I seek the minister's assurances on that question so that I can extensively quote him in the financial and commercial press.

Mr BOARD: I am advised that there are other liquefied petroleum gas sellers. The Australian Competition and Consumer Commission is the body that will take an interest in the state of the LPG market if Wesfarmers Limited purchases AlintaGas.

**Clause put and passed.**

**Clauses 55 to 59 put and passed.**

**Clause 60: Section 89A inserted -**

Mr RIPPER: Clause 60 deals with the annual financial reporting of the disposal of AlintaGas. After reading the explanatory notes, it appears the Auditor General will not audit the financial statements, even though the company is still in public ownership; rather, the audits will be done privately. Why is the Auditor General unable to audit the financial statements relating to the disposal of the business? Surely we are not moving to a Victorian situation where the work of the Auditor

General is contracted out or privatised. It would be more appropriate for the Auditor General to be involved during the sale process of a public asset valued at around \$1b, rather than explicitly excluded by this clause.

Mr BARNETT: KPMG, which is a highly respected group, will do the audit and report to the gas sale steering committee. That is appropriate. The Auditor General has been doing the audits. However, this is part of the changes to the whole managerial reporting and accounting process from the government structure to the private structure. We are trying to do that progressively throughout the sale process so there is a smooth transition of reporting accountability. The Auditor General's advice can be sought if needed.

**Clause put and passed.**

**Clause 61: Section 96A inserted -**

Mr RIPPER: Again we see some change in accountability arrangements. This clause allows the minister to waive certain requirements, including obligations under the Financial Administration and Audit Act. During this transition period we will not have the standard reports, statements and obligations that would normally apply to a publicly-owned entity. I suppose the minister will give the same explanation he gave for the last clause, but I would like to know why we have legislation before the House which does away with accountability requirements for a major publicly-owned asset, albeit one that is in the process of transition to the private sector.

Mr BARNETT: AlintaGas, as with any government trading enterprise within government ownership, has a statement of corporate intent and a strategic development plan for quite obvious reasons. To some extent they are a substitute for normal private sector corporate reporting. They are included because there is not the rigour of the shareholder when an entity is in government ownership. The minister is a political animal, at the end of the day. There are other mechanisms of public accountability, because it is a publicly-owned asset, and it supplements the fact that there is not the rigour of a trading share market, which imposes an extremely tough discipline on corporate entities. At the time of going through a sale process and producing information in terms of the prospectus and the like, if we were to continue with the government process of strategic development plans and statements of corporate intent, it would simply confuse the marketplace. Two sets of reporting, accounting procedures and management documents would come out, and that would create a problem for the sale process. This clause essentially suspends all of that process and shifts us, as with the auditing process, into typical commercial publicly-listed company processes.

**Clause put and passed.**

**Clause 62 put and passed.**

**Clause 63: Section 90 amended -**

Mr RIPPER: I have been reading the clause notes for clause 63 and I am not certain of its intent. I seek an explanation of the meaning of the exceptions within this clause. Certain matters do not apply to the gas corporation and the corporate vehicle. The minister should explain to us what exceptions or exemptions from the law will apply to the new corporatised entity.

Mr BARNETT: The reason for this clause is that we are going through the process of phased deregulation, which, without going back through history, came from the disaggregation of the North West Shelf contracts. The phased deregulation works only in terms of access to the Dampier to Bunbury natural gas pipeline; that is when we came from the 1 000 to 500 to 100 terajoule levels. Within that, AlintaGas had an exemption to allow it to supply some customers off the pipeline who would have been below the somewhat artificial threshold levels as they have progressively been lowered. This simply allows it to continue to do that.

As I have said, there have been a lot of debates in this place. We are heading towards a totally deregulated market, but the process of moving from highly regulated to deregulated is murky. This is handling one of the murky situations that currently exists and allowing that murky situation to continue to exist so customers are not disconnected. When we have full deregulation, it will be irrelevant. It is a transitional plan which currently happens.

**Clause put and passed.**

**Clause 64: Section 94 amended -**

Mr RIPPER: I am advised that clause 64 exempts the Gas Corporation's distribution system from national access code ring fencing requirements. I seek an explanation from the minister of why the Gas Corporation is to be exempted from these ring fencing requirements until at least certain dates. My reading of the clause is that the ring fencing requirements will come into operation at a certain date. Can the minister explain why they will not come into operation before that?

Mr BARNETT: Under the deregulation timetable, if AlintaGas were to be in government ownership, the requirement under the gas access code and regulations would have required that AlintaGas be fully ring fenced by July 2002 - the date of full deregulation. We are saying that if AlintaGas is sold - privatised - the full ring fencing must apply from the date of sale. We are bringing forward ring fencing to the date of sale. I think the member would agree with that, given some of his previous arguments. If it stayed in government ownership, full ring fencing would occur in 2002.

**Clause put and passed.**

**Clauses 65 and 66 put and passed.**

**Clause 67: Presence of pipeline does not constitute occupation of land -**

Mr RIPPER: Clause 67 will amend the Local Government Act. No doubt this is a matter of some interest to local government. Have local government representative bodies been consulted about this clause? I imagine that local government authorities would be extremely keen to collect rates on land occupied by pipelines. That might or might not be a good thing depending on whether one is primarily interested in the development of the State or whether one is interested in the ability for local government authorities to obtain revenue. Nevertheless, I would be interested to know whether local government has been consulted and what the outcome of that consultation was.

Mr BARNETT: We are talking about AlintaGas, so we are essentially talking about distribution pipelines. Until the other day, I was not aware that distribution pipelines generally do not run down easements; they are just installed. Obviously transmissions lines have formal easements and titles attached to them, whereas gas distribution pipelines and telecommunication cables are simply installed in a broadly designated area. They are not rateable and, indeed, are not rateable anywhere in Australia. The issue about rateability really is about transmission lines which operate on formal easements. That is not the case with almost all of AlintaGas' pipelines.

Mr RIPPER: The minister did not answer my question as to whether there had been any consultation with local government.

Mr BARNETT: There has been correspondence between the sale steering committee and the Western Australian Municipal Association about that. If the member would like a copy of that correspondence, it can be forwarded to him.

**Clause put and passed.****Clauses 68 to 93 put and passed.****Clause 94: Winding up of affairs of Gas Corporation -**

Mr RIPPER: This is another one of those clauses which leaves the minister responsible for the Energy Coordination Act 1994 with some responsibilities following the disposal of AlintaGas. It seems that provision is being made for a corporate shell to be maintained which might need to deal with certain liabilities and ongoing contractual disputes. Even when the Gas Corporation Act is repealed and there is no corporate vehicle, provision is made for someone to take over responsibilities that might arise as a result of ongoing liabilities from AlintaGas. It appears that the Government is making provision for people to deal with matters hanging over from AlintaGas for a considerable time into the future.

Mr BARNETT: I hope it is not for a considerable time but the sale will allow a 12-month post-sale period for any claims to be made or whatever else might happen. The Government will maintain a shell of the Gas Corporation which will require directors. We believe the corporate entity can be wound up within a few weeks of the placement of shares in the public offering. The corporation will continue from the involvement of the cornerstone investor to the public offering. Some of the potential obligations in terms of contingency will continue. We will get rid of this entity as quickly as we can. I imagine any responsibilities of directors will be met by permanent public servants, the Coordinator of Energy or the Under Treasurer or whoever else will assume positions within this shell on behalf of government. It will be internalised within the Energy and Treasury roles until it is formally dispensed with.

**Clause put and passed.****Clauses 95 to 107 put and passed.****Clause 108: *Superannuation and Family Benefits Act 1938* -**

Mr RIPPER: This clause removes reference to the Gas Corporation from the Superannuation and Family Benefits Act 1938. It is similar to clause 103 which removes reference to the Gas Corporation from the Government Employees Superannuation Act 1987. There is a list of clauses which removes reference to the Gas Corporation from other pieces of legislation which would naturally apply to a publicly-owned entity but not a privatised one.

I take this opportunity to ask about the superannuation arrangements for AlintaGas employees. This has been a problem in the past. I remember people approaching me about this during the sale of the Dampier to Bunbury natural gas pipeline. Members of the 1987 scheme will be able to transfer their superannuation entitlements to some new entity, roll them over or have their entitlements preserved. However, it is more difficult to deal with people who have entitlements under the pension scheme because in the past that has been a "pay as you go" scheme and the State has made its contribution when it has come time to pay the pension of the retiring employee. In both cases the superannuation benefits applicable to AlintaGas employees are more generous than those which will be paid by a private sector entity. I see two difficulties: Transferring the benefits given that people will be employed in the private sector and how those people will be compensated for the diminution of their superannuation entitlement as a result of the privatisation.

Mr BARNETT: A measure of a successful privatisation is one which the employees are broadly supportive of. Clearly that is not always the case, nor is it easily achieved. The evidence from the sale of the Dampier to Bunbury natural gas pipeline was that the employees' direct interests were carefully taken into account. There were meetings, and I am sure the Opposition met with some of those employees. At the end of the day, almost all of the employees associated with the pipeline went into Epic Energy. There were a couple of exceptions but, from my recollection, primarily they related to those very close to retirement who stayed within AlintaGas. When the pipeline was sold, AlintaGas was still there and people had somewhere to stay. I cannot remember the exact figure but out of the 115 or so employees all but half a dozen or so moved over, the vast majority transferred. In this case, if AlintaGas is privatised, there will be no residual company, which makes the issue more acute. The undertaking which has been given to employees is that we will ensure no employee is worse off in terms of his superannuation.

Mr Ripper: How are you going to do that?

Mr BARNETT: It will not be easy but the principle is no-one should be worse off in terms of superannuation benefits and entitlements. That will require some topping up of benefits which is currently being negotiated and done professionally. I recognise that that is important. We want the employees to be enthusiastic about this. There may be other benefits for employees such as share ownership and the like but we are not taking them into account. We are saying employees will be no worse off in their superannuation benefits. It is one of the practical issues which is being worked through now. I have absolute confidence, the sale steering committee has put a lot of resources and efforts into talking to the employees and their representatives to ensure that happens. I hope there is some confidence from the pipeline experience. People were respected and treated well there and that was reflected in the fact that they all went across, except for a few who stayed for obvious reasons. We are hoping that the whole work force goes across. AlintaGas has a relatively young work force. It is well trained, well qualified and very efficient. There is no sense that AlintaGas has a bloated or inefficient work force or has workers who will not be required. The indications are that all employees will move across, all will be valued and all will have careers. As AlintaGas has a young work force, the career opportunities are likely to be far greater. Presumably the cornerstone investor will be a major utility and will be able to provide career opportunities perhaps elsewhere in Australia and maybe internationally, which is important. I take the issue very seriously. I cannot give a simple answer now, other than the undertaking that we will continue to work on the issue to get a good result for everyone.

Mr RIPPER: I applaud the minister's undertaking, but I am intrigued about how it may work in practice. Will the State end up paying pensions to people who retire from the privately operated AlintaGas 10 years hence, or will the minister find a way of working out the value of a person's superannuation now and paying that into some other fund? Benefits under the Superannuation and Family Benefits Act are generous by modern superannuation standards. If I recall correctly, they equate to about 25 per cent of a public sector employee's salary.

Mr Trenorden: For the old pension scheme it is 25 per cent and for the lump sum it is 12.5 per cent.

Mr RIPPER: These are benefits in excess of the superannuation guarantee level of 9 per cent. Not only must people's accrued benefits be transferred, but also, if the minister is to honour his undertaking, he must look at preserving that level of superannuation throughout the employee's time with the new privatised AlintaGas. It appears to be a complex task to honour the undertaking he has given the House. I am interested in any more advice about how it can be achieved.

Mr BARNETT: I do not understand the parliamentary superannuation scheme so I will not attempt to understand all of the issues involved. The member for Avon probably has a far better grasp of the subject than anyone in this House. An actuarial exercise is being undertaken for each employee. They will either receive a top up or compensation. Some are in the Gold Star scheme and some are in Alinta's private scheme which will transfer to the company. We will deal with it carefully with individual employees.

Out of the sale proceeds provision will be made for the top up component or compensation, whichever is negotiated with the individual. I can give the undertaking that no-one will be worse off.

**Clause put and passed.**

**Clauses 109 to 111 put and passed.**

**Title put and passed.**

## **ACTS AMENDMENT (POLICE IMMUNITY) BILL 1999**

### *Second Reading*

Resumed from 9 September.

**MR KOBELKE** (Nollamara) [7.43 pm]: I am not the lead speaker for the Opposition, but I will make some brief comments. The Opposition has formally supported this legislation for some time. The member for South Perth introduced a private member's Bill to this effect with which, for whatever reason, the Government saw fault; however, it has now introduced its own Bill. The Government's move to ensure removal through this Bill of the vicarious liability that hangs over the heads of serving police officers is welcome.

We do not fully recognise the debt we owe to the serving officers of our Police Service. They do an incredibly difficult job. When they answer a call, they do not know whether it will be a minor matter that can be cleared up fairly easily or a matter that will not require action. It may be a matter that puts their lives at risk. In confronting such a wide range of circumstances, police officers must often react spontaneously. They can be in a situation in which the safety or lives of members of the public, other officers or their own are in jeopardy. In such circumstances they must rely on their training so that they can react in the best way possible.

However, occasions will arise through the pressures of the job when they may get it wrong. In those circumstances they can be left without the support of the Police Service and the Government in defending themselves in actions that could be taken against them. They therefore need support in those circumstances.

Like all of us, police officers are human. When placed in pressured situations to which they must react spontaneously, a greater opportunity exists for officers to make mistakes. Even in more mundane situations the complexity of the matter or a misreading of the people with whom they are dealing can lead officers making a decision which, in hindsight, they might wish they had dealt with differently. With the growing litigious nature of our community, an officer may find he is under legal threat as a result of his actions. In that situation he will find that he is on his own; he has no-one to defend him if the

State does not stand behind him and accept responsibility for the legal proceedings that could be taken against him. Other circumstances could arise in which officers are doing the right thing, but are set up by people who wish to take legal action against them.

Mr Prince: They are people with criminal minds who want to be able to use the processes of law to frustrate the police.

Mr KOBELKE: I thank the minister; he used words similar to those I was about to use.

Mr Prince: I was trying to help.

Mr KOBELKE: Today we are aware that people who should be feeling the full force of the law, who stand outside the law and break the laws of this State, are able to use the law to their advantage. They are able to employ smart lawyers to lay charges against police officers who are doing their jobs properly. For people like me - ordinary members of the community - it is impossible to judge whether an officer is being set up by criminals or has made a mistake. We would not be able to judge whether that mistake was simply inadvertent or malicious. We could not even judge the more basic issue of whether the officer against whom legal action was being taken was acting in good faith, but was being set up by people who were outside the law, or whether an issue of some substance merited action being taken against him.

Cases will arise in which the merits must be tested in the courts. They may be tested because the people taking the action hold that conviction so strongly that, for whatever reason, they will pursue the case regardless of its merits. In some cases prima facie evidence may suggest an officer has acted incorrectly. I could go through a range of cases, but in all cases the serving police officer is on the line. He must face that issue which has serious consequences for his financial position and his ongoing ability to serve in the Police Service. For most officers, entering the Police Service is a major career commitment.

Those police officers' careers are on the line as a result of the legal action taken against them for fulfilling their duties. In those circumstances we risk undermining the basis of our Police Service. It makes a fundamental attack on the morale of our serving officers if they feel that, in pursuing their proper duties, they will have legal action taken against them which will simply take the ground out from under them and leave them facing huge legal bills, potentially successful prosecutions against them and the loss of their careers. Nothing could undermine morale in the Police Service more than officers knowing they could be confronted by such a situation on any day on which they go to work and that they will be left by themselves with no support. That is not totally true, because the Police Union (WA) is a very strong and capable union that, to date, has been able to stand behind officers. However, it has really been left to the Police Union to carry the brunt of standing behind officers who are the subject of legal proceedings.

Mr Prince: Do not ignore the fact that they then get reimbursed for their legal fees.

Mr KOBELKE: Yes. That is another issue I did not intend to enter into, but the minister has raised it by way of interjection. The situation has always been in doubt. In the past, the Police Union has carried a high degree of risk in deciding whether it can continue to fund all of the officers against whom prosecutions are taken or continue to fund an officer's legal case to the extent judged necessary.

Mr Prince: I agree, particularly with the general proposition that it has been more than a somewhat strange situation where the union has basically done this and the Police Service has not. The service should have looked after its own but for years and years - possibly for the past 20 or 30 years or even longer than that - de facto the union has done it. I find that a bit strange, but we are moving to change it.

Mr KOBELKE: That is obviously the reason the Opposition is supportive of the legislation currently before the House.

I will make a brief comment on the matter which the minister raised by way of interjection. The scenario has arisen recently because of charges against the former Commissioner of Police. The minister is saying that now the Government has a policy of funding the defence of serving officers, or in this case an ex-commissioner from the recent past, but that is not my understanding of the situation. There has not usually been that direct support. In the past, officers have funded their own defence with the support of their union, and at various times the union has received from the Government ex gratia payments to cover the cost of the defence. It seems to me that we have moved into a new area where the Government has provided direct, up-front funding for the legal defence of the ex-commissioner. The minister may wish to put on record what is now the Government's stated policy in this regard. Will we find that only officers above a certain rank will have their defence costs paid up front or is the criterion a certain classification of charges which must be defended; and, if so, is that laid out in a policy document or is it a policy decision of the minister of the day on a case-by-case basis? The minister will have the opportunity later to clear the air on that, because his statements to date have not made clear what is the Government's policy.

Officers generally do not currently receive government funding. They must fund their own defence, which usually means that they rely on the support of the Police Union. With the amendments in this Bill, we will find that protection will be extended to police officers who act lawfully in the performance of their duties as members of the Police Service. They will not be subject to that vicarious liability. However, there is the opt-out provision that the legislation will not apply to any person who does not fully cooperate with the Crown in defence of such actions, and the Crown will not be liable for any exemplary or punitive damages awarded in such cases. It is also clear that the officer must not have acted in a corrupt or malicious manner. If an officer has acted in such a manner, I understand that the Government, while leaving the liability with the serving officer, will be willing to pick up the cost of a successful prosecution where the convicted officer cannot pay. That seems quite a balanced approach.

This is a difficult area and one which the member for Midland, as our lead speaker, will go into in much more detail. We welcome the Bill. It seems to be a balanced approach to the issue. We can only decry the fact that it has taken so much

prodding to get the Government to take action in this area. As the minister mentioned in his speech, the Police Union has been addressing this matter very strongly for some considerable time. In this day and age with so much pressure on the police and with police officers feeling that they must stand alone and that they have not received the support that they need and require, this is certainly a very welcome move. We urge the Government to take action in other areas also, such as that of the cover provided for occupational health and safety. I know the Government has made a policy decision that it will move in that area. However, it is long overdue.

The Opposition fully supports the Bill. We look to its fairly quick passage through the Parliament and to its enactment, so that the officers of this State, on whom we place such great reliance for our protection, know that we appreciate the great risk that they take and the very difficult nature of their work. They do not need to have the added worries, concerns and dangers of being subject to vicarious liability because they are not protected by the State when legal action is taken against them for actions they take in the course of their duty.

**MRS ROBERTS** (Midland) [7.57 pm]: I am pleased to be able to speak on the Bill. The legislation has been long promised and the Opposition welcomes it wholeheartedly. Each of the three Ministers for Police of this Government has promised to bring this legislation into the Parliament. In the interim, the member for South Perth introduced his Bill to the Parliament, which the Opposition was happy to support. Now we finally have this Minister for Police and the Government being pushed into delivering the legislation and I welcome it. Despite the fact that it has taken this Government some seven years to get around to it, finally something worthwhile for the police officers of this State will be achieved. I take the opportunity to congratulate the member for South Perth, the Police Union and my predecessor, Mr Nick Catania, who was the member for Balcatta, for pressing the Government into action on this matter.

As members will be aware, I previously addressed a similar Bill when that was brought into this House on 9 September 1998 by the member for South Perth. I made some introductory remarks at that time. Rather than repeat my points about the importance of this legislation, I will deal with a few of the issues. We are very keen to see this legislation pass expeditiously through this House and, we hope, expeditiously through the upper House. A few events have occurred since I last spoke on this matter which are probably worth drawing to the House's attention. This whole matter of defending police officers when they have acted in good faith has been of some difficulty for the Government for some time. I have raised a number of questions in this regard.

On Tuesday, 29 June 1999, the Minister for Police said in an answer to this House -

Historically the Police Union provided legal representation for officers who were defending civil matters - civil suits, disciplinary charges and criminal charges - or where they were required to appear before statutory bodies, the Coroner's Court, or something of that nature; in other words something that arose from the execution of their duties. Payment of the legal costs was borne by the union, which then sought from the Government a form of payment. That has been going on for decades. There was a backlog of claims and a number were not being reimbursed, and a committee was established in 1996 to deal with claims as consistently and expeditiously as possible. The committee includes the Solicitor General, an officer from Treasury, a representative from the Western Australian Bar Association, and the Commissioner of Police. As long as an officer is carrying out official duties, and acting reasonably and in good faith, legal coverage is provided.

The words on which I want to focus are "acting reasonably and in good faith". He said also -

In June last year, a new system was established, and the Government approved a new process whereby officers applied for legal representation before the commencement of any legal action against them. Under this process the Commissioner of Police, in conjunction with the Solicitor General, has the power to provide legal representation up to a value of \$50 000. Applications for amounts higher than that can be dealt with, but they must be approved by the Governor in Executive Council. They are on the same basis as applications for reimbursement of legal costs by the union; namely, if the officer was carrying out official responsibilities, acting reasonably and in good faith, legal coverage is granted.

We again have those key factors: Carrying out official responsibilities, acting reasonably and in good faith. The minister then said -

Depending on the nature and, more particularly, the geographical area in which this occurs, the Police Service will use either its own legal personnel or people from the Crown Solicitor's Office, or in country areas local solicitors if they are available. Since the beginning of this process 31 applications for assistance have been made. Of those, 22 were approved, six were not approved and three are still being considered. Of the 22 which were approved, three involved the provision of a total of \$6 000 to employ private lawyers.

Should an officer approach the union for representation - as some do - the union is still able to seek reimbursement from the Government for the legal costs incurred. In 1998-99, approximately 30 applications made by the union for reimbursement of legal costs have been considered by the Government. Of those, 18 have been approved and six are still under consideration. The system changed a year ago but it is still possible for representation to be provided by the union and paid for with public moneys. Those guidelines remain virtually the same for an officer who has acted in good faith and in the course of his duties. That should put to rest the question of whether this Government backs and supports police officers when any form of action is taken against them, particularly action of a civil nature; it does.

However, this system is not sufficient, and the Government has acknowledged that the protection of legislation is required.



I take issue with one matter. It is clear that a number of cases were not funded, and on the basis of the information that the minister has given, I do not know whether those cases were rejected fairly, nor do I know what has become of the cases that are still under consideration. Only 22 of the 31 cases have been approved, so nine cases are unaccounted for; six cases have not been approved; and three cases are still being considered. Only 18 of the 30 applications made by the union for reimbursement have been approved. That leaves 12 cases, and six of those cases are still under consideration.

Mr Prince: The approval process takes quite a while. They set up a panel, and it is done every three or six months.

Mrs ROBERTS: But for one reason or another, some cases are accepted and paid for and others are refused. I seek some clarification. I presume that the basis for acceptance or rejection is the same as that proposed by the Minister in the police immunity Bill.

Mr Prince: It is done with the union, usually through one of its lawyers or a union officer, and with officers of the Auditor General, and they are the people who make this decision. It has nothing to do with the command of the police, myself or anyone else. It is decided at the level of the professional expertise.

Mrs ROBERTS: In the recent controversial case of Commissioner Falconer, apparently, according to the minister, the approval for the payment of his legal funds was made at cabinet level.

Mr Prince: Yes. That was exceptional, because he was the Commissioner of Police and a commissioned officer. There had never been a case like that; consequently, it required Cabinet approval. In that sense, he has been dealt with the same way as any other chief executive officer, as I have said.

Mrs ROBERTS: It will be interesting to compare the criteria that were used there with the criteria that were used in those cases that were rejected for payment, and without taking an objective look at those cases, it is difficult to know whether the system is operating fairly.

Mr Prince: The criteria are the same. We had the extraordinarily circumstance of a private prosecution for a criminal offence, and it can be done on indictment only if the Director of Public Prosecutions takes it over. That has been done on very few occasions, not just here but across Australia. The most celebrated case I can think of concerned a prosecution against Gough Whitlam, which was a long time ago in the New South Wales District Court. Again that case was taken over by what was then the Crown Law Department, and I think it was dropped. That also happened here with the prosecution against Commissioner Falconer. That was an exceptional case in the way it was brought forward and not one from which one can draw any precedents.

Mrs ROBERTS: The view that is expressed to me by police officers and others in the community is that the same principles should apply whether a person is the Commissioner of Police or a junior constable.

Mr Prince: That is right.

Mrs ROBERTS: In his second reading speech on the Acts Amendment (Police Immunity) Bill the minister stated -

In amending the Police Act 1892, this Bill provides clear and unequivocal protection from civil action against a member of the Police Service. This protection is for anything that the member has done, without corruption or malice, in the performance of his or her functions as a member of the Police Service, whether or not under a written or other law. Importantly, this Bill does not preclude an innocent third party from seeking compensation for any injury or loss arising from an action of a member of the Police Service which is negligent but is neither malicious nor corrupt.

I draw attention to the words "malicious nor corrupt". The minister also stated -

First, the existing legislative provision is antiquated and regarded widely as unable to protect adequately police officers who are subject to civil proceedings. Section 138 of the Police Act 1892 invokes Section H of The Shortening Ordinance 1853, which states that no action lies against any "policeman or constable" unless there is direct proof of corruption or malice. In addition, section 53(K) of the Police Act 1892 seeks to indemnify police officers from civil liability for anything done or omitted to be done in good faith.

The minister said also -

It should be noted that other people, such as public servants paid by the State to provide a service to the community, are protected by vicarious liability legislation where their actions are in good faith.

I have no argument with the minister in this matter. I do not believe that people in the community want police officers to be left liable, provided they are acting in good faith and are not acting with corruption or malice. The minister further stated -

However, this protection is qualified as follows -

it will not apply to any person who does not cooperate fully with the Crown in defence of such an action;  
and

the Crown will not be liable for any exemplary or punitive damages awarded in such cases.

What are those cases? Is it only the case in which the person does not cooperate fully with the Crown in defence of the action?

Mr Prince: No.

Mrs ROBERTS: Those points are ambiguous.

Mr Prince: If the officer concerned does not cooperate, effectively indemnity does not operate. However, if the officer does cooperate - this is the incentive - the form of that cooperation, which may well be admitting to something that would otherwise be the subject of disciplinary action against the officer, cannot be held against him. In other words, if the officer says he did something wrong but admits everything, he will be indemnified. If he refuses to cooperate with the Crown in defending the action, he is not indemnified.

Mrs ROBERTS: Does the reverse apply? If the officer fully cooperates, will the Crown be prepared to be liable for exemplary or punitive damages?

Mr Prince: No.

Mrs ROBERTS: That appears to be the differentiation made here. This legislation provides that in those circumstances the Crown will not be liable for exemplary or punitive damages. Why should the Crown be liable for exemplary or punitive damages in any case?

Mr Prince: The Crown is not liable for exemplary or punitive damages in any case. It does not matter what is the precursor. If an officer has not been cooperative, the indemnity can be withdrawn.

Mrs ROBERTS: That can give rise to some confusion. It may lead people to believe that in some circumstances the Crown may be prepared to be liable for exemplary and punitive damages.

Mr Prince: No, that is certainly not the case.

Mrs ROBERTS: The second reading speech also reads -

While the Crown will not be liable for an action which is deemed corrupt or malicious, the Bill provides the opportunity for a claimant to request the Treasurer to pay any damages awarded, other than exemplary or punitive, or costs which are ordered. The Treasurer may pay such entitlements where there is little prospect of the claimant recovering them from the defendant. Any such payment will be a debt owing to the Crown and recoverable through the courts.

The Acts Amendment (Police Immunity) Bill will provide the protection necessary for police officers to carry out their lawful duties in the firm knowledge that they will not be held liable for the consequences of any of their lawful actions, unless they are acting in a corrupt or malicious manner.

I highlight that point again. The explanatory memorandum refers to part 2 of the Police Act 1892, as amended. In referring to clause 5 it states -

Subclause (3) provides that a member of the police force is protected from personal liability for anything that the member has done, under the following conditions:

- (i) there will be no protection for any action which is deemed to have been malicious or corrupt.

It further states -

Subclause (6) protects the Crown from exemplary or punitive damages. These are awarded by courts in order to make an example of, or to punish the defendant, rather than to provide compensation to the claimant. For this reason, it is not considered appropriate for the Crown to assume responsibility for such damages.

Subclause (7) refers to an action in tort being defended by the Crown under the provisions of the Bill. It provides that the Crown can recover the costs of defending any person, as well as any damages awarded against the Crown, where the person does not cooperate fully with the Crown in defence of the action.

Mr Prince: That is correct.

Mrs ROBERTS: The explanation continues -

Subclause (8) explains that the term "does not cooperate fully with the Crown" is defined where a person refuses:

- (a) to answer any question, including a question the answer to which is or may be self incriminating; or
- (b) to produce any object or recorded information in the person's possession or control,

that is relevant to the defence of the action.

It makes sense that if a person does not cooperate fully with the Crown in defence of an action, the Crown can recover the costs of defending the person. However, what would happen if it were found that the person had acted in a corrupt or malicious way, or if the judge determined to award exemplary or punitive damages?

I am sure the minister is aware of the recent case in the District Court of Western Australia, Nicholas Kenneth Cameron Tomkinson v Malcolm Weir - the first defendant - and Raymond Frank Collins - the second defendant.

Mr Prince: I have a copy of the judgment.

Mrs ROBERTS: The conclusion of the judgment states -

Hence my total award is as follows:

Battery (awarded against the second defendant only)	\$5,000.00
Trespass to goods (awarded against the second defendant only)	\$936.23
False imprisonment (against both defendants)	\$10,000.00
Aggravated and exemplary damages for false imprisonment (against both defendants)	\$5,000.00
Malicious prosecution (against both defendants)	\$30,000.00

That is a total \$50 936.23.

Mr Prince: Yes.

Mrs ROBERTS: I understand that the Police Service provided up-front funding for these internal affairs officers to deal with the civil case lodged against them.

Mr Prince: It may well have done.

Mrs ROBERTS: I am interested to find out what has happened and what is proposed to happen in this case under the existing setup and how it would be handled under the new legislation. We have a case in which aggravated and exemplary damages have been awarded at \$5 000. I do not believe it is appropriate for the Crown or the public to pay those exemplary damages. I understand that when a judge awards exemplary damages, it is done to set an example so that other persons - in this case other police officers - realise that they may find themselves liable. It should be a personal fine and not a fine borne by the Police Service and therefore the public of Western Australia.

Mr Prince: That is why the legislation provides that the Crown should not be responsible for exemplary and punitive damages.

Mrs ROBERTS: The amount of \$30 000 was awarded for malicious prosecution. Again, if someone has undertaken a malicious prosecution, he would not meet the criterion of having acted in good faith, which is referred to by the minister and in this legislation.

Mr Prince: That is correct.

Mrs ROBERTS: I seek the minister's assurance that these officers will not have that amount paid for them out of the public purse.

Mr Prince: I cannot give an assurance in relation to the specific case because I have sought advice, as has the Commissioner of Police. We received the decision only a few days ago, and I am not in a position to answer those questions. However, in general, the legislation intends and says that if there is a finding of malice, the Crown is not liable for anything that flows in a monetary sense from that. In the same sense, the Crown is not liable for an award for exemplary damages.

MRS ROBERTS: What concerns me, as I think the minister said in his second reading speech, is that an application can be made to Treasury.

Mr Prince: Yes. I ask the member to cast her mind to the criminal injuries compensation situation, because the corollary exists. For example, the member were assaulted by a person, and she suffered damages and brought a claim for damages against the person who assaulted her but that person had no means, criminal injuries compensation would pay the member. However, criminal injuries compensation - that is, the State, the Crown - has a right of action against the person who assaulted the member. That is the same sort of situation. In other words, Treasury can pay so that the innocent victim is paid, but then it has a right to recover against the officer concerned. It is intended to work in much the same way so that the innocent person is not put out.

Mrs ROBERTS: Dealing with the next aspect, I think the minister said that he is unaware whether the two officers from the internal affairs unit received up-front funding.

Mr Prince: I am not sure. I am sorry, I do not know.

Mrs ROBERTS: It is my understanding that the two officers received up-front funding. Presumably, that is because these officers of the internal affairs unit were believed to have acted in good faith and without malice.

Mr Prince: Yes, I imagine so.

Mrs ROBERTS: That being the case, now that this judgment has come down against them, it would seem that if they have received that up-front funding, they have essentially received it under false pretences.

Mr Prince: No.

Mrs ROBERTS: One must decide how to determine whether something is or is not a malicious action. Surely, it is not just a matter of the officers concerned convincing the assistant commissioner, professional standards, that they acted without malice or in good faith. Surely, the final determination of that must be by a court of law. Therefore, I suggest that in a case such as this, if the officers receive that funding up-front, surely the State, or in this instance the Western Australia Police Service, should seek reimbursement of the money that it forwarded for the case.

Mr Prince: That is one question that must be answered in a particular case. I cannot answer that because I do not have the advice or opinion here. There is, however, not necessarily any want of good faith at the time those judgments are made because they are made before the action goes to trial. If the judge, as he has done in this case, says that he prefers the evidence of one person as opposed to another person, the judge is making a decision about the evidence that will be accepted, and he will then come to a conclusion by applying the law to that. That comes after the judgment of whether the officers were acting in good faith and therefore should have their legal costs paid. That cannot be done the other way around.

Mrs ROBERTS: I am concerned that we have a system which operates fairly. This is a case in which people have received up-front funding. They have then been found to have acted maliciously and they have had exemplary damages awarded against them, yet they have received up-front funding for their legal costs. There are other instances of officers who have not been given up-front funding and who have had to go cap in hand to the union to get their funding. After they have been found innocent, or the case against them has not been proved, the union seeks reimbursement from the Police Service.

Mr Prince: Most of those cases, of course, involve some form of criminal accusation rather than civil.

Mrs ROBERTS: I think the minister said they involve both civil and criminal accusations.

Mr Prince: Most of them are criminal, and that is a different exercise from that with which we are dealing in this legislation, which deals solely with civil liability and nothing else.

Mrs ROBERTS: The minister said that in this case he is still seeking advice from the Crown Solicitor about what will happen. The minister has not said whether, as a matter of principle, officers who are ultimately found to have acted maliciously, and who are essentially found by the judge not to have acted in good faith and who have had exemplary damages awarded against them, have had their legal costs paid up front. As a matter of principle, in such instances the State should seek some recovery of that money.

Mr Prince: I hear what the member is saying. I do not make this decision without advice from the Crown Solicitor's Office. I have sought that advice. I have not yet been able to obtain and read it. The Commissioner of Police, in like fashion, must obtain advice. I have no doubt that when we both have that advice, we will sit down and discuss it. That has not happened yet. The decision was handed down by Judge Nisbet only last week, on 7 October.

Mrs ROBERTS: It is an interesting and relevant case to consider when one is dealing with this civil immunity Bill because, presumably prior to a judgment or decision being made, a more senior person - maybe the commissioner - should make a decision that he believes a person acted in good faith and without malice, and therefore he is prepared to fund that person's defence.

Mr Prince: The point I make is that one can totally honestly and correctly come to a decision that a person has acted in good faith and therefore he will back them, but subsequently a judge, on hearing evidence, may decide to the contrary. In other words, the process is right, even though the result might tend to contradict the process.

Mrs ROBERTS: Either case is possible. Someone could come to a decision in good faith that the officers concerned have not acted maliciously and therefore should be funded; alternatively, someone could do that for some other ulterior motive. One would hope that would be the exception. In any event, I cannot see that it is spelt out in this legislation. What happens when a decision is ultimately made by a judge which awards exemplary damages and which says that officers have acted maliciously? It does not appear to be spelt out here. What happens about the recovery of the legal costs in those circumstances?

Mr Prince: Perhaps if the member asks me these questions when I respond, it will be better than my doing it by interjection. I will answer the member, but it might be better if I do it that way.

Mrs ROBERTS: The difficulty is that I may not be in the Chamber when the minister responds, because there will be other speakers.

Mr Cowan interjected.

Mrs ROBERTS: I think the Deputy Premier gets grumpy after about eight o'clock at night.

Mr Pandal: A lot earlier than that!

Mrs ROBERTS: This is an important point. Naturally, if the minister responds later, I can read his answer tomorrow if I miss the proceedings.

Mr Prince: A simple example would be when an officer is the defendant in a civil action for a tort, and at the end of the case the judge finds in favour of the plaintiff against the defendant officer. The plaintiff having lost certain specific sums of money as a result of that civil wrong, those sums of money would be paid by the Crown. If the court then decides to impose effectively a civil fine, which is punitive damages, the Crown is not responsible for that. The court then orders costs, usually to be taxed or in some way fixed. If there is an apportionment of costs as between that part of the case which refers to the recoverable damages and that which is not recoverable, the recovered costs will be paid and not the rest of it. Therefore, one winds up with some sort of apportionment system. The plaintiff is still able to recover against the defendant officer that which the Crown will not pay. However, I suggest that it will be an unusual and rare case.

Mrs ROBERTS: I am not sure why the Crown should pay at all in those circumstances.

Mr Prince: No. I am thinking, for example, of a person who might wind up with some sort of physical injury and is able

to state medical costs of \$5 000. It is a specific sum of money; it is not exemplary; it is not punitive; it relates to a real loss. Then the judge goes on to say "But in these circumstances, punitive damages of \$30 000." The Crown will not pay that.

Mrs ROBERTS: The reverse scenario is where the person making the decision in the Police Service - the commissioner or whoever he deputises to make the decision - believes for one reason or another that an officer facing a civil suit has acted maliciously and reasonably believes punitive damages are likely to be awarded. Hence the decision is made that that officer does not fit the criteria and his legal case is not funded. In that circumstance, the officer must either meet the legal expenses or see whether the union will meet those expenses for him.

Mr Prince: That is correct.

Mrs ROBERTS: What then happens if the judgment goes in that officer's favour? Is there provision for that officer to recover his legal costs?

Mr Prince: Not in this legislation but that is the sort of extraordinary example that no doubt would be the subject of an application for an ex gratia payment. If that were ever to occur, I confidently expect it would be paid. In all of these things, Crown Law comes into the picture and gives advice about whether there is any doubt about good faith and malice from a legal point of view. If its judgment is that it is likely to be a case which should not be funded for the following reasons, the officer is told the State is not funding his case. If he goes off and does it himself and is exonerated, it would not be unreasonable for him to say "Hang on, what about it?" That really is a one-off, case-by-case ex gratia payment situation.

Mrs ROBERTS: However, if this matter is considered from the outside and one listens to some police officers, there seems to be a belief that if one is like the officers referred to in this judgment - from the Internal Affairs Unit - one is likely to get support for one's legal funding upfront, one is likely to be believed and one is likely to have the support of the Assistant Commissioner in getting those legal costs. At the same time, there is a belief that other officers - perhaps those more junior or from different areas of the Police Service - feel they are not as likely to be believed and are not as likely to get an upfront decision that they have acted in good faith and therefore should have their legal costs funded. I raise that issue because I would have thought whether one has one's legal costs paid for should ultimately depend upon the court's judgment rather than the best guess of a senior officer.

Mr Prince: With respect, as soon as you say that, you are putting all the officers at risk. You are saying that being funded depends on the outcome of the trial of this civil action. As a matter of process, that is unjust. The process should say we will fund you because in our judgment you have acted in good faith, there is no question of malice et cetera, on you go. If a court then decides to the contrary, that is what the court did but the judgment with regard to funding is made in good faith and goes forth. If you did it in a reverse way, you would defeat the intent of this legislation.

Mrs ROBERTS: There is already a belief that some of these decisions are made arbitrarily and that it may depend on who one is rather than on the case.

Mr Prince: I do not think that belief is based on fact. I understand it is there because I have been told that for 25 years. However, I do not think that is a belief which we can deal with other than by saying here is a law which clearly states that the Crown will be responsible for your legal defence and for any damages that may be awarded against you unless you do not cooperate or you are found to have acted in some way that gives rise to exemplary or punitive damages. In those cases, while we might look after the innocent plaintiff up to a point, but not for exemplary or punitive damages, we will not look after you. With those two exceptions as I spelt out in my second reading speech, the protection being qualified by either of those things, there is total coverage for the officer but you must make the judgment that this officer is covered before the case goes to court. Otherwise you do not have any protection at all.

Mrs ROBERTS: To conclude, the difficulty is where somebody in the system makes a judgment that the State will not fund a particular case because he believes the officer has not acted in good faith or that he has acted maliciously and subsequently a court case determines otherwise. If I understand correctly what the minister has said, he is suggesting that in those circumstances the officer must seek an ex gratia payment rather than be entitled to have his court costs met as a matter of right.

Mr Prince: If you are going to be sued and a process of looking at your case determines that effectively you have not cooperated fully with the Crown in defence of the action or you have acted with malice or have been corrupt in what you did, the State will not pay for your defence. You defend yourself. If the court finds that none of those things happened - I would imagine it would be almost a Perry Mason exercise, to have some extraordinary piece of evidence appear in court, for that to happen - and you are totally exonerated, that is the sort of situation in which I envisage a request for an ex gratia payment being made. That is highly unlikely; it is almost inconceivable. What is far more likely is using all the available evidence, those who make the decision - Crown Law and others - will decide that this officer has acted in good faith, that there is no malice or corruption and he will be defended. That is it and that decision stands irrespective of the court decision.

Mrs ROBERTS: However, surely in the case of officers Weir and Collins it was believed by Crown Law and all these people that these officers had not acted with malice.

Mr Prince: I suppose so.

Mrs ROBERTS: Why else would they have done it?

Mr Prince: I do not know but I assume that to be the case. In which case it was a judgment made in the past and probably quite rightly made. A judge has now found to the contrary to some extent; although I have yet to receive advice on this. However, you do not undo the judgment about funding because the court decision has been different. As soon as you do

that and you import that principle into this, you take out of existence any form of protection. You are then trying to say if you are a member of the purple circle, you get looked after and if you are not, you do not.

Mrs ROBERTS: The minister is saying that it is almost inconceivable that Crown Law and senior police officers will make the wrong call. It seems that the senior police officers and people responsible for making this decision - Crown Law and whoever else was involved - made the wrong call. They believed that these officers acted in good faith, that they did not act maliciously and so forth - otherwise they should not have funded them. I would have thought that at the very least, the minister should be finding out how this came to be, who approved the funding, whether it was genuinely believed that these officers had acted without malice, and whether the awarding of punitive or exemplary damages was contemplated or whether these officers acted maliciously.

Mr Prince: However, the decision that they should be funded was based on all the evidence available at the time in which a number of people were saying conflicting things.

Mrs ROBERTS: That will always be the case, therefore potentially they will get it wrong every time.

Mr Prince: As I understand it, three people were engaged in an event, two of whom said it happened one way and one said it happened another way. Judge Nisbet said he believed one as against the others. That is a finding of fact on hearing evidence in a court of law. Before it got there, other people made the accusation and another group said something else. There was no want of good faith.

Mrs ROBERTS: Members of the internal affairs unit said one thing and other people said something else. The members of internal affairs were believed and the others were not. What will make it any different in the future?

Mr Prince: Nothing, frankly, in that sense because all police officers, if they are cooperating fully and there is no malice or corruption, will be covered, full stop, irrespective of the court decision.

Mrs ROBERTS: Unless the person making the decision with regard to the payment of legal costs incorrectly believes it to be the case, or if the person does not act in good faith.

Mr Prince: But you are talking about human judgment, which is as good as the training and background of the people involved, which is why it is done as a group exercise.

Mrs ROBERTS: I do not believe I will get any further on that point.

Mr Pendal: It does not have to be a consideration in detail stage debate either. We have had half an hour of consideration in detail discussion during this second reading of the Bill. I cannot work out why we are allowing that.

Mr Prince: I am sorry, member for South Perth. The member on her feet said she would not be here when I replied.

Mrs ROBERTS: If I can have the call and get on with the debate, we will progress more quickly.

The ACTING SPEAKER (Mr Sweetman): The member for South Perth, by way of interjection, raised a valid point. If the member for Midland would address her comments to the Chair, rather than engaging in a free-flowing discussion with the Minister for Police, we will be much quicker in concluding this stage.

Mrs ROBERTS: Mr Acting Speaker, I am always happy to take your guidance in these matters and I am happy to do so on this occasion.

I have raised most of the matters I wanted to because this civil action is a very relevant case. The minister may say it is an exceptional case and unlikely to recur. However, he is still not in a position to answer a number of questions about the case. He is unable to tell me whether these officers received up-front funding, who made the decision for the up-front funding, or whether the Government will be seeking reimbursement of those legal costs or will even contemplate paying any of the damages or even the amount awarded for malicious prosecution. It is extraordinary that the Minister for Police says that, depending on advice from the Crown Law Department, he may consider paying the damages of the two officers who were found to have offended by way of battery, trespass to goods and false imprisonment with aggravated and exemplary damages for false imprisonment and malicious prosecution awarded against them. It is not clear whether the minister will seek to recover any of the costs that have been incurred so far.

Mr Prince: I told the member that I cannot answer any of those questions until I have advice. She is putting words in my mouth that I have not said.

Mrs ROBERTS: That is what I am saying: The minister cannot tell the House this evening what he intends to do in that regard and he cannot assure the House that no consideration will be given to paying the damages awarded against these officers for malicious prosecution or the other events. That concerns me because, as a matter of principle, those damages should not be paid.

In conclusion, I reiterate my very strong support for this legislation. The points I have made this evening are perhaps not as pertinent to the Bill as the member for South Perth may have liked them to be; however, that is my prerogative, not his. I previously covered a range of issues when I addressed the member for South Perth's legislation. Perhaps the member for South Perth was not present in the Chamber when I commenced speaking this evening and did not hear the complimentary remarks I made about his role in bringing this legislation before the House. I will be interested to see if the minister provides any further response to the matters I have raised. If I am not in the Chamber when he responds, I will read those remarks in *Hansard* tomorrow.

**MR PENDAL** (South Perth) [8.45 pm]: I support the Bill and I will speak briefly of that support. I hasten to assure the member who has just resumed her seat that I was not complaining, by way of my interjection, about what she was saying. All I was saying was that for 40 minutes there has been a consideration in detail stage debate across the Chamber between her and the minister. If anything, it was a gentle reminder to the minister that we are not yet at the consideration in detail stage. I understand that sometimes a member will not be in a position to be in the Chamber when the consideration in detail stage approaches; an arrangement can always be made to accommodate a member. I suggest that second reading speeches should be conducted during the second reading debate.

Mr Prince: I agree. Questions were asked and I answered them.

Mr PENDAL: No; with all due respect, the minister was highly disorderly. Notwithstanding my great respect for him in bringing into the Parliament the legislation, in other circumstances he might have been excused from the Chamber. However, I start on a positive note by congratulating the Minister for Police for having introduced the legislation. Members might recall - indeed the member for Midland was gracious enough to make reference to it earlier - that a year or so ago I introduced a somewhat similar Bill to achieve the same end. Often a member is outmanoeuvred when the Government ignores his or her private member's Bill and proceeds with a government measure. The member might sometimes feel put out or aggrieved. I hasten to add that in this case I certainly was not put out or aggrieved, largely because the Minister for Police did something that was very rare in the time I have been in Parliament; that is, in his second reading speech he acknowledged my role. I was grateful for that as it is very rare that a minister is prepared to be so magnanimous. Through you, Mr Acting Speaker (Mr Sweetman), I thank the minister and I congratulate him for the remarks he made during the second reading debate. The Bill achieves the ends of the people who are most adversely affected by the current lack of protocols. I originally moved a Bill last year at the behest of the Police Union and the Bill was then put to the bottom of the Notice Paper. If I remember correctly, that was because it required a message and a private member's Bill cannot generate a message. The minister promised at the time that there would be a government response. Without in any way throwing doubt on the minister's word, I took it with a grain of salt. However, I am delighted to see that he was true to his word and he was prompt in bringing into the Parliament a Bill to address a very serious problem.

I draw his and the Government's attention to the fact that this Bill - I know we are limited to the Police Act - and what we are voting for tonight, although welcome, is a piecemeal and ad hoc approach if one considers the position of other government employees. It is also true, as was said in the course of the second reading debate, that immunity from civil prosecutions has been provided over the years to a great range of government employees through the Public Sector Management Act enacted some years ago. The same sort of immunity contained in this Bill has been offered to civil servants per se.

Let me tell the House why the Government and other ministers need to take a leaf from the book of the Minister for Police. I draw my remarks to the attention of the Minister for Education particularly because he could do worse than follow the lead I suggest. A former high school principal - namely, Ms Laura Longley - is facing a difficulty as envisaged in this Bill because she is fighting in the Supreme or District Court an action taken by another employee of the Education Department. This is not to be confused with the action the department has taken against Laura Longley in effectively dismissing her. A separate, unrelated action came about as a result of her principalship at Como Senior High School. A member of the academic staff was not reappointed and, as a result, took legal action at the start of this academic year. Consequently, Ms Longley has been in the courts fighting that action by Mr Gaudry to the extent that she is now confronted with legal fees, as of today, of approximately \$7 200. I hasten to assure you, Mr Speaker, that I will not canvass the merits or demerits of *Gaudry v Longley and Quinn*. Mr Quinn happened to be the deputy principal at the time of this incident.

I understand that in recent days the court has ordered that the action by Mr Gaudry against Ms Longley be discontinued. Nevertheless, that has not stopped the situation in which she is left holding the baby. In considering this Bill, we are talking about police officers who act in good faith in their duties on behalf of the State being given protection from civil prosecution. That does not apply in the case of Laura Longley, who was sued by Mr Gaudry. However, in all respects she acted as an agent of the Education Department. I ask anyone who listens to or reads my remarks to understand that this action is not to be confused with the action the department took against Laura Longley to effectively dismiss her from her principalship.

The defence bill in the *Gaudry v Longley and Quinn* case is still to be picked up by Ms Longley. I understand that some protocol enables Cabinet at some stage, at the advice of the Crown Solicitor, to agree to reimburse the legal fees. I also understand that nothing by way of legislation or regulation would guarantee that position.

I promised the member for Swan Hills that I would be brief, so I finish on this point: The Government's action tonight regarding police officers is commendable, as is the speed with which the Government has acted. However, perhaps the Minister for Police could go back to Cabinet and make a case to other ministers indicating that the Government must legislate with a whole-of-government approach; therefore, pockets of government service which are currently left unprotected will be given proper protection. It is somewhat ironic that in the past few years we have given to public servants protection from action by other government employees - they may even have had protection in some cases under the Education Act - but a woman has been left to bear the burden of heavy, onerous legal fees in the very year in which the Government has taken away her income on another, but unrelated, matter. It is passing strange that in the year of 1999, when the minister has acknowledged that we must give such protection to policemen and policewomen, pockets of the government service are still left unprotected.

This case is relevant to this Bill. The explanatory memorandum to the Acts Amendment (Police Immunity) Bill distributed by the minister outlined in the fourth paragraph -

First, the existing legislative provision is antiquated . . .

I agree. If it is antiquated for police officers, it is also antiquated for a female former principal left to fight and bear the burden I have outlined. Another part of the explanatory memorandum concerning clause 6 states -

Subclause (3) provides that the Treasurer may pay the claimant all or some of the damages and costs if satisfied of two things.

The minister made this point earlier by way of lengthy interjections -

First, that the claimant is unlikely to recover them from the defendant.

That has a parallel in the Longley case. I understand that her case is now before the court seeking to determine the extent to which the defendant will pay the cost of \$7 200. My plea to the Government is that the Minister for Education should intervene, not next week, month or year - by which stage a person might be broke - but now. The minister should acknowledge that Laura Longley was acting on behalf of her department as its agent; therefore, she is entitled to the comfort of the Crown Solicitor stating to Cabinet immediately, "We will reimburse all her costs. Furthermore, we will not wait until the Supreme or District Court has decided the matter."

I support the Bill. The Government is to be commended, and I congratulate the minister for moving quickly and thank him for the acknowledgments he made in his second reading speech of my involvement in this matter.

**MRS van de KLASHORST** (Swan Hills - Parliamentary Secretary) [8.58 pm]: I stood in this House recently in support of another amending Bill and commented that Governments now and into the future must make legislation relevant to the times. Things are changing rapidly. We are experiencing the biggest changes in history since the inception of the written and spoken word. The Acts Amendment (Police Immunity) Bill will amend part of the Police Act, which was enacted in 1892. We know that things have changed in Western Australia since 1892, and that this change has become more rapid as years have gone by.

I commend the Government for, and support, the Bill, which acknowledges the human face of police in Western Australia. I have a son who is a policeman in Western Australia. He is married and has four young children under the age of eight years. He has a mortgage, car and the normal things that young people have. He is setting out for the rest of his life trying to save and plan for his future and the future of his children and their education. We have often talked about the concern of young constables and all members of the Police Force about the litigious society in which we now live. It is sad as we enter the new millennium that our litigious society means everybody is open to being taken to court under a civil action. Policemen, like many others, spend a considerable time worrying about this. Police officers are particularly vulnerable, as are many other people who work in the service of the community, because they deal with criminals and other people who often do not accept responsibility for their actions. Police officers must make decisions every day of their lives on how to handle these people and it leaves them vulnerable to civil action.

The minister also gave me some briefing notes, and the member for South Perth has already referred to some of the issues I had intended to speak about. I repeat that the existing legislative provision is antiquated and widely regarded as unable to protect adequately police officers who are the subject of civil proceedings. The minister has done a wonderful job in bringing this legislation to the Parliament at this time.

Like the member for South Perth, I know that other people in the community have similar concerns about litigation. The groups I am often concerned about with regard to civil prosecution are the volunteer groups in the community. My husband was in the volunteer fire brigade, and I helped him, for almost 30 years. I know people working in that capacity and those working for the State Emergency Service have similar concerns about our litigious society. I am not sure where they stand. I know that when we were in the volunteer fire brigade, we were working towards insuring members.

Mr Prince: There is insurance in place and I intend to have legislation to deal with this issue.

Mrs van de KLASHORST: I thank the minister for that, because I know it is a concern to those groups. People who are involved with scouts, guides, brownies, cubs, youth groups and church groups are also concerned about the litigious society in which we live.

Much of what I wanted to say has already been said by the member for South Perth and others. It is important that this Bill be passed as quickly as possible so that people like my son are protected. They work 24 hours a day because sworn police officers are virtually on duty whether or not they are in uniform. I know that he has at times been on a family outing and has stopped to help people in certain circumstances. Even though he has been out of uniform, he has still been on duty. Those who put their lives on the line every day for the community need the support of the Government and the people of Western Australia so that if they do their job properly and correctly they do not risk losing everything as a result of civil litigation. I strongly support the Bill and commend the Government for bringing it to the Parliament. I think all police officers in Western Australia will sleep more easily once this Bill has been passed.

**MS ANWYL** (Kalgoorlie) [9.04 pm]: In my brief contribution to this debate, I echo the comments of the members for Midland and South Perth. Everybody accepts that this legislation is long overdue, but I hope the minister, in his response to this debate, will be able to answer a few questions I will raise. Police officers have not been deemed to be employees, and it appears to me when reading this legislation that they still are not effectively deemed to be employees.

Mr Prince: That is correct.

Ms ANWYL: I am not clear from the brief second reading speech why the decision has been made about the treatment of their tortious acts.



Mr Prince: Because it is coming in the police administration Bill.

Ms ANWYL: What is?

Mr Prince: The statement of the status of police officers, which is a hybrid between appointee and employee.

Ms ANWYL: Will the minister give some idea of the time frame?

Mr Prince: I had the first draft a couple of weeks ago, and I hope to have the legislation in Parliament in the next calendar year.

Ms ANWYL: I thank the minister for that clarification. It is a very important matter, and certainly it appears to be important to the Police Union. I have looked at a submission from the Police Union, and in particular a 1997 discussion paper by Rita Choy which was presented to members of Parliament as part of the briefing process. That document states that -

Legal opinion sought by the Union confirmed that under the current legislation and regulations, police officers are bound by this legal technicality and are regarded as 'independent agents', notwithstanding that they receive instructions from senior police personnel and must obey any lawful orders given.

The legislation of course sets out that an action in tort will not lie against a member of the Police Force - I thought we now talked about the Police Service and not the Police Force.

Mr Prince: It is still the Police Force under the Police Act, and "service" in the nomenclature.

Ms ANWYL: The legislation has not caught up with the rhetoric.

Mr Prince: No, but it will.

Ms ANWYL: In any event, it states that an action in tort will not lie against a member of the Police Force as long as the act or omission is without corruption or malice. Those words "without corruption or malice" are very important because, unfortunately, we live in an age in which allegations of police corruption are levelled all the time. To some extent, it is ironic to note that this issue of corruption is also raised in the context of the Police Union's briefing paper, because a flyer, which presumably was distributed to police officers, has the heading "Want vicarious liability protection? Join the ACC". Clearly, there is a perception in the Police Service that there is one rule for officers of the Anti-Corruption Commission and another for officers of the Police Service.

Certainly, in my electorate of Kalgoorlie there has been a significant dent to police morale as a result of a longstanding series of investigations. It is not my role to comment on the appropriateness of those investigations being instigated; it may well be that there was every good reason for them to be instigated. However, it is my role to comment on the way in which those officers have been treated. The case is no longer sub judice and a finding has been made by an industrial relations commissioner that some of those officers have been harshly treated. Given what has happened in Kalgoorlie, it can be seen that it can take many months for investigations of corruption to take place. We have also seen that frequently no disciplinary or criminal charges are laid yet the officers are still under investigation for a long time. Therefore, what will be the effect of this legislation, which presumably is put forward by the Government in good faith, when the issue of corruption will be raised in many examples? I wonder how individual police officers are to take comfort from this legislation, given that if there are allegations of their conduct being corrupt, they have no protection whatsoever under the legislation. Some clear answers will need to be provided by the minister. Ms Choy highlights the issue of stress, because of the potential and the actuality, in some cases, of tortious actions. She states -

Many past incidents have highlighted the problem of financial support for police officers who were involved in legal proceedings. Although ex-gratia reimbursement may be made on application, only some officers received financial support from the Department and there is no guarantee that the full cost will be met. This support, however, only occurs after the event.

Ms Choy goes on to give some examples. My real concern is that while I acknowledge this piece of legislation is a great step forward it will also require some clear guidelines from the Police Service on exactly how officers will be assisted through this procedure. The real test will be what legal assistance is available to officers when defending actions. Proposed new section 137(8) enables the Crown to recover moneys from an individual officer if he refuses either to answer a question or to produce an object or recorded information that is in his possession or control. We have some idea of the circumstances in which the Crown can recover moneys if there has not been proper cooperation. How one would work out a test for all of that, given the sort of information that is gathered by police, would be a vexed legal question.

Mr Prince: If officers answer the questions asked and produce all paper work that may have been generated in relation to a particular matter, they will not have a problem. However, if they attempt to prevaricate they will have difficulties.

Ms ANWYL: I accept that. I have worked as a legal practitioner in our criminal courts. I have acted as instructing solicitor and junior counsel in some very serious trials, one of which resulted in a large ex-gratia payment being made by way of malicious prosecution. I was junior counsel and instructing solicitor in the Heaney case which was referred to in the Tomlinson inquiry. That is one example. I will not go into the detail of that, but it is well documented in a variety of places and is available to parliamentarians and members of the public.

The minister referred to officers' producing bits of evidence. A lot of the Heaney case was about which pieces of evidence were and were not produced. The point I am making, perhaps in a long-winded fashion, is that it is often difficult to know exactly what pieces of evidence, paper, tapes, phone taps, all sorts of warrant applications, statements by witnesses and

potential witnesses do exist. The minister will be well aware that it is a frequent lament of the public prosecutions department that it is not given all of the materials. I had the privilege, as a member of the Select Committee on the Misuse of Drugs Act 1981, of sitting in on evidence from Mr John McKechnie the former Director of Public Prosecutions who is now a justice of our Supreme Court. The evidence as I recall - it is on the public record - was that because there are so many cases in which evidence was not made available, Mr McKechnie was of the opinion as Director of Public Prosecutions that police officers were either inept or corrupt. We come back again, quite neatly, to the issue of what is corruption and who defines it. If I were a lawyer advising police officers I would have to tell them they will have some difficulties if allegations of corruption are made against them as serving police officers, and the Police Service might not be too happy about picking up their legal costs. It is difficult, unless there are some clear guidelines about how legal assistance will be made available to police officers, to know how this will work in operation. I ask the minister to address that issue.

The issue of malice is not so difficult, but corruption is. I can only reiterate that the procedures of the Anti-Corruption Commission are a mystery. I know very little about them, and that would be common to most members of this place.

Mr Prince: Do not look to me for enlightenment; I do not know any more.

Ms ANWYL: It worries me to hear the minister say that. I can accept that as a humble backbencher I do not know very much. However, it disturbs me to hear the minister say that he does not know much either. It is perhaps not surprising that there is this incredible concern not only by the Police Union but also by most serving police officers about what would happen to their legal responsibilities, not only in relation to the potential for criminal disciplinary charges arising out of their own conduct but also in the situation in which a criminal took some sort of action against them for an alleged tortious act. These are all fairly complex issues and I look forward to hearing from the minister.

One other question relates to proposed new section 137(6) which refers to the Crown's liability for a tortious act not being extended to exemplary or punitive damages. Are there any examples, perhaps interstate, of exemplary or punitive damages being awarded? I am aware that in malicious prosecution situations provisions in the law relate to certain types of damages, although I cannot recall the name of the legislation.

Mr Prince: Judge Nisbet has just done it.

Ms ANWYL: I see. I do not know whether there is any precedent for that. What is the rationale for including that type of liability, and if the Crown is not liable for those exemplary or punitive damages, who is? Is it the police officer?

Mr Prince: It is the individual.

Ms ANWYL: I know from my experience of compensation or personal injury law that in some other States exemplary damages are frequently awarded, and it may be that will occur in this State. Effectively, it will be cold comfort for police officers to know that they will not be indemnified against these forms of exemplary damages. What is the thinking of the Government in relation to that exemption and what precedent exists for awards of exemplary punitive damages elsewhere?

As a matter of public policy this is good legislation because it will start to boost the morale of police officers and to make them secure in their employment. However, it is not perfect because it has those difficulties attached to it. I would like to know that the Government will make every endeavour to clarify precisely the types of legal assistance and indemnification that serving police officers will get as a result of this legislation.

**MR BAKER** (Joondalup) [9.18 pm]: Needless to say, I support the Bill, as I am sure will all members in this Chamber. This Bill is vastly superior to that proposed by the member for South Perth a couple of weeks ago in this Chamber by way of the Police (Immunity from Civil Liability) Bill. However, it is fair to comment, as the Minister for Police has already noted, that the Bill introduced by the member for South Perth formed the skeletal model for the government Bill and it may be that the member's Bill acted as a catalyst for the Government fast-tracking the drafting of this Bill. I also commend the minister on that point. Members may recall that during the course of debate in this Chamber associated with the member for South Perth's Bill the minister gave a solemn undertaking that he would fast-track the government Bill as soon as possible. True to his word, the minister has done that. It is the first week after the recess period and we are debating the Bill.

I commend the minister for fast-tracking the Bill. It has been a long time in the making, however, it has been necessary from day one, ever since the Police Act 1892 was first passed into law. This Bill will act as a very important fillip in providing the policemen and policewomen in Western Australia with the additional confidence, in that if they act in a bona fide manner in the execution of their duties, without malice or corruption, they will receive requisite immunities from tortious suits commenced by persons against them. It is very important to look at the various common torts, or causes of actions, relied upon in quite common circumstances. When bringing actions against police officers in the execution of their duties, people commonly rely upon the torts of trespass against a person, which is analogous to unlawful assault in the Criminal Code; of trespass to land and chattels; of false imprisonment; and, in certain cases, of negligence.

I note clause 5 proposes to insert a new section 137. Proposed new subsection (1)(b) purports to exempt any rights to recover damages from the owner or driver of a motor vehicle in respect of the death of, or bodily injury to, a person directly caused by, or by the driving of, the motor vehicle. That subclause does not go on to say which vehicle, or whose vehicle, or who the driver is. I think it is implicit that it is referring to police vehicles. Despite the exemption from the operation of what follows in subclauses (2) and (3), the damage to property is still a live issue.

Another aspect which must be mentioned is this: The Bill put forward by the member for South Perth purported to apply to civil actions. An action in tort is but one civil action. The question arises whether the term "action in tort", which is not defined in this Bill, is intended also to include associated applications, or what could be described as actions. In many cases

involving actions in tort, there is an associated injunction application of some description, for whatever reason; it may be to freeze the status quo in respect of a set of facts. I am sure the minister will explain that during his response in this debate.

The phraseology used in this Bill in describing the nature of what police officers do, or will do, and how they are protected is much broader than the description in the Bill introduced by the member for South Perth. In this Bill proposed new section 137(3) uses very broad phraseology. Members may recall that I raised some concerns when the member for South Perth promoted his Bill, in that it was not broad enough to cover the police officers in the State when assisting in commonwealth operations which were instituted under commonwealth laws. The Customs Act is a simple example. Proposed new section 137(3) states very clearly that an action in tort does not lie against a member of the Police Service of Western Australia for anything that member has done while performing, or purporting to perform, the functions of a member of the Police Force, without corruption or malice, whether or not under written or other law.

This Bill goes much further and also provides protections for persons who assist or aid members of the Police Force. From time to time it is quite common that members of the Police Force will call upon members of the public who are not police officers to assist them in situations that are quite urgent. Common examples include driving people to a hospital, following a motor vehicle accident. The police may say to a person, "Get to a hospital pronto because this is an emergency; you can speed", and an accident may occur on the way to the hospital. My understanding is that the immunity in this Bill covers those members of the public in terms of property damage to other vehicles occasioned through their driving a vehicle; in other words, motor vehicle negligence, but only in respect of property damage.

Another common situation is where police are effecting an arrest. It may well be that two police officers are trying to arrest one person; the offender's friends are getting involved and the police may be in dire straits and may need some physical assistance to restrain the other persons who are trying to interfere in the arrest or assault of the police officers as they attempt to perform a function of their office. The Bill will also provide protection to non-police officers who are assisting police officers while performing functions of their office. Of course, there are the usual caveats that people who assist must do so without malice or corruption, and that makes sense.

The final point I make is that this Bill is yet another example of why, as a Government, we should not react in a knee-jerk fashion to Bills introduced by the Opposition or the Independents in this Chamber. We should tread very carefully when deciding whether to support such legislation. As I have said in the past, it is always better to wait for the government legislation, rather than simply vote in support of opposition Bills. We have seen this before in this Chamber, and we will see it again. We saw it with the Police Act Amendment (Graffiti) Bill 1997. The Government came up with a much better piece of legislation, which is far more comprehensive and wide ranging.

Ms Anwyl: We are waiting for the anti-Pangea legislation. We are also waiting for the prostitution legislation.

Mr BAKER: Let us wait and see. The member has raised the so-called anti-Pangea Bill. I think we will debate that legislation shortly. Perhaps we should be patient, and wait to see what happens.

Ms Anwyl: You just told us you would not accept our legislation, and we are waiting to see yours.

Mr BAKER: The Government will always refuse to accept the defective legislation proposed by the Opposition. Let us put that issue to bed. In short: This Bill will assist members of the Police Service in performing the functions of their office. It will give them greater confidence and, hopefully, it will enable them to focus more on the job, rather than continually having to worry about what will happen in civil courts as a result of what they are doing in the course of their duties. If they are acting in a bona fide manner in their duties, without malice or corruption, they deserve the full support of the Government, which is now being given.

**MR PRINCE** (Albany - Minister for Police) [9.27 pm]: I thank members for their support of the legislation. I shall endeavour to respond to some of the matters raised. The first thing I shall deal with is the question of the status of police officers, which was raised by the member for Kalgoorlie. It is a difficult area. Historically, all the cases that have been decided - the most recent ones have been in Queensland; I am speaking from memory because it has been some weeks since I looked it up - talk about a police officer as holding an appointment as an officer of the Crown, not one in an employer-employee relationship. Consequently, things like workers compensation, occupational safety and health and so on do not apply. That is a very purist view of the world and, undoubtedly, was correct in 1892 when the current legislation was enacted. That was based on the English police legislation of 1850. Since then we have developed a huge body of employment law of various types. I have mentioned only two - workers compensation and occupational safety and health. It is necessary and, in my view, long past time that we had a statement of law that says what is the status of police officers. In my view, it is also necessary that we not take away from that, the fact that they are appointments.

It is one of the features of our police law that every police officer has exactly the same power as every other officer with regard to the lawful powers they may exercise in society, irrespective of rank. The most recently inducted recruit, the Commissioner of Police of 30-something years and anyone in between have exactly the same powers in regard to everybody else in society. That is overlayed with a rank structure in which an individual officer of a superior rank may direct another officer of an inferior rank, but that superior officer cannot tell the other officer what to do with regard to exercising the powers of police constable, which is an interesting situation. I know of no other like it within civil or military life or anywhere else. It is unique, and it is about time we wrote a law that states the situation. However, a law which should normally apply to anyone - that is, workers compensation, occupational safety and health and so on - is also part and parcel of the status description. I asked the Director of Public Prosecutions, Mr Robert Cock QC, to write the statement of law for me, not because he is the Director of Public Prosecutions, but because before he acted in that position, he was one of the State's leading industrial lawyers. He has done that, and I received it last Friday. I am very grateful to him, but I have not

had the opportunity to study it in depth. I make the point so the member for Kalgoorlie understands it. It has been a vexing matter and should have been cleared up a long time ago. I am moving to do it.

Ms Anwyl: Not in this Bill.

Mr PRINCE: No, not in this Bill. I would like to see it as part of the new police administration Bill, which is in draft at the moment. I hope to introduce that Bill into Parliament next calendar year, together with a criminal procedure and practice Bill, covert operations Bill and so on. About four or five Bills need to be introduced basically to make the Police Act superfluous and perhaps even to repeal it. I hope that answers that point. It was a point which was made recently in the Industrial Relations Commission in Kalgoorlie in relation to hearings. A fair point was made. We should be able to move on from it, but we need a new statement of law to do that.

I am obliged to the member for Kalgoorlie for her comments concerning police morale in Kalgoorlie, and I wish more members on her side, including the people who have joined her party recently, would confine themselves in a similar fashion to commenting on what has happened and not whether an investigation should have started. However, that is beside the point. The member mentioned disclosure, and I understand that. I think I agree with her: It can be a very difficult question. I would take the view that the officer concerned must not only answer all questions which are put, which is in the substance of the clause in the Bill before us, but also produce all documentation. In a relatively simple matter, whether it is a little paperwork and a little event that has happened - the classic case is some form of action for arrest or something of that nature - that will be quite simple. In a far more complex case, which may involve an investigation of fraud, in which the officer got it wrong in the course of the investigation and committed a tort in regard to an employee in a company that was being investigated and made an accusation in good faith, but wrongly, against the employee which was subsequently found to be wrong, but nonetheless the employee suffered some sort of damage and loss as a result of the accusation being made, there could be a vast amount of paper. That will be difficult. However, if we look at it from the point of view of the State as well as that of the police officer, if the State can represent, advise and indemnify this officer, the State needs all the information to make that judgment. That is why the Bill also states that if an officer, in complying and satisfying that obligation to disclose, then discloses something to his or her detriment which could give rise to a disciplinary matter, he or she is indemnified against that. There is an inducement to cooperate, and that is fair and reasonable and should happen. However, I appreciate that, particularly in the most complex of factual situations, it will be difficult to go through all the material and make judgments and decisions about what should be disclosed and what is otherwise irrelevant. It is a matter that will be left to the judgment of the people involved in the individual cases. I hope they will exercise that judgment with a view to erring on the side of disclosing everything.

The process of granting legal assistance was raised by the member for Midland. The member confused herself and others by trying to make the point that if a court subsequently finds, as occurred in the decision of Judge Nisbet in the case of Tomkinson, Weir and another handed down only last week, that a tort of malicious prosecution, wrongful arrest and so forth has been committed, the officers cannot be funded because the court has found that they have acted apparently with malice or something of that nature. We cannot reason that way. If the decision to fund the defence of the officers were determined by the result of the court action, no officer would ever be funded with any certainty and we would totally remove any form of protection that this legislation gives to an officer. The member for Midland did not seem to understand that, before the court trial ever takes place, we should have a process in which the State makes the decision on the information available that the officers have acted in good faith, that there has been no malice and corruption and that they have disclosed everything that has been asked of them. Therefore, they will be funded, looked after and indemnified in the full meaning of that word through all the civil process that may follow, irrespective of the outcome. The result of the court case does not matter. That is the decision that is made; it stands and cannot be overturned, notwithstanding what happens later. That is a point the member for Midland does not understand, so I lay that out. I hope it is clear. I see the member for Kalgoorlie nodding and understanding the position.

Ms Anwyl: I am more concerned about the practice.

Mr PRINCE: Can the member explain that?

Ms Anwyl: There can be allegations of corruption, which we know take more than a year to be sorted out. I think that is what the member for Midland was talking about, too.

Mr PRINCE: No, she was not. The member for Kalgoorlie raised that and it is a very fair point. The answer is that an allegation of corruption of some description can be made and the Anti-Corruption Commission, internal affairs unit and/or others may hold an inquiry, but it may be some time - months, perhaps longer - before charges are preferred under the criminal law or disciplinary charges are preferred under the Police Act. In the meantime there is a hiatus. I would have thought it highly unlikely that a civil action would be brought. The legislation before this House relates to only a civil action - an action for tort for civil wrong. If, while the authorities are still investigating a complaint of wrongful action by a police officer, a person issues civil proceedings for tort, presumably in the Supreme or District Court, the decision on whether the officers are entitled to indemnity must be made at that time. I would have thought that *prima facie* they are, but we must look at the circumstances and the details that are known then. That will be a difficult question to answer because the inquiry may not be complete. That is hard, but I say "*prima facie*" because I would have thought that the Crown would be in a position to say, "You will represent, but attempt to stay the proceedings until inquiries are complete for a number of reasons." The first reason is that a complete decision cannot be made about whether there should be representation until the inquiry into allegations of wrongful behaviour has been completed.

Secondly, the normal rule is that civil action should not pre-empt criminal charges which may or may not be preferred. It is unlikely that a factual circumstance would be tried in a civil jurisdiction if a criminal prosecution were pending. Those

are the arguments that would be run if that circumstance ever arose. It is only likely to occur if there is such a long period between the laying of the allegation of wrongdoing and the result of the inquiry, whether by the internal affairs unit, the Ombudsman or the Anti-Corruption Commission, in which circumstance there may be a problem. Currently, the only cases that are taking a long time involve allegations of wrongful behaviour by police officers brought by the professional standards portfolio or the ACC in one form or another; in other words, not brought by an ordinary member of society but brought in relation to alleged wrongdoing by police officers in the course of criminal investigations and so on. Theoretically it is technically possible; it is unlikely from a practical viewpoint. I return to the two points I raised which would be sufficient to stay those civil proceedings if they were brought pre-emptively. Does that answer the member for Kalgoorlie's point?

Ms Anwyl: In a way it does. However, the problem is if that situation were to arise, there would be a great deal of anxiety and uncertainty for the police officer concerned. From what we know of the ACC inquiries that have occurred recently, there may never be a disciplinary inquiry or criminal charge laid and the whole matter may be put on hold, thereby creating a great deal of uncertainty. My other question is: Who will make this decision, the Crown Law Department or the minister?

Mr PRINCE: That is a much broader question concerning the way in which disciplinary matters are handled in the Police Service by either the professional standards portfolio or by bringing in the ACC. That is not related to this legislation, which seeks to indemnify police officers against civil actions brought against them for civil wrongdoings.

Ms Anwyl: Yes, where their actions were not corrupt.

Mr PRINCE: I realise that. However, the member is talking about stress and tension problems that arise because the investigation takes a long time.

Ms Anwyl: No, I am saying it is because police officers do not know whether they will have indemnities for their alleged tortious actions.

Mr PRINCE: I believe stress and tension are more applicable to the fact that it takes a long time for an inquiry to take place, not with possible civil action, as that is very rare. If police officers are suspended, they do not know where they stand, whether they will be prosecuted by the State for a criminal offence or by an internal disciplinary inquiry for breach of standing orders, whatever the case may be. That is their concern; not that somebody will have a go at them for a civil tort.

Ms Anwyl: I think they compound each other.

Mr PRINCE: I agree with that.

Ms Anwyl: The minister should talk to the WA Police Union about that.

Mr PRINCE: I have.

Ms Anwyl: The minister should talk to the union about exactly the anxieties that its members have now because many of them relate to tortious actions.

Mr PRINCE: I know they do, but they do not relate to the professional standards portfolio, the internal affairs unit and the ACC's being involved in investigating their matters. I understand the deep concerns of ordinary police officers that somebody may have a go at them for a civil action when they are going about their duties and dealing with matters on a daily basis. Those are their concerns, not so much the more complex issues that we have been discussing. A couple of cases like that have occurred. That information spreads through the Police Service very quickly and people become more concerned about the perception that they could be got at rather than the probability of its happening. However, the perception, fear and worry are very real; consequently, this legislation is well and truly due at this time.

With regard to the case of Tomkinson v Weir and another referred to by the member for Midland, I said, by way of interjection, that I and the Commissioner of Police have read the decision of Judge Nisbet which was handed down on 7 October. I have sought advice and opinion on it from the Crown Law Department. I have not yet had the opportunity of reading that advice nor have I had the opportunity of discussing anything further with the Commissioner of Police. I am unable to comment on that case; nor should I until after the advice has been given and we are able to consider what, if anything, should follow on.

I am obliged to the member for South Perth for his comments. When I was able to deal with this matter, I did so with as much despatch as I possibly could. I am obliged to the members of the House for their support of the Bill.

Question put and passed.

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

*House adjourned at 9.45 pm*

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# QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

## FORESTS AND FORESTRY, COMMERCIAL TREE CROPS

2. Mr PENDAL to the Minister for the Environment:

I refer to the fact that the State's "plantation effort" in 1997 resulted in planting 25,000 hectares in commercial tree crops and ask -

- (a) what was the figure in each of the previous 10 years; and
- (b) in each case what were the plantings by -
  - (i) the Department of Conservation and Land Management (CALM); and
  - (ii) private plantings?

Mrs EDWARDES replied:

(a)-(b) YEAR	CALM owned and managed	Privately owned CALM-managed	Privately owned and managed
1996	1 988	6 324	15 090
1995	1 617	3 571	12 010
1994	1 238	1 876	9 185
1993	2 428	1 438	6 438
1992	3 904	66	3 600
1991	2 643	66	2 030
1990	1 585	122	2 691
1989	4 289	25	2 260
1988	3 717	24	2 200
1987	2 406	58	1 860

The table includes the areas of plantations which are "CALM-owned" and CALM-managed as reported in the Department's 1997/98 Annual Report. The privately owned, CALM-managed plantations include 409 hectares of plantations owned by other government departments. The areas shown for privately owned and managed plantations are as provided by the owners to CALM and show in the relevant Departmental Annual Report. There is no requirement for private growers to provide statistics to CALM and the statistics shown in CALM's Annual Reports may be an underestimate of the actual level of "plantation effort".

## ATLAS WASTE TREATMENT PLANT, SPILLAGE

7. Mr KOBELKE to the Minister for the Environment:

In relation to the cleanup of the spillage of waste at the Atlas Waste Treatment Plant in Mirrabooka on the afternoon of the 7 April 1999 -

- (a) how many tons of spillage mixed with cleanup sand were removed from the ground near the biodigestors;
- (b) where was this waste disposed of;
- (c) was it officially weighed prior to being disposed of;
- (d) what was identified as the primary cause of this waste spillage; and
- (e) what actions have been taken to ensure that there is not a re-occurrence of such an event?

Mrs EDWARDES replied:

I am advised that a spillage occurred on 6 April 1999, not 7 April 1999 and my responses below refer to that event.

- (a) The spillage and cleanup sand were not weighed before disposal.
- (b) I understand that the spillage material and cleanup sand was removed to the Atlas licensed compost farm.
- (c) See response to (a).
- (d) Operator error.
- (e) Operational procedures have since been reviewed and implemented.

## ATLAS WASTE TREATMENT PLANT, SPILLAGE

10. Mr KOBELKE to the Minister for the Environment:

- (1) Was there a spillage of waste at the Atlas Waste Treatment Plant in Mirrabooka on the afternoon of the 7 April 1999?

- (2) Was this spillage reported by Atlas?
- (3) If so -
  - (a) who was the employee of Atlas who made the report; and
  - (b) at what time was this report made?
- (4) At what time did the spillage occur?
- (5) What was the estimated volume or mass of the spillage?
- (6) What was the nature of the material involved in the spillage and in particular was the composition of the spillage -
  - (a) solid;
  - (b) liquid; or
  - (c) slurry?
- (7) How many truck loads or tons of sand were mixed with the spillage in order to help clean it up?
- (8) Were samples of this spilt material taken for testing by an Officer of the Department of Environmental Protection?
- (9) Was the sample of spilt material tested to ascertain as to whether or not it contained e-coli?
- (10) If so, is the material contaminated with e-coli?
- (11) Where the tyres of trucks and other vehicles, contaminated by this spillage, washed before they moved off the site?

Mrs EDWARDES replied:

- (1) Not that I am advised. However, there was a spillage on 6 April 1999 and my responses below refer to that event.
- (2) No.
- (3) Not applicable.
- (4) I am advised it occurred in the afternoon of 6 April 1999, between 12:15 and 1:45pm.
- (5) The spillage was not weighed.
- (6) The spillage consisted of a digested organic based material. It was a solid, liquid and slurry composition.
- (7) I am advised that this information was not collected or recorded.
- (8) The DEP took two samples but they were not tested since it was considered that the spillage did not pose an environmental threat.
- (9) No.
- (10) Not applicable.
- (11) I am advised that the tyres and outside of the truck from which the material was lost were washed down. Subsequent vehicles involved in the cleanup but not contaminated by spillage were not washed down.

#### MINISTERIAL STAFF, PRESENTS AND SOCIAL FUNCTIONS

23. Mr CARPENTER to the Minister representing the Attorney General:

- (1) Did the Attorney General use taxpayers money to pay for staff presents and/or for staff social functions during the 1998 calendar year?
- (2) If yes -
  - (a) on what date;
  - (b) for what purpose; and
  - (c) how much was spent?

Mr PRINCE replied:

- (1)-(2) No.

#### MINISTERIAL STAFF, PRESENTS AND SOCIAL FUNCTIONS

24. Mr CARPENTER to the Minister representing the Minister for the Arts:

- (1) Did the Minister use taxpayers money to pay for staff presents and/or for staff social functions during the 1998 calendar year?
- (2) If yes -
  - (a) on what date;
  - (b) for what purpose; and
  - (c) how much was spent?

Mrs EDWARDES replied:

I refer the member to my answer to Question on Notice 23.

#### MINISTERIAL STAFF, PRESENTS AND SOCIAL FUNCTIONS

26. Mr CARPENTER to the Parliamentary Secretary to the Minister for Justice:

- (1) Did the Minister use taxpayers money to pay for staff presents and/or for staff social functions during the 1998 calendar year?
- (2) If yes -
  - (a) on what date;
  - (b) for what purpose; and
  - (c) how much was spent?

Mrs van de KLASHORST replied:

I refer the member to my answer to Question on Notice 23.

#### MINISTERS OF THE CROWN, CREDIT CARD EXPENDITURE BY MINISTERIAL OFFICERS

32. Mr CARPENTER to the Minister for the Environment; Labour Relations:

- (1) Will the Minister state the total expenditure on Government credit cards in the Minister's office for the following financial years -
  - (a) 1993-94;
  - (b) 1994-95; and
  - (c) 1995-96?
- (2) For each individual cardholder in the Minister's office, will the Minister advise -
  - (a) the name and position of the cardholder;
  - (b) the credit limit on the card; and
  - (c) the total expenditure on that card in -
    - (i) 1993-94;
    - (ii) 1994-95; and
    - (iii) 1995-96?

Mrs EDWARDES replied:

The Ministry of Justice advised:

Attorney General:

- (1)
  - (a) \$1 353.75
  - (b) \$2 623.20
  - (c) \$16 348.86
- (2)
 

(i) 1993-94			
(a)-(b)	Name	Position	Credit Limit
	Cheryl Edwardes	Attorney General	\$5 000
	Brian Easton	Exec. Director	\$5 000
(c)	Cheryl Edwardes		\$0
	Brian Easton		\$1 353.75
(ii) 1994-95			
(a)-(b)	Name	Position	Credit Limit
	Cheryl Edwardes	Attorney General	\$10 000
	Brian Easton	Exec. Director	\$5 000
	Brian Bradley	Exec. Director	\$10 000
(c)	Cheryl Edwardes		\$1 545.40
	Brian Easton		\$1 077.80
	Brian Bradley		\$0
(iii) 1995-96 (July - December 1995)			
(a)-(b)	Name	Position	Credit Limit
	Cheryl Edwardes	Attorney General	\$10 000
	Brian Bradley	Exec. Director	\$10 000
(c)	Cheryl Edwardes		\$16 136.36
	Brian Bradley		\$212.50
Family and Children's Services advised:			
(iii) 1995-96 (December 1995 - June 1996)			
(a)-(b)	Name	Position	Credit Limit
	Cheryl Edwardes	Minister for Family & Children's Services	\$15 000
	Brian Bradley	Exec. Director	\$10 000
(c)	Cheryl Edwardes		\$3.75
	Brian Bradley		\$27.50



## ROAD CONTRACTS

57. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Will the Minister state whether contracts have been awarded for the following road projects -
  - (a) reconstruction and widening of Brookton Highway between Narrogin State Forest and Brookton;
  - (b) widening and sealing the Brookton Highway between Corrigin and Hyden;
  - (c) reconstruction of Great Northern Highway between Bindoon North and Bindoon Hill;
  - (d) construction and sealing of the Great Eastern Highway at Northam Bypass;
  - (e) reconstruction of the Chidlow-York Road; and
  - (f) widening Bullfinch Road between Bullfinch and Southern Cross?
- (2) If the answer to (1) above is yes -
  - (a) when was the contract awarded;
  - (b) to whom was the contract awarded;
  - (c) what was the contract cost of the project;
  - (d) when is the estimated date of completion; and
  - (e) if the project is completed, when was it finished and what was the actual final cost?
- (3) If the answer to (1) above is no -
  - (a) when will a contract be awarded;
  - (b) when is the estimated date of completion; and
  - (c) what is the estimated cost of the project?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) Reconstruction and widening of Brookton Highway between Narrogin State Forest and Brookton.
    - (a) Yes.
  - (2) *Contract 110/95 – Reconstruct Albany Highway through Gleneagle Forrest, Reconstruct Brookton Highway, construct passing lanes on Albany Highway.*
    - (a) 13 February 1996.
    - (b) Brierty Contractors.
    - (c) \$5 310 469.61.
    - (d) Final Certificate – 13 May 1999.
    - (e) \$6 709 905.28.

*Contract 351/97– Road Realignment and Reconstruction, Brookton Highway, Kettle Rock and Buckingham Sections.*

    - (a) 22 December 1997.
    - (b) Boral Contracting Pty Ltd.
    - (c) \$5 160 262.53.
    - (d) Final Certificate – 27 January 1999.
    - (e) \$2 357 014.46 (Scope of works was reduced).

*Contract 117/98 – Road Construction, Brookton Highway, Kettle Rock Section*

    - (a) 30 October 1998.
    - (b) Brierty Contractors.
    - (c) \$1 681 330.80.
    - (d) Actual Practical Completion – 21 April 1999.
    - (e) \$1 428 585.22.
  - (3) (a)-(c) Not applicable.
- 1 Widening and sealing the Brookton Highway between Corrigin and Hyden
    - (b) No.
  - (2) (a)-(e) Not applicable.
  - (3) (a) 2002/3.
  - (b) 2004/5.
  - (c) \$22.43 million.
- 1 Reconstruction of Great Northern Highway between Bindoon North and Bindoon Hill
    - (c) No.
  - (2) (a)-(e) Not applicable.
  - (3) (a) 2001/02 depending on Federal funding.
  - (b) April 2002.
  - (c) \$5 million.
- 1 Construction and sealing of the Great Eastern Highway at Northam Bypass
    - (d) No.
  - (2) (a)-(e) Not applicable.
  - (3) (a) Early 2000/01 dependent on Federal funding.
  - (b) June 2002.
  - (c) \$40-\$45 million.
- 1 Reconstruction of the Chidlow – York Road
    - (e) No.
  - (2) (a)-(e) Not applicable.

- (3) (a) 2002/03.  
(c) June 2003.  
(d) \$12 million.

- 1 Widening Bullfinch Road between Bullfinch and Southern Cross  
(f) No. Works completed by the Shire of Yilgarn in December 1998 at a cost of \$539 000. Sealing to be completed in 1999.  
(2) (a)-(e) Not applicable.  
(3) (a)-(c) Not applicable.

#### MOTOR VEHICLE REGISTRATION FEES, INCREASE

74. Mr BROWN to the Minister representing the Minister for Transport:
- (1) Is the Government aware of the impact the decision to increase motor vehicle registration fees is having on low income earners and pensioners?
- (2) Is the Minister aware that some pensioners have been forced to pay an extra \$45 - \$50 per annum for car registration fees as a result of the Government's increases?
- (3) If so, will the Government review the vehicle registration costs with a view to lowering those costs for people on low or fixed incomes and pensions?
- (4) If not why not?
- (5) Is the Minister aware that pensioners recently received a \$2.40 increase for all costs of living increases and that the increase in car registration fees will consume the majority of that amount?
- (6) What action will the Minister take to lower car registration costs?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) Yes. It is for this reason that concessions have been retained for eligible pensioners in order to cushion them from the full impact of the increases. Pensioners receiving a 100 per cent concession have received no increase and those eligible for a 50 per cent concession have had the impact of the increase halved.
- (2) Increases will vary according to the weight of the vehicle as compared with previous fees which were based on vehicle horsepower as well as weight.
- (3) A review of vehicle licence fee concessions is scheduled to commence later this year and will take into account issues relevant to low income recipients, including pensioners.
- (4) Not applicable.
- (5) See responses provided to parts (1) and (2).
- (6) Car registration costs will be kept at the lowest possible level taking into account funding needed for the development and maintenance of the State's road network. Western Australian registration fees compare favourably with those which apply in other States and Territories.

#### STIRLING STATION, SECURITY OF CAR PARK

76. Mr KOBELKE to the Minister representing the Minister for Transport:
- (1) For each month in 1998 and in 1999 to date, how many cars parked in the car park of the Stirling train station have been -
- (a) broken into;  
(b) damaged by an attempted break in; and  
(c) stolen?
- (2) Is the Government satisfied with the level of security provided to patrons who park their cars at Stirling station?
- (3) If not, then what actions are to be taken to improve the security for cars parked at the Stirling station car park?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

Westrail does not record separate information for vehicles broken into and those damaged by an attempted break-in. My answer to parts (1)(a) & (b) of this question provides the total number of reported vehicles both broken into and or damaged by an attempted break-in.

- |     |          |         |     |
|-----|----------|---------|-----|
| (1) | 1998     | (a)-(b) | (c) |
|     | January  | 9       | 4   |
|     | February | 1       | 12  |
|     | March    | 0       | 16  |
|     | April    | 1       | 6   |
|     | May      | 2       | 11  |

June	2	8
July	0	9
August	4	12
September	1	10
October	1	12
November	0	16
December	1	20

1999	(a)-(b)	(c)
January	0	9
February	0	4
March	1	7
April	1	4
May	1	4
June	4	6
July	1	5
August	1	2

- (2)-(3) Public tenders will be called in September 1999 for a private operator to operate and maintain a secured car park within the existing car park at the Stirling Railway Station. In the interim period until the secured car park is operational, Westrail is providing additional patrols of the car park by its own security personnel and a private security company.

#### COMMITTEES AND BOARDS, FORMER MEMBERS OF PARLIAMENT

94. Mr BROWN to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

(1) Since February 1993, what former Members of Parliament have been -

- (a) appointed to a Government Board, Commission, Committee or other body; and/or
- (b) appointed by the Government to any Board, Commission, Committee or other body; and/or
- (c) employed or appointed within the Government in any capacity, paid or otherwise, under the Premier's control?

(2) In each instance -

- (a) what is the -
  - (i) name of the Former Member; and
  - (ii) the title of the position,
 to which they have been appointed;
- (b) which organisation/department is responsible for the position; and
- (c) what remuneration is paid for each position?

Mr COURT replied:

- (1)-2) I refer the member to tabled paper number 461, the Boards and Committees Register, Government Departments and Agencies as at 23 November 1998 which was tabled in the Legislative Assembly on 25 November 1998.

#### COMMITTEES AND BOARDS, SCREENING OF APPOINTEES FOR CRIMINAL CONVICTIONS

160. Dr CONSTABLE to the Premier:

With reference to the answer to question on notice No. 2438 of 1999, asked on 18 March 1999 and answered on 15 June 1999, will the Premier now provide answers to parts (3), (4) and (5)?

Mr COURT replied:

- (3) The screening of appointees to statutory boards for records of criminal conviction is undertaken where there is a statutory requirement or a perceived need. At this stage it is not considered necessary to extend the screening of appointees beyond these circumstances.
- (4) I am informed that the Ministry of the Premier and Cabinet is unaware of any members of statutory boards with criminal convictions that would preclude them from holding their positions on those boards.
- (5) Not applicable.

#### CALM, WINTER FIRE MANAGEMENT PROGRAM

182. Dr EDWARDS to the Minister for the Environment:

- (1) What is involved in the Department of Conservation and Land Management's (CALM) winter fire management program?
- (2) When did it commence?
- (3) When will it conclude?

Mrs EDWARDES replied:

- (1) CALM's fire management programs and activities during the winter months include the following:  
Develop and upgrade fire management plans including fire history maps, master burn plans, annual burn plans.  
Collate relevant data on wildfires and prescribed burns for annual fire reports.  
Develop comprehensive fire training course materials and provide fire training to CALM staff, contractors and other fire personnel.  
Develop burn prescriptions and implement burn preparation operations in readiness for the spring/summer and autumn burning programs.  
Conduct protective burns under the Pinus pinaster (Maritime pine) plantations north of Perth, in order to minimise the incidence and spread of wildfires in these valuable plantations, taking into account appropriate smoke management guidelines.  
Maintain fire fighting equipment, pumpers, aircraft, towers etc.  
Develop and maintain liaison and mutual aid arrangements with external agencies, stakeholders, volunteer brigades and neighbours.
- (2)-(3) This fire management program occurs throughout the months of June to September.

#### TRANSCONSULT, TERMS OF ARRANGEMENTS

184. Mr RIEBELING to the Minister representing the Minister for Transport:

- (1) Has the Minister's office, or any of the Departments under the Minister's control, entered into any financial arrangement with a company known as Transconsult?
- (2) If yes, will the Minister explain these arrangements?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

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

#### GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

203. Mr BROWN to the Minister for the Environment; Labour Relations:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department or agency under the Minister's control entered into between 1 January 1999 and 31 March 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or services required by the contract?
- (5) What is the completion date of each contract?

Mrs EDWARDES replied:

Perth Zoo:

- (1) Nil.
- (2)-(5) Not applicable.

WorkSafe Western Australia:

- (1) Nil.
- (2)-(5) Not applicable.

WorkCover WA:

- (1) Nil.
- (2)-(5) Not applicable.

Kings Park and Botanic Garden:

- (1) Nil.
- (2)-(5) Not applicable.

Department of Environmental Protection:

- (1) Four.
- (2)-(5) The Department of Environmental Protection has entered into the following contracts of \$50,000 or more (excluding employment contracts) between 1 April 1999 and 31 May 1999:  
\$96,000 South West Local Government Association (contract let 21/5/1999, completion date 30 June 2001). This is a Waste Management Recycling Fund grant - South West Recycling Coordinator Project.

\$548,645 John Curtin International Institute (contract let 15 April 1999, completion date 31 December 2001). This is a Waste Management Recycling Fund Grant - Centre of Excellence in cleaner production.

\$70,000 Household Hazardous Waste Cooperative Group (contract let 6 May 1999, completion date 31 December 1999). This is a Waste Management Recycling Fund Grant - Recycling and Waste Processing Industry Development Strategy.

\$93,968 QVS Interiors (contract let April 1999, completion dated 30 June 1999). This contract was for office refurbishment.

Department of Conservation and Land Management:

(1) 16. The majority of these contracts have been awarded on a panel-type arrangement as detailed at (3) below.

- (2)
- |     |             |
|-----|-------------|
| (a) | \$100 000   |
| (b) | \$200 000   |
| (c) | \$250 000   |
| (d) | \$500 000   |
| (e) | \$250 000   |
| (f) | \$162 000   |
| (g) | \$2 286 000 |
| (h) | \$486 280   |
| (i) | \$344 000   |
| (j) | \$255 150   |
| (k) | \$330 155   |
| (l) | \$78 400    |
| (m) | \$152 110   |
| (n) | \$3 960 000 |
| (o) | \$3 750 000 |
| (p) | \$255 600   |

(3) In the following information, panel contracts exist where more than one contractor is listed:

- (a) A.D. Contractors  
Waroona Soils  
M. & J. Van Der Brugge  
B. J. Noonan  
Kevin Watkins
- (b) A.D. Contractors  
Waroona Soils  
Cardinal Contractors  
L.R. Archibald & Co.
- (c) Edenborn Pty Ltd  
Manjimup Pest Control  
A & R Consultants  
Koster Family Trust  
Dason Enviropest  
RELM Farming  
Casuarina Forest Services
- (d) Alexander Brown Contractors  
Edenborn Pty Ltd
- (e) Fieldmaster Aviation  
Westside Aerial Services  
Aurora Agricultural Aviation  
Mallee Aviation
- (f) S.S. & S Langdon  
Edenborn Pty Ltd
- (g) South West Plantations Projects  
CALM (Mornington District)  
M.A. and C.A. Doyle
- (h) W.A. Treeplanting Services  
CALM (Central Forest Region)
- (i) CALM (Mornington District)  
D.V. & M.L. Chiera  
Winton Pest Control  
Pederick Enterprises
- (j) M.A. & C.A. Doyle  
Wayne Harley  
Maranup Contractors  
Croxley Pty Ltd  
RELM Farming
- (k) Bunbury Bulldozing  
Collie Loader Hire  
G.M. Gillespie

Waugh's Forest Services  
M.A. & C.A. Doyle  
R.J. & A.C. Moore

- (l) M.A. & C.A. Doyle  
Brad J. Noonan  
Mark Steer
- (m) Baileys
- (n) Pinetec Treefarms Pty Ltd
- (o) Pinetec Treefarms Pty Ltd
- (p) Kempton Contracting  
Greybank Pastoral  
Westways Wildflowers  
Allbush Pty Ltd  
Arcturian Holdings  
Native Plant Nursery
- (4) All of the above contracts are for various services required for timber sharefarming operations. Services include hire of bulldozers and backhoes, application of pesticides, fertilising, ripping and mounding and planting. Some contracts incorporate all of the above services.
- (5)
  - (a) 31/12/1999
  - (b) 31/12/1999
  - (c) 31/12/1999
  - (d) April 2000
  - (e) 31/12/1999
  - (f) 31/12/1999
  - (g) 31/12/2001
  - (h) 31/12/1999
  - (i) 31/12/1999
  - (j) 31/12/1999
  - (k) 31/12/1999
  - (l) 31/12/1999
  - (m) 31/12/1999
  - (n) May 2002
  - (o) May 2002
  - (p) May 2002

Department of the Registration, Western Australian Industrial Relations Commission:

- (1) Nil.
- (2)-(5) Not applicable.

Department of Productivity and Labour Relations:

- (1) Nil
- (2)-(5) Not applicable.

Commissioner of Workplace Agreements:

- (1) One.
- (2) \$50 050 - not including variations.
- (3) NEC.
- (4) Supply and installation of PABX
- (5) Not known - installation progressing.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS OVER \$50 000

213. Mr BROWN to the Minister representing the Minister for Transport:

- (1) How many contracts of \$50,000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 April 1999 and 31 May 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

The collation of the following information in response to the honourable member's question has been at considerable time and cost to the agencies in the Transport portfolio. While I am more than happy to provide responses to specific and genuine questions from the honourable member, I am not prepared to participate in, what amounts to, "fishing" exercises. In future, I will not commit scarce resources to questions of this nature.

## Fremantle Port Authority

(1) Five.

- (2) (a) \$60 000  
 (b) \$351 052  
 (c) \$163 366  
 (d) \$90 921  
 (e) \$125 101
- (3) (a) Keoghs Door Control.  
 (b) Structural Systems.  
 (c) Kiam Corporation.  
 (d) Contract Marine Coating.  
 (e) Western Projects.
- (4) (a) Supply and install security cameras.  
 (b) Repair steel piles.  
 (c) Fender repairs.  
 (d) Maintenance, repair, painting and storage of Navigational Buoys.  
 (e) Administration building alterations and modifications.
- (5) (a) 23 June 1999.  
 (b) 31 August 1999.  
 (c) 16 August 1999.  
 (d) 12 May 2001.  
 (e) 2 August 1999.

## Westrail

(1) Two.

- (2) (a) \$60 000  
 (b) \$583 748
- (3) (a) MHM Engineering Pty Ltd.  
 (b) ABB Industry Pty Ltd.
- (4) (a) Alterations to signalling equipment at Forrestfield.  
 (b) Design and installation of level crossing protection equipment.
- (5) (a) 30 June 2000.  
 (b) 1 February 2000.

## Department of Transport

(1) Nine.

- (2) (a) \$67 600  
 (b) \$631 195.80  
 (c) \$162 240  
 (d) \$872 348  
 (e) \$137 989  
 (f) \$61 077.50  
 (g) \$96 966  
 (h) \$150 000  
 (i) \$58 790 plus \$5 828 per annum for three years.
- (3) (a) Zedzone Technologies Pty Ltd.  
 (b) Marsh Earthmoving.  
 (c) Hugo Wildermuth.  
 (d) Marine & Civil Construction Company Pty Ltd.  
 (e) Valcan Engineering (Gordon Vukusich).  
 (f) Central Earthmoving.  
 (g) Bitumen Sealed Surfaces Pty Ltd.  
 (h) Motive Conventions.  
 (i) Dataline Visual Link Pty Ltd.
- (4) (a) Provision of personnel for Year 2000 Information Technology Services.  
 (b) Reconstruction of the Victoria Street/Hay Street intersection.  
 (c) Provision of consultancy services for Transport's Better Public Transport Ten Year Plan for Transperth.  
 (d) At Hampton Harbour, Dampier – construction of three piled navigation beacons and explosive demolition of submerged navigation obstruction. At Beadon Creek, Onslow, construction of new piled cyclone moorings for 10 vessels and strengthening of existing public wharf for cyclone mooring of six vessels.  
 (e) Upgrade of Kingston Reef, Rocky Bay and Point Clune Navigation Buoys – 1999. (Construction and installation, Marine Works).  
 (f) Rock revetment construction.  
 (g) Port of Broome storage shed pavement reseal.  
 (h) Conference management services for three regional road safety forums plus disbursements.  
 (i) Supply, installation and commissioning of CCTV at Murdoch Park and Ride, linking to CCTV monitoring centre at Busport, and maintenance of system for three years.
- (5) (a) Initial period 6 months to 26 October 1999, option to extend 6 months 26 April 1999.  
 (b) 6 September 1999.  
 (c) Initial period 1 year 8 July 2000, option to extend 1 year 8 July 2001.  
 (d) 20 September 1999.

- (e) 20 August 1999.
- (f) 2 July 1999.
- (g) 19 June 1999.
- (h) Mid November 1999.
- (i) Commissioned in early August 1999 and will operate for three years.

## Main Roads Western Australia

(1) Twenty nine.

- (2)
  - (a) \$100 830
  - (b) \$253 485
  - (c) \$60 200
  - (d) \$83 237
  - (e) \$68 888
  - (f) \$866 558
  - (g) \$267 300
  - (h) \$393 141
  - (i) \$214 370
  - (j) \$124 510
  - (k) \$312 370
  - (l) \$452 500
  - (m) \$77 000
  - (n) \$53 000
  - (o) \$200 000
  - (p) \$60 889
  - (q) \$108 977
  - (r) \$239 783
  - (s) \$569 834
  - (t) \$4 528 995
  - (u) \$522 367
  - (v) \$1 035 404
  - (w) \$576 253
  - (x) \$71 170
  - (y) \$98 100
  - (z) \$221 700
  - (aa) \$232 880
  - (bb) \$194 785
  - (cc) \$76 000

- (3)
  - (a) BGC Quarries
  - (b) CSR Emoleum Road Services
  - (c) Pioneer Road Services Pty Ltd
  - (d)-(e) Boral Asphalt
  - (f) Jonor Construction
  - (g) Avon Bridge Construction
  - (h) BGC Contracting Pty Ltd
  - (i)-(j) Pavement Technology Ltd
  - (k) Connell Wagner (WA) Pty Ltd
  - (l) Evans & Peck Management
  - (m)-(n) Estill & Associates Pty Ltd
  - (o) Connell Wagner (WA) Pty Ltd
  - (p) Broadwater Fencing
  - (q) LL & DL Waugh
  - (r) Soil & Rock Engineering Pty Ltd
  - (s) CSR Humes
  - (t) JJ McDonald & Sons Engineering P/L
  - (u)-(w) Supalux Paint Company Pty Ltd
  - (x)-(y) Boral Asphalt
  - (z) Pioneer Road Services Pty Ltd
  - (aa) Inroads Pty Ltd
  - (bb) John Bullock and Associates
  - (cc) Spectrum Surveys

- (4)
  - (a) Supply and cart approximately 6000m<sup>3</sup> crushed rockbase and 6 5000m<sup>3</sup> embankment material to Chidlow-York Road.
  - (b) Supply and lay asphalt on South Coast Highway dual carriageway, City of Albany.
  - (c) Emulsion sealing, Eyre Highway, 270 to 300 SLK, Goldfields Esperance Region.
  - (d) Supply and spray of bitumen to pavement repairs, NWCH, Nanutarra Munjina Road and Onslow Road, Gascoyne Region.
  - (e) Supply, load and deliver Coldmix.
  - (f) Major refurbishment of Dumbarton bridge No. 4084 over the Avon River on Dumbarton-Irishtown Road, Shire of Toodyay.
  - (g) Maintenance works on four timber bridges (608, 665, 668, 966) in Wheatbelt North Region.
  - (h) Cement stabilisation of pavement failures, various roads, Great Southern Region.
  - (i) Supply and delivery of cement and the provision of stabilisation equipment, GNH, Victoria Highway and Gibb River Road.
  - (j) Cement stabilisation of pavement failures on various roads Gascoyne Region (plant hire and supply and delivery of cement).
  - (k) Design and documentation for the construction of modifications to the Narrows Interchange and Riverside Drive.
  - (l) Project and contract management support services for road contracts.
  - (m) Provision of tender assessment services for Term Asset Contracts for Structures.
  - (n) Provision for tender assessment services for Term Consultancy Contracts.



- (o) Provision of Project and Contract Management Support Services.
  - (p) Supply and erect fencing, Busselton Bypass area, Shire of Busselton.
  - (q) Supply and erection of approximately 25kms of fencing on the Port Gregory to Kalbarri Road, Shire of Northampton.
  - (r) Material investigation consultancy, Great Central Road from Laverton to the Western Australian / Northern Territory border.
  - (s) Manufacture and supply of Tric Bloc concrete safety barriers.
  - (t) Bridge construction and associated roadworks, Little Panton River and Spring Creek, Great Northern Highway.
  - (u) Longitudinal road line marking, Gascoyne and Pilbara Regions.
  - (v) Longitudinal road line marking in the Midwest, Wheatbelt North and Goldfields- Esperance Regions.
  - (w) Longitudinal road line marking in Rural Regions: Wheatbelt South, Great Southern and South West Regions.
  - (x) Supply and spray bitumen, supply sealing aggregate, supply and place asphalt, Shire of Tammin.
  - (y) Bituminous sealing, bitumen supply and spray and aggregate spreading, Eyre Highway, 105 to 113 SLK, Shire of Dundas.
  - (z) Sprayed bituminous surfacing pavement repairs, Great Northern Highway, Victoria Highway, Gibb River Road, Kimberley Region.
  - (aa) Supply and lay bituminous microsurfacing to existing seals on Great Eastern Highway and Coolgardie- Esperance Highway.
  - (bb) Provision of limited cadastral survey for casement definition, Sues Road, Brockman Highway, Stewart Road and Gibb River Road.
  - (cc) Provision of limited cadastral survey for casement definition, Sues Road, Brockman Highway, Stewart Road and Gibb River Road.
- (5)
- (a) 6 May 1999.
  - (b) 6 August 1999.
  - (c) 9 July 1999.
  - (d) 11 June 1999.
  - (e) 16 July 1999.
  - (f) 31 March 2000.
  - (g)-(h) 7 July 1999.
  - (i) 30 June 1999.
  - (j) 10 June 1999.
  - (k) 28 January 2001.
  - (l) 25 May 2001.
  - (m) 13 July 1999.
  - (n) 17 May 2000.
  - (o) 5 May 2001.
  - (p) 9 August 1999.
  - (q) 20 July 1999.
  - (r) 4 February 2000.
  - (s) 28 November 2000.
  - (t) 28 November 1999.
  - (u) 21 July 1999.
  - (v) 22 July 1999.
  - (w) 17 July 1999.
  - (x) 15 June 1999.
  - (y) 16 April 1999.
  - (z) 30 June 1999.
  - (aa) 2 June 1999.
  - (bb)-(cc) 29 May 2000.

#### GOVERNMENT DEPARTMENTS AND AGENCIES, REGIONAL ACCESS PLANS

242. Mr BROWN to the Minister for Resources Development; Energy; Education:

In relation to the Government's election commitment that all Government agencies will develop and publish an affirmative action program (the Regional Access Equity Plan) to improve delivery of services to regional Western Australia will the Minister table the Regional Access Plans that have been published by agencies for which they are responsible?

Mr BARNETT replied:

On July 7, 1999 a draft Regional Development Policy for Western Australia was released for public comment. The draft policy includes strategies to ensure equitable access to an appropriate range and mix of services across the regions. The draft policy will require government agencies to include as part of their reporting requirements details of their achievements in delivering services to regional customers. This reporting would be consolidated under the Government's Customer Focus Policy. In addition, the draft policy suggests the development of a State of the Regions report that would include information on all aspects of regional living including levels of service delivery, economic performance, demographic details and quality of life measures. The draft policy is open for public comment until 3 September 1999. Implementation of these initiatives will meet the Government's commitment to monitoring the level of service delivery to regional Western Australia.

#### PARKS AND RESERVES, CANCELLATIONS UNDER REGIONAL FOREST AGREEMENT

266. Dr EDWARDS to the Minister for the Environment:

(1) Which conservation reserves (national parks, nature reserves, conservation parks) proposed and approved in current

forest management plans have been revoked, cancelled or withdrawn, or reduced in size, under the Comprehensive, Adequate and Representative (CAR) forest conservation reserve system set up by the Regional Forest Agreement (RFA)?

- (2) For each previously approved reserve will the Minister state how many hectares have been revoked, cancelled and withdrawn?
- (3) For each previously approved reserve, what is the area of -
  - (a) forest, and
  - (b) old growth forest that has been revoked, cancelled or withdrawn?
- (4) What area of each remains in conservation reserves?
- (5) Was each area revoked, cancelled or withdrawn scientifically assessed in order to decide whether or not it was worthy of conservation reserve status?
- (6) If not, why not?
- (7) If yes, will the Minister provide the scientific documentation specific to each area that led to the decision to revoke, cancel or withdraw its conservation reserve status?
- (8) Are any of the areas that have had their conservation reserve status revoked, cancelled or withdrawn likely to be used for mineral extraction in the future?
- (9) If yes, which ones?

Mrs EDWARDES replied:

- (1)-(4) There are 18 polygons identified in the Table 6 of Attachment 1 to the Regional Forest Agreement, that under the RFA will remain as State forest. These areas are parts of 17 previously proposed conservation reserves. None of these areas have had their conservation status revoked, cancelled or withdrawn as the current land tenure for all of them is not as a conservation reserve. It is only the intention to reserve that has been changed. One of the objectives of the RFA process was to establish a comprehensive, adequate and representative (CAR) reserve system, in accordance with the Nationally Agreed Reserve Criteria. These criteria were completed in 1997 and differed from the criteria used to design the reserve system in the Forest Management Plan 1994-2003. As a result of the new criteria some values were found to be lacking in the existing reserve system, while other values were over-represented.

RFA Map ID	Locality Name	Area remaining as State forest	Area of forest and woodland	Area of old growth forest and woodland	Area within the map ID that is an informal reserve	Area reserve proposed in the Forest Management Plan that is a formal reserve under the RFA
15	Wandoo (part)	4,776	4,756	369	143	3,714
19	Gibbs	5,929	5,535	0	33	0
25	Duncan	3,487	3,356	70	744	4,940
26	Gyngoorda	3,465	3,376	41	60	0
34	George	2,658	2,633	324	0	514
37	Pascoe	220	214	0	3	686
50	Dardanup	76	0	0	62	536
53	Preston	877	873	6	144	0
55	Goonac	3,565	3,546	0	245	3,036
56	Camballan	6,752	6,601	0	23	1,827
81	St Johns Brook	3,387	3,352	0	884	0
82	Whicher (part)	3,215	3,213	0	26	3,221
84	Whicher (part)	35	0	0	25	Included above
92	Rapids	1,145	1,117	0	191	1,302
93	Mowen	841	736	0	41	0
108	Keninup (part Perup)	5,767	5,631	184	217	41,549
110	Talling	5,493	4,810	1,896	679	830
116	Charley	2,254	1,612	1,346	717	2,071

- (5) Yes.
- (6) Not applicable.
- (7) The scientific documentation is contained in the 46 reports produced as a part of the RFA process.
- (8) A number of areas proposed in previous Forest Management Plans will remain as State forest, at least in part, because of high mineral prospectivity.
- (9) Wandoo, Gibbs, Duncan, Gyngoorda, George, Pascoe, Dardanup, Camballan, Whicher (Map ID 84) and Talling.

#### FORESTS AND FORESTRY, JARRAH, KARRI, WANDOO AND TUART

352. Dr EDWARDS to the Minister for the Environment:

Will the Minister advise how much jarrah, karri, wandoo and tuart is in the whole of the South-West, in particular -

- (a) in existing and approved formal reserves (national parks, conservation parks, nature reserves);

- (b) in existing and approved informal reserves (buffers along some roads, rivers and streams and the Bibbulmun Track);
- (c) in State Forest and timber reserves; and
- (d) on land not managed by the Department of Conservation and Land Management (CALM)?

Mrs EDWARDES replied:

Figures are provided for the forest species within the three forest regions and the Porongorups. They also include all outlying areas of karri forest. This is the extent of CALM's geographic database. The figures relate to public land only as estimates of forest on private property are incomplete.

- |     |        |            |
|-----|--------|------------|
| (a) | Jarrah | 473,000 ha |
|     | Karri  | 60,000 ha  |
|     | Wandoo | 84,000 ha  |
|     | Tuart  | 9,000 ha   |
| (b) | Jarrah | 152,000 ha |
|     | Karri  | 27,000 ha  |
|     | Wandoo | 10,000 ha  |
|     | Tuart  | nil        |
| (c) | Jarrah | 975,000 ha |
|     | Karri  | 92,000 ha  |
|     | Wandoo | 47,000 ha  |
|     | Tuart  | 1,000 ha   |
| (d) | Jarrah | 38,000 ha  |
|     | Karri  | 2,000 ha   |
|     | Wandoo | 19,000 ha  |
|     | Tuart  | 1,000 ha   |

#### WESTRAIL, ROLLING STOCK OWNERSHIP

362. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Does Westrail own the rolling stock used to move the product of -
  - (a) Alcoa;
  - (b) Worsley; and/or
  - (c) Portman Mining?
- (2) If not, who is the owner?
- (3) Does the State/Westrail have any rights in respect to that rolling stock?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1)-(2) (a) Yes.
- (b) All wagons are owned by Worsley Alumina Pty Ltd. The locomotives are owned by Westrail.
- (c) 30 wagons are owned by Portman Mining Ltd. The locomotives and 130 wagons are owned by Westrail.
- (3) Westrail has rights to use and maintain the wagons owned by Worsley Alumina Pty Ltd and Portman Mining Ltd under contractual arrangements with those companies.

#### RAILWAYS, GERALDTON DIVERSION

366. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) How will the diversion of the rail line in Geraldton be funded?
- (2) What are the costs of these rail works?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1)-(2) Assuming the question is in relation to the Geraldton Southern Transport Corridor, the rail component is estimated to cost \$52.9 million and is to be funded by Westrail from the sale of surplus assets.

#### RAILWAYS, INFRINGEMENT NOTICES

367. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Is the Minister aware that security officers on suburban trains are issuing infringement notices without allowing patrons reasonable opportunity to explain their circumstances?
- (2) What is the current Departmental policy where a passenger has made a genuine error regarding the correct fare for their journey?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) Westrail officers who issue infringement notices for fare evasion always inquire from passengers the reason why a valid ticket for the journey is not held and the reason given is endorsed on the portion of the infringement notice retained by Westrail.
- (2) Westrail has a policy of not proceeding with an infringement notice in circumstances where ticket vending machines and ticket validating machines are confirmed to be out of order. Westrail staff may also use their discretion to not issue an infringement notice to passengers in the following extenuating circumstances:
  - Recently arrived international or interstate visitors.
  - People with intellectual disabilities.
  - People who are elderly or infirm.
  - Unaccompanied children under 14 years of age.

In all other circumstances Westrail staff do not have discretionary powers to not issue an infringement notice where a valid ticket for a journey is not held. Passengers issued with an infringement notice who feel that they have been harshly treated may appeal to Westrail in writing. If the explanation is considered acceptable, the infringement notice may be withdrawn.

#### TAXI USERS SUBSIDY SCHEME, POLICY FOR USE OF VOUCHERS

368. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Is the Minister aware that taxi drivers are insisting that holders and users of the Taxi Users' Subsidy Scheme (TUSS) complete vouchers while taxi metres are running?
- (2) If so is this accepted policy and, if not, what will the Minister do to address this issue?
- (3) Why are users of TUSS required to carry the whole voucher book rather than being permitted to remove a single slip?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1)-(2) The Taxi Regulations 1995 define the termination of a hiring as "when the taxi is free to resume plying for hire" It can therefore be assumed that, in the circumstances described, the taxi is not free to resume plying for hire and that the taxi meter can continue to operate.
- (3) By TUSS members carrying their book of vouchers, it enables drivers to complete the voucher stub. I also understand that it is standard practice for Transport to attach the TUSS membership identification card to the front of the voucher book to assist members.

#### DRIVERS' LICENCES, EXAMINERS

369. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) How many persons are currently accredited as motor vehicle driver licence examiners in Western Australia?
- (2) What new initiatives on education and driver training have been implemented since March 1997?
- (3) In addition to undertaking training in driving skills over a two week period, is it necessary to complete a practical or written test to become accredited to conduct driver licence testing?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) There are 117 persons who are accredited to conduct driver licence testing. This figure does not include police officers who test driver licence applicants in some country towns.
- (2) Transport has developed a Competency Standard, which has been incorporated into a new practical driving assessment. The new assessment was introduced on 29 March 1999 after extensive consultation and promotion with the driving school industry. Brochures on the new assessment have been made available to both learner drivers and driving instructors. The Drive Safe booklet, Competency Standard and other driver licensing information is available on the internet. Also a computerised practice learners permit test on the internet has just recently been launched on 17 August 1999.
- (3) Training in road law knowledge and driving skills and assessment methodology are provided prior to a person becoming accredited as a driver licence assessor.

#### DRIVING SCHOOLS, VEHICLE STANDARDS AND QUALIFICATIONS OF INSTRUCTORS

370. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) What qualifications are required by persons operating business as driving licence instructors?

- (2) Are there any regulations governing the standard of motor vehicles used by driving schools?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) Persons operating as a driving instructor are required to hold a licence under the Motor Vehicle Drivers Instructors Act 1963. Government is phasing in a requirement for instructors to obtain a Certificate III qualification in driving instruction.
- (2) Yes. Vehicles used for driving instruction are required to conform to the Road Traffic (Vehicle Standards) Regulations 1975. In addition, these vehicles are required to be inspected annually.

### AVONLINK, PASSENGER NUMBERS AND COSTS

371. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) What was the average number of passengers that used the *AvonLink* in the 1998-99 financial year on -
  - (a) weekdays; and
  - (b) Saturdays?
- (2) How many Avon services were/are provided on -
  - (a) weekdays; and
  - (b) Saturdays?
- (3) What was the total cost to Westrail of running the *AvonLink* services during the 1998-99 financial year?
- (4) What were the total fares collected by Westrail for those services?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) (a) An average of 26.64 passengers per service. It should be noted that two additional *AvonLink* services were introduced each Tuesday and Thursday in March 1999 resulting in a reduction in the average number of passengers travelling per service during the 1998/1999 financial year compared to the previous financial year. The actual number of *AvonLink* passengers for the 1998/1999 year increased by 2 628 over the previous financial year.
- (b) An average of 9.56 passengers per service up to 20 March 1999 when the Saturday *AvonLink* services were withdrawn. Although the dedicated Saturday *AvonLink* services have been withdrawn, two *Prospector* services continue to provide services for passengers each Saturday between Northam and Perth. These services previously operated as combined *AvonLink/Prospector* services. For the 1998/1999 financial year the average number of passengers who travelled between Northam and Perth on each of the Saturday *Prospector* services was 14.24.
- (2) (a) Mondays, Wednesdays and Fridays                                      2 services daily.  
Tuesdays and Thursdays    4 services daily.
- (b) Two *AvonLink* services operated each Saturday up to 20 March 1999. Saturday *AvonLink* services were withdrawn from that date.
- (3) Separate costs for operating the *Prospector* and *AvonLink* services were not identified in Westrail's accounting system for the financial year 1998/1999 and I am therefore unable to provide this information. However, from 1 July 1999 separate costs for each service are identified in Westrail's accounting system and will be available in the future.
- (4) Based on a sample of passengers who travelled on the *AvonLink* services between 1 March 1999 and 30 June 1999, it is estimated that the total fares for the *AvonLink* services for the 1998/1999 financial year were approximately \$79 150.

## ROE HIGHWAY CONSTRUCTION, SPENCER ROAD REALIGNMENT

383. Ms McHALE to the Minister representing the Minister for Transport:

I refer to the construction of the Roe Highway and ask, will the Minister confirm that Main Roads Western Australia will ensure that Spencer Road is realigned over the Roe Highway?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

Yes. As part of Stage 5 of the Roe Highway extension, a bridge will be constructed on Spencer Road over Roe Highway.

## GREAT EASTERN HIGHWAY, NORTHAM, MULTANOVAS NEAR SWIMMING POOL

385. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Is the Minister aware of the location of multanovas on Great Eastern Highway in Northam near the swimming pool on Thursday and Friday nights?
- (2) Is the Minister aware that no speed limit sign exists at this location?
- (3) Will the Minister consider placing a speed limit sign at this location?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) The positioning and operation of Multanovas is a responsibility of the Western Australian Police Service. However, I understand that a speed camera is often located on Great Eastern Highway in the vicinity of the Northam Town Pool.
- (2) 60 kilometres per hour speed signs are in place on both approaches to the Northam Town Pool and have been since early 1987. Repeater signs were installed on 30 July 1999.
- (3) Not applicable.

## SMALL CHARTER VEHICLES AND TAXIS, NUMBER AND REGISTRATION FEES

387. Ms McHALE to the Minister representing the Minister for Transport:

- (1) How many licensed Small Charter Vehicles (SCV's) are there in Western Australia?
- (2) What is the annual registration fee for -
  - (a) a licensed SCV; and
  - (b) a licensed taxi?
- (3) What are the requirements for owners of SCV's in relation to inspection of these vehicles?
- (4) Are there any plans for SCV's to be controlled by the Taxi Industry Board?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) As at 20 August 1999, 535 vehicles are licensed under the Transport Co-ordination Act; as Small Charter Vehicles.
- (2)
  - (a)
    - (i) For the Omnibus Licence issued pursuant to the Transport Co-ordination Act; \$4.25 per passenger seat with a minimum charge of \$10.00.
    - (ii) For the vehicle registration fees pursuant to the *Road Traffic Act*; \$12.26 per 100 kilograms of tare weight. \$14.70 recording fee. \$322.10 third party insurance.
  - (b) The annual registration fees that apply to licensed taxis are:
    - (i) The annual administration fee is \$85.00.
    - (ii) For the vehicle registration fees pursuant to the *Road Traffic Act*;
      - \$12.26 per 100 kilograms of tare weight (country and metropolitan taxis).
      - \$14.70 recording fee (country and metropolitan taxis).
      - \$1 003.15 third party insurance for taxi operating within Perth metropolitan area, or
      - \$276.15 third party insurance for taxi operating within WA country area.
- (3) Small Charter Vehicles undergo a roadworthiness inspection on renewal of the vehicle registration.
- (4) No.

## WESTERN POWER, BUNBURY, REDUNDANCIES

389. Mr RIPPER to the Minister for Energy:

- (1) How many employees at Western Power's Bunbury Power station are to be offered redundancy payments?
- (2) What redundancy benefits will be offered?
- (3) If Western Power achieves its desired level of redundancy acceptances what will the total payout be?
- (4)
  - (a) What arrangements will be made for employees who do not accept redundancy; and
  - (b) what is the anticipated cost of these arrangements?
- (5) Is the Minister aware of proposals for an alternative redundancy package prepared by the Bunbury Closure Committee?
- (6) What is the estimated cost of the implementation of the Bunbury Closure Committee package?

- (7) Will Western Power negotiate with the Bunbury Closure Committee on the committee's proposals?  
 (8) If not, why not?

Mr BARNETT replied:

I am advised by Western Power Corporation:

- (1) 60.  
 (2) 12 weeks plus 4 weeks pay for each year of completed service uncapped.  
 (3) Depends upon years of service and wage for those employees who accept.  
 (4) (a) Redeployment and retraining.  
 (b) Approximately \$60,000 (excluding employees' times for training and work experience).  
 (5) Yes.  
 (6) Up to \$200,000 per employee depending upon age and years of service.  
 (7) No.  
 (8) The redundancy scheme already offered to Bunbury Power Station employees is fair and reasonable and compares more than favourably with other schemes.

#### GREAT EASTERN HIGHWAY, DOUBLE ROAD TRAINS BREAK-UP POINT AT NORTHAM

404. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Currently double road trains travelling west along Great Eastern Highway break up at Northam, will the Minister advise if any discussions have been held about the possibility of changing that break-up point?  
 (2) If the answer to (1) above is yes, what alternative break-up points are being considered?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) Yes.  
 (2) No specific sites have been identified or detailed investigations undertaken as yet. Various improvements to Great Eastern Highway, including construction of the Northam Bypass, will enable road trains to be brought closer to Perth.

#### WESTRAIL, WOODCHIPS VOLUME

411. Dr GALLOP to the Minister representing the Minister for Transport:

- (1) Will the Minister advise how many tonnes of woodchips were hauled by Westrail in each of the last ten financial years since 1990-91?  
 (2) If not, why not?  
 (3) Why does Westrail no longer record the total volume of woodchips it hauls annually in its Annual Report?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1)-(3) Some years ago Bunnings Forest Products Pty Ltd requested Westrail to keep information about its business confidential. Westrail has complied with that request and accordingly the information is no longer published in Westrail's Annual Report.

#### SENIOR CARDS, REBATES POLICY

413. Ms McHALE to the Treasurer:

- (1) Is the Treasurer aware that holders of Senior Cards are precluded from receiving rebates unless they hold the card at the commencement of the rating year (1 July of each year)?  
 (2) What is the reason for this policy?  
 (3) Has there been any attempt to offer pro-rata rebates?  
 (4) If so, what was the outcome?  
 (5) Will the Treasurer consider enabling seniors to access rebates on a pro-rata basis?

Mr COURT replied:

- (1) I am advised that this is one of the requirements for seniors to obtain a rebate of up to 25% on their water rates. Seniors must also own and occupy the residence in question at 1 July each year in order to qualify for the rebate.

- (2) Provision of water rates rebates to seniors is a non-means tested concession to assist elderly people. Practicality requires that a single reference date be used for eligibility.
- (3)-(4) Up until 1992, the scheme under which broader rebates are available to pensioners for water and local government rates included a pro-rata adjustment. The pro-rata adjustment applied in circumstances where a person became a pensioner after paying part of their rates notice, but before paying the balance. That system was changed because of the confusion and administrative difficulties it caused. For consistency, there is no pro-rata claw-back of the rebates under the current arrangements if pensioners or seniors cease meeting the owner/occupier requirement some time after 1 July.
- (5) In view of the administrative difficulties, particularly if the pro-rata system were to have regard for changes in ownership and occupation of properties during the year, this would not seem appropriate. Furthermore, under the current system a person needs to wait no more than 12 months after becoming a senior, before receiving full year concessions.

#### SUNSET HOMES SITE, FUTURE PLANS

432. Dr GALLOP to the Premier:

- (1) What type of use/development is planned for the Sunset Homes site?
- (2) Who will manage the process?
- (3) Will any part of Sunset's future relate to senior citizens?
- (4) Has any money been allocated to the development?

Mr COURT replied:

- (1) The redevelopment concept provides for more than 60% of the site to be reserved for community use and public open space, including the elevated areas overlooking the Swan River. About 38% of the site is intended for a private retirement village. A limited amount of private residential (2 lots) is also proposed.
- (2) A Sunset Park Trust and Sunset Management Committee will be set up to oversee the redevelopment and provide ongoing management. An interim committee of government representatives, chaired by Government Projects Office, has been put in place to guide the initial work, until the Trust is established.
- (3) See (1) above
- (4) Government Projects Office funds are being used for planning. The development and management costs for the public areas will be derived from the proceeds of the sale of the residential lots and lease of the retirement village. Surplus funds will be provided to the Health Department for aged & health care.

#### FORESTS AND FORESTRY, PINE PLANTATION INQUIRY

438. Dr EDWARDS to the Minister for the Environment:

- (1) Given continued uncertainty and disagreement about the area, age, allocation, current employment in, and employment potential of Western Australia's public and private pine plantation resource, will the Minister establish an independent and open inquiry to clarify these matters?
- (2) If not, why not?

Mrs EDWARDES replied:

- (1) The Government has recently announced that it will be carrying out a review of the Plantation activities managed by the Department of Conservation and Land Management. The terms of reference for the review which will be carried out by an organisation selected by a public process are as follows -

#### TERMS OF REFERENCE FOR THE REVIEW OF CALM'S PLANTATION FORESTRY OPERATIONS AND ASSOCIATED ISSUES

The review is to enquire into, report on and make recommendations concerning:

- 1. The need to provide a long-term sustainable supply of wood while reducing dependency on native forests;
- 2. Promoting the establishment of internationally competitive forest product industries requiring sustainable timber supplies;
- 3. The extent to which the current and future plantation resource matches the current commitments and future needs of industry;
- 4. Encouraging the establishment of private softwood and hardwood plantations;
- 5. The appropriate role of government in promoting plantation development including the efficacy of corporatisation or placing State owned or managed operations on a business footing and the appropriate role of government in ownership of existing and future plantations;



6. The review should also have regard to:

- Current supply and management agreements;
- Relationship to Salinity Action Plan;
- Creation of Gngangara Regional Park;
- The benefits of integrated operations;
- Development of carbon sequestration capacity.

7. Noting that Sandalwood is both a native species requiring conservation management and a plantation species, the review should also examine the operation of the *Sandalwood Act (1929)* and *Sandalwood Regulations (1993)* as it relates to conservation functions and commercial operations.

Where appropriate, the Review will take account of the Treasury Guideline - *Assessing the Costs and Benefits of Implementing Competitive Neutrality (April 1997)*.

(2) Not applicable.

#### WESTERN POWER, PERFORMANCE BASED CONTRACTS

439. Mr BROWN to the Minister for Energy:

- (1) Did Western Power write to members of Parliament on 15 June 1999 concerning the discussions between it and the Australian Services Union and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union on a new certified agreement?
- (2) In that letter did Western Power claim that Management team members are on performance based contracts and that option is available to individual employees who choose to accept these arrangements?
- (3) On what date were employees given the opportunity to enter into performance based contracts?
- (4) Have any employees who have enquired about entering into performance based contracts been advised those contracts are not available?
- (5) Has Western Power refused to offer such contracts to some employees?
- (6) On what date were employees at Western Power either -
  - (a) advised performance based contracts for them were not available; or
  - (b) refused the option of entering into performance based contracts?
- (7) Is it true that some employees who have expressed an interest at entering into performance base contracts have not been given the opportunity of doing so?
- (8) If so, why?
- (9) Is it also true that the letter sent out by Western Power is incorrect in so far as it purports to claim that individual employees, that is all individual employees, who choose to accept these arrangements will be given the opportunity of doing so?
- (10) Did Western Power inadvertently or deliberately mislead members of Parliament by its letter?

Mr BARNETT replied:

I am advised by Western Power Corporation:

- (1)-(2) Yes.
- (3) Various dates.
- (4) Some classes of employees are not eligible for individual contracts under the award.
- (5) No.
- (6) (a)-(b) Various dates.
- (7) Yes, at this date.
- (8) Progressive implementation and award restriction.
- (9) The letter is not incorrect nor does it seek to claim that all employees have had that opportunity at this date.
- (10) No.

#### WESTERN POWER, PAY INCREASES FOR EMPLOYEES

440. Mr BROWN to the Minister for Energy:

- (1) Did Western Power write to members of Parliament on 15 June 1999 concerning the discussions between it and the Australian Services Union and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union on a new certified agreement?

- (2) In that letter did Western Power say it is recognised that the last pay increases to employees were made in November 1996 under the previous agreement, however that agreement provided a pay increase of 16% and when added to the recent offer of 12%, employees could have a total increase of 28%?
- (3) On what date was the previous agreement entered into?
- (4) Was the previous agreement entered into in 1992?
- (5) What were the increases payable under that agreement?
- (6) When did the increases apply from?
- (7) Is it true that the current offer of 12% to employees is one based on a three year certified agreement?
- (8) If the offer is accepted, would it mean the new certified agreement would expire in 2002?
- (9) If so, is it true that employees would have received a 28% pay increase between the commencement of the previous industrial agreement (1991) to 2002?
- (10) Why did Western Power not make it clear in the letter to members of Parliament that it was talking about pay increases over a ten or eleven year period?
- (11) Did Western Power endeavour to create the impression (by the words it used) that employees would receive a 28% wage increase over the period 1996 to 2002?
- (12) If not, why weren't the complete details of the previous certified agreement and the details of the proposed agreement contained in the letter?

Mr BARNETT replied:

I am advised by Western Power Corporation:

- (1)-(2) Yes.
- (3) 23 June 1994.
- (4) No.
- (5)-(6) 3% from 23 June 1994.  
3% from 25 December 1994.  
6% from 9 June 1996 (with 4% of this amount payable from 3 March 1996).  
4% from 10 November 1996.
- (7)-(9) Yes.
- (10) Because the first Enterprise Agreement was not entered into until 1994.
- (11) No.
- (12) Western Power provided adequate detail.

#### WESTERN POWER, BALLOT REJECTING CERTIFIED AGREEMENT PROPOSAL

441. Mr BROWN to the Minister for Energy:

- (1) Did Western Power write to members of Parliament on 15 June 1999 concerning the discussions between it and the Australian Services Union (ASU) and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union (CPU) on a new certified agreement?
- (2) In the letter did Western Power refer to the ballot in January 1999 which resulted in the certified agreement proposal being rejected by 76% of employees, after the CPU conducted a No vote campaign, and the ASU was less than balanced in its information to its employees?
- (3) Is the result referred to in the letter the result of a ballot conducted by Western Power?
- (4) Was the ballot of employees conducted by Western Power of union members and non-union members?
- (5) Was the 76% rejection of the offer the result of the ballot conducted by Western Power?
- (6) Is the Minister/Western Power aware if a separate ballot was conducted by one or more of the unions?
- (7) If so, is the Minister/Western Power aware of the results of that ballot?
- (8) If so, what was the result of that ballot or those ballots?

Mr BARNETT replied:

I am advised by Western Power Corporation:

- (1)-(5) Yes.
- (6) No.
- (7)-(8) Not applicable.

## WESTERN POWER, LOAD SHEDDING

442. Mr BROWN to the Minister for Energy:

- (1) On 23 July 1999 did Western Power find it necessary to load shed as a result of a dispute between Western Power and two unions over a certified agreement?
- (2) Who made the decisions in Western Power as to which suburbs/premises would temporarily have to do without power?
- (3) Has it been normal practice within Western Power to ensure, whenever load shedding is necessary, that hospitals continue to receive power?
- (4) Did Western Power make a decision that load shedding, on this occasion would involve hospitals?
- (5) If so, why?
- (6) Was Royal Perth Hospital affected by load shedding?
- (7) Did any part of that hospital have to do without power for a period of time?
- (8) Is Royal Perth Hospital or that part of the hospital affected by load shedding on a separate feeder supply line which only or substantially supplies Royal Perth Hospital?
- (9) If so, why was the decision made to stop providing power to Royal Perth Hospital?

Mr BARNETT replied:

I am advised by Western Power Corporation:

- (1) Yes.
- (2) Officers managing the emergency situation at Western Power's Network Operation Control Centre.
- (3) Major hospitals are included on Stage 5 of a five stage automatic load shedding system. Within the last decade there has never been a shortfall of capacity of such magnitude that Stage 5 load shedding has had to be activated.
- (4) Yes.
- (5) Western Power was faced with a shortfall of generating capacity of several hundred megawatts. No notice of the unavailability of two major power stations had been given so there was no opportunity to advise industrial, business and residential customers in advance to restrict power supplies. This meant that the load shedding involved all five stages available in order to protect the system from total failure and total system blackout.
- (6) Royal Perth Hospital was affected by load shedding.
- (7) Western Power understands that Royal Perth Hospital has its own emergency generation, which was utilised on this occasion.
- (8) Royal Perth Hospital does not have its own feeder. Royal Perth Hospital was shed as part of the load reduction of at least 500MW necessary to protect the electrical system from total collapse.
- (9) Not applicable.

## WESTERN POWER, LOAD SHEDDING

443. Mr BROWN to the Minister for Energy:

- (1) On 23 July 1999 did Western Power find it necessary to load shed as a result of a dispute between Western Power and two unions over a certified agreement?
- (2) Who made the decisions in Western Power as to which suburbs/premises would temporarily have to do without power?
- (3) Has it been normal practice within Western Power to ensure, whenever load shedding is necessary, that hospitals continue to receive power?
- (4) Did Western Power make a decision that load shedding, on this occasion would involve hospitals?
- (5) If so, why?
- (6) Was King Edward Memorial Hospital affected by load shedding?
- (7) Did any part of that hospital have to do without power for a period of time?
- (8) Is King Edward Memorial Hospital or that part of the hospital affected by load shedding on a separate feeder supply line which only or substantially supplies King Edward Hospital?
- (9) If so, why was the decision made to stop providing power to King Edward Memorial Hospital?

Mr BARNETT replied:

I am advised by Western Power Corporation:

- (1) Yes.
- (2) Officers managing the emergency situation at Western Power's Network Operation Control Centre.
- (3) Major hospitals are included on Stage 5 of a five stage automatic load shedding system. Within the last decade there has never been a shortfall of capacity of such magnitude that Stage 5 load shedding has had to be activated.
- (4) Yes.
- (5) Western Power was faced with a shortfall of generating capacity of several hundred megawatts. No notice of the unavailability of two major power stations had been given so there was no opportunity to advise industrial, business and residential customers in advance to restrict power supplies. This meant that the load shedding involved all five stages available in order to protect the system from total failure and total system blackout.
- (6) King Edward Memorial Hospital was affected by load shedding.
- (7) Western Power understands that King Edward Memorial Hospital has its own emergency generation, which was utilised on this occasion.
- (8) King Edward Memorial Hospital has its own feeder. King Edward Memorial Hospital was shed as part of the load reduction of at least 500MW necessary to protect the electrical system from total collapse.
- (9) Not applicable.

#### TRANSPORT, MEDICAL EXAMINATIONS FOR MASTER CLASS 4 CERTIFICATES AND BUS DRIVERS' LICENCES

446. Mr RIEBELING to the Minister representing the Minister for Transport:

- (1) Is the Minister aware that people are required to undergo an extensive medical examination prior to obtaining a Master Class 4 Certificate?
- (2) If the Minister aware that people are also required to undergo a less extensive medical examination at a cost of \$100 prior to obtaining a licence to drive a bus carrying paying passengers?
- (3) Are both licences/certificates covered by the Department of Transport?
- (4) If so, if people have had the more extensive medical examination for the Master Class 4 certificate which is still current, why do these people have to undergo a further medical examination for the bus licence?
- (5) Is there any exemption allowance in cases such as this?
- (6) If so, what is the criteria for such an exemption?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1)-(3) Yes.
- (4) The Licensing Division has investigated the Master Class 4 Certificate medical requirements and has found that these are acceptable for the purposes of obtaining a licence to drive buses. Persons applying for bus licences who hold a current Master Class 4 Certificate should contact the Supervisor, Driver Assessment Section, Licensing Division who will advise the necessary requirements with which the applicant must comply.
- (5) There are presently no exemption allowances.
- (6) Not applicable.

#### TRAFFIC FINES, IMPACT ON LOW INCOME PEOPLE

450. Mr BROWN to the Minister representing the Minister for Transport:

- (1) Is the Minister aware of correspondence from the member for Bassendean concerning the way in which people on low incomes are particularly disadvantaged by standard fines being imposed for traffic offences?
- (2) Is the Minister prepared to commission research which examines the way in which standard traffic fines impact on different income groups?
- (3) Does the Minister/Government accept that a standard traffic infringement of \$100 would have a greater impact on an aged pensioner or unemployed person on Commonwealth Government standard benefits compared to a high income earner, receiving, say \$80,000 or \$100,000 or \$200,000 per annum?
- (4) Will the Minister institute research to see if a more a credible way can be found of imposing the fines and infringement notices system which takes into account the relative hardship faced by people in different income groups?

(5) If not, why not?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) I do not have a record of recent correspondence from the honourable member on this matter.
- (2) No.
- (3)-(5) Failing to abide by the road rules puts other members of the community at risk. This is socially unacceptable. Traffic penalties are determined by the level of risk associated with a particular behaviour. The result of the behaviour is the same no matter what your income. It would be unacceptable to consider different penalties for different income groups for an offence like burglary.

#### SCHOOLS, RETENTION RATES

454. Mr McGINTY to the Minister for Education:

What have been the school retention rates (proportion of students completing Year 12) for -

- (a) Government schools;
- (b) Non-Government schools; and
- (c) total figures, for each of the last 10 years?

Mr BARNETT replied:

Apparent Retention Rates (Years 8-12)

Sector	1998	1997	1996	1995	1994	1993	1992	1991	1990	1989
Government	60.1	59.1	58.7	60.4	62.0	65.1	62.0	58.3	49.7	48.1
Non-Government	79.4	79.1	75.8	75.8	74.8	77.8	76.9	76.2	74.4	74.0
<i>Total Sectors</i>	<i>66.1</i>	<i>65.1</i>	<i>63.9</i>	<i>65.0</i>	<i>65.8</i>	<i>68.9</i>	<i>66.3</i>	<i>63.4</i>	<i>56.6</i>	<i>54.7</i>

Note: · Apparent retention rates are based on semester 2 student numbers.  
· Excludes senior colleges and full-fee paying overseas students.

#### PERTH BUSPORT, SOUTH WEST COACHLINES

459. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Under what arrangements do South-West Coachlines use the Perth Busport?
- (2) Are any other private operators currently using the Perth Busport on a regular basis?
- (3) What financial assistance does South-West Coachlines or any other agency in respect of the bus service between Bunbury and Perth receive?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) A commercial tenancy lease including specified rights of entry to the Busport.
- (2) None at present.
- (3) The South West Coach Lines service between Bunbury and Perth is not financially supported by Government. However, holders of a Pension Concession and/or Senior's Card receive a 30 per cent concession on the normal adult fare, the value of which is paid direct to South West Coach Lines by Transport. This scheme equally applies to travel on all privately operated coach services between towns in Western Australia.

#### SYDNEY OLYMPICS, ATTENDANCE BY MINISTERS

466. Mr McGOWAN to the Minister for Planning; Employment and Training; Heritage:

- (1) Will the Minister be attending any events or functions at the Sydney Olympics?
- (2) If so, when and which events?
- (3) What is the estimated cost of the Minister's attendance and any attendance by his family and staff?
- (4) Who is meeting these costs?

Mr KIERATH replied:

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

## SOUTH WEST COACHLINES, BUS PURCHASES

482. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Has the Department of Transport acquired any buses for or on behalf of South-West Coachlines or have they co-operated in any way with South-West Coachlines so that that company purchased or acquired new buses without import duty or excise?
- (2) If so, what are the details of those arrangements?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1)-(2) No.

## BUNBURY BUS SERVICE, PRIVATE OPERATORS

488. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Does the Department of Transport provide any subsidy to a private bus operator to run general public transport services in Bunbury?
- (2) If yes, who provides those services?
- (3) What is the duration of the contracts?
- (4) How much are the contracts worth?
- (5) How were the contracts awarded?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) Yes.
- (2) Bunbury City Transit; proprietors DB and LB Adams.
- (3) The contract commenced on 13 January 1986 and expires 30 June 2000. Tenders will shortly be called for the following six years, with a six year option.
- (4) The operating subsidy for 1998/99 was \$1.56 million.
- (5) By public tender.

## NORTHBRIDGE TUNNEL, SAFETY OF MOTORISTS

489. Ms WARNOCK to the Minister representing the Minister for Transport:

- (1) In relation to concerns expressed by the Royal Automobile Club (RAC) relating to safety in the Northbridge Tunnel, can the Minister guarantee motorists safety in the Tunnel?
- (2) Does the Minister believe, as the RAC does, that any disaster in the Tunnel would result in "massive congestion on city streets"?
- (3) If not, what is the Government's plan for any such emergency?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) The Northbridge Tunnel is being built to a standard that meets or exceeds safety requirements for tunnels around the world. The tunnel incorporates many safety features that distinguish it from tunnels in Europe where recent disasters have occurred. For example a pressurised central escape corridor separates traffic in each direction eliminating the potential for head on collisions. The tunnel also incorporates a fire deluge system to limit the intensity of any fire. Other safety features include video incident detection and traffic control, air quality monitors, full closed circuit TV coverage, public address system, fire extinguishers and hydrants, emergency phones, radio rebroadcast system and variable message signs. The tunnel also incorporates an operations centre which will be manned for 24 hours per day. In the event of an incident the tunnel can be closed and motorists both inside and outside the tunnel alerted. The Contractor has been working with the emergency services for over a year and has developed response plans to deal with a range of incidents in the tunnel. As part of the commissioning program, prior to the tunnel being opened, a simulation of a crash inside the tunnel is being planned to fine tune response plans and provide an opportunity for emergency services to practise their procedures.
- (2)-(3) An incident on any major link of the road system will result in congestion on adjoining parts of the network. In the event of an incident in the tunnel advance warning signs will direct motorists to alternative routes. Main Roads traffic operations for the whole of the metropolitan area, including the Northbridge Tunnel, will be monitored from a single control centre to ensure that traffic conditions on the major road network can be optimised.

## MAIN ROADS WA, AUCTION IN BUNBURY

491. Mr RIEBELING to the Minister representing the Minister for Transport:

In relation to the auctioning of Main Roads Department plant and equipment in Bunbury on 28 August 1999 -

- (a) what was the process followed in seeking an auctioneer for this sale;
- (b) how many companies were invited to submit a tender price;
- (c) how many submissions were received;
- (d) were all tenderers aware that a 'buyers premium' could be applied to this sale; and
- (e) what is the commission to be paid to the successful tenderer?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (a) Three licensed auctioneers were invited to submit tenders.
- (b)-(c) Three.
- (d) There is not a buyer's premium applicable. The buyer's premium listed in a subsequent advertisement for the auction was inserted in error and has since been corrected.
- (e) Three per cent.

## MAIN ROADS WA, TENDERING PANEL

497. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) I refer to the article which appeared in *The West Australian* on 8 April, 1999 titled 'Big road deal had proper approval' and ask, on what date was Main Roads' in-house tendering panel formed?
- (2) When was the extension of Evans and Peck Management's consultancy contract considered?
- (3) Who was on the panel at the time?
- (4) What documentation was provided to the panel to support Main Roads' proposal to award the tender without tendering?
- (5) Will the Minister now table that documentation, and if not, why not?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) The Main Roads Tenders Committee first met on 23 February 1999.
- (2) 17 March 1999.
- (3) Executive Director Corporate Services, Mr Des Warner.  
Acting Executive Director Standards and Audit, Mr Derrick Fitzpatrick.  
Acting Chief Executive Officer (State Supply Commission) Mr Charles Vinci.
- (4) A memorandum from the Acting Executive Director Major Projects seeking approval to extend the contract and outlining the need for the services, and a copy of the original approval to engage Evans and Peck Management were considered by the committee as part of the process.
- (5) Yes. [See paper No 170.]

## WESTRAIL, NORTHAM-PERTH TRACK UPGRADE

498. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Has Westrail's upgrade of the track between Northam and Perth, and the Northam platform, to cater for a separate narrow-gauge fast commuter train, commenced?
- (2) If the answer to (1) above is yes -
  - (a) on what date did the upgrade start;
  - (b) what is the estimated date of completion; and
  - (c) what is the estimated cost of the upgrade?
- (3) If the answer to (1) above is no -
  - (a) on what date will the upgrade commence;
  - (b) what is the estimated date of completion; and
  - (c) what is the estimated cost of the upgrade?
- (4) On what date will Westrail award a contract for replacement railcars for the *AvonLink* service?

- (5) What is the estimated commencement date of a fast *AvonLink* service between Perth and Northam?
- (6) How much funding has been allocated from the 1999-2000 Transport budget for -
- (a) the purchase of new *AvonLink* railcars; and
  - (b) upgrading of the track and platform between Northam and Perth?
- (7) Where in the 1999-2000 Budget Papers is funding for -
- (a) the purchase of new *AvonLink* railcars; and
  - (b) upgrading of the track and platform between Northam and Perth?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) No.
- (2) (a)-(c) Not applicable.
- (3) (a)-(b) Dates for the upgrade to commence and be completed have not yet been programmed. However, it is expected that the upgrade will be completed prior to the introduction of the new train during the fourth quarter of 2001.
- (c) \$1.7 million.
- (4) Tenders for the new AvonLink railcars have not yet been called. I am therefore unable to provide the date a contract will be awarded.
- (5) The target for commencement of the fast AvonLink service is during the fourth quarter of 2001.
- (6) (a) \$10 million
- (b) \$1.7 million (relative to AvonLink services).
- (7) (a)-(b) The estimated expenditure for the new AvonLink railcars and associated upgrading works is included in the allocation of \$52.3 million under the heading "New Works" – Prospector/Avonlink railcars on page 632, volume 2 of the Budget Statements for 1999/2000. A break-down of the \$52.3 million is as follows:
- |                        |                |
|------------------------|----------------|
| AvonLink railcars      | \$10 million.  |
| Prospector railcars    | \$40 million.  |
| Track upgrading work   | \$1.7 million. |
| Station upgrading work | \$0.6 million. |

#### GRANT, MR RICHARD JOHN, FRAUD CHARGES

520. Ms MacTIERNAN to the Minister representing the Minister for Transport:

With regards to the fraud charges laid against Richard John Grant over a contract to supply public relations services to Main Roads Western Australia, what stage is this case currently at?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

I understand the case in question is still proceeding through the Perth District Court and suggest the member direct this question to the Minister for Justice if further details are required.

#### ATTORNEY GENERAL, TRIP TO NORTH AMERICA AND THE UNITED KINGDOM

525. Mr BROWN to the Minister representing the Attorney General:

With reference to the Attorney General's trip to Canada, United States of America and the United Kingdom in 1997, will the Attorney General -

- (a) confirm that he left Australia on 27 July 1997 and returned on 16 August 1997;
- (b) provide his full itinerary including organisations and individuals he met with and time spent at each location; and
- (c) a break-down of the costs of the trip?

Mr PRINCE replied:

- (a) Yes.
- (b) I would refer the member to the report tabled on Wednesday 12 August 1998.
- (c) A report is tabled regularly on travel and I refer the member to it.

#### ATTORNEY GENERAL, TRIP TO NORTH AMERICA AND THE UNITED KINGDOM

526. Mr BROWN to the Minister representing the Attorney General:

With reference to the Attorney General's trip to Canada, United States of America and the United Kingdom in 1997, will the Attorney General -



- (a) confirm that Mr A. Thompson left Australia on 2 August 1997 and returned on 14 August 1997;
- (b) provide Mr A. Thompson's full itinerary including organisations and individuals he met with and time spent at each location; and
- (c) a break-down of the costs of the trip?

Mr PRINCE replied:

- (a) No.
- (b) I would refer the member to the Report of the Attorney General on his visit to North America and the United Kingdom, tabled on Wednesday 12 August 1998.
- (c) A report is tabled regularly on travel and I refer the member to it.

#### PROSPECTOR, REPLACEMENT RAILCARS

534. Ms ANWYL to the Minister representing the Minister for Transport:

- (1) I refer to the supply and manufacture of three standard gauge two-car sets (High Speed Railcars) to replace the *Prospector* passenger service, advertised in *The West Australian* on 24 July 1999, and ask why are six cars to be commissioned when the current service has eight cars?
- (2) Will the cars be required to service the *Avon Link*?
- (3) What possibility will there be for spare rail cars to be used for tourism or other purposes such as hire by large parties?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1)-(2) Currently six of the eight *Prospector* railcars are used to operate the Perth-Kalgoorlie *Prospector* services. The other two railcars are used to operate the *AvonLink* services between Perth and Northam. The six new railcars to be acquired will replace the six railcars currently used on the Perth-Kalgoorlie *Prospector* services. Replacement rolling stock to provide *AvonLink* services between Perth and Northam will be a separate acquisition.
- (3) The purpose of the *Prospector* train is to provide scheduled passenger transport services between Perth and Kalgoorlie and the Government is committed to maintaining the quality of those services. As the member would be aware, legislation has been passed in the Parliament which allows third party tourist operators to operate their own train services using their own rolling stock and crews. Under this arrangement, the operator is required to pay a track access fee. The present *Prospector* railcars will be at the end of their operational life when they are replaced and it would not be appropriate for Westrail to acquire additional rolling stock for the sole purpose of catering to the occasional needs of tourist operators, which would result in taxpayers heavily subsidising their operations. Accordingly, there are no plans to provide spare railcar capacity for tourism or other purposes.

#### DISCRIMINATION, CHILDREN WHO ARE NOT IMMUNISED

541. Mrs ROBERTS to the Minister representing the Attorney General:

- (1) Is the Attorney General aware of concerns that the Equal Opportunity Act 1984 may not cover discrimination in the instance of a child that is not immunised?
- (2) What advice can the Attorney General provide in this regard?
- (3) Are any legislative changes proposed to the Equal Opportunity Act 1984 to cover such instances?
- (4) If so, what are the details?

Mr PRINCE replied:

- (1) Yes.
- (2) The impairment provisions of the Equal Opportunity Act do not appear to cover discrimination in the instance of a child that is not immunised.
- (3) No.
- (4) Not applicable.

#### BELLTOWER, TUNING OF BELLS

543. Ms McHALE to the Premier:

- (1) With reference to question on notice No 3342 of 1999, what professional assessment exists to determine whether the bells can be tuned?
- (2) When were the bells last tuned?

- (3) How many bell ringers are there in Perth who would be available to ring the St Martin in the Fields Bells?

Mr COURT replied:

- (1)-(2) The 12 original bells were recast in 1725 by the Rudhall Bell Foundry. In 1987-88 that peal of 12 was augmented by a further 5 bells, cast by the Whitechapel Bell Foundry using the same tools and information that were used in 1725. The Whitechapel Bell Foundry had acquired the business of the Rudhall Foundry. All of the bells were refitted and retuned by the Whitechapel Bell Foundry during 1987-88 and no further tuning is required. When the bells are installed in the bell tower, they will be balanced under the supervision of a senior bell hanger from Whitechapel.
- (3) Approximately 100.

#### TEMPORARY TEACHERS, CONDITIONS AND RESTRICTIONS

546. Mr PENDAL to the Minister for Education:

I refer to the new conditions and restrictions placed on the employment of temporary school teachers by the Education Department and ask -

- (a) is it correct that until now temporary teachers have been paid their annual leave on a fortnightly basis through the long summer break, and have also accumulated long service and sick leave;
- (b) is it correct that temporary teachers will now lose accrued sick and long service leave if they remain unemployed for a 12-week period;
- (c) is it also correct that annual leave for temporary teachers will now be paid in a lump sum at the end of the school year, thus affecting their taxation levels, with no recovery possible until their next tax returns are submitted;
- (d) on what basis, and on whose recommendation did the changes come about; and
- (e) were the changes made to save money and if so what is the amount to be saved in a full financial year?

Mr BARNETT replied:

- (a) Until last September, yes. Vacation leave was paid on a fortnightly basis during the summer vacation. Long service leave accumulated over this period (provided continuity of service was maintained) but sick leave did not.
- (b) No. Temporary teachers retain their sick leave and long service leave credits provided they do not have a break of service exceeding 182 continuous calendar days (6 months).
- (c) Annual leave for temporary teachers will be paid in a lump sum at the completion of their employment contract. Some of these teachers will experience an increase in taxation, as such lump sum payments are taxed at the marginal rate, in accord with Australian Taxation Office requirements.
- (d) It is a common and accepted employment practice to finalise all payments to employees on the last day of their contract. The Education Department has brought its practice into line with that of most other employers.
- (e) No.

#### ABORTION, LINK WITH BREAST CANCER

548. Ms WARNOCK to the Minister for Health:

- (1) Is the Department of Health aware of any credible, independently reviewed, medical research which shows a link between induced abortions and breast cancer?
- (2) If the answer to (1) above is yes, where is this research published and reviewed?
- (3) If the answer to (1) above is yes, how has the Department of Health responded to this public health risk?
- (4) Is the Minister concerned that disputed theories regarding the link between induced abortion and breast cancer are being promoted in Perth and that this may result in unnecessary stress related health impacts for some women?
- (5) If not, why not?

Mr DAY replied:

- (1) The Health Department of Western Australia is aware of the majority of research which has attempted to find a link between induced abortions and breast cancer. While there are studies which show an increased risk there are studies which show no associated risk between induced abortion and breast cancer
- (2) Six studies finding a positive association have been published in the International Journal of Cancer(2), British Journal of Cancer (2) Journal of National Cancer Institute(USA)(1) and the Journal of the American Medical Association(1). Six studies showing no association have been published in the International Journal of Cancer (1), New England Journal of Medicine (1), American Journal of Epidemiology (2), British Medical Journal (1) and Cancer Causes Control(1) (USA). A meta-analyses (analysis carried out considering results of all relevant studies)

showing positive association has been published in the Journal of Epidemiology and Community Health. (USA). A meta-analysis showing no association has been published in Epidemiology (USA).

- (3) The Health Department produced a booklet in 1998 entitled "Medical risk of induced abortion and of carrying a pregnancy to term – Information for General Practitioners". This booklet presents both arguments and notes that the American Medical Association released a statement in 1996 noting there was insufficient evidence to support a relationship of induced abortion either with reduced or increased risk of breast cancer.
- (4) Yes.
- (5) Not applicable.

#### IMMUNISATION, PROMOTION

549. Mrs ROBERTS to the Minister for Health:

- (1) What is the Government doing to promote immunisation?
- (2) How much money is expended promoting immunisation?
- (3) Are the promotions proving effective

Mr DAY replied:

- (1) The Government is purchasing and distributing scheduled vaccines free of charge to immunisation providers, sending letter reminders through the Australian Childhood Immunisation Register to parents whose children are overdue for vaccination, working with general practitioners to increase opportunistic immunisation, producing pamphlets and posters for immunisation providers and parents, conducting school enrolment immunisation surveillance, and providing nurse immunisation teams to vaccinate students on site. Over the next 6 months, the Health Department will run an Adult Measles Vaccination Campaign to increase vaccination coverage amongst people 18 to 30 years of age, particularly those people attending tertiary education facilities. The Campaign will utilise mass media promotion as well as promotion activities on campuses and in general practices and other relevant organisations.
- (2) It is difficult to estimate the amount of money expended on immunisation promotion considering the direct and indirect methods of immunisation promotion and the introduction of specific immunisation campaigns at different times. However, each year, about 6 million dollars of Commonwealth funds is spent on vaccines and about 4 million dollars of State funds is spent on vaccines and vaccine transport, the Australian Childhood Immunisation Register, Health Department immunisation services, advertising, information resources, and liaison with non-Government immunisation providers.
- (3) The Government's immunisation promotion strategy is proving very effective. Information from the Australian Childhood Immunisation Register indicates that the percentage of children fully immunised at one year of age has increased from 66% in 1997 to 86% in 1999. The credit for this achievement should be shared between the Health Department, general practitioners and Local Government immunisation providers for the persistent dedicated effort required to identify and vaccinate children who have missed their routine vaccinations.

#### ESPERANCE SEA SEARCH AND RESCUE GROUP, FUNDING FOR NEW BOAT

550. Mrs ROBERTS to the Minister for Emergency Services:

- (1) Is the Government able to meet the request of the Esperance Sea Search and Rescue Group for funding of \$320,000.00 for a suitable new boat?
- (2) If not, why not?

Mr PRINCE replied:

- (1)-(2) The Volunteer Sea Search and Rescue Consultative Committee was established on 5 August 1999 and agreed upon the process for funding of grant applications. Applications will be called for and will close on 30 October 1999. The application from Esperance will be considered at this time along with all applications received from other Volunteer Sea Search and Rescue Groups.

#### ATTADALE PRIMARY SCHOOL, AIRCONDITIONING DUCTING

562. Mr CARPENTER to the Minister for Education:

- (1) Will the Minister advise what type of airconditioning ducting was -
  - (a) first installed at Attadale Primary School in 1998; and
  - (b) used to replace the first ducting installed at Attadale Primary School in 1998?
- (2) Did the airconditioning ducting first installed at Attadale Primary School in 1998 conform to Australian Standards?
- (3) If the answer to (2) above is no -
  - (a) will the Minister explain why the incorrect ducting was installed in the first instance; and

- (b) will the Minister confirm that this type of ducting has not been installed at any other Education Department school or facility?

Mr BARNETT replied:

- (1) (a) Uniflex LPR ducting.  
(b) Uniflex V-Flex ducting.
- (2)-(3) The Facilities Manager had specified ducting to comply with Australian Standard 4254. Uniflex V-Flex totally conforms to that standard. The installer used Uniflex LPR, which conforms to the fire performance part of 4254, and for which evidence is unavailable of compliance with other elements, such as:
- dimensional stability;
  - leakage under pressure;
  - vibration; and
  - support.

The Uniflex LPR ducting has now been replaced with Uniflex V-Flex. There are no Education Department records kept of the type of ducting installed in schools or other Education Department facilities.

#### BUNBURY POLICE STATION, BUDGET

565. Dr GALLOP to the Minister for Police:

- (1) What was the annual budget for the Bunbury Police Station for the year -
- (a) 1996-97;
  - (b) 1997-98;
  - (c) 1998-99; and
  - (d) 1999-2000?
- (2) What was the actual expenditure for -
- (a) each full financial year; and
  - (b) 1999-2000 to date?

Mr PRINCE replied:

- (1) (a) \$311,241  
(b) \$283,900  
(c) \$300,000  
(d) Not ratified at this time.
- (2) (a) \$299,718  
\$300,134  
\$318,569  
(b) \$78,887 as at 3 September 1999.

#### DEVELOPMENT COMMISSIONS, ABORIGINAL LIAISON OR ECONOMIC DEVELOPMENT OFFICERS

568. Mr BROWN to the Minister for Commerce and Trade:

- (1) How many Development Commissions employ Aboriginal Liaison or Economic Development Officers with responsibility for promoting Aboriginal business enterprises?
- (2) Which Development Commissions employ such officers?
- (3) Do such officers personally visit communities being assisted by the Department of Commerce and Trade and/or a Development Commission?
- (4) Will the Minister ensure such officers visit Aboriginal communities that require assistance to establish business enterprises?

Mr COWAN replied:

Gascoyne Development Commission

- (1)-(2) The Gascoyne Development Commission employs an Aboriginal Economic Development Officer with responsibility for promoting Aboriginal business enterprises and also responsible for promotion of Aboriginal education, employment and training.
- (3) Yes, the Aboriginal Economic Development Officer is in daily contact with local community individuals and organisations as well as Government agencies responsible for delivering services to the Mungulla and Burringurrah communities, ie TAFE; Ministry of Justice; State and Catholic Schools; Jobs Gascoyne. The Aboriginal Economic Development Officer visits fortnightly Mungullah community and bi-monthly to Burringurrah Aboriginal community.
- (4) Yes.

Goldfields-Esperance Development Commission

- (1)-(2) The Goldfields Esperance Development Commission does not employ Aboriginal Liaison or Economic Development Officer with responsibility for promoting Aboriginal business enterprise.
- (3)-(4) Not applicable.

## Great Southern Development Commission

(1)-(2) The Great Southern Development Commission employs one Aboriginal Economic Development Officer and is seeking to employ an additional half time officer.

(3) Yes. Great Southern Development Commission's officer is currently working with Aboriginal communities in

- Gnowangerup to establish tourism businesses associated with the Stirling Ranges
- Kojonup to establish retail outlets for Aboriginal cultural products
- Albany to establish new retail outlets.

Great Southern Development Commission is working closely with the Department of Commerce and Trade over these projects.

(4) Not applicable.

## Kimberley Development Commission

(1)-(2) The Kimberley Development Commission employs an Aboriginal Economic Development Officer with responsibilities for promoting Aboriginal business enterprise opportunities.

(3) The Kimberley Development Commission officer personally visits communities being assisted by the Commission and on an as required basis, those communities being assisted by the Department of Commerce and Trade.

(4) Officers will continue to visit Aboriginal communities as part of their normal duties and as required.

## Mid West Development Commission

(1)-(2) The Mid West Development Commission employs one Aboriginal Economic Development Officer.

(3) Yes.

(4) The Mid West Development Commission Aboriginal Economic Development Officer visits and provides advice to any community that requests assistance to establish business enterprises.

## Peel Development Commission

(1)-(2) The Peel Development Commission does not employ an Aboriginal Liaison or Economic Development Officer, however Regional Development Officers are available to work as required with persons seeking to develop Aboriginal business enterprises and community development projects.

(3) If the Commission is assisting a community, staff will visit the community as required.

(4) The Regional Development Officers visit Aboriginal communities when appropriate.

## Pilbara Development Commission

(1)-(2) The Pilbara Development Commission receives funding from the Office of Aboriginal Economic Development within the Department of Commerce and Trade to employ an Aboriginal Economic Development Officer (AEDO).

(3) The AEDO employed by the Pilbara Development Commission personally visits communities and is sometimes assisted by the Department of Commerce and Trade.

(4) The AEDO employed by the Pilbara Development Commission visits Aboriginal communities and provides assistance to establish business enterprises.

## South West Development Commission

(1)-(2) The South West Development Commission employs an Economic Projects Officer who has responsibility for supporting Aboriginal economic development and related projects.

(3)-(4) Yes.

## Wheatbelt Development Commission

(1)-(2) The Wheatbelt Development Commission does not employ an Aboriginal Liaison or Economic Development Officer.

(3)-(4) Not applicable.

## SAWMILLS, DEBT TO CALM

572. Dr EDWARDS to the Minister for the Environment:

(1) How much was owed to the Department of Conservation and Land Management by log buyers (sawmills) as at 30 June 1999?

(2) How much was owed -

- (a) in the previous 30 days;
- (b) from 31 to 60 days;
- (c) from 61 to 90 days; and
- (d) over 90 days?

(3) For the amount owed over 90 days, who were the companies involved and what amount was owed in each case?

Mrs EDWARDES replied:

(1) \$15.112 million

- (2) (a) \$7.437 million  
 (b) \$1.937 million  
 (c) \$1.172 million  
 (d) \$4.566 million
- (3) Whittakers Ltd 3,169,105.56  
 Steffanelli Sawmills 114,686.96  
 Mc Leans Recycling Ind. 113,084.89  
 Rocky Gully Sawmills 92,671.39  
 Pempine 91,065.08  
 Pickering Brook Sawmills 81,491.96  
 Smithbrook Milling 66,437.62  
 Cockburn Sawmills 64,840.89  
 Coli Timber Products 58,450.73  
 T Tilbrook 51,700.37  
 Southwest Timber Supplies 48,451.90  
 Thomson N G & L B 39,614.45  
 Gisborne Timber Products 38,108.39  
 S F & P J Contracts 23,107.90  
 De Rusett B L 22,969.58  
 Wespine Industries 22,235.27  
 Pallet & Timber Sales 11,507.23  
 Firewood accounts & other small accounts 457,373.25

## WHITTAKERS, GREENBUSHES, ACCESS TO RAIL LINE

577. Dr EDWARDS to the Minister representing the Minister for Transport:

- (1) Will the Minister confirm that a rail line runs past the Whittakers mill at Greenbushes?  
 (2) Did Whittakers ever apply to Westrail for access to the rail line?  
 (3) If yes, did Westrail refuse access, and for what reasons was access denied?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) Yes. However, the siding which services the mill was disconnected from the lines some years ago when Westrail ceased transporting timber.  
 (2) Westrail has no record of such a request in recent times.  
 (3) Not applicable.

## GRAHAM FARMER FREEWAY, CONTRACT FOR OPENING CELEBRATIONS

585. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Has a contract been awarded for the opening celebrations of the Graham Farmer Freeway?  
 (2) Who tendered for the contract?  
 (3) Who was awarded the contract?  
 (4) What date was the contract awarded?  
 (5) What is the value of the contract?  
 (6) What duties is the contractor expected to perform?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) No.  
 (2) Ward Holt.  
 Event Alliance.  
 Scott and Company.  
 Turnbull, Fox and Phillips.  
 (3) The contract was not awarded. Main Roads decided, based on the quotes supplied by the tenderers, that the task could be managed more economically internally.  
 (4)-(6) Not applicable.

## GOVERNMENT CONTRACTS, BSD CONSULTANTS

590. Mr BROWN to the Deputy Premier:

- (1) Will the Minister confirm that a contract to carry out a regional price study was awarded to BSD Consultants on 26 October 1998 and that it was to be completed on 26 October 1999 (after initial period)?

- (2) If yes, will the Minister explain why this contract, which was awarded at a cost of \$98 900, has already cost over \$133 000 in a period of just seven months?
- (3) When does the Minister expect this survey will be completed and what is the revised total cost?

Mr COWAN replied:

- (1) Yes. BSD Consultants (BSD) were awarded the tender for the Regional Prices Index project on 26 October 1998. The tender work is comprised of two discrete stages:

Stage 1 - October 1998 to May 1999

Stage 2 - October 1999 to May 2000

BSD is required to carry out four tasks in each stage. These are –

Preparation  
Data (prices) collection  
Data processing  
Draft Report

Payment to BSD is linked with completion of these individual tasks.

- (2) The contract was awarded at a value of \$98,900 and BSD Consultants have been paid a total of \$64,230 to date. The consultancy cost referred to in Question 3010 included three contract variations agreed to in writing with BSD totalling an additional \$12,050.

Supplementary mail out	=	\$750
Supplementary data processing	=	\$6,600
Supplementary regional contacts	=	\$4,700

Advice given in Question 3010 gave the value of the BSD contract as \$110,950. Since that time a further variation has been agreed to, valued at \$1,480 bringing the contract value to \$112,430. The overall project covers other expenditures including publishing costs for the first report, and payments to the ABS for preliminary research, advice on methodology, a tender scoping document and technical advice on the price collection figures. The breakdown of project costs is:

FAL supermarket information	\$ 2,132
Yellow pages data extraction	\$ 629
Australian Bureau of Statistics	\$ 29,240
Internet & Printing costs (year 1)	\$ 18,818
1st year contract costs (BSD)	\$ 64,230
2nd year contract costs (BSD - estimate)	\$ 48,200
2nd year printing and Internet costs (estimate)	\$ 20,000
Contract variations and miscellaneous costs (estimate)	\$ 6,751
TOTAL	\$190,000

- (3) The project is expected to be completed to the end of Stage 2 by June 2000. The total project costs at the end of stage two are estimated to be \$190,000.

#### DEPARTMENT OF COMMERCE AND TRADE, CONTRACTORS

592. Mr BROWN to the Deputy Premier:

In relation to the following contractors used by the Department of Commerce and Trade -

- (a) P.Farr;  
(b) J.Beale;  
(c) T.Dodson;  
(d) J.Gill;  
(e) G.Fitzpatrick;  
(f) K.Basley; and  
(g) K.Peiris,

- (i) what is the hourly rate paid for their service;  
(ii) what is the period of their contract;  
(iii) what is the total amount paid for this service to date;  
(iv) have they received any other remittance (allowances, expenses) during the period of the contact; and  
(v) if yes, what was the total amount?

Mr COWAN replied:

- (a) P Farr
- (i) \$140  
(ii) Current contract period is 17 April 1998 – 30 September 1999 which includes three extensions.  
(iii) Total amount paid for all contract periods in (ii) above: \$119 557.20 to 9 July 1999.  
(iv) Yes.  
(v) \$381
- (b) J Beale
- (i) \$105

- (ii) Current contract period for Project 1 is 15 April 1998 – 31 January 2000 which includes two extensions. Previous contract period for Project 2 is 15 April 1998 – 30 June 1999 which included two extensions.  
 (iii) Total amount paid for all contract periods in (ii) above: \$65 596.50 to 6 August 1999.  
 (iv) Yes.  
 (v) \$594
- (c) T Dodson  
 (i) \$85  
 (ii) Current contract period is 1 July 1999 – 29 October 1999. Previous contract period is 8 December 1998 – 30 June 1999 which included two extensions.  
 (iii) Total amount paid for all contract periods in (ii) above: \$134 060 to 20 August 1999.  
 (iv) No.  
 (v) Not applicable.
- (d) J Gill  
 (i) \$291.61 per day  
 (ii) Current contract period is 15 June 1996 – 30 September 1999 which includes five extensions and one variation.  
 (iii) Total amount paid for all contract periods in (ii) above: \$214 203.38 to 20 August 1999.  
 (iv) No.  
 (v) Not applicable.
- (e) G Fitzpatrick  
 (i) \$38.20  
 (ii) Previous contract periods were 15 June 1996 – 31 March 1997 which included one extension and 18 August 1997 – 16 July 1999 which included three extensions. Mr Fitzpatrick's contract expired on 16 July 1999.  
 (iii) Total amount paid for all contract periods in (ii) above: \$139 742.67 to 25 June 1999.  
 (iv) Yes.  
 (v) \$13 346.30
- (f) K Basley  
 (i) \$29  
 (ii) Current contract period is 20 January 1999 – 31 December 1999  
 (iii) Total amount paid for all contract periods in (ii) above: \$6 079.30 to 20 August 1999.  
 (iv) No.  
 (v) Not applicable.
- (g) K Peiris  
 (i) \$24.30  
 (ii) Current contract period is 23 August 1999 – 22 November 1999 for one day per week and 23 August 1999 – 31 December 1999 for four days per week. Previous contract periods were 15 June 1996 – 31 March 1997 which included one extension, 6 May 1997 – 15 August 1997 which included one extension and 18 August 1997 – 22 August 1999 which included two extensions and one variation.  
 (iii) Total amount paid for all contract periods in (ii) above: \$138 185.77 to 20 August 1999.  
 (iv) Yes.  
 (v) \$17 354.39

#### SCHOOLS, SMOKE DETECTORS AND FIRE EXTINGUISHERS

600. Mr CARPENTER to the Minister for Education:

Are all State Government Primary and High Schools fitted with smoke detectors and fire extinguishers?

Mr BARNETT replied:

Not all government primary and high schools are fitted with smoke detectors. However, all new building construction or upgrades incorporate smoke detectors. \$450 000 has been allocated over three years to provide additional smoke detectors. These are hard wired to an electrical current supply, with a monitor panel. No fire extinguishers are provided in primary schools, except where district high school facilities are provided. (The Fire and Emergency Services Authority has advised that extinguishers or fire blankets are not required in primary school canteens except where a commercial type deep fryer is installed). However, a significant number of primary schools have arranged for the provision of their own fire extinguisher. Fire extinguishers are provided in secondary schools in the areas below:

- Science Rooms, Laboratories and Science Preparation Rooms.
- Home Economics Cooking Centres.
- Manual Arts Rooms including Pre-Vocational Centres.
- Canteens.
- Pottery Kiln Rooms.

#### SCHOOLS, RESIDUAL CURRENT DEVICES

601. Mr CARPENTER to the Minister for Education:

- (1) Which schools meet full compliance with the Education Department's implementation strategy for the provision of residual current devices?



- (2) Which schools are awaiting the fitting of residual current devices to bring them to full compliance?
- (3) Are Information Technology rooms in schools on the priority list for fitting of residual current devices?
- (4) If not, why not?
- (5) Is the implementation strategy for the fitting of residual current devices meeting the agreed timelines for implementation?

Mr BARNETT replied:

- (1)-(2) Information to the level of detail requested is not available. All new schools have been fully fitted with Residual Current Devices (RCDs), and the Education Department has an ongoing strategy to retrofit the remainder by 2001. Manual Arts and Home Economics areas have received priority since the program began in 1998, and they are due to be completed by October 1999.
- (3) No.
- (4) Under WorkSafe Regulation 3.60, these rooms are not considered high-risk areas, and are therefore being treated as part of the overall strategy.
- (5) Yes.

#### TEACHERS ASSISTANTS

614. Mrs ROBERTS to the Minister for Education:

- (1) What are the prospects for employment for teachers' assistants in Western Australia?
- (2) How many teachers' assistants were placed in each of the following years -
  - (a) 1998;
  - (b) 1997;
  - (c) 1996;
  - (d) 1995; and
  - (e) 1994?
- (3) How many of these teachers' assistants were placed in the public education system and how many in the private school system?

Mr BARNETT replied:

Education Department of Western Australia (*Government schools*)

- (1) The Education Department does not usually have difficulties in attracting a suitable pool of applicants for the position of teacher assistants (now referred to as Education Assistants). Education Assistant positions are staffed according to school needs, based on the number of student enrolments. Education Assistants (Special Needs) are employed to assist students with disabilities according to their individual requirements and degree of disability.

- (2)-(3)
 

1998	2695
1997	2494
1996	1975
1995	1613
1994	1311

· These figures include all employees under the Teachers' Aide Award.

· These include:

- Teacher Aide Pre-Primary
- Teacher Aide Junior Primary
- Teacher Aide Ethnic
- Teacher Aide Special Needs
- Home Economics Assistants
- Bus Wardens
- Teacher Aide Child Care
- Aboriginal and Islander Education Workers

Department of Education Services (*non-government*)

- (1)-(3) The Government has no information about the placement of teacher assistants or their employment prospects in private schools.

#### ANIMAL WELFARE BILL, INTRODUCTION

619. Mr McGOWAN to the Minister for Local Government:

- (1) Will the Government be introducing the new Animal Welfare Bill in this parliamentary session to replace the outdated 80 year old act?
- (2) If the answer to (1) above is yes, is it the Government's intention to give this Bill priority?
- (3) If the answer to (1) above is no, why not?

Mr OMODEI replied:

- (1)-(3) The Animal Welfare Green Bill has been amended following consideration of the comments received during the public consultation period. I propose introducing an Animal Welfare Bill during the current session of Parliament.

TRANSPORT DEPARTMENT, MR IAN WALKER

635. Ms MacTIERNAN to the Minister representing the Minister for Transport:

With reference to the resignation of Mr Ian Walker from the Department of Transport on 5 June 1998 -

- (a) how many weeks notice of an intention to resign or retire were required under Mr Walker's workplace agreement;
- (b) how many weeks notice did Mr Walker give Transport;
- (c) what was the penalty for failing to provide the required notice of intention of resignation or retirement under Mr Walker's workplace agreement;
- (d) did Mr Walker receive his full entitlement payments; and
- (e) what was the total value of Mr Walker's termination package?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (a) One week (Fixed Term Contract employee).
- (b) One week.
- (c) Not applicable.
- (d) Yes.
- (e) Mr Walker was entitled to payment of his accrued leave which totalled \$15 759.55.

CYCLONES ELAINE AND VANCE, TRUST FUND

646. Mr BROWN to the Premier:

- (1) On 7 April 1999 did the Premier and the Federal Minister for Regional Services, Territories and Local Government announce the establishment of a \$10M trust fund by the State and Federal Governments in response to the devastation caused by Cyclones Elaine and Vance?
- (2) Through the Trust Fund, were eligible businesses able to apply for a grant of up to \$10,000?
- (3) Was the Trust Fund, or the balance left in the Trust Fund, to be used to restore essential services?
- (4) What is the total amount that has been paid out of the Trust Fund?
- (5) What is the total amount that has been paid to businesses?
- (6) What is the total amount that has been used to restore essential services?
- (7) Has an assessment been made of the infrastructure, community facilities and the like that needs to be undertaken as a matter of priority in Exmouth?
- (8) What is the nature of the work that needs to be undertaken in this regard?
- (9) What is the estimate of the cost of that work?
- (10) Have funds been allocated by the State Government to carry out that work?
- (11) Will those funds be allocated from the Trust Fund?
- (12) If so, what amount will be allocated to the Trust Fund for each project?
- (13) Have funds been allocated from other departments and agencies to carry out any of that work?
- (14) What amount has been allocated -
  - (a) by each department or agency; and
  - (b) for each nominated project?

Mr COURT replied:

- (1) On 25 March 1999, the Prime Minister and I announced the establishment of the \$10 million Cyclones Elaine and Vance Trust Fund consisting of \$5 million each from the Commonwealth and State Governments.
- (2) All eligible businesses were entitled to a grant of \$10,000.
- (3) The balance of the Trust Fund is to be used for temporary emergency accommodation for persons made homeless by the cyclones; restoration of community facilities; and the reconstruction of essential services provided by local authorities.
- (4) \$6,331,454.09 (as at 13 September 1999). A further \$1,556,310 has been approved for payment.

(5) \$4,830,000.00 (as at 13 September 1999)

(6) \$1,283,925.66 (as at 13 September 1999)

(7) Yes

(8)-(14) Individual State and Commonwealth Government agencies have borne the cost of restoring the services which they provide. The Local Recovery Committee, in conjunction with the Shire of Exmouth, has identified a range of community and infrastructure projects which it has asked the Trust to wholly or partly fund. To date, the Trust has approved grants to Exmouth of this nature totalling \$839,445. Further funding may be made available once other priorities for Trust expenditure have been determined.

#### PEEL EDUCATION DISTRICT, BULLYING COMPLAINTS

651. Mr NICHOLLS to the Minister for Education:

(1) With respect to complaints or observed acts of bullying in the Peel Education District -

- (a) how many complaints were received by primary schools in 1998;
- (b) how many complaints have been received by primary schools in 1999;
- (c) how many complaints were received by senior high schools in 1998;
- (d) how many complaints have been received by senior high schools in 1999;
- (e) how many primary school students were excluded from school for any period as a result of bullying in 1998;
- (f) how many high school students were excluded from school for any period as a result of bullying in 1998;
- (g) how many primary schools students have been excluded from school for any period as a result of bullying in 1999; and
- (h) how many high school students have been excluded from school for any period as a result of bullying in 1999?

(2) Is there an Education Department policy outlining procedures that are to be followed when a bullying complaint is received?

(3) How many students, who have been the victims of bullying, have failed to attend school or have been detrimentally affected in 1998 and to date in 1999?

Mr BARNETT replied:

- (1)
- (a) 237
  - (b) 209
  - (c) 93
  - (d) 149
  - (e) 35
  - (f) 107
  - (g) 32
  - (h) 130

(2) All government schools are required to have in place by the end of 1999, a revised Behaviour Management Plan which includes procedures to address and reduce incidents of violence, bullying and harassment in schools.

(3)

1998	39
1999	51

#### GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

655. Ms McHALE to the Minister representing the Attorney General:

(1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Attorney General's control in -

- (a) 1996-97;
- (b) 1997-98; and
- (c) 1998-99?

(2) For each contract, will the Attorney General state -

- (a) the project that the contract was awarded for;
- (b) the date that the contract was awarded;
- (c) the expiry date of the contract;

- (d) the value of the contract;
- (e) did the contract go to tender; and
- (f) how many companies or individuals submitted tenders?

Mr PRINCE replied:

- (1) (a)-(c) Nil.
- (2) (a)-(f) Nil.

Supplementary Information: While the Ministry of Justice has not engaged Coney Stevens Project Management in any of the periods specified above, we have recently engaged the services of Coney Stevens Project Management through CAMS to assist the Ministry with the 20 year planning program for Offender Management. Coney Stevens Project Management was engaged in this financial year for this task against rates established on the CAMS Common Use Panel.

#### GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

657. Ms McHALE to the Minister for Primary Industry; Fisheries:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
  - (a) 1996-97;
  - (b) 1997-98; and
  - (c) 1998-99?
- (2) For each contract, will the Minister state -
  - (a) the project that the contract was awarded for;
  - (b) the date that the contract was awarded;
  - (c) the expiry date of the contract;
  - (d) the value of the contract;
  - (e) did the contract go to tender; and
  - (f) how many companies or individuals submitted tenders?

Mr HOUSE replied:

- (1)-(2) With the exception of the Perth Market Authority, no Department/Agency under my Ministerial control has had any dealings with Coney Stevens Project Management.

PERTH MARKET AUTHORITY: In January 1996, tenders were called for a project manager to supervise ongoing construction works planned for Market City at Canning Vale. Four tenderers were interviewed and the position was awarded to Coney Project Management Pty Ltd, who subsequently amalgamated - now Coney Stevens Project Management Pty Ltd. The following construction works have been managed by Coney/Coney Stevens Project Management Pty Ltd with fees being met from within the total construction price of the contract:

Name of Construction Works	Period	Fee
Loscam Development	March 96 - April 98	\$40,000
Mercer Retail	May 96 - April 98	\$47,500
Warehouse W1, extensions	June 97 - April 99	\$43,000
Warehouses E2,E3,E4 extensions	Feb 98 - approx Nov 99	\$47,000

#### GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

659. Ms McHALE to the Minister for Planning; Employment and Training; Heritage:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
  - (a) 1996-97;
  - (b) 1997-98; and
  - (c) 1998-99?
- (2) For each contract, will the Minister state -
  - (a) the project that the contract was awarded for;
  - (b) the date that the contract was awarded;

- (c) the expiry date of the contract;
- (d) the value of the contract;
- (e) did the contract go to tender; and
- (f) how many companies or individuals submitted tenders?

Mr KIERATH replied:

#### PLANNING:

##### Ministry for Planning

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### Office of the Minister for Planning (Appeals)

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### East Perth Redevelopment Authority

- (1) (a)-(b) Nil.
- (c) One.
- (2) (a) Northbridge Urban Renewal.
- (b) 7 September 1998.
- (c) 6 September 2001.
- (d) Hourly rate contract @ \$90 per hour.
- (e) Yes.
- (f) 21.

##### Subiaco Redevelopment Authority

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

#### EMPLOYMENT AND TRAINING:

##### Western Australian Department of Training and Employment

- (1) (a) Nil.
- (b)-(c) One.
- (2) 1997/98
  - (a) Capital Works Program Management Consultancy and Program Specific Capital Projects.
  - (b) 6 January 1998.
  - (c) A one-year contract with three one-year renewable options.
  - (d) Annual fee for program management is \$48,000.
  - (e) Estimated annual fee for management of one-off projects is \$300,000.
  - (f) Yes.
  - (g) Four.
- 1998/99
  - (a) Peel Educational Precinct - Collocation of Peel Regional Campus Stage 2 and Peel Senior Campus.
  - (b) 10 December 1998.
  - (c) April 2002.
  - (d) \$164,000.
  - (e) Yes.
  - (f) Five.

##### Central Metropolitan College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### West Coast College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### South East Metropolitan College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### South Metropolitan College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### Midland College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### South West Regional College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

##### Great Southern Regional College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

Central West Regional College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

Hedland College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

Karratha College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

Kimberley College Of TAFE

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

HERITAGE:

Heritage Council of Western Australia

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

662. Ms McHALE to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
  - (a) 1996-97;
  - (b) 1997-98; and
  - (c) 1998-99?
- (2) For each contract, will the Minister state -
  - (a) the project that the contract was awarded for;
  - (b) the date that the contract was awarded;
  - (c) the expiry date of the contract;
  - (d) the value of the contract;
  - (e) did the contract go to tender; and
  - (f) how many companies or individuals submitted tenders?

Dr HAMES replied:

- (1) (a) 0.
- (b) 1.
- (c) 0.
- (2) (a) Feasibility Study in the Willagee Redevelopment area.
- (b) September 1997.
- (c) Approximately three months.
- (d) \$11,000.00.
- (e) Yes.
- (f) 8.

GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

663. Ms McHALE to the Minister for Local Government; Disability Services:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
  - (a) 1996-97;
  - (b) 1997-98; and
  - (c) 1998-99?
- (2) For each contract, will the Minister state -
  - (a) the project that the contract was awarded for;
  - (b) the date that the contract was awarded;
  - (c) the expiry date of the contract;
  - (d) the value of the contract;
  - (e) did the contract go to tender; and
  - (f) how many companies or individuals submitted tenders?

Mr OMODEI replied:

DEPARTMENT OF LOCAL GOVERNMENT

- (1) None.
- (2) Not applicable.

DISABILITY SERVICES COMMISSION

- (1) (a)-(c) Nil.
- (2) (a)-(f) Not applicable.

## KEEP AUSTRALIA BEAUTIFUL COUNCIL

- (1) (a)-(c) None.  
 (2) (a)-(f) Not applicable.

## METROPOLITAN CEMETERIES BOARD

- (1) (a)-(c) Nil.  
 (2) (a)-(f) Nil.

## FREMANTLE CEMETERY BOARD

- (1) (a)-(c) Nil.  
 (2) (a)-(f) Not applicable.

## GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

664. Ms McHALE to the Minister for Health:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
- (a) 1996-97;  
 (b) 1997-98; and  
 (c) 1998-99?
- (2) For each contract, will the Minister state -
- (a) the project that the contract was awarded for;  
 (b) the date that the contract was awarded;  
 (c) the expiry date of the contract;  
 (d) the value of the contract;  
 (e) did the contract go to tender; and  
 (f) how many companies or individuals submitted tenders?

Mr DAY replied:

I thank the member for some notice of this question.

## Office of Health Review

- (1) Nil.  
 (2) Not applicable.

## Healthway

- (1) Nil.  
 (2) Not applicable.

## Health Department

- (1) Nil.  
 (2) Not applicable.

## GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

666. Ms McHALE to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
- (a) 1996-97;  
 (b) 1997-98; and  
 (c) 1998-99?
- (2) For each contract, will the Minister state -
- (a) the project that the contract was awarded for;  
 (b) the date that the contract was awarded;  
 (c) the expiry date of the contract;  
 (d) the value of the contract;  
 (e) did the contract go to tender; and  
 (f) how many companies or individuals submitted tenders?

Mr BOARD replied:

I am advised that:

- (1) Contract and Management Services (CAMS) has awarded the following contracts to Coney Stevens Project Management:
- (a) In the 1996-97 year CAMS did not award any contracts to Coney Stevens Project Management. However, CAMS did award 2 contracts to Stevens Project Management, which was a precursor to Coney Stevens Project Management.
- (b) In the 1997-98 year CAMS awarded 5 contracts to Coney Stevens Project Management.
- (c) In the 1998-99 year CAMS awarded 9 contracts to Coney Stevens Project Management.

- (2) The requested details on each contract awarded to Coney Stevens Project Management by CAMS are shown in the table below -

1996-97 Stevens Project Management Contracts:

(a)	(b)	(c)	(d)	(e)	(f)
Alexander Library - Energy Investigation Study	2 October 1996	16 May 1997	\$14 400	Yes	4
Kings Park Botanic Garden - Centennial Enhancement Stage B	15 July 1996	7 July 1998	\$112 800	Yes	8

1997-98 Contracts:

(a)	(b)	(c)	(d)	(e)	(f)
Police Operations Support Facility - Midland - Project Management	30 June 1998	June 2001	\$44 500	Yes	4
Midland Railway Workshops Precinct - Urban Planning Services for the Masterplanning	22 April 1998	10 June 1999	\$197 975	Yes	6
WA Police Academy - Facilities Procurement Options	20 February 1998	6 April 1998	\$4 000	Yes	3
Automatic Irrigation of School Grounds: Project Management Services	16 February 1998	1 year contract with 3 x 1 year renewable options	\$13 580	Yes	13
Department of Training, Program and Project Management Services for Capital Works - Program Management  - Project management of individual projects as they are initiated during the year	6 January 1998	1 year contract with 3 x 1 year renewable options	\$48 000 annually  Approximately \$300 000 annually	Yes	4

1998-99 Contracts:

(a)	(b)	(c)	(d)	(e)	(f)
Barrack Square Redevelopment - Project Management Consultancy Services	1 July 1998	1 January 2000	\$63 000	Yes	2
Perth Conference and Exhibition Centre	6 November 1998	May 2000	\$789 250	Yes	8
Peel Educational Precinct - Colocation of Peel Regional Campus Stage 2 and the Peel Senior Campus	10 December 1998	April 2002	\$160 400	Yes	5
Kings Park Botanic Garden - Program Management	1 January 1999	October 1999	Hourly rates	No. Selected from predetermined panel	
Kings Park Botanic Garden - Fraser Avenue Redevelopment	7 January 1999	January 2000	Hourly rates	No. Selected from predetermined panel	
Kings Park Botanic Garden - Fraser Avenue Landscaping	7 January 1999	January 2000	Hourly rates	No. Selected from predetermined panel	
Kings Park Botanic Garden - Irrigation Works	7 January 1999	January 2000	Hourly rates	No. Selected from predetermined panel	



Kings Park Botanic Garden - Bold Park, Campbell Barracks & Perry Lakes Redevelopment	12 March 1999	March 2000	Hourly rates	No. Selected from predetermined panel	
Kings Park Botanic Garden - Women's Water Garden Upgrade	15 March 1999	December 1999	\$32 300	No. Selected from predetermined panel	

## State Supply Commission

- (1) Nil.  
(2) Not applicable.

## Office of Youth Affairs

- (1) Nil.  
(2) Not applicable.

## Office of Citizenship and Multicultural Interests

- (1) Nil.  
(2) Not applicable

## GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

670. Ms McHALE to the Minister representing the Minister for the Arts:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
- (a) 1996-97;  
(b) 1997-98; and  
(c) 1998-99?
- (2) For each contract, will the Minister state -
- (a) the project that the contract was awarded for;  
(b) the date that the contract was awarded;  
(c) the expiry date of the contract;  
(d) the value of the contract;  
(e) did the contract go to tender; and  
(f) how many companies or individuals submitted tenders?

Mrs EDWARDES replied:

- (1) Neither the Ministry for Culture & the Arts nor any of its agencies awarded contracts to Coney Stevens Project Management in-
- (a) 1996-97;  
(b) 1997-98; and  
(c) 1998-99
- (2) Not applicable.

## GOVERNMENT CONTRACTS, CONEY STEVENS PROJECT MANAGEMENT PTY LTD

673. Ms McHALE to the Parliamentary Secretary to the Minister for Justice:

- (1) How many contracts were awarded to Coney Stevens Project Management by agencies and departments under the Minister's control in -
- (a) 1996-97;  
(b) 1997-98; and  
(c) 1998-99?
- (2) For each contract, will the Minister state -
- (a) the project that the contract was awarded for;  
(b) the date that the contract was awarded;  
(c) the expiry date of the contract;  
(d) the value of the contract;  
(e) did the contract go to tender; and  
(f) how many companies or individuals submitted tenders?

Mrs van de KLASHORST replied:

- (1) (a)-(c) Nil.  
(2) (a)-(f) Nil.

Supplementary Information: While the Ministry of Justice has not engaged Coney Stevens Project Management in any of the periods specified above, we have recently engaged the services of Coney Stevens Project Management through CAMS to assist the Ministry with the 20 year planning program for Offender Management. Coney Stevens

Project Management was engaged in this financial year for this task against rates established on the CAMS Common Use Panel.

#### TAXI INDUSTRY FUND

676. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) What is the current state of the Taxi Industry Fund (TIF)?
- (2) What has been the expenditure of the TIF by the Taxi Industry Board?
- (3) What is the cost to operate the Taxi Industry Board?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) The balance of the Taxi Industry Development Fund as at the 30 June 1999 was \$702 920.66.
- (2) For the 1998/99 financial year, \$306 151.45.
- (3) The budget allocation for the Taxi Industry Board for 1999/2000 is \$292 602.

#### ROADS, FATALITIES

677. Ms MacTIERNAN to the Minister representing the Minister for Transport:

Will the Minister provide the following information for the most recent year that statistics have been taken -

- (a) how many fatalities occurred on Western Australian roads;
- (b) how many fatalities occurred on rural roads;
- (c) how many motor cyclists were killed on Western Australian roads;
- (d) how many fatalities occurred from drivers falling asleep or becoming ill at the wheel;
- (e) how many deaths occurred as a result of unroadworthy vehicles;
- (f) how many deaths were there as a result of drunk/drug related driving;
- (g) how many fatalities occurred involving joy riders; and
- (h) how many fatalities occurred involving drivers driving within the prescribed speed limits?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

For the year ending 31 December 1998

- (a) 223.
- (b) 120.
- (c) 26 motorcycle riders, two pillion passengers.
- (d) This information is not available. However, recent research estimates that about four in ten country and one in six metropolitan fatal crashes are linked with fatigue.
- (e) Specific information addressing this question is not available.
- (f) 78 (35%) deaths were associated with blood alcohol concentration of greater than 0.05 per cent. No information is available on the number of drug related road deaths.
- (g) The number of joy riders involved in fatal crashes is not known.
- (h) This specific information is not available. However, 72 people (32%) were killed in crashes where speed was nominated as a factor.

#### MERREDIN SHOPPER, PATRONAGE

678. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) What is the weekly patronage of the *Merredin Shopper*?
- (2) Will the Minister explain why the *Merredin Shopper* does not stop to pick up passengers in Northam and Toodyay?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (1) The average weekly patronage for the period 1 July to 16 September 1999 inclusive was 17.

- (2) The *Merredin Shopper* service was developed as a 'limited stops' service to cater specifically for the requirements of the Merredin community. The needs of the Avon community for travel to Perth on Fridays are met by the *AvonLink* train service, which departs Northam at 6.30 am, along with two road coach services which depart Northam at 12.30 pm and 5.00 pm respectively and a *Prospector* train service which departs at 9.40 pm. On Thursdays, the *Merredin Shopper* departs East Perth Terminal at 5.00 pm. Passengers travelling to Toodyay and Northam on Thursdays have access to the *Prospector* service departing East Perth Terminal at 8.45 am and the *AvonLink* service departing Perth Terminal at 5.30 pm. Also, a road coach to Mullewa, which stops at Northam, departs East Perth Terminal at 9.30 am on Thursdays. Next year Westrail will be reviewing its services between Northam and Perth, and Merredin and Perth. The stopping pattern for the *Merredin Shopper* will be reviewed at that time.

#### DRUG TRAFFICKING AND DEALING, CONVICTIONS

705. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Justice:

How many convictions were recorded for drug trafficking/dealing in each of the last five years?

Mrs van de KLASHORST replied:

Recorded information is not available concerning the number of people convicted for drug trafficking. Trafficking falls under Commonwealth legislation, which does not differentiate between drug and any other sort of trafficking. The following are the number of people convicted for dealing in drugs for each of the last five years. The three categories of offences included in these figures are:

conspiracy to sell or supply,  
possession with intent to sell or supply, and  
sold or supplied a particular drug.

1994/95	260
1995/96	218
1996/97	213
1997/98	214
1998/99	253

#### GOVERNMENT CONTRACTS, GUIDELINES

706. Mr RIPPER to the Minister for Works and Services:

- (1) Is the Minister satisfied that the guidelines relating to the awarding of Government contracts are being adhered to?
- (2) Have any breaches of these guidelines been brought to the attention of his department?
- (3) If the answer to (2) above is yes, on how many occasions have these guidelines been breached since January 1997?

Mr BOARD replied:

I am advised that:

- (1) Yes. The State Supply Commission undertakes a number of measures to ensure agency compliance to policies and guidelines on contracting, given that this is now largely devolved to Chief Executive Officers. To monitor compliance, the Commission undertakes spot reviews on policies and guidelines, and requires annual agency CEO's attestation to compliance. The Commission also participates on agency tender committees and gathers intelligence through supplier complaints under the Government Purchasing Charter. These measures indicate a high level of compliance with policies and guidelines.
- (2)-(3) Given the substantial number of purchasing and contracting transactions that occur in public sector purchasing, largely at agency level, the best indicator available to the Commission on breaches is the number of sustained complaints from industry. From January 1997 to the current date, the Commission identified 23 breaches of policy or guidelines, which were related to the tender process, eg. evaluation methods, inadequate tender information and restricted opportunities.

#### GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

707. Mr RIPPER to the Minister representing the Minister for Transport:

In relation to the contract which Western Pacific Consulting has with the Department of Transport to provide probity audit services into the sale of Westrail -

- (a) when was this contract advertised;
- (b) how many applications were there for this contract;
- (c) what is the period of the contract; and
- (d) how much has been paid to date on this consultancy?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

- (a) Restricted tenders were called from a panel contract previously established through an open and competitive process by the Department of Contract and Management Services (CAMS Panel Contract 658/96). This panel contract is for the Provision of Contracting and Related Support Services which includes Probity Auditing.
- (b) Three responses were received from the invitation to tender to provide probity audit services.
- (c) The contract commenced 10 October 1998 and will remain in place until the award of the contract for the sale of the Westrail Freight business, including the resolution of any grievances lodged after award of said contract; the contract does have provision to terminate with seven days notice in writing by either party.
- (d) A full report will be provided to Parliament on completion of the sale and lease, which will incorporate the total payment under this consultancy.

#### GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

708. Mr RIPPER to the Minister for Services:

In relation to the contract which Western Pacific Consulting has with the Government to provide procurement education and training services to public servants -

- (a) how many procurement training programs has Western Pacific provided to Government departments;
- (b) what was the cost of each of these programs;
- (c) what is the hourly rate charged for this training;
- (d) what was the hourly rate submitted to the State Supply Commission at the time the contract was awarded;
- (e) apart from Western Pacific, what other companies provide this training; and
- (f) how many procurement training programs have these other companies run?

Mr BOARD replied:

I am advised that:

- (1) (a) Western Pacific Consulting Group (WPCG) has provided two programs:  
Simple Procurement; and  
Complex Procurement.
- (b) Based on the information provided by contractors the total cost of the programs for the 1998–1999 financial year was \$240,675. Contract and Management Services (CAMS) does not maintain or collect individual costs as a requirement of the contract. Government agencies are encouraged to source providers on the contract and negotiate costs to meet their specific requirements based on the contracted hourly rates.
- (c) 

Course / Seminar delivery – WPCG - Kevin Donnelly	\$180.00 per hour
Course / Seminar delivery – Other	\$150.00 per hour
- (d) 

Course / Seminar delivery – WPCG - Kevin Donnelly	\$180.00 per hour
Course / Seminar delivery – Other	\$150.00 per hour
- (e) Procurement Education & Training Services (PETS) and Australian Institute of Management (AIM). AIM withdrew from the contract in April 1999.
- (f) PETS runs the Complex Procurement Program. AIM also provided Complex Procurement until April 1999.

#### GOVERNMENT CONTRACTS, PUBLIC RELATIONS, MARKETING AND MARKETING COMMUNICATIONS SERVICES

709. Mr RIEBELING to the Minister for Services:

With reference to Contract and Management Services contract No. 110697 for the Provision of Public Relations, Marketing and Marketing Communications Services -

- (a) what was the value of this contract for the 1998-99 financial year; and
- (b) what was the value of the contract to each company in 1998-99?

Mr BOARD replied:

I am advised that -

- (a) The value of Contract No 110697 for the 1998-99 financial year based on returns provided by the contractors is \$10,553,572.
- (b) See table below -

## Common Use Contract 110697 – 1998/99 Financial Year Turnover

COMPANY	TOTALS
303 Advertising Pty. Ltd.	\$ 78,934
AA Media Services & South West Corporate Communications Management	\$ 77,107
Aaron Bunch Photography	\$ -
Abacus Research Pty. Ltd.	\$ -
Acclaim Communications	\$ 37,655
Acorn Design	\$ 124,050
Ad Impact Advertising	\$ 99,507
Adlink	\$ -
Agknowledge	\$ 37,000
Am Pix	\$ -
Amanda O'Brien	\$ 18,345
AMR: Quantum Harris & West Coast Field Services	\$ 203,000
Andaluna Pty. Ltd.	\$ -
APP Events	\$ -
Assert Marketing & Public Relations	\$ 24,152
Asset Marketing	\$ -
Atticus Communication Consultants	\$ -
Australasia Productions Pty. Ltd.	\$ -
Australian Community Research	\$ -
Banksia Media	\$ -
Barb Clews	\$ 1,230
Barrington Consulting Group Pty. Ltd.	\$ -
Beilby Media Skills	\$ 2,987
Benchmark Advertising Pty. Ltd.	\$ 32,200
Binnie Design Group	\$ -
Bkay Design Advertising and Production	\$ -
Bowtell Clarke & Yole	\$ 538,677
Braincells	\$ -
Brand & Profile Multi-Discipline Design Consulting	\$ -
Bruce Lawson Total Communication	\$ 4,160
Burns Communications	\$ 39,684
Calder Design Company	\$ -
Catherine Fitch	\$ -
Catherine Hesse-Swain	\$ -
Cato Partners Pty. Ltd.	\$ -
CDS Communications and Training	\$ -
Century Consulting Group	\$ 64,000
Chameleon Design	\$ -
Christine Glenister and Associates	\$ -
Cindy Brennan	\$ -
CLC PR	\$ -
Conquest Advertising	\$ -
Conroy Marketing Associates	\$ -
Context Information Design	\$ -
Core Marketing Group Pty. Ltd.	\$ 402,317
Cornfield Communication Consultants Pty. Ltd.	\$ -
Corporate Communications (WA) Pty. Ltd.	\$ 24,230
Corporate Dynamics	\$ -
Corporate Image Productions	\$ 36,000
Corporate Theatre Productions Pty. Ltd.	\$ 123,280
Corporate Writing Services	\$ -
Creative Images	\$ 23,088
CT&A Consulting Pty. Ltd.	\$ -
CVA Film and Television	\$ -
David Cohen	\$ 420
David Downie Film Productions	\$ -
David Hides Consulting Group Pty. Ltd.	\$ 156,424
Definition	\$ -
Des Birt	\$ -
Design Design Graphic Management	\$ 7,830
Designmine Pty. Ltd.	\$ 5,040
Dessein Graphics Pty. Ltd.	\$ -
Devahasdin PR and Promotions	\$ -
Dillon Graphics Pty. Ltd.	\$ 19,233
Donovan Research	\$ 483,114
Dow Digital	\$ -
Dr Anne Surma	\$ -
Editel Pty. Ltd.	\$ 58,839
EGG Design Group	\$ 73,522
Elephant Productions Pty. Ltd.	\$ -
Energy Design Studio	\$ 2,870
Equilibrium Communications	\$ 37,800
Essential Projects	\$ -
Flying Edits	\$ 14,199
Frank Smith-Wordsmith	\$ 4,987
Fremantle Freelance	\$ -
Fresco Design and Print	\$ 12,517
Garvey Photographer Pty. Ltd.	\$ 5,227
Glendinning Ratten Pty. Ltd.	\$ -
Glew Corporate Communication	\$ 1,650
Global Photographs	\$ -
Groupacumen Pty. Ltd.	\$ 164,307
Gump Pty. Ltd.	\$ -
Horizon Public Relations & Marketing	\$ 72,809
Hyde Park Media	\$ 6,030
Illustrations Pty. Ltd.	\$ -
Impact Communications Pty. Ltd.	\$ 3,997
Impact Media	\$ 50,000
Impressions Corporate Public Relations	\$ 108,993
Infocus Research and Communication	\$ 8,490
Insight Communication & Design Pty. Ltd.	\$ 73,235
Insight Research Australia Pty. Ltd.	\$ -
Interim HR Solutions Pty. Ltd.	\$ -
Jargon Media	\$ -
Jay PR Pty. Ltd.	\$ -
JAZ Design & Multimedia	\$ 3,115
Jeanette Murray Public Relations	\$ 11,970
Jenkin Advertising and Marketing	\$ -
JMG Marketing (Aust) Pty. Ltd.	\$ 180,000
John Davis Advertising Pty. Ltd.	\$ 1,247,958
John Horner and Associates	\$ 33,260
Jung Lautrec and Shaw	\$ 153,314

KAPOW Advertising	\$ 66,000
Karin Godecke Design	-
Kea Group	-
Keating Photography	\$ 11,885
Ken D. Ferguson and Associates	-
Keystrokes	\$ 935
Kim Douglas Writing Services	-
Krismaar Design	-
Lesleigh Green Public Relations	\$ 48,366
Linkletters	\$ 4,298
Live Wire Public Relations Pty. Ltd.	-
Location Equipment Pty. Ltd.	-
MacKay Fewster Communications Pty. Ltd.	\$ 174,111
Margaret Roberts Corporate Strategy	-
Market Equity	\$ 69,040
Marketforce Advertising	\$ 66,119
Marketforce Direct	\$ 322,526
Marketforce Interactive	\$ 6,900
Marketforce Productions	\$ 25,772
Max and Co Australia Pty. Ltd.	-
McCourt and Associates	\$ 27,827
Media Release Productions	\$ 73,298
Method and Madness Pty. Ltd.	\$ 65,242
Mike Murphy	\$ 10,700
Mills Wilson Media Consultants	\$ 217,177
MJB&B Advertising & Marketing	\$ 60,945
ML Ink Public Relations Consultancy	\$ 14,700
Moore International Marketing Pty. Ltd.	-
Muir Arnold Media	-
Myriad Images Pty. Ltd.	-
NCS Communications Pty. Ltd.	\$ 36,000
Net Resources	-
Newscomm Pty. Ltd.	\$ 2,403
Oak Ridge Communication Group	-
One-2-One Communications Pty. Ltd.	\$ 31,160
Panorama Media (in Joint Venture with Jennifer Heron – Freelance)	-
Panorama Productions	\$ 35,140
Patterson Market Research	\$ 378,301
Patti-Ann Keegan	-
Pauline Yarwood	\$ 2,845
Pearce Design	\$ 11,685
Performance Australia	-
Peter Ellery and Associates Pty. Ltd.	-
Phoenix Communications	\$ 1,510
Planet Creative Media Services Pty. Ltd.	\$ 36,324
Platinum Technology – Solutions Pty. Ltd.	-
Plum Studio	\$ 1,827
Presswise Publications	\$ 3,700
Pretzel Logic Pty. Ltd.	\$ 12,473
Price Advertising	-
Project Twenty-One	-
Quills Professional Writing Services	\$ 31,878
Quin Argo Public Relations	\$ 43,770
Ray Bird and associates	-
RCM Visuals	-
REB Design Pty. Ltd.	-
Reel Images	-
Research Solutions	\$ 3,475
Reynolds Cunningham	\$ 126,769
RHK Public Relations	\$ 440,492
Right Marketing Australia Pty. Ltd.	\$ 105,540
Riley Mathewson Public Relations	\$ 109,305
RIVAL – The Ideas Company	-
Riverhouse Marketing	-
RT Films Pty. Ltd.	-
RW Gray and Associates	-
Sanas Management Service Pty. Ltd.	-
Sankey Associates Pty. Ltd.	-
SarJan Consultancies	-
Say It – Communications and Design	\$ 1,326
Shearman Communications Pty. Ltd.	\$ 197,243
Shutterworks	\$ 2,263
Smart Pants Film and Distribution	-
SNTV – Sport and News Television	-
Splash Writing and Design	\$ 2,464
Springham Anderson Design	\$ 50,930
Stephens David Partnership	-
Storey Works Communications	\$ 39,940
Stratagem Advertising & Communications Consultancy Pty. Ltd.	\$ 50,958
Street Design	\$ 1,930
Sway Communication	-
Tapestry Films	-
Teal Corporate Design	\$ 155,228
The Alternative Advertising & Marketing	\$ 42,500
The Boshe Group	\$ 5,000
The Brand Agency	-
The Client Development Centre	\$ 13,300
The Creative Express	-
The Creative Page	-
The Curiosity Company	\$ 3,208
The Graphic Design Group	\$ 17,960
The Group	-
The Marketing Centre Pty. Ltd.	\$ 304,542
The Martini Group	-
The Rowland Company	\$ 247,819
The Shorter Group	\$ 82,354
Think Advertising and Marketing	-
Thumbprint Design	\$ 79,651
TIC PR and Publications	\$ 21,371
TM Typographics	-
TMP Worldwide	\$ 18,533
Touchstone Colour Pty. Ltd.	-
Trademark Graphics	\$ 72,816
TRPR – Tony Robertson Public Relations	\$ 7,650
Turnbull Fox Phillips	-
Turner Butcher Design Consultants	\$ 113,303

Van Zeller and Associates Pty. Ltd.	\$ -
Vernon Jones Design Graphics	\$ -
Vinten Browning	\$ 1,040,881
Visibility Group	\$ 157,620
Vivid Interactive Design	\$ -
Ward Holt Pty. Ltd.	\$ -
Ward the Wordsmith	\$ 6,905
Websters Picture House	\$ -
Whistling Moose Graphics	\$ 80,506
Whizzbang Art WA (Pty. Ltd.)	\$ 600
William Crabb Photographer	\$ 145
Wohnick Design	\$ 31,525
Workhouse Advertising	\$ -
Write-On Communications	\$ 29,910
	\$ 10,553,572

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

712. Mr RIPPER to the Minister representing the Attorney General:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Attorney General's control?
- (2) If yes -
  - (a) what was the nature of the service;
  - (b) when was the service provided; and
  - (c) what was the cost of the service?

Mr PRINCE replied:

- (1) Yes.
- (2) (a) Training  
(b)-(c) 1995/1996 Financial Year - \$260.00  
1996/1997 Financial Year - \$1,256.40  
1997/1998 Financial Year - \$3,095.00  
1998/1999 Financial Year - \$5,328.20  
1999/2000 Financial Year - \$3,048.00

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

716. Mr RIPPER to the Minister for Planning; Employment and Training; Heritage:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
  - (a) what was the nature of the service;
  - (b) when was the service provided; and
  - (c) what was the cost of the service?

Mr KIERATH replied:

## PLANNING:

Ministry for Planning

- (1) Yes.
- (2) (a) Support of evaluation of Bids for Barcoding System.  
(b) December 1998 – January 1999.  
(c) \$3 930

Office of the Minister for Planning (Appeals)

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

East Perth Redevelopment Authority

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

Subiaco Redevelopment Authority

- (1) Yes.
- (2) (a)-(c) Partnering Consultant Commenced April 1997 \$8 385  
Probity Auditor – Tunnel and Station Commenced May 1996 \$10 022  
Assessment and Retail Precinct Assessment

## EMPLOYMENT AND TRAINING:

Western Australian Department of Training and Employment

- (1) Yes.
- (2) Western Pacific Consulting have provided services to the Department of Training and Employment since 1993. The table below details payments since November 1995. Payments for the period from 1993 are archived as part of the former financial management system.

[illegible]



23/03/1999	425	
23/03/1999	190	
29/03/1999	340	
30/03/1999	340	
	33 631	

A total amount of \$33,631 has been paid since 1995. This amount includes fees paid to Western Pacific Consulting for consulting services to review purchasing and stores functions in TAFE Colleges (\$14,464 in November 1995) and the Validation Pilot for Small Training Organisations (\$2,904 in June 1997). The remaining \$16,263 is presumed to be for the provision of procurement training services. This amount comprises a large number of small payments which it is difficult to confirm due to our archiving arrangements. More recent payments have been confirmed as course attendances. The Department has recently engaged Western Pacific Consulting to deliver procurement education and training to officers of the Department as per the CAMS Common Use Contract (Procurement Education and Training – 79497). It is anticipated that these services will cost \$19,200 over 1999/2000.

#### Central Metropolitan College of TAFE

(1) Yes.

- (2) (a) To provide training courses to staff in contracting procedures, leading towards completing a Certificate IV in Government Procurement & Contracting.  
 (b) April 1999 – July 1999.  
 (c) \$5,300

#### West Coast College of TAFE

(1) Yes. Seven members of West Coast College staff have attended training courses presented by Western Pacific Consulting. In addition, Western Pacific Consulting also delivered a staff training session held at the Joondalup Campus on 8-9 August 1996.

- |     |         |   |                 |         |
|-----|---------|---|-----------------|---------|
| (2) | (a)-(c) | Entry Level Training - 3 staff                                | 23/5/96-24/5/96 | \$450   |
|     |         | Competitive Tendering & Contracting Senior Workshop - 1 staff | 5/8/96-6/8/96   | \$210   |
|     |         | Entry Level Training – training provided at College           | 8/8/96-9/8/96   | \$2 600 |
|     |         | Entry Level Training - 1 staff                                | 17/4/97-18/4/97 | \$240   |
|     |         | Competitive Tendering & Contracting Module – 1 staff          | 26/6/97         | \$185   |
|     |         | Contract Management Seminar – 1 staff                         | 21/8/98         | \$150   |

Note: West Coast College has no record of payments prior to 1996.

#### South East Metropolitan College of TAFE

(1) Yes.

- |     |         |  |          |       |
|-----|---------|--|----------|-------|
| (2) | (a)-(c) | Training Course/Seminar “Purchasing: Ethics/Practice/ Codes of Conduct/Procedures” | 26/5/95  | \$150 |
|     |         |  | 28/11/95 | \$450 |
|     |         |  | 20/3/96  | \$240 |
|     |         |  | 2/8/96   | \$240 |
|     |         |  | 8/10/96  | \$480 |
|     |         |  | 10/7/98  | \$85  |
|     |         |  | 8/7/98   | \$270 |
|     |         |  | 8/9/98   | \$150 |

Note: South East Metropolitan College of TAFE has no record of activity prior to 26/5/95.

#### South Metropolitan College of TAFE

(1) Yes.

- |     |         |  |      |         |
|-----|---------|--|------|---------|
| (2) | (a)-(c) | Staff attendance at seminars and workshops conducted by Western Pacific Consulting | 1996 | \$1 547 |
|     |         |  | 1997 | \$800   |
|     |         |  | 1999 | \$2 689 |

#### Midland College of TAFE

(1) Yes.

- |     |         |                                      |          |         |
|-----|---------|--------------------------------------|----------|---------|
| (2) | (a)-(c) | Purchasing Environment Course        | 6-7/8/98 | \$2,780 |
|     |         | Purchasing Environment Course        | 2/8/99   | \$250   |
|     |         | Procurement Planning                 | 3/8/99   | \$527   |
|     |         | Contract Negotiation                 | 3/8/99   | \$361   |
|     |         | Disposal of Goods                    | 3/8/99   | \$361   |
|     |         | Tender Evaluation                    | 3/8/99   | \$361   |
|     |         | Operational Purchasing               | 3-4/8/99 | \$310   |
|     |         | Risk Management                      | 9/8/99   | \$361   |
|     |         | Contract Management                  | 9/9/99   | \$361   |
|     |         | Specification and Tender Development | 20/9/99  | \$361   |
|     |         | Intro to Contracts and the Law       | 22/9/99  | \$361   |

#### South West Regional College of TAFE

(1) Yes.

- |     |         |                                 |           |         |
|-----|---------|---------------------------------|-----------|---------|
| (2) | (a)-(c) | Purchasing/Contracting Training | May 1997  | \$3 440 |
|     |         |                                 | June 1999 | \$3 535 |

Great Southern Regional College of TAFE

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

Central West Regional College of TAFE

- (1) Yes.
- |     |         |                                 |              |         |
|-----|---------|---------------------------------|--------------|---------|
| (2) | (a)-(c) | Entry Level Purchasing Training | July 1996    | \$1 527 |
|     |         | Purchasing Environment Course   | October 1998 | \$355   |
|     |         |                                 | June 1999    | \$1 240 |
|     |         | Operational Purchasing Course   | October 1998 | \$355   |
|     |         |                                 | June 1999    | \$1 240 |

Hedland College

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

Karratha College of TAFE

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

C Y O'Connor College of TAFE

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

Kimberley College

- (1) Yes.
- |     |         |                                      |           |       |
|-----|---------|--------------------------------------|-----------|-------|
| (2) | (a)-(c) | Purchasing Training Course – 1 staff | Jan 1996  | \$300 |
|     |         | Purchasing Training Course – 3 staff | June 1999 | \$940 |

#### GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

719. Mr RIPPER to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
- |     |                                     |
|-----|-------------------------------------|
| (a) | what was the nature of the service; |
| (b) | when was the service provided; and  |
| (c) | what was the cost of the service?   |

Dr HAMES replied:

Aboriginal Affairs Department:

- (1) Yes.
- |     |         |                                      |      |             |
|-----|---------|--------------------------------------|------|-------------|
| (2) | (a)-(c) | Nature of Service                    | Date | Cost        |
|     |         | Staff training                       | 1996 | \$210.00    |
|     |         | Staff training                       | 1997 | \$996.00    |
|     |         | Staff training and tender evaluation | 1998 | \$16,720.00 |

Ministry of Housing

- (1) Yes.
- |     |         |                                |                      |            |
|-----|---------|--------------------------------|----------------------|------------|
| (2) | (a)-(c) | Nature of Service              | Date                 | Cost       |
|     |         | Contract management            | 25 June 1999         | \$190.00   |
|     |         | Procurement Accreditation      | 9 June 1999          | \$120.00   |
|     |         | Process Audit                  |                      |            |
|     |         | Operational Purchasing         | 5-6 May 1999         | \$310.00   |
|     |         | Purchasing Environment         | 4 May 1999           | \$125.00   |
|     |         | Purchasing Environment         | 29 March 1999        | \$85.00    |
|     |         | Contracting for Consultancy    | 25-26 August 1997    | \$740.00   |
|     |         | CTC Modules 1-6                | 6-22 August 1997     | \$996.00   |
|     |         | CTC Modules 1-6                | 14-30 August 1997    | \$1,892.00 |
|     |         | CTC Modules 1-6                | 8-20 May 1997        | \$996.00   |
|     |         | CTC Middle Management Workshop | 11-13 September 1996 | \$600.00   |
|     |         | CTC Workshop                   | 5-6 August 1996      | \$1,050.00 |

CTC Middle Management Workshop	24-25 July 1996	\$300.00
CTC Workshop	11-12 June 1996	\$630.00
CTC Middle Management Workshop	11-13 June 1996	\$600.00

## Office of Water Regulation:

- (1) Yes.
- (2) (a) The nature of the services provided to staff was procurement training.  
 (b) The training was provided on the following dates:  
 23 June 1997 to 24 June 1997 Contracting for Consultancy Services  
 16 July 1997 Purchasing Environment (3 attendees)  
 21 July 1997 to 22 July 1997 Entry Level Training in Simple Procurement  
 22 July 1998 to 24 July 1998 Purchasing Environment & Operating Purchasing Course  
 18 February & 9 March 1998 Introduction to Contracts and the Law  
 (c) The cost of training provided totalled \$1335.00

## Water and Rivers Commission and Swan River Trust:

- (1) Yes.
- (2) (a) Purchasing and contract management training as part of the Water and Rivers Commission Contract and Management Services accreditation.  
 (b) October 1998.  
 (c) \$4,070.00.

## Water Corporation:

- (1) Yes.
- (2) (a) Training courses and programs, review of training documentation and consultancy Services.  
 (b) From 1992 to 1998.  
 (c) Commercial in confidence.

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

## 720. Mr RIPPER to the Minister for Local Government; Disability Services:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -  
 (a) what was the nature of the service;  
 (b) when was the service provided; and  
 (c) what was the cost of the service?

Mr OMODEI replied:

## DEPARTMENT OF LOCAL GOVERNMENT

- (1) Yes
- (2) (a) Contracting and purchasing training  
 (b) August 1998, October 1998, May 1999  
 (c) \$1412

## DISABILITY SERVICES COMMISSION

- (1) Yes.
- (2) (a) Provision of training on:  
 Strategic Procurement for Senior Executives  
 Simple Procurement Training  
 Contract Management Principles for Supervisors  
 Training on the Development of Service Purchasing Agreements  
 (b) November 1996  
 September 1996 – June 1997  
 June 1997  
 October 1998  
 (c) \$8,940  
 \$7,809  
 \$6,651  
 \$2,930

## KEEP AUSTRALIA BEAUTIFUL COUNCIL

- (1) Yes.
- (2) (a) Training – simple procurement.  
 (b) April 1997.  
 (c) \$240

## METROPOLITAN CEMETERIES BOARD

- (1) Yes.
- (2) (a) (1) Consultancy service for draft RFT information.  
(2) Attendance at training courses.
- (b) (1) 14/6/99 and 10/8/99.  
(2) 6/97; 7/97; 8/97; 9/99.
- (c) (1) \$585 and \$260; total \$845  
(2) \$40; \$40; \$80; \$435

## FREMANTLE CEMETERY BOARD

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

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

722. Mr RIPPER to the Minister representing the Minister for Finance:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
- (a) what was the nature of the service;
- (b) when was the service provided; and
- (c) what was the cost of the service?

Mr COURT replied:

The Minister for Finance has provided the following response:

## State Revenue Department

- (1) Yes.
- (2) (a) (i) Tender Preparation.  
(ii)-(ii) Training.
- (b) (i) 16 February 1998.  
(ii) 11 March 1998.  
(iii) 12 January 1996.
- (c) (i) \$12,000  
(ii) \$150  
(iii) \$450

## Insurance Commission of W A

- (1) Yes
- (2) (a) Business Planning, Reference Publications and Training.  
(b) January 1997 to May 1999.  
(c) \$11,374.66.

## Valuer General's Office

- (1) Yes.
- (2) (a) Training Services.  
(b)-(c) Service Provided Amount
- |         |         |
|---------|---------|
| 1995/96 | \$1,020 |
| 1996/97 | \$2,039 |
| 1997/98 | \$1,296 |

## Government Employees Superannuation Board

- (1) Yes.
- (2) (a) Attendance at cross government Competitive Tendering & Contracting. Contract Management and Purchasing workshops that were co-ordinated and marketed/promoted through Contract and Management Services (CAMS).
- (b) Workshop attendances were on the following days:  
24/06/96 to 26/06/96  
05/08/96 to 06/08/96  
16/3/98  
04/03/98 to 05/03/98  
01/01/99
- (c) \$1,950

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

723. Mr RIPPER to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
  - (a) what was the nature of the service;
  - (b) when was the service provided; and
  - (c) what was the cost of the service?

Mr BOARD replied:

I am advised that:

- (1) Yes.
- (2) (a) Training and consulting.
- (b)-(c) Contract and Management Services (CAMS)
 

1999-2000	\$ 3,251
1998-1999	\$ 27,495
1997-1998	\$ 62,738
1996-1997	\$11,218
1995-1996	\$ 6,374

  

Office of Youth Affairs (OYA)	1998-1999	\$ 710
State Supply Commission (SSC)	1997-1998	\$ 38,194

## OFFICE OF CITIZENSHIP AND MULTICULTURAL INTERESTS

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

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

724. Mr RIPPER to the Minister representing the Minister for Racing and Gaming:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
  - (a) what was the nature of the service;
  - (b) when was the service provided; and
  - (c) what was the cost of the service?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

Office of Racing, Gaming and Liquor

- (1) Yes.
  - (2) (a) Competitive Tendering Workshop/Training.
  - (b) August 1996.
  - (c) \$467.
- NB The records for the Office of Racing, Gaming and Liquor are only readily available from 1996.

Totalisator Agency Board

- (1) Yes.
- (2) (a) (i) Competitive Tendering and Contracting Workshops for Senior Managers and Middle Management.
- (ii) Training Courses for Purchasing.
- (b) (i) April/May 1996.
- (ii) September 1998.
- (c) (i) \$767.
- (ii) \$355.

Burswood Park Board

- (1) Yes.
- (2) (a) Seminars to attain State Supply Commission accreditation for Government purchasing.
- (b) July and December 1995.
- (c) \$600.

W A Greyhound Racing Authority

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

## Lotteries Commission

- (1) Yes.
- (2) (a) To provide training courses relating to tendering and contracting management.  
 (b) Service was provided in January 1996 and March 1996.  
 (c) January 1996 \$150.00  
 March 1996 \$210.00

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

726. Mr RIPPER to the Minister for Police; Emergency Services:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
- (a) what was the nature of the service;  
 (b) when was the service provided; and  
 (c) what was the cost of the service?

Mr PRINCE replied:

## Police

- (1) Yes.
- (2) (a) The Police Service has utilised Western Pacific Consulting to provide procurement education and training services. Additionally, this company has been engaged to assist in the evaluation of tender bids for the provision of photocopiers to the Police Service. It should be noted that Western Pacific Consulting is party to a common use contract for the provision of procurement education and training services for the whole of government.  
 (b) Western Pacific have provided services to the Police Service on numerous occasions since February 1995.  
 (c) The total amount paid to Western Consulting during each respective fiscal year is as follows:

1995/96	\$750
1996/97	\$5050
1997/98	\$1980
1998/99	\$12,100

## Emergency Services

- (1) Yes.
- (2) (a) Supply and Inventory System review.  
 (b) October 1998 – January 1999.  
 (c) \$2,200.  
 (a) Procurement Training.  
 (b) December 1998.  
 (c) \$760.

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

727. Mr RIPPER to the Minister representing the Minister for the Arts:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
- (a) what was the nature of the service;  
 (b) when was the service provided; and  
 (c) what was the cost of the service?

Mrs EDWARDES replied:

## Ministry for Culture &amp; the Arts/ArtsWA

- (1) Yes.
- (2) (a) Training in Procurement  
 (b) 25/09/1997  
 (c) \$240  
 (2) (a) Purchasing Course  
 (b) 18-20/02/1999  
 (c) \$355

- (2) (a) Purchasing Environment Training  
 (b) 20/05/1998  
 (c) \$710
- (2) (a) Staff Training  
 (b) 08/07/1997  
 (c) \$946.20

## Library and Information Service of Western Australia

- (1) Yes.
- (2) (a) Specification & Tender Development Training  
 (b) 14-15/09/1999  
 (c) \$425
- (2) (a) Purchasing Environment Training  
 (b) 23/09/1998  
 (c) \$85
- (2) (a) Contract Management Seminar  
 (b) 16/10/1998  
 (c) \$150
- (2) (a) Operational Purchasing Training  
 (b) 16/04/1999  
 (c) \$310
- (2) (a) Contract Management Seminar  
 (b) 20/04/1999  
 (c) \$190
- (2) (a) Purchasing Environment Training  
 (b) 20/04/1999  
 (c) \$125
- (2) (a) Contract Management Training  
 (b) 23/04/1999  
 (c) \$340
- (2) (a) Specification & Tender Development Training  
 (b) 23/04/1999  
 (c) \$340
- (2) (a) Risk Management Training  
 (b) 06/08/1999  
 (c) \$361.25

## Western Australian Museum

- (1) Yes
- (2) (a) Training Services  
 (b) 15/05/1997  
 (c) \$185

## Art Gallery of Western Australia

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

## Perth Theatre Trust

- (1) Yes.
- (2) (a) Competitive Tendering Workshop  
 (b) 27/08/1996  
 (c) \$600

## ScreenWest

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

## GOVERNMENT CONTRACTS, WESTERN PACIFIC CONSULTING

730. Mr RIPPER to the Parliamentary Secretary to the Minister for Justice:

- (1) Has the company 'Western Pacific Consulting' provided any form of service for departments under the Minister's control?
- (2) If yes -
- (a) what was the nature of the service;  
 (b) when was the service provided; and  
 (c) what was the cost of the service?

Mrs van de KLASHORST replied:

- (1) Yes.
- (2) (a) Training  
(b)-(c) 1995/1996 Financial Year - \$260.00  
1996/1997 Financial Year - \$1,256.40  
1997/1998 Financial Year - \$3,095.00  
1998/1999 Financial Year - \$5,328.20  
1999/2000 Financial Year - \$3,048.00

#### GOVERNMENT DEPARTMENTS AND AGENCIES, GRANTS, LOANS AND FINANCIAL ASSISTANCE

733. Mr RIEBELING to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

Will the Deputy Premier provide the following details of all grants, loans and any other form of financial assistance, offered within the Deputy Premier's portfolio -

- (a) the name of the financial assistance;
- (b) the purpose of the assistance;
- (c) the eligibility criteria for assistance;
- (d) the actual expenditure in -
  - (i) 1997-98;
  - (ii) 1998-99; and
- (e) the budgeted allocation in 1999-2000?

Mr COWAN replied:

Department of Commerce and Trade

- (a)-(c) The Department of Commerce and Trade manages numerous targeted industry, trade and regional assistance schemes, each of which is subject to guidelines concerning:

objectives of the scheme  
criteria and eligibility for access to the scheme  
the type of support available  
the decision making process and  
conditions and obligations that apply to successful applicants.

The information requested is extensive. It is publicly available and can be accessed at the Department of Commerce and Trade web site, [www.commerce.wa.gov.au](http://www.commerce.wa.gov.au)

- (d) An answer to this question has previously been given in Question Number 593 raised by your colleague Mr Brown on 8 September 1999. I refer the member to a report tabled annually, *Commerce and Trade: Financial Assistance to Industry*. This report provides:

The names of all beneficiaries of financial assistance  
The payee (if different from the beneficiary)  
The date on which the assistance was provided  
The name of the scheme under which the assistance was provided  
The amount of assistance provided.

The 1997-98 report has been tabled. The 1998-99 report is in the process of being completed and will be tabled in Parliament.

- (e) No budgeted allocation is available for 1999-2000 on a scheme by scheme basis. However, the estimated total expenditure on all grants, subsidies and transfer payments for 1999-2000 is \$24.387 million. This information, including further information in a basic breakdown of expenditure areas, is available in the 1999-2000 budget estimates.

Small Business Development Corporation

- (a) BUSINESS ENTERPRISE CENTRE SUPPORT FUNDING

- (b) Annual funding to support the delivery of services to the small business sector via the Business Enterprise Centre network.
- (c) The Business Enterprise Centres must be incorporated bodies and have entered into an agreement to provide the Small Business Development Corporation with certain statistical and financial information to support the delivery of services in order to be eligible for funding.
- (d) (i) \$1 968 000  
(ii) \$2 740 000
- (e) \$2 106 500.



## (a) REGIONAL ENTERPRISE FUNDING SCHEME

- (b) The Scheme was introduced in June 1995 to assist small Western Australian regional businesses in starting up or expanding. The guarantee support is a minimum of \$2 000 to a maximum of \$10 000 for a period up to three years. The State Government provides the financial support for the Scheme and funds are distributed by the Small Business Development Corporation to the regional Business Enterprise Centres (BECs). Funds are lodged in interest bearing deposit accounts with participating banks and provided as security support for loans to successful applicants.

- (c) Applicants must have a viable proposal, which has been considered by the lender but declined because of insufficient security. The BEC Committee then assesses the proposal and if accepted a loan is provided by the lender against the REFS deposit funds held as security.

- (d) (i) 1997-98 \$450 000  
(ii) 1998-99 Nil

- (e) Nil.

## (a) SMALL BUSINESS GUARANTEES SCHEME (Small Business Guarantees Act 1984)

The WA Government Small Business Guarantees Scheme was suspended to further applications in May 1997.

- (b) Where a small Western Australian business was unable to obtain adequate funding for the establishment of a new business or the expansion or diversification of an existing business, the Minister responsible for Small Business, through the State Government's Small Business Guarantees Act 1984, could provide the support needed via a guarantee to a participating bank.

- (c) The business proprietor must have applied to a trading bank for a loan and been rejected solely on the grounds of insufficient security. In all other respects the proposal must have been accepted as a viable proposition. The funds required should preferably be for capital expenditure for the establishment of a new business, or the expansion or diversification of an existing business. The proposal should generate an increase in employment opportunities. The business owner should have a reasonable equity in the business having regard to the circumstances.

- (d) (i) 1997-98 Nil  
(ii) 1998-99 Nil

- (e) Contingent liability provision \$250 000.

## (a) SMART START (Regional Business Start-up Scheme)

- (b) A State Government funded program administered through the Small Business Development Corporation and delivered to eligible clients through a network of 27 regional Business Enterprise Centres. The scheme was established to provide specialised business support to small business through the stages of business proposal, planning and start-up, and mentoring.

- (c) The participant must be –  
unemployed (not necessarily in receipt of benefits);  
showing a strong commitment to establishing the business.

The business must be –  
considered commercially viable;  
ready to start-up in less than twelve months.

- (d) (i) 1997-98 Nil  
(ii) 1998-99 \$95 000

- (e) \$250 000.

## (a) SMALL BUSINESS IMPROVEMENT PROGRAM (SBIP)

- (b) The purpose of the SBIP is to assist small business to improve its competitive performance by taking a strategic planning approach to their development and adopting effective business practices. The SBIP provides partial funding up to a maximum of \$5 000 to eligible businesses for the preparation of business assessment, business plan or strategic market plan by an external consultant. The program also provides \$1 500 for metropolitan businesses or \$2 000 for regional businesses towards the cost of achieving certification to ISO9000 series.

- (c) The SBIP is an open access program which can be accessed by businesses that are small, WA based and owned, with no government ownership, which have been trading successfully for at least 12 months.

- (d) (i) \$440 374  
(ii) \$678 100

- (e) \$1 250 000 (includes commitments carried forward of \$550 000)

## (a) BUSINESS INNOVATION DEVELOPMENT SCHEME (BIDS)

- (b) The BIDS provides funding to eligible businesses up to a maximum of \$5 000 towards the cost of accessing private sector expertise to progress the commercialisation of the product or idea.

- (c) The BIDS is an open access program which is available to individuals and small businesses that are WA owned and based.
- (d) (i) No expenditure as the program did not start until 1998/99.  
(ii) \$11 529.
- (e) \$100 000.

## GOVERNMENT DEPARTMENTS AND AGENCIES, GRANTS, LOANS AND FINANCIAL ASSISTANCE

738. Mr RIEBELING to the Minister for Planning; Employment and Training; Heritage:

Will the Minister provide the following details of all grants, loans and any other form of financial assistance, offered within the Minister's portfolio -

- (a) the name of the financial assistance;
- (b) the purpose of the assistance;
- (c) the eligibility criteria for assistance;
- (d) the actual expenditure in -
  - (i) 1997-98;
  - (ii) 1998-99; and
- (e) the budgeted allocation in 1999-2000?

Mr KIERATH replied:

## PLANNING:

Ministry for Planning

- (a) *Coasts and Clean Seas Initiative*, comprising the following programs:
  - *Coastwest/Coastcare*: administered by the Ministry for Planning, funds provided jointly by State and Commonwealth
  - *Coasts and Clean Seas*: administered by the Ministry for Planning, funds provided by the Commonwealth
- (b) National objectives for the *Coasts and Clean Seas Initiative*:
  - to protect the marine environment from the negative impacts of human activities
  - to actively involve stakeholders in decision making
  - to promote sustainable management and use of coastal and marine resources
  - to maintain and protect marine and coastal biodiversity
  - to maximise benefits from the sustainable use of coastal and marine environments
  - to promote an integrated approach to institutional policy and program development and implementation.
- (c) Each Program has its own eligibility criteria as set out in the *Coasts and Clean Seas Memorandum of Understanding*. Criteria can be obtained from the Ministry for Planning.
- (d) Actual Expenditure
 

(i)	1997-98:	total	\$168,022	State contribution	\$84,011
(ii)	1998-99:	total	\$1,190,822	State contribution	\$541,536
- (e) The 1999-2000 budget allocation for *Coastwest/Coastcare* is \$1,003,906 (\$501,953 State contribution).

East Perth Redevelopment Authority

- (a)-(c) East Perth Redevelopment Authority does not have a grant program. It has, however, assisted Homeswest and non-government agencies to locate/relocate within East Perth.
- (d) (i) \$295 000  
(ii) \$1 110 000
- (e) Nil.

## EMPLOYMENT AND TRAINING

Western Australian Department of Training: The primary activities of the Department of Training and Employment are to maximise the training and employment opportunities available to Western Australians. However, these objectives are achieved largely through the purchase of training and employment services from a range of both public and private providers. The resources allocated through these purchaser-provider arrangements are not considered to be a form of "financial assistance" for the purposes of responding to the above question.

*Student Fees and Charges*

- (a)-(c) Under the Department's Fees and Charges Policy concessional rates on tuition fees and charges are available to various categories of card holders and others undertaking adult community education courses or vocational award courses. In cases of severe hardship a college may waive all fees and charges.
- (d)-(e) There is no expenditure or budget allocation. The concessions are forgone revenue.

*Apprentice Travel & Living Away From Home Assistance*

- (a)-(c) Financial assistance is available to all apprentices and trainees who are required to live away from home for short periods and incur additional travel costs to complete the off the job component of their training.
- (d) (i) Actual expenditure in 1997/98 was \$723,000  
(ii) Actual expenditure in 1998/99 was \$1,025,000

- (e) The budgeted allocation for 1999/2000 is \$850,000

*Bunbury Student Transport*

- (a)-(c) Assistance for student travel in the South West Regional area.  
 (d) (i) Actual expenditure in 1997/98 was \$244,000  
 (ii) Actual expenditure in 1998/99 was \$240,000  
 (e) The budgeted allocation for 1999/2000 is \$235,000

HERITAGE

Heritage Council of Western Australia

- (a) Heritage Grants Program.  
 (b) Assist with conservation planning and conservation works to places entered in the State's Register of Heritage Places, the Register of the National Estate, a local Municipal Inventory or classified by the National Trust.  
 (c) The published eligibility criteria are:

*A What Type of Place?*

- Places entered in the State Register of Heritage Places. Places which have been classified by the National Trust, or entered in the Register of the National Estate, or in a Local Authority's Municipal Inventory which are also eligible for entry in the State Register of Heritage Places (Priority 1).
- Places on a Local Authority's Municipal Inventory that have been included in a Town Planning Scheme (Priority 2).
- Places which have been classified by the National Trust, or entered in the Register of the National Estate, or in a Local Authority's Municipal Inventory which are not eligible for entry in the State Register of Heritage Places (Priority 3).

*B Type of Project:*

High Priorities:

- Conservation Plans (including Conservation Plans for precincts) or
- Conservation Works.

Low Priorities:

- Moveable heritage (unless an integral part of a place with heritage significance);
- Reconstruction projects;
- Projects associated with relocation of/relocated buildings;
- Acquisition of heritage places.

*C Ineligible Projects:*

- Heritage places owned or occupied by Commonwealth or State Government instrumentalities and departments are ineligible, unless leased on a long term basis to an eligible applicant;
- Places of natural or indigenous heritage significance are ineligible;
- Work which has already been funded by public sources may not be considered eligible;
- Administrative costs;
- General maintenance works;
- Retrospective funding;
- Educational activities;
- Municipal Inventories or similar identification projects;
- Places of natural or indigenous heritage significance.

*D Who can apply?*

- Any person or body corporate other than Commonwealth or State Government instrumentalities and departments.

*E Other Factors to be taken into consideration:*

- Contributions in cash and/or in kind;
- Urgency of the work;
- Likelihood of conservation plan/works being successfully completed;
- Value of project to community;
- Amount of public access to the place;
- Applications may be requested to demonstrate their inability to undertake and complete the work without a grant.

The published eligibility criteria for the sub-program "Publication of Rare Material" are:

*A Type of Project:*

- Publication of rare material related to the functions of the Heritage Council (ie places of cultural heritage significance to the State – historic environment) which is of value to heritage professionals;
- Electronic or printed form is acceptable.

*B Ineligible Projects:*

- Retrospective funding;
- Publications relating to natural or indigenous environments;
- Work which has already been funded by public sources may not be considered eligible;
- Research work only;
- Administrative costs.

*C Who can apply?*

- Any person or body corporate other than Commonwealth or State Government instrumentalities and departments.

*D Other factors to be taken into consideration:*

- Contributions in cash and/or in kind;
- Urgency of the work;
- Likelihood of project being successfully completed;

- Applications may be requested to demonstrate their inability to undertake and complete the work without a grant;
- Accessibility of a product.

(d) *Heritage Grants Program:*

- (i) \$339 776
- (ii) \$752 775 consisting of \$531 037 (1997/98 round) and \$221 738 (1998/99 round)

*National Estate Grants Program:*

- (i) \$307 350
- (ii) \$185 331

*Conservation Incentive Program (includes special allocations for Cossack and Dalgety House, Port Hedland)*

- (i) \$45 350
- (ii) \$25 912

*Reimbursements (rates and/or taxes) under section 36 of the Heritage of Western Australia Act:*

- (i) \$10 689
- (ii) \$29 188

(e) \$1 000 000

## GOVERNMENT DEPARTMENTS AND AGENCIES, GRANTS, LOANS AND FINANCIAL ASSISTANCE

741. Mr RIEBELING to the Minister for Housing; Aboriginal Affairs; Water Resources:

Will the Minister provide the following details of all grants, loans and any other form of financial assistance, offered within the Minister's portfolio -

- (a) the name of the financial assistance;
- (b) the purpose of the assistance;
- (c) the eligibility criteria for assistance;
- (d) the actual expenditure in -
  - (i) 1997-98;
  - (ii) 1998-99; and
- (e) the budgeted allocation in 1999-2000?

Dr HAMES replied:

## Aboriginal Affairs Department

- (1)
  - (a) Intestate fund.
  - (b) To provide assistance to Aboriginal people towards funeral and related expenses.
  - (c) Grants are applied to benefit Aboriginal people, are only extended after every other funding source has been exhausted and are limited to a maximum amount of \$2000.00
  - (d)
    - (i) \$17,098.00.
    - (ii) \$42,113.00.
  - (e) There is no budgeted allocation for the fund except to allow for a minimum balance to be held in the account at any one time.
- (2)
  - (a) Aboriginal Patrols, Aboriginal Wardens and Town Reserve Communities Schemes.
  - (b) Aboriginal organisations receive grants and management support to provide Warden and Patrol schemes, services that maintain civil order and divert Aboriginal people from harm or minimise harm. Aboriginal Town Reserve Communities obtain financial and management assistance to ensure better community council/community asset management.
  - (c) For a grant application to be considered under the above projects, it must meet the following criteria:

## Criteria for determining funding priorities:

- Funding must serve the interest of the wider Aboriginal community and ensure the identification of the needs and priorities of Aboriginal people.
- Projects leading to long term cumulative benefits rather than short term benefits.
- No funding will be available for the recurrent expenses of new or existing projects.
- Funding will not be provided to an organisation with outstanding financial statements or with an unsatisfactory record of delivering planned outcomes, unless special circumstances exist and it is approved by the CEO.

For an application to be valid it must:

- Demonstrate that the applicant is able to provide the skills and resources required for the proposed project. These skills and resources include, but are not limited to bookkeeping, project management, funds acquittal, preparation of a written evaluation report.
- Demonstrated efforts have been made to obtain funds from the mainstream agencies responsible for the portfolio area related to the proposed grant and detail all other funding sources solicited.
- Include a detailed budget of funds applied for.
- Include clear objectives of the project.
- Identify the bookkeeper and independent auditor (the latter when required).

- Confirm the applicant organisation is an incorporated organisation (provide certificate of incorporation), except for organisations that have credentials satisfactory to the CEO.
- Be registered with a Western Australian address.
- Be signed by the Chairperson of the applicant organisation.

#### Grant assessment

On receipt of a funding application, Regional Managers are required to prepare an assessment addressing the following criteria:

- The applicant is in accordance with the Departmental objectives, and states the Grant Program Objective (as identified above).
  - The application is valid in accordance to the above.
  - Identifies the linkage to Departmental programs.
  - The feasibility, value for money and budget.
  - Budget includes requirements to enable proper grant acquittal ie, audit fees (either contribution or full cost as appropriate) included, if funding request exceeds \$20,000.00.
  - The cultural and social merit of the project.
  - Availability of skill sets required to achieve the stated outcome.
  - Administrative capacity of the recipient organisation.
  - Past grant performance of the recipient organisation.
  - Availability of alternative strategies for funding sources to achieve the same objectives.
- (d) (i) \$1,074,044.00.  
(ii) \$1,328,725.00.
- (e) \$1,347,000.00.

#### Ministry of Housing

The Ministry of Housing operates a large number of schemes, programs and projects through which many grants, loans and other forms of financial assistance are made available to customers and community based organisations. It is not practical for the Ministry to commit the resources required to answer the question in its current form. If the member has a specific question in relation to a particular grant, loan or assistance in a particular area, I am prepared to provide the relevant information.

#### Office of Water Regulation

- (a) Farm Water Grants Scheme, Local Government Sewerage Subsidy Scheme and operating subsidies for the Coral Bay Sewerage Scheme and the South West Irrigation Management Cooperative (SWIMCO).

- (b) The above schemes operate for the following purposes:

Farm Water Grants Scheme – is provided for farmers whose land is not connected to a reticulated water supply. The scheme provides grants for the investigation, design or development of water supplies for domestic, crop-spray and livestock use.

Local Government Sewerage Subsidy Scheme – subsidy arrangements for the construction and operation of these small local government sewerage schemes were initiated in 1967 to allow sewerage schemes to be provided to small towns. The purpose of the subsidy was to offset the initial high cost of the basic installation, which was generally too great to be met by the small number of initial users.

Operating subsidy for the Coral Bay Sewerage Scheme – on 22 December 1997 Cabinet approved an operating subsidy of up to \$130,000 per year for ten years to be made available for sewerage collection and disposal works to meet environmental and health standards for the community of Coral Bay. The Scheme is to be financially self supporting when fully developed but will receive a subsidy from the consolidated fund until income from future developments reaches a level whereby the Scheme's revenue matches its operating expenses.

Operating subsidy for the South West Irrigation Management Cooperative (SWIMCO) – on 26 August 1996 Cabinet approved that the State Government provide SWIMCO with an annual operating subsidy from the Consolidated Fund for each of the years 1996-97 to 2000-01 inclusive.

- (c) The following eligibility criteria for assistance apply:

Farm Water Grants Scheme – assists commercial broadacre farmers in six key regions of the dryland agricultural area of the State considered to be subject to water shortage problems. To be considered for a farm water grant an applicant is required to demonstrate the need for improved water supplies on their property. Applicants are assisted in this regard by an approved Farm Water assessor who determines the total water supply and demand on the farm, calculates the level of water deficiency and allocates an appropriate score to reflect this deficiency. The on-farm deficiency score is the mechanism used to determine an applicant's eligibility for a grant.

Local Government Sewerage Subsidy Scheme – there are 16 schemes in country areas operated by local governments under the provisions of Part IV of the *Health Act* which receive a subsidy from the State Government. The subsidy paid is the amount of the annual cash deficiency of the scheme, or 85% of the annual cost of interest and loan repayments, whichever is the lesser.

Operating subsidy of the Coral Bay Sewerage Scheme – by virtue of the Cabinet decision only Kaiser Engineers Pty Ltd is eligible for the operating subsidy.

Operating subsidy to the South West Irrigation Management Cooperative (SWIMCO) – the subsidy is paid to the SWIMCO annually and consists of a base instalment, adjusted for inflation and actual sales of water by SWIMCO in the respective year.

(d)	Actual Expenditure	1997-98	1998-99
		\$	\$
	Farm Water Trust Fund	3,080,544	1,816,930
	Local Government Sewerage Subsidy Scheme	227,058	257,528
	Operating subsidy for Coral Bay Sewerage Scheme	not applicable	nil
	Operating subsidy for SWIMCO	765,537	532,874
(e)	Farm Water Trust Fund	1,312,000	
	Local Government Sewerage Subsidy Scheme	251,000	
	Coral Bay Sewerage Scheme	130,000	
	Operating subsidy for SWIMCO	175,000	

#### Water and Rivers Commission

- (a)-(b) See below.  
 (c) Assessed on a case by case basis.  
 (d) (i)-(ii) Answered by (a).  
 (e) See below.

Name of financial assistance	(Board approved) 1998/99 Grant	Purpose of assistance
Toby Inlet Catchment Group	5000	Water Land and Life Community Grant Scheme
Yallingup Land Conservation District Committee	2350	Water Land and Life Community Grant Scheme
Brown Leith	2000	Water Land and Life Community Grant Scheme
Wilson Robert	4080	Warren and Collie Recovery Catchment
Lewis John & Chris	7200	Warren and Collie Recovery Catchment
Reid Phillip	2040	Warren and Collie Recovery Catchment
Chomley ROB	5640	Warren and Collie Recovery Catchment
D Ladyman & Co	4260	Remnant Vegetation Fencing Subsidy 98
Wunnenberg Ivan	7560	Remnant Vegetation Fencing Subsidy 98
Mathwin Mick & Leanne	5400	Remnant Vegetation Fencing Subsidy 98
Harvey & Son WO	25,440	Remnant Vegetation Fencing Subsidy 98
Corenderk Family Trust	8880	Remnant Vegetation Fencing Subsidy 98
Nuske Peter & Janet	5040	Remnant Vegetation Fencing Subsidy 98
Ewen Max	11040	Remnant Vegetation Subsidy 98
Young John & Carolyn	5280	Remnant Vegetation Fencing Subsidy 98
Rose Wayne	2300	Fencing assistance
Strelein Greg	180	Leschenault Catchment River Restoration
Clay Rose	150	Leschenault Catchment River Restoration Program
Florio Da Re	1148	Leschenault Catchment River Restoration Program
Leschenault Catchment Co-ordinating Group	3511	Sponsorship contributions to LCCG
Conservation Council of WA Inc	10000	Conservation Council Water Policy Officer
Jandakot Groundwater Mound Community	2500	Contribution
Espinos Keith	1125	Expenditure of GeoCatch water, land & life community grants
Landscape Design & Irrigation	5000	11:220898
Cape to Cape Alliance	2000	Contribution 11/8/98
Sharpe Ken & Roseanne	3620	Expenditure of GeoCatch water, land & life community grants
Ensor Joy	2000	Expenditure of GeoCatch water, land & life community grants
Slee Ian	2000	Expenditure of GeoCatch water, land & life community grants
Wonnerup Residents Association	4350	Expenditure of GeoCatch water, land & life community grants
Capel Land Conservation District Committee	210	Expenditure of GeoCatch water, land & life community grants
Capel Land Conservation District Committee	2655	Expenditure of GeoCatch water, land & life community grants

Aldridge Tim	2500	Leschenault Catchment River Restoration Program
Robertson Kim	2400	Wellington Loc 1894 Restoration Program
Taylor K & P	2000	Community grant
Sharpe Ken & Roseanne	1380	Community grant
Friends of Peron Reserve	3827	Water land & life community grant
Capel Land Conservation District Committee	1000	Water Land and Life Community Grant Scheme
Bax Ian	1800	Water land & life community grant
Tickle Phil	450	Water Land and Life Community Grant Scheme
Dunsborough Progress Association	1500	Water Land and Life Community Grant Scheme
Busselton Environment Forum	5000	Water Land and Life Community Grant Scheme
Mott Ian	2000	Water Land and Life Community Grant Scheme
Total consolidated funds	167816	
Paxton Phil	459	Expenditure NHT Rivercare account
Cavallaro Luigino	256	Funding assistance
Preston River Orchards	1090	Leschenault Catchment River Restoration Program
Goerling Brad	1215	Leschenault Catchment River Restoration
Kirk Graham	300	Leschenault Catchment River Restoration
Berenger John	1290	Leschenault Catchment River Restoration Program
P E Rawlinson & Associates	1650	River Restoration and Enhancement Program
Green Arthur	1800	River Restoration Grant
Atherton Rod	500	River Restoration Grant
Walker Alan	700	Rivercare Grant
Clay Rose	2500	River restoration program
Vasse-Wonnerup Land Conservation District Committee	100	Community grant
Toby Inlet Catchment Group	7500	Cont re Toby Inlet & Assoc Wetlands Management Plan
Total external funds	19360	
Total 1998/99	187176	

Name of financial assistance	(Board approved) 1999/2000 grant allocation (recurrent)	(Board approved) 1999/2000 grant allocation (external)	Type of grant
13006 Community education and involvement	1000	-	Sponsorship
13007 Ribbons of Blue (NHT)	-	35000	Operating grant
13022 Ribbons of Blue (SRT-SCCP)	-	4000	Operating grant
36020 Albany Harbours Seagrass Survey	1000	-	Sponsorship
37001 Wilson Inlet Catchment Foreshore	5000	-	Community grant
37012 Foreshore Management Planning	12000	-	Community grant
38003 Water resources assessment and enhancement	-	20000	Fencing grant
38008 Water resources assessment and enhancement	20000	-	Fencing grant
38030 Lake Powell and Torbay Inlet integrated catchment management	7000	-	Community grant
38040 Albany hinterland foreshore rehabilitation	35000	-	Community grant
38048 (NHT) Local River Action Plans	-	5000	Fencing grant
38055 SCRIPT and Integrated NRM	10000	-	SCRIPT
38063 Local River Action Plans	30000	-	Community grant
38084 Kalgan River Plan and Survey	1800	-	Community grant
42085 Moore Integrated Catchment Management	50000	-	Community grant
42098 Swan Catchment Program	24000	-	Community grant
43028 GeoCatch: Develop and Implement	4000	-	Community grant

43038 GeoCatch: Develop and Implement	-	10000	Community grant
43057 Vasse River Clean-up Program	15000	-	Community grant
58005 Industry Partnerships and Stakeholder	21000	-	Research grant
58014 Irrigation Industry Forum	15000	-	Research grant/sponsorship
62033 Development of wetland management plans	8000	-	Research grant
62038 Design guidelines for constructed	25000	-	Community grant
63006 Support for State Wetland Policy	4000	-	Community grant
Total	288800	74000	1317985

Grants yet to be determined			
38068 Kent/Denmark Recovery Catchments	330000	-	SAP
48093 Recovery Catchment	327173	-	SAP
48094 Recovery Catchment	298012	-	SAP
Total	955185		

\*NHT not included

Name of financial assistance	(Board approved) 1997/98 Grant	Purpose of assistance
Toby Inlet Catchment Group	5000	Community grant
Yates Neil	803	Community grant
Hopkins Neil	2000	Community grant
Torrent Ron	2000	Community grant
Toby Inlet Catchment Group	2995	Community grant 2
Wilkins John	690	Funding 22/5/98-1
Wills Cyril	919	Funding 22/5/98-2
Schaal Herbie	3000	Funding 22/5/98-3
Kay Chris & Paula	700	Funding 22/5/98-4
Shire of Capel	4650	Funding 22/5/98-5
Altham PD & MP	1820	Funding 22/5/98-6
Shire of Busselton	1000	Funding 22/5/98-7
Toby Inlet Catchment Group	2485	Funding 22/5/98-8
Busselton Historical Society	1580	Funding 22/5/98-9
Shire of Busselton	500	Funding 29/5/98 A
Shire of Capel	1500	Funding 29/5/98 B
Capel Land Conservation District Committee	1470	Funding 29/5/98 C
Toby Inlet Catchment Group	3000	Water, land and life community grant
Russell Dennis	750	Water, land and life community grant
Fleay Greg	1000	Water, land and life community grant
Hastie Bethwin	850	Water, land and life community grant
Hutton Tom	537	Water, land and life community grant
Rodwell Victor	2000	Water, land and life community grant
Vasse-Wonnerup Land Conservation District Committee	1400	Water, land and life community grant
Grace D	575	Water, land and life community grant
Busselton TAFE	2000	Water, land and life community grant
Fraser Cliff	1401	Water, land and life community grant
Geographe Catchment Council Inc	9570	Transfer of funds to GeoCatch
Pusey Lee	450	Fencing grant 1998
Cross Rick	1500	Fencing, revegetation and restoration
Hearman, Peter	3000	Fencing, revegetation and restoration



Australian Water and Wastewater Association	2500	Sponsorship of AWWA 1997 Undergraduate Water Prize 1 March
Conservation Council of WA Inc	10000	Conservation Council part-time policy officer
Kent Headwaters Catchment Group	26900	Fencing riparian vegetation
Perillup Estate	6500	Fencing riparian vegetation
Wamballup Swamp Catchment Group	9900	Fencing riparian vegetation
Kent River Land Conservation District Committee	12000	Funding 4/6/98
Albany and Districts Skills Training Committee	2430	AWWA Community Watercare Grant Scheme
Mt Barker Senior High School	2500	Community watercare grant
Albany Farm Tree Nursery	200	Funding 21/5/98
Albany Surf Life Saving Club	2500	Improvements to Coode Beach
Kalgan Land Conservation District Committee	6256	Project 973236 (NHT community grants)
Woorooloo Brook Land Conservation District Committee	59795	Project 973359 (NHT community grants)
Canning Catchment Co-ordinating Group	29290	Reduction of phosphorus loads to Canning Catchment (NHT community grants)
Friends of the River Canning Environs	26560	Southern Wood Creek enhancement project 973233 (NHT community grants)
Sussex Land Conservation District Committee	31700	Toby Inlet integrated catchment management 973258
Bannister Creek Catchment Group	51525	Transforming Bannister Creek from urban drain (NHT community grants)
Katanning Land Conservation District Committee	41170	Twonkwillingup Pools born again 973068
Walpole and Nornalup Inlet Systems	46000	Walpole and Nornalup Systems 973125 (NHT community grants)
Munglinup/Oldfield Catchment Group	14000	Fencing and revegetation
Frankland/Gordon Catchment Group	20000	Grants allocation of fencing
Ravensthorpe Land Conservation District Committee	14000	Fencing Phillips and Jerdacuttup Rivers/tributaries
Kaowillup Catchment Group	7000	Fencing/rehabilitation - Bremer River and tributaries
Name of financial assistance	(Board approved) 1997/98 Grant continued	Purpose of assistance
Kalgan Land Conservation District Committee	5000	AWMA fencing grant
Davies G R	2400	AWMA's fencing assistance scheme
Jarvie A D & I R	200	Fencing assistance
Albany and Districts Skills Training Committee	1866	Bird hide
Great Southern Regional College	726	Fund 26/5/98
South Coast Progress Association	155	Funding 19/5/98
Denmark Agriculture College	900	Fencing/rehabilitation grant
Carter Ralph & S	600	Fencing/rehabilitation grant
Coxwall Colin	1200	Fencing/rehabilitation grant
Mostert T & D	1200	Fencing/rehabilitation grant
O'Callagan Brian & Sally	1200	Fencing/rehabilitation grant
Richard Ellis	1200	Fencing/rehabilitation grant
Wilson R (Bob) & J	1200	Fencing/rehabilitation grant
Wolfe Les	600	Fencing/rehabilitation grant
Barker Trevor	1200	Fencing/rehabilitation grant
Steel John & G	600	Fencing/rehabilitation grant
Wilson Inlet Catchment Committee	6600	Funding 16/5/98-3
Denmark Agriculture College	2000	Funding 16/5/98-4
Souness & Sons W	1000	Fencing/rehabilitation grant
Webb Harley & Jean	1000	Fencing/rehabilitation grant

Stuart-Williams RP	300	Waterways fencing and rehabilitation
Ross T & J	1800	WIMA's waterways fencing and rehabilitation
Thurecht R & S	600	WIMA's waterways fencing and rehabilitation
Moir Jeff	1200	WIMA's waterways fencing and rehabilitation
Shapland John & Kathy	1096	WIMA's waterways fencing and rehabilitation
Webb Harley & Jean	1000	WIMA's waterways fencing and rehabilitation
Burnside Lloyd	600	WIMA's waterways fencing and rehabilitation
O'Neil Mike	1800	WIMA's waterways fencing and rehabilitation
Stuart-Williams RP	900	WIMA's waterways fencing and rehabilitation
Greeuw & Kay Lyman J & M & Andrew	1200	WIMA's waterways fencing and rehabilitation
Williams Ray	1600	WIMA's waterways fencing and rehabilitation
Jennings Jack	600	WIMA's waterways fencing and rehabilitation
Script Inc	10000	Cont to NHT project
Leschenault Community Nursery	500	1998 seed collection day
Perth Zoo Society Inc	5000	1997/98
Eastern Metropolitan Regional Council	1000	Sponsorship Hills Small Farms Field Day
Australian Association for Environmental	2000	Catchments corridors and coasts
Fairbridge Western Australia (Inc)	200	Detective Crow Curriculum Package Competition
Irrigation Association of Australia Ltd	679	50% reimbursement for E Lytton
Total consolidated fund	199497	
Bennett Brook Catchment Group	26108	Catchment management for Bennett Brook 973363 (NHT community grants)
Collie Land Conservation District Committee	22793	Collie River reclamation and rehabilitation 973212 (NHT community grants)
Hay River Land Conservation District Committee	20560	Hay sheepwash sub-catchment project 973071 (NHT community grants)
Leschenault Catchment Co-ordinating Group	30000	Leschenault Catchment rivers project 973178 (NHT community grants)
Napier King Land Conservation and District Committee	6000	Little Napier and Yellanup Creeks Project 973102 (NHT community grants)
Manjimup Shire Council	46000	NHT grant (NHT community grants)
Bindaree Grazing Company	7000	Preserve the Beaufort 973237 (NHT community grants)
Geographe Bay Advisory Committee	55538	Project 973116 (NHT community grants)
Williams Land Conservation District Committee	77652	Project 973135 (NHT community grants)
Lower Blackwood Land Conservation District Committee	27507	Project 973154 (NHT community grants)
Serpentine-Jarrahdale Land Conservation District Committee	56412	Project 973229 (NHT community grants)
Denmark District High School	2300	Watercare grant scheme
Wilson Inlet Restoration Group	2500	Watercare grant scheme
Ribbons of Blue Geographe Bay	3000	Ribbons of Blue Conf/State involvement
Name of financial assistance	(Board approved) 1997/98 Grant continued	Purpose of assistance
Ribbons of Blue Kununurra	4000	ROB State programme
Waterwatch Australia Conference	3000	Waterwatch conference
Total external funds	737666	
Total for 1997/98	937163	

#### Water Corporation

- (a) Sewer conversion loan facility approved by the Minister for Water Resources on 6 May 1991.
- (b) Loan financing provided for the compulsory connection of residential properties to the Corporation's sewerage systems.
- (c) All customers that are required by the Corporation to connect their residential properties to the sewerage system have the loan financing available to them.

For customers other than pensioners – the Corporation will be charged on the principal at the Commonwealth Savings Bank home loan interest rate applicable at the time the loan is approved. The maximum term of the loan will be 10 years for loans up to \$1,500 and longer for larger amounts. Scheduled principal and interest repayments are to be paid by the agreed due date. Failure to make the scheduled loan repayments will result in interest being charged on the amount overdue in accordance with the *Credit Act 1984*. The Corporation holds security over the property by lodging a caveat on the title.

For pensioners, the above conditions apply and in addition they may choose to pay interest only. However any interest payments not made by June 30 each year will be added to the principal amount and the interest payable will be recalculated for the following years.

- (d) (i) \$58,210.00.  
(ii) \$39,530.00.
- (e) No specific budget is allocated for this assistance. The debt outstanding for these loans is reported in the Corporation's financial statements with other accounts receivable.

#### SCHOOLS, ENROLMENTS

756. Dr CONSTABLE to the Minister for Education:

- (1) What are the current enrolments at the following primary schools -
  - (a) Floreat;
  - (b) City Beach;
  - (c) Kapinara;
  - (d) Woodlands;
  - (e) Wembley;
  - (f) Wembley Downs; and
  - (g) Churchlands?
- (2) What were the enrolments at these schools in each of the last four years?

Mr BARNETT replied:

(1)	(a)	Floreat Primary School	428	
	(b)	City Beach Primary School	254	
	(c)	Kapinara Primary School	273	
	(d)	Woodlands Primary School	275	
	(e)	Wembley Primary School	503	
	(f)	Wembley Downs Primary School	273	
	(g)	Churchlands Primary School	309	
(2)	(a)	Floreat Primary School	1998	437
			1997	434
			1996	421
			1995	425
	(b)	City Beach Primary School	1998	240
			1997	240
			1996	234
			1995	232
	(c)	Kapinara Primary School	1998	303
			1997	280
			1996	281
			1995	296
	(d)	Woodlands Primary School	1998	262
			1997	276
			1996	280
			1995	283
	(e)	Wembley Primary School	1998	498
			1997	460
			1996	433
			1995	373
	(f)	Wembley Downs Primary School	1998	277
			1997	301
			1996	300
			1995	258
	(g)	Churchlands Primary School	1998	287
			1997	275
			1996	268
			1995	278

(Note: Student numbers are as at Semester one)

## SCHOOLS, EDUCATION SUPPORT UNITS

759. Dr CONSTABLE to the Minister for Education:

- (1) How many Education Support Units (ESUs) are there in High Schools in each metropolitan school district?
- (2) Where are the ESUs located?
- (3) How many students are accommodated in each of these ESUs?
- (4) What is the staffing complement in each of the ESUs?

Mr BARNETT replied:

I am advised as at end term 3, 1999:

- |     |            |    |
|-----|------------|----|
| (1) | Cannington | 3  |
|     | Fremantle  | 5  |
|     | Joondalup  | 3  |
|     | Perth      | 2  |
|     | Swan       | 8  |
|     | Total      | 21 |

(2-4)

School	District	Numbers of Students	Staff Complement (FTE)
Belmont Senior High School	Cannington	30	2.8
Cecil Andrew Senior High School	Cannington	8	1.0
Gosnells Senior High School	Cannington	18	1.7
Hamilton Senior High School	Fremantle	31	2.9
Kwinana Senior High School	Fremantle	19	2.0
Lakelands Senior High School	Fremantle	14	1.5
Lynwood Senior High School	Fremantle	17	1.6
Melville Senior High School	Fremantle	11	2.4
Clarkson Senior High School	Joondalup	15	1.0
Craigie Senior High School	Joondalup	12	1.0
Gingin District High School	Joondalup	6	0.78
Duncraig Senior High School	Perth	29	3.3
Perth Modern Senior High School	Perth	9	1.0
Balga Senior High School	Swan	26	3.0
Ballajura Community College	Swan	23	3.0
Bullsbrook District High School	Swan	14	1.5
Girrawheen Senior High School	Swan	23	2.5
Governor Stirling Senior High School	Swan	19	2.0
John Forrest Senior High School	Swan	16	2.6
Lockridge Senior High School	Swan	9	2.0
Swan View Senior High School	Swan	5	1.0

To be classified as an Education Support Unit five or more eligible students must be enrolled. The number of Education Support Units established within each school is determined at the individual school level according to the school's needs. The staffing complement allocated to each Education Support Unit is determined from the staffing formula according to the level of intellectual disability of each student. The staffing allocation for Education Support Units is included within the secondary school's total staffing allocation and determined by the staffing formula.

## WATER CORPORATION, SPONSORSHIPS TO COMMUNITY GROUPS

761. Dr CONSTABLE to the Minister for Water Resources:

I refer to the Water Corporation's practice of providing sponsorships to community groups throughout the State and ask -

- (a) how many such organisations have received sponsorships in the 1998-1999 financial year;
- (b) which organisations; and
- (c) what is the amount of sponsorship in each case?

Dr HAMES replied:

(1) 66.

(2)-(3)	Western Australian Symphony Orchestra	\$50,000
	Duyfken Launch	\$50,000
	Perth Zoo	\$30,000
	Australian Kidney Foundation	\$15,000
	SciTech	\$12,000
	City to Surf	\$12,000
	Commonwealth Games	\$10,000
	Western Australian Youth Orchestra	\$10,000
	Western Australian Youth Orchestra	\$10,000
	Best Beaches Competition	\$10,000
	Princess Margaret Children's Hospital	\$6,530
	National Engineers Week	\$6,000
	Office of Water Regulation	\$5,000
	Musica Viva	\$5,000
	UWA Gledden Tour	\$2,000
	Whitfords Sea Club	\$1,000
	Australia Cup	\$800
	Swanleigh Marathon	\$450
	Australian Cycling Championships	\$400
	Perth City Mission	\$250
	6PR – Childrens Charity Christmas Lunch	\$195
	Garden Week	\$20,000
	Master Builders Association	\$10,000
	Summer Home & Garden Show	\$10,000
	Customer Services Association	\$5,000
	Nursery Industry Association	\$3,500
	Irrigation, Landscape & Landscape Architects Association.	\$2,500
	Geraldton Dragon Boat Classic	\$4,500
	Balzano Barrow Race	\$4,000
	Broome Golf Day	\$3,000
	Kalgoorlie/Boulder Urban Landcare Group	\$2,850
	Kalgoorlie Boulder City Council	\$2,850
	Goldfields Water Polo Open Day	\$2,500
	Bunbury Waterwise Fun Run	\$2,000
	Bunbury Cathedral Grammar School Technology Centre	\$2,000
	Geraldton/Greenough Aquatic Centre	\$2,000
	City of Joondalup "Water Awareness Festival"	\$1,000
	Constable Care Child Safety Project	\$1,050
	Mundaring Tourism Association	\$1,000
	Geraldton Netball Association	\$1,000
	Kalgoorlie Boulder Tidy Towns Committee	\$733
	City of Nedlands Kite Festival	\$700
	Ewin Centre	\$600
	Leukemia Camp	\$500

Lions Club Dragon Boat Race	\$500
Geraldton Grammar School	\$500
City of Joondalup's Perry's Paddock Field Day	\$500
Goldfields Health Department Unit	\$500
Western Suburbs Moughing Off Youth Forum	\$560
Goldfields Triathlon	\$500
Geraldton Turf Club	\$500
"Daybreak 6000"	\$500
Exmouth District High School	\$450
Girrawheen Community Fair	\$434
Battle of the Schools Quiz Night	\$350
William Dampier 300th Anniversary	\$250
Geraldton Board Riders	\$250
Geraldton Rotary Club House	\$200
Sculpture by the Sea	\$200
National Heart Week Fun Run	\$200
Institution of Engineers	\$100
1999 Country Swimming Championships at Northam	\$100
Gurds Youth Café	\$100
Gnangara Pine Forest Clean up Day	\$75
Y Striders Fun Run	\$50
Geraldton Museum	\$50
CBC Fremantle fund raising golf day	\$30

## HOMESWEST, HALLS CREEK

767. Mr GRAHAM to the Minister for Housing:

- (1) How many people are on the housing waiting list for accommodation in Halls Creek?
- (2) What is the waiting time for housing in Halls Creek?
- (3) How many housing applications have been received in the last twelve months for housing in Halls Creek?
- (4) How many houses are vacant in Halls Creek?
- (5) Is the number of houses referred to in the answer to (4) above indicative of the general level of vacancy in Homeswest housing in Halls Creek?
- (6) If the answer to (5) above is no, why not?
- (7) How many new Homeswest houses have been built in Halls Creek in the year ending 30 June;
  - (a) 1994;
  - (b) 1995;
  - (c) 1996;
  - (d) 1997;
  - (e) 1998; and
  - (f) 1999?

Dr HAMES replied:

- (1) Number of people on housing waiting list by housing type/size:

Pensioners	0
1 bedroom	8
2 bedroom family	9
3 bedroom family	5
4 bedroom family	1
TOTAL	23

- (2) The waiting times for Halls Creek are as follows:

1 bedroom – currently assisting people who applied in February 1999  
 2 bedroom – currently assisting people who applied in January 1999  
 3 bedroom – currently assisting people who applied in January 1999  
 4 bedroom – currently assisting people who applied in March 1999  
 5 bedroom – no demand

- (3) 23.
- (4) 6 properties are vacant comprising:
- 1 house which has been allocated to an applicant on the waiting list; and
  - 5 pensioner units which are to be allocated to Halls Creek Community Care clients to relieve pressure on their hostel.
- (5) The vacancy rate is considered lower than usual however this rate fluctuates from time to time and the variance is not significant.
- (6) Not applicable.
- (7) (a) 0.  
(b) 2.  
(c)-(f) 0.

#### COMMUNITY HOUSING PROGRAM APPLICATIONS

768. Mr GRAHAM to the Minister for Housing:

I refer to the 1999-2000 Community Housing Program applications and ask -

- (a) how many applications were received;
- (b) from where was each application received; and
- (c) how many applications were successful?

Dr HAMES replied:

- (a) 43.
- (b) Metropolitan – 22, Albany – 4, Bunbury – 6, Busselton – 1, Broome – 1, Carnarvon – 1, Denmark – 1, Dunsborough – 1, Esperance – 1, Halls Creek – 1, Kununurra – 1, Mandurah – 2 and Newman – 1.
- (c) 21 applications were approved. Of the 22 applications declined, 10 were from the metropolitan area and 12 were in the country. Not all applications were successful for a number of reasons, including:
- Budget limitations - \$8.648 million. The applications received were for a total of 192 units to a combined value in excess of \$18 million.
  - Instances where groups had not demonstrated housing management experience or had no management plan or had insufficient resources to manage and support a particular project.
  - Instances where the proposed site was unsuitable or no available land was identified.

#### MARDIWAH LOOP HOUSING CORPORATION, COMMUNITY HOUSING PROGRAM APPLICATION

769. Mr GRAHAM to the Minister for Housing:

What was/were the reason/s for rejection of the Mardiwah Loop Housing Corporation application under the Community Housing Program?

Dr HAMES replied:

At the time of assessment:

- (i) The community had not resolved its management structure; and
- (ii) There was a land tenure issue.

The community should be encouraged to resubmit in the 2000/2001 financial year.

#### ROYAL PERTH HOSPITAL, CATERING SERVICES

772. Ms McHALE to the Minister for Health:

I refer to the catering services at Royal Perth Hospital and ask -

- (a) on what date was the catering service first contracted out;
- (b) which company was awarded the catering contract;
- (c) how much has been paid to that company;
- (d) what was the contracted price for the delivery of catering services;
- (e) has the contract been awarded to a company different from that nominated in answer to (b) above;
- (f) if so, which company now has the contract;
- (g) on what date did the contract change;
- (h) why did it change;

- (i) how much money has been paid to the company named in the answer to question (f) above; and  
 (j) what was the contracted price?

Mr DAY replied:

- (a) 5 February 1997.
- (b) Gardner Merchant Health Care Australia -(now known under the parent Company name: SODEXHO).
- (c)
- |              |             |
|--------------|-------------|
| 1996/97 -    | \$2,171,867 |
| 1997/98 -    | \$6,476,470 |
| 1998/99 -    | \$6,461,837 |
| 1999 to date | \$1,249,033 |
- (d) A price was set for various components of the contract namely:
- |   |         |
|---|---------|
| Same day bed day rate                   | \$ 8.25 |
| Multi day bed day rate                  | \$24.10 |
| Standard trolley service lunch rate     | \$ 6.50 |
| Standard trolley service breakfast rate | \$ 3.50 |
| Staff meal rate                         | \$ 5.30 |
- (e) No.
- (f)-(j) Not applicable.

#### METROPOLITAN HEALTH SERVICES BOARD, HOSPITAL TRUST FUNDS

773. Ms McHALE to the Minister for Health:

- (1) Will the Minister advise which Metropolitan Health Services Board hospitals have trust funds?  
 (2) What amounts are contained in each of the trust funds as at 30 August 1999?  
 (3) What is the purpose of the trust funds?

Mr DAY replied:

Hospital / Health Service	Balance as at 31/8/99	Purpose of Trust Account
Armadale Health Service	\$87,556	Bequests and donations
Bentley Health Service	\$63,713	Bequests and donations
Fremantle Hospital & Health Service	\$3,919,246	Professional Development Research Donations Departments Trust Accounts
Graylands Selby-Lemnos & Special Care Health Services	\$300,442	Staff Development Research Bequests & Donations Patients Private Accounts
Kalamunda Health Service	\$52	Donations
King Edward Memorial and Princess Margaret Hospitals	\$6,273,799	Patients / Staff funds Donations Fundraising Medical Staff Funds Research & Special Purposes Research Grants Volunteer Group Funds Welfare Funds Staff Education & Training Donations Sexual Assault Referral Centre Private Practice Trust Funds Service Unit Funds Equipment Acquisition / Capital Funds
North Metropolitan Health	\$259,791	Private Practice Trust Accounts Patients Private Accounts
Rockingham Kwinana Health Service	\$102,171	Donations
Royal Perth Hospital	\$26,073,000	Research Grants Bequests & Donations Special Works & Equipment Allocations Staff Education Departmental Trust Accounts Special Works & Equipment
Sir Charles Gairdner Hospital	\$20,717,000	Clinical Staff Research, Education, & Training
Swan Health Service	\$140,930	Bequests & Donations



## HANDGUNS, REGISTRATION

774. Mr McGOWAN to the Minister for Police:

I refer to the Western Australian Government's gun laws and ask -

- (a) how many handguns are registered in Western Australia;
- (b) how many handguns are estimated to exist in Western Australia yet are unregistered; and
- (c) what precautions is the Government taking to secure and find these unregistered handguns?

Mr PRINCE replied:

- (a) 23,957.
- (b) Unknown.
- (c) There is an ongoing amnesty in Western Australia to encourage people to deliver unlicensed firearms to any police station in the State, without fear of being prosecuted. However, if reliable intelligence is received by police that there are unregistered firearms in existence, action is taken to recover those firearms and any persons involved are charged, accordingly.

## HERITAGE, STIRLING STREET COTTAGES

778. Mr McGOWAN to the Minister for Heritage:

- (1) What was the recommendation of the Heritage Council pertaining to the placement of the Stirling Street cottages at 318-322 Stirling Street on the Heritage Register?
- (2) Did the Minister accept this recommendation?
- (3) If not, why not?
- (4) Who did the Minister receive submissions or lobbying from in the process of arriving at the decision?
- (5) On what grounds does this place not meet the requirements of the Register of Heritage Places?
- (6) Why was the Notice for the Place not to be entered onto the Register (*The West Australian*, page 52, Friday, 3 September 1999) incorrectly advertised?
- (7) Why were the required three weeks of submissions under Section 52(1) (as advertised) not adhered to (which is in direct contravention to the Heritage Act 1990)?

Mr KIERATH replied:

- (1) The Heritage Council of Western Australia considered the entry of the Stirling Street Cottages and provided advice to me on the entry in the Register of Heritage Places on two occasions. In July 1998 the Council advised me that the dwelling at 318 to 322 Stirling Street, Highgate, was of cultural heritage significance, was of value for the present community and future generations, that the protection of the Act was appropriate and that the place should be entered in the Register on an interim basis. The place was entered in the Register on 4 August 1998 on an interim basis at my direction. In December 1998, the Council further advised me that it had considered the submissions and representations put forward to it and resolved to recommend to advise the Minister to direct the Council, under Section 49 (1)(b), to enter 318 to 322 Stirling Street, Highgate into the Register on a permanent basis.
- (2) No.
- (3) Under Section 47 of the *Heritage of Western Australia Act 1990* (the Act) the Minister must be satisfied that the place has cultural heritage significance or possess special interest associated with heritage before making a direction to permanently register the place. I determined that the place had limited heritage significance. I was also conscious of the role of the owner, the Church of Saint Sava, in supporting and providing for its community. I believed it would be possible for the owner and the Heritage Council to reach a compromise, whereby the buildings would be retained and the needs of the community, served by the Church, would be met. Unfortunately, this did not happen during the period of interim registration. Under the provisions of the Act, I issued four Conservation Orders for this place to provide continuing protection to allow sufficient time for the development of a compromise on the retention and the development of this place. I decided to take no further action on permanent registration when it became apparent that a compromise would not eventuate and the place therefore was not entered in the Register of Heritage Places on a permanent basis within the 12 month time limit as prescribed under Section 53 of the Act.
- (4) At my direction the Heritage Council called for submissions on the entry of this place in the Register of Heritage Places as part of the interim registration process on 4 August 1998. There were a total of four submissions objecting to registration and 15 separate submissions supporting registration of the place prior to both the interim and permanent registration considerations by the Heritage Council and subsequent advice to myself. Following receipt of Heritage Council advice on permanent registration I chose to meet with the Serbian Orthodox Parish to

discuss their concerns about registration and encourage them to consider alternative development opportunities. Unfortunately this was not successful. I did not receive any lobbying in relation to this place.

- (5) Please refer to answer provided to question 3.
- (6) The notice for this Place not be entered onto the register (*The West Australian*, page 52, Friday 3 September 1999) was incorrectly advertised due to an administrative error at the office of the Heritage Council. On realising the error, a correction was published on 7 September 1999.
- (7) Please refer to answer provided to questions 3 and 6. The advertisement on 3 September 1999 should have been advertised under Section 53(1) of the Act and when the error was identified a correction was published as soon as possible. There was no decision taken under 52(1) of the Act and therefore no submissions were required to be sought.

#### GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

781. Mr BROWN to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Deputy Premier's control entered into between 1 June 1999 and 31 July 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Mr COWAN replied:

Department of Commerce and Trade

- (1) Two.
- (2) Expected cost of \$288 978 over three years if all contract extensions are exercised.
- (3) SmartSoftware Solutions Pty Ltd.
- (4) Provision of technical support, maintenance, upgrades and ad-hoc services for the Smartstream Financial Management Information System to the department.
- (5) The duration of the contact is for an initial period of twelve months with an option for two further twelve-month extensions. The completion date will depend on whether the department exercises the extension options.

and

- (2) \$237 398. This is for a six month extension to an existing contract.
- (3) Aboriginal Business Development Pty Ltd.
- (4) Management support to Aboriginal community stores.
- (5) 31 December 1999.

Small Business Development Corporation

- (1) One. (NB: contract awarded through CAMS).
- (2) \$106 360
- (3) Recherche Software Development Pty Ltd.
- (4) Software development.
- (5) 31 December 1999

International Centre for Application of Solar Energy (CASE)

- (1) Nil.
- (2)-(5) Not applicable.

Gascoyne Development Commission

- (1) Nil.
- (2)-(5) Not applicable.

Goldfields-Esperance Development Commission

- (1) One
- (2) \$100 000. Partnership contribution of \$50 000 each from the Goldfields-Esperance Development Commission and the Kalgoorlie-Boulder Chamber of Commerce.
- (3) Flame Consultants.
- (4) To act as Adviser for the Industry Development Centre.
- (5) 9 May 2000

## Great Southern Development Commission

- (1) One
- (2) \$120 000
- (3) Coney Stevens.
- (3) The development of a strategy for tourism development for the Vancouver Waterways project, involving intensive stakeholder consultation processes.
- (5) 31 December 1999

## Kimberley Development Commission

- (1) Nil.
- (2)-(5) Not applicable.

## Mid West Development Commission

- (1) One.
- (2) \$120 000.
- (3) The Department of Employment, Workplace Relations and Small Business.
- (4) To provide funding for the Mid West Development Commission Industry Development Unit.
- (5) June 2000.

## Peel Development Commission

- (1) Nil.
- (2)-(5) Not applicable.

## Pilbara Development Commission

- (1) Nil.
- (2)-(5) Not applicable.

## South West Development Commission

- (1) Nil.
- (2)-(5) Not applicable.

## Wheatbelt Development Commission

- (1) Nil.
- (2)-(5) Not applicable.

## GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

786. Mr BROWN to the Minister for Planning; Employment and Training; Heritage:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Mr KIERATH replied:

## PLANNING:

## Ministry for Planning

- (1) Nil.
- (2)-(5) Not applicable.

## Western Australian Planning Commission

- (1) Nil.
- (2)-(5) Not applicable.

## Office of the Minister for Planning (Appeals)

- (1) Nil.
- (2)-(5) Not applicable.

## East Perth Redevelopment Authority

- (1) One.
- (2) \$113 485
- (3) DME Contractors
- (4) Fabrication and installation of a public artwork to Claisebrook Circle, East Parade, East Perth.
- (5) 30 September 1999

## Subiaco Redevelopment Authority

- (1) Nil.  
 (2)-(5) Not applicable.

## EMPLOYMENT AND TRAINING

## Western Australian Department of Training and Employment

- (1) 9.

- (2)-(5)

\$50,000	Window Logic	Provision IT services	22/07/2004
\$60,000	Excellence in Education	Consultancy – Policy Advice	01/03/2002
\$99,840	Compact		
	Icon Recruitment Pty Ltd	Web Development and	14/01/2000
		Technical Writing services	
\$120,000	Execom Resources Pty Ltd	Provision IT services	15/09/1999
\$122,720	Icon Recruitment Pty Ltd	Provision IT services	14/01/2000
\$151,840	Execom Resources Pty Ltd	Application Database	
		Administration services	14/01/2000
\$187,200	Platinum Technology Solutions	IT Management services	21/01/2000
\$300,000	CDM Australia	Hardware Purchase and	
		Maintenance	13/07/2000
\$418,000	Execom Resources Pty Ltd	Systems Analyst services	14/01/2000
	People In Computers		
	Synergy Computing		

## Central Metropolitan College of TAFE

- (1) Nil.  
 (2)-(5) Not applicable.

## West Coast College of TAFE

- (1) Nil.  
 (2)-(5) Not applicable.

## South East Metropolitan College of TAFE

- (1) One.  
 (2) \$160,961.00  
 (3) IBM Global Credit.  
 (4) Lease of computer equipment.  
 (5) 1 July 2002.

## South Metropolitan College of TAFE

- (1) One.  
 (2) \$78,109.  
 (3) Heaton Enterprises Pty Ltd.  
 (4) Cleaning services.  
 (5) 31 May 2002.

## Midland College of TAFE

- (1) One.  
 (2) \$208,493 per annum.  
 (3) P & O Berkeley Challenge.  
 (4) Cleaning services.  
 (5) Contract is for a period of three years with 2 x 12 month extension options from 12/7/99.

## South West Regional College of TAFE

- (1) One.  
 (2) \$250,194 per annum.  
 (3) Delron.  
 (4) Cleaning services.  
 (5) 1 July 2004 with two one-year options.

## Great Southern Regional College of TAFE

- (1) Nil.  
 (2)-(5) Not applicable.

## Central West Regional College of TAFE

- (1) Nil.  
 (2)-(5) Not applicable.

## Hedland College

- (1) One.
- (2) \$92,000 per annum.
- (3) Fuji Xerox.
- (4) Provision of 12 photocopier machines across all five Hedland College campuses including provision of service and maintenance on those machines.
- (5) 30 June 2002.

## Karratha College of TAFE

- (1) Nil.
- (2)-(5) Not applicable.

## Kimberley College

- (1) Nil.
- (2)-(5) Not applicable.

## HERITAGE

## Heritage Council of Western Australia

- (1) Nil.
- (2)-(5) Not applicable.

## GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

789. Mr BROWN to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Dr HAMES replied:

## Aboriginal Affairs Department:

- (1)-(5) Nil.

## Ministry of Housing:

- (1)-(5) The Ministry of Housing has let a number of contracts above \$50,000.00 during the time specified. It is not practical for the Ministry to commit the resources required to answer the question in its current form. If the Member has a specific question on a particular contract I will be pleased to provide an answer.

## Office of Water Regulation:

- (1)-(5) Nil.

## Water and Rivers Commission:

- (1) Five.
- (2)
  - (a) \$50,000.00.
  - (b) \$90,000.00.
  - (c) \$222,000.00.
  - (d) \$185,000.00 per hole @ up to 20 holes.
  - (e) \$57,450.00.
- (3)
  - (a) Sinclair Knight Merz.
  - (b) Department of Land Administration.
  - (c) Geophysical Logging.
  - (d) Bunbury Drilling Co.
  - (e) UTS Geographics Pty Ltd.
- (4)
  - (a) Management options, crossing pool.
  - (b) Contour mapping, Gascoyne River.
  - (c) Carnarvon Artesian Basin – data logging.
  - (d) Drilling rehabilitation.
  - (e) Electromagnetic (airborne) survey of Warren Catchment.
- (5)
  - (a) Completed in August 1999.
  - (b) Completed in July 1999.
  - (c) Completed in August 1999.
  - (d) July 2001.
  - (e) Completed in June 1999.

## Water Corporation:

- (1) 42.

(2) Commercial in confidence.

(3)-(5) See below.

Company's Name (Response to Question 3)	Nature of Work or Services (Response to Question 4)	Completion Date for Contract (Response to Question 5)
Sandra Devahasdin Public Relations; Impact Communications Pty Ltd; Hercule Holdings WA Pty Ltd trading as Kris Lane Project Consultants	Services	1 July 2000
Fourth Estate Freelance; Craig Stewart Photography; Gary Peters Photography; Aaron Bunch Photography; AM Pix	Services	28 July 2000
Modular Metals (Australia) Pty Ltd	Minor Works (Drainage & Construction)	12 October 1999
Georgiou Group Pty Ltd	Minor Works (Construction)	5 July 1999
Bachy Pty Ltd	Minor Works (Remedial Works)	26 July 1999
Hunter Watertech Pty Ltd	Minor Works (Design and Construction)	29 October 1999
Kilpatrick Green Pty Ltd	Major Works (Construction)	14 September 2000
Total Eden Watering Systems – Busselton Partnership	Major Works (Design, Construction, Testing & Commissioning)	30 November 1999
Hugall & Hoile	Major Works (Design, Testing & Commissioning)	26 November 1999
Rob Carr Pty Ltd	Major Works (Construction - Infill)	28 February 2000
Leicon Pty Ltd trading as Leicon-Notley	Major Works (Design, Manufacture, Supply, Testing, Installation & Commissioning)	7 December 1999
Leicon Pty Ltd trading as Leicon-Notley	Major Works (Construction)	5 November 1999
ABB Industry Pty Ltd	Major Works (Electrical)	21 January 2000
Ideal Contractors WA Pty Ltd	Major Works (Construction - Infill)	25 November 1999
Devaugh Pty Ltd	Major Works (Construction)	5 November 1999
GNC Contractors (WA) Pty Ltd	Major Works (Construction – Infill)	24 March 2000
Mary Donald Nominees Pty Ltd trading as DJ & MB MacCormick	Major Works (Construction – Infill)	3 September 1999
Nuform Construction Pty Ltd	Major Works (Construction)	23 September 1999
DMW Constructions Pty Ltd	Major Works (Construction – Infill)	10 September 1999
Galaway Investments Pty Ltd trading as Energy Reticulation Services	Major Works (Electrical)	12 August 1999
Premium Corporation Pty Ltd	Major Works (Construction – Infill)	5 November 1999
Ertech Pty Ltd	Major Works (Construction)	26 August 1999
Sinclair Knight Merz Pty Ltd	Consultancy	1 October 1999
Kinhill Pty Ltd	Consultancy	31 December 2001
KPMG	Consultancy	30 October 1999

AL Haime & Associates Pty Ltd; Burns & Roe Worley Pty Ltd; R&R Communications Pty Ltd trading as Powerplan Communications & Control; Sinclair Knight Merz Pty Ltd; Gutteridge Haskins & Davey Pty Ltd; BHP Engineering; Eagledale Holdings Pty Ltd; Tanis Electrical Engineers & Contractors; Communications & Expert Group Pty Ltd; Geo-Eng Australia Pty Ltd; CI Technologies Pty Ltd; BEC Engineering Pty Ltd; Hunter Watertech Pty Ltd; FBR International Pty Ltd; TW&WB McPharlin; Ambassador Engineering; G&J Mitchell trading as PetroMin Engineers; Voran Holdings Pty Ltd; Gibson Quai & Associates Pty Ltd; PCT-Process Control Technology Pty Ltd; Arrellyn Industries Pty Ltd; P&T Bertram Pty Ltd trading as Bertrams Communications; Shell Services International (Australia) Pty Ltd; Consultel Australia Pty Ltd	Consultancy	26 July 2001
Thompsons, Kelly & Lewis Pty Ltd	Supply of Goods	1 November 1999
Tubemakers of Australia Ltd	Supply of Goods	31 March 2001
Keystone Tyco Flow Control	Supply of Goods	29 September 1999
Tubemakers Water, a division of Sorrito Enterprises	Supply of Goods	15 October 2000
Western Switchboard, a division of Harwal Electrical Industries Pty Ltd	Supply of Goods	20 September 1999
Georgiou Group Pty Ltd	Supply of Goods	30 June 2001
ABB Instrumentation Pty Ltd	Supply of Goods	7 July 1999
Vinidex Tubemakers Pty Ltd	Supply of Goods	9 July 1999
Keystone Tyco Flow Control	Supply of Goods	29 October 1999
Vinidex Tubemakers Pty Ltd	Supply of Goods	30 September 1999
Crevet Pipelines Pty Ltd; NMNS Enterprises Pty Ltd trading as SeltecTrading; Galvin Engineering Pty Ltd	Supply of Goods	30 January 2001
Orica Australia Pty Ltd	Supply of Goods	5 July 2002
Zipform Investments Pty Ltd trading as Zipform Electronic Print & Mail; Salmat Mailing & Laser Printing Services Pty Ltd	Services	9 July 1999
Curtin University	Research & Development	30 July 2001
Allight Pty Ltd	Supply of Goods	16 July 1999
Allight Pty Ltd	Supply of Goods	2 July 1999

## GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

790. Mr BROWN to the Minister for Local Government; Disability Services:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Mr OMODEI replied:

DEPARTMENT OF LOCAL GOVERNMENT

- (1) None.  
(2)-(5) Not applicable.

DISABILITY SERVICES

- (1) One.  
(2) \$68,297.00  
(3) Thames Group.  
(4) Supply of Microsoft NT Compliant Servers and Allied Equipment.  
(5) 31 August 1999.

KEEP AUSTRALIA BEAUTIFUL COUNCIL

- (1) One.  
(2) Approx. \$60,000  
(3) Transfield Maintenance.  
(4) Provision of revegetation and litter collection services in the metro area.  
(5) 21 July 2000. The contract can be extended for 2 more years.

METROPOLITAN CEMETERIES BOARD

- (1)-(5) Nil.

FREMANTLE CEMETERY BOARD

- (1) One.  
(2) \$74,899  
(3) Newcastle Industries.  
(4) Building – Kiosk fitout.  
(5) 2/10/99 (estimated).

GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

792. Mr BROWN to the Minister representing the Minister for Finance:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?  
(2) What was the amount of each contract?  
(3) What is the name of each person/entity with whom the contract has been entered into?  
(4) What is the nature of the work or service required by the contract?  
(5) What is the completion date of each contract?

Mr COURT replied:

The Minister for Finance has provided the following response:

Government Employees Superannuation Board

- (1) Three.  
(2) (a) \$82,650  
(b) \$172,668  
(c) \$265,750  
(3) (a) Grist Consulting.  
(b) BHP Information Technology Pty Ltd.  
(c) Jones Lang Lasalle (WA) Pty Ltd.  
(4) (a) To assist with changed management in relation to restructure.  
(b) Implementation of new records management solution.  
(c) Building management.  
(5) (a)-(b) December 2000.  
(c) 30 June 2004.

Insurance Commission of W A

- (1) Two.  
(2) (a) \$57,430  
(b) \$78,250



- (3) (a) KPMG.  
(b) Summit Partitioning.
- (4) (a) Goods & Services Tax.  
(b) Building services.
- (5) (a) 31 August 1999.  
(b) September 1999.

Valuer General's Office

- (1) None.  
(2)-(5) Not applicable.

State Revenue Department

- (1) None.  
(2)-(5) Not applicable.

#### GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

793. Mr BROWN to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Mr BOARD replied:

I am advised that:

Contract and Management Services (CAMS) publishes the contract award details for contracts in excess of \$5,000 on the Government Contracting Information Bulletin Board web site at [www.contracting.wa.gov.au](http://www.contracting.wa.gov.au). CAMS Tenders Management System and Tenders Registration System reports that the following contracts (other than employment contracts and contracts for less than \$50,000) were awarded between 1 June 1999 and 31 July 1999 where CAMS is the principal.

- (1) 76 (seventy six).

(2)	(3)	(4)	(5)*
\$98,359	Murphy Contractors(Civil) Pty Ltd	Technology Park, Bentley Kent Street/Turner Avenue Roundabout Construction	05-Aug-99
\$1,599,288	Devaugh Pty Ltd	Manjimup Senior High School Stage 2 - Alterations and Additions to Classrooms, Administration and Enterprise and Technology	06-Dec-99
\$190,684	National Interiors	Rockingham/Kwinana Psychiatric Services Fitout	21-Oct-99
\$217,090	West Coast Building Co Pty Ltd	North Metropolitan Health Service, Osborne Park Hospital Theatre, Recovery and Main Entry Upgrade	03-Oct-99
\$64,800	Brajkovich & Son Demolition Pty Ltd	Department of Commerce & Trade - Lot 51 Ahoy Rd, Spearwood Demolition of Improvements	30-Aug-99
\$71,024	Arbor Centre Pty Ltd	Barrack Square Advance Landscape Works	23-Jul-99
\$420,713	HIH Construction	Various Metropolitan Primary Schools Transportable Siteworks Package 1 - Early Childhood Program 2000	12-Oct-99
\$1,399,500	Quality Builders Pty Ltd	Various Schools - Pre-Primary Transportable Buildings Early Childhood Program 2000	01-Dec-99
\$284,077	Pacific Building Co.	Belmont Senior High School LAEP Upgrade -	21-Sep-99
\$371,000	Pacific Building Co.	Various Metropolitan Primary Schools Early Childhood Program 2000 - Transportable Siteworks Package 2	27-Oct-99
\$1,382,600	Merym Constructions	Perth Modern School Upgrade 1999	29-Dec-99
\$82,990	Urban Building Co	Albany District Primary Schools - Early Childhood Program 2000 Pre Primary Siteworks Package 4	12-Oct-99
\$109,588	HIH Construction	Pilbara District Primary Schools Early Childhood Program 2000 - Pre Primary Siteworks Package 9	26-Oct-99
\$449,555	KBE Building Services	Various Metropolitan Primary Schools - Early Childhood Program 2000 - Pre Primary Modification Siteworks Package 3	12-Oct-99
\$243,931	West Wide Constructions	Remote Area Schools Stage 3 - Blackstone, Jameson, Mt Margaret, Jigalong & Burringurrah Verandahs	19-Nov-99

\$70,206	Underground Services Australia Pty Ltd	Waters & Rivers Commission, Victoria Park -Ellam Street - Private Sewerage Pump Station and Pressure	30-Sep-99
\$733,333	Earthcare (Australia) Pty Ltd	Kings Park - Water Garden Upgrade	20-Dec-99
\$5,689,068	Geraldton Building Co Pty Ltd	Geraldton - Midwest Regional Museum (Batavia Museum) Construction	02-Mar-00
\$72,823	National Interiors	Market City - Refurbishment of Mezzanine Office for the Chamber of Fruit and Vegetables Industry	13-Sep-99
\$75,676	Elegant Landscapes	Kings Park & Botanic Garden - Fraser Avenue Landscaping - Stage 4 - Old Rifle Range - Redevelopment	19-Aug-99
\$2,396,408	Quality Builders Pty Ltd	Wiluna Police Complex - Redevelopment	14-Mar-00
\$190,282	KBE Contracting Pty Ltd	Meekatharra Hospital - Kitchen Upgrade	05-Jan-00
\$1,271,194	Dawn Express Partitioning Pty Ltd	Ministry of Fair Trading, 219 St Georges Tce Fitout	16-Sep-99
\$445,572	Haworth Australia	Ministry of Fair Trading, 219 St Georges Tce, Perth Workstation & Screen System	14-Sep-99
\$518,800	JM & ED Moore	Halls Head Middle School - Forward Works	05-Oct-99
\$51,753	Willoughby Constructions Pty Ltd	Member of Agricultural Region - Hon K Chance MLC - Geraldton Shopping Centre - Fitout of Shops 10 & 11 - Quotes	27-Aug-99
\$870,300	Hermans and Rossi Electrical	Bunbury and Geraldton Courthouses Provision of Integrated Video and Audio Systems	31-Oct-99
\$2,171,500	Cooper & Oxley Builders Pty Ltd	C W Campbell Remand Centre Upgrade to Gatehouse	25-Jan-00
\$386,755	Pacific Building Co.	Casuarina Prison - Security Upgrade - Unit 1	07-Oct-99
\$12,500,000	Ansett Australia; American Express International Inc.; QANTAS Airways Ltd; Trinity Worldwide Travel; Globetrotter Corporate Travel	Common Use Contract: International Travel Services to various government agencies	19-Jul-01
\$48,000,000	Marketforce Australia	Common Use Contract: Advertising Non-Campaign Provision of Non-Campaign Master Media Advertising Services	31-Jul-01
\$112,000,000	Media Decisions WA	Common Use Contract: Advertising Campaign Provision of Campaign Master Media Advertising Services	31-Jul-01
\$300,000	Consumer Credit Legal Service (WA) Inc	Ministry of Fair Trading Specialist Consumer Credit Advisory Services for a twelve(12) month period	31-May-02
\$50,794	Development Counsellors International	Department of Commerce and Trade Consultant to develop a database of potential investors for Western Australia	30-Sep-99
\$65,100	Kone Elevators Pty Ltd	Royal Perth Hospital - Lift Maintenance	07-Jun-04
\$219,450	Geo-Eng Australia	Water & Rivers Commission The Provision of Bore Investigation and Assessment Services in the Carnarvon Artesian Basin	21-Dec-99
\$291,524	BHP Information Technology	Government Employees Superannuation Board Engagement of a consultant to Assist GESB in the implementation of a new Records System	14-Dec-99
\$284,700	Arthur Andersen	Internal audit services - Provision of - to the Government Employee Superannuation Board	30-Jun-00
\$78,094	Thermo Optek Australia	Central Metropolitan College of TAFE Optical Emission Spectrometer	30-Jul-99
\$185,732	BTR Environmental	Royal Perth Hospital - Maintenance & Certification Testing	30-Jun-02
\$200,000	Grist Consulting Group	Government Employees Superannuation Board - Engagement of a Consultant to Assist with Change Management Issues	17-Jun-01
\$1,950,000	303 Advertising Pty Ltd	The Western Australian Tourism Commission - Advertising Services	30-Jun-02
\$59,095	Aerial Surveys Australia	Department of Environmental Protection - Aerial Survey of Perth Landfills	30-Sep-99

\$50,000	Anglican Health & Welfare Services Inc. (Anglicare)	Community and Peer Support Programs - The development, delivery and evaluation of - in Broome and Kalgoorlie	31-Dec-99
\$360,000	Zipform Investments Pty Ltd; Sands Print Group Ltd	Curriculum Council of WA - Printing of Tertiary Entrance Exams and/or Certification Documentation	02-Jul-00
\$12,450,830	Stewart & Heaton Clothing Co. P/L	Police Services Supply Branch - Provision of Police Apparel Logistics Services	01-Jul-02
\$200,000	WLA Training Services	West Coast College of TAFE - Engagement of a Training Consultant	31-Jul-01
\$89,750	Allwood Machinery Pty Ltd	South East Metropolitan College of TAFE - Supply, Delivery and Installation of One CNC Woodworking Router	01-Aug-99
\$100,000	Transfield Maintenance	Keep Australia Beautiful Council (WA) - Provision of Revegetation, Litter Collection & Graffiti Removal Services	25-Jul-00
\$152,337	Skipper Trucks Belmont	Department of Conservation and Land Management - Supply of One 6x4 Prime Mover	31-Aug-99
\$209,292	NS Komatsu	Department of Conservation and Land Management - Supply & Delivery of one only 108kw Wheel Loader	31-Aug-99
\$575,000	Northern Suburbs Community Legal Centre; Gosnells Community Legal Centre; Community Legal and Advocacy Centre; Goldfields Community Legal Centre; Pilbara Community Legal Service; Geraldton Resource Centre; Agencies for South West Accommodation; Tenants Advice Service	Ministry of Fair Trading - Provision of Tenancy Advice and Education Services by Non Government Organisations	31-Jul-00
\$111,370	KPMG	Department of Contract & Management Services - Provision of Internal Audit Services	27-Jul-02
\$227,196	Australian Management Development & Research Centre	Police Department Provision of Senior Officer Management Training for a Period of 12 months	31-Aug-01
\$58,200	Haefeli-Lysnar Survey Equipment	Central Metropolitan College of TAFE Supply of Three Geodetic Global Positioning Systems	31-Jul-99
\$106,360	Recherche Software Development Pty Ltd	Small Business Development Corporation Development & Implementation of a New Business License Information System	22-Nov-99
\$177,000	TAIT Electronics (Aust) Pty Ltd	Department of Conservation & Land Management - Supply of Very High Frequency Transceivers	30-Jun-02
\$70,905	Dow Digital	Office of Youth Affairs - Provision of Internet Services	19-Jul-00
\$171,464	Nortel Networks Australia	Ministry of Fair Trading - Supply, Installation, Commissioning & Maintenance of a Replacement Telephone System & Disposal of Existing System	06-Sep-06
\$288,978	SmartSoftware Solutions Pty Ltd; Bastion Computer Services Pty Ltd	Department of Commerce & Trade - Provision of Technical Support, Maintenance & Administration Services to the Smartstream FMIS	22-Jul-00
\$11,234,000	Synchronised Software Pty Ltd	GESB – Replacement of the Superannuation Board Administration Platform Outsourcing of Functions	17-Sep-04
\$1,113,850	P&O Berkeley Challenge	Midland College of TAFE Provision of Cleaning Services	11-Jul-02
\$2,006,300	Kim Gorey Turf Maintenance Contractors	WA Sports Centre Trust Maintenance of Grounds, Gardens & Fields at Arena Joondalup & Mowing Service at Challenge Stadium	25-Jul-03
\$121,651	M & V Ranieri	Department of Conservation & Land Management - Narrogin Regional Office Proposed Additions and Modifications at Existing Offices	30-Dec-99
\$135,850	Millar Refrigeration & AirConditioning	West Kimberley House, Derby Replacement Air Conditioning System	27-Sep-99
\$1,250,970	Delron Cleaning	South West Regional College of TAFE - Bunbury Campus - Cleaning Services	30-Jun-04
\$173,252	Urban Building Co	Kojonup Hospital Kitchen Upgrade	29-Sep-99
\$62,000	Glenfield Lawnmowing and Gardening Service	Central West College of TAFE – Geraldton – Gardening	30-Jun-04
\$269,000	Lakis Constructions Pty Ltd	Moora Courthouse Refurbishment to Flood Damage	20-Dec-99

\$52,289	DJ McGinty & Co	Ministry of Premier & Cabinet – New Offices, Suite 3, First Floor, Quartz Centre	13-Sep-99
\$175,700	Rob Stanford Registered Builder	Moora Primary School - Removal of Carpet, Removal & Replacement of Floor Framing & Installation of New Floor Coverings	20-Nov-99
\$240,841	Centerline Constructions	Wooroloo Primary School New Covered Assembly Facility	17-Nov-99
\$117,215	Geraldton Building Co Pty Ltd	Nimitz Street Exmouth - Supply and Install Transportable House	24-Sep-99
\$219,602	Willoughby Constructions Pty Ltd	Leeman Primary School Covered Assembly	03-Nov-99
\$550,924	Elliott's Irrigation (Bruce Rock DHS), Total Reticulation (Dalwallinu DHS), Stirling Irrigation (Katanning SHS)	Bruce Rock, Dalwallinu, Katanning Senior High Schools Automatic Irrigation Systems	22-Oct-99
\$101,580	Martins Painting Service	Beverley District High School - External Repairs and Painting	10-Oct-99

(1) *May include warranty periods, exercisable contract extensions and defects liability periods*

#### OFFICE OF YOUTH AFFAIRS

(1) One.

(2) \$50,000

(3) Anglican Health and Welfare Services.

(4) For the development, delivery and evaluation of a pilot Community and Peer Support Program in the Kalgoorlie-Boulder region.

(5) 31 December 2000.

#### STATE SUPPLY COMMISSION

(1) Nil.

(2)-(5) Not applicable.

#### OFFICE OF CITIZENSHIP AND MULTICULTURAL INTERESTS

(1) Nil.

(2)-(5) Not applicable.

#### GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

796. Mr BROWN to the Minister for Police; Emergency Services:

(1) How many contracts of \$50 00 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?

(2) What was the amount of each contract?

(3) What is the name of each person/entity with whom the contract has been entered into?

(4) What is the nature of the work or service required by the contract?

(5) What is the completion date of each contract?

Mr PRINCE replied:

Police and Emergency Services

(1) Nil.

(2)-(5) Not applicable.

#### GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

797. Mr BROWN to the Minister representing the Minister for the Arts:

(1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?

(2) What was the amount of each contract?

(3) What is the name of each person/entity with whom the contract has been entered into?

(4) What is the nature of the work or service required by the contract?

(5) What is the completion date of each contract?

Mrs EDWARDES replied:

Ministry/ArtsWA

- (1) None.
- (2)-(5) Not applicable.

Library and Information Service of Western Australia

- (1) None.
- (2)-(5) Not applicable.

Western Australian Museum

- (1) One (1).
- (2) \$240,000
- (3) Prestige Property Services.
- (4) Cleaning Contract.
- (5) 21/6/2002

Art Gallery of Western Australia

- (1) One (1).
- (2) \$60,259
- (3) Vernon Systems Limited, Auckland, NZ.
- (4) The supply and installation of a new collection management database for the Art Gallery.
- (5) 31/12/1999.

Perth Theatre Trust

- (1) None.
- (2)-(5) Not applicable.

ScreenWest

- (1) None.
- (2)-(5) Not applicable.

#### GOVERNMENT CONTRACTS, IN EXCESS OF \$50 000

798. Mr BROWN to the Minister representing the Minister for Transport:

- (1) How many contracts of \$50 000 or more (excluding employment contracts) has each department and agency under the Minister's control entered into between 1 June 1999 and 31 July 1999?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract has been entered into?
- (4) What is the nature of the work or service required by the contract?
- (5) What is the completion date of each contract?

Mr OMODEI replied:

The Hon Minister for Transport has provided the following response:

See preamble to response provided to Parliamentary Question Legislative Assembly 213 dated 11 August 1999.

#### UNEMPLOYMENT STATISTICS

813. Mr BROWN to the Minister for Employment and Training:

What was the unemployment level in -

- (a) December 1992;
- (b) January 1993;
- (c) February 1993; and
- (d) March 1999;

in the suburbs of -

- (i) Armadale;
- (ii) Cockburn;
- (iii) Gosnells;
- (iv) Melville;
- (v) Kwinana; and
- (vi) Serpentine-Jarrahdale?

Mr KIERATH replied:

The Department of Employment, Workplace Relations and Small Business produces estimates of unemployment for small

area labour markets across Australia. Through this data, estimates of unemployment for individual towns and Local Government Areas can be examined. Prior to 1994, regional unemployment data was produced only for the June quarter each year and covers small area labour markets at the Local Government level. Data for the June 1992 and June 1993 quarters is provided below for the relevant Local Government Areas. From 1994 onwards, data is available on a quarterly basis.

During the June 1992 quarter, the unemployment levels in the area were:

City of Armadale – 3,438 persons;  
 City of Cockburn – 3,101 persons;  
 City of Gosnells – 5,429 persons;  
 City of Melville – 3,012 persons;  
 Town of Kwinana – 1,520 persons;  
 Shire of Serpentine-Jarrahdale – 400 persons.

During the June 1993 quarter, the unemployment levels in the area were:

City of Armadale – 3,474 persons;  
 City of Cockburn – 3,032 persons;  
 City of Gosnells – 5,388 persons;  
 City of Melville – 3,001 persons;  
 Town of Kwinana – 1,368 persons;  
 Shire of Serpentine-Jarrahdale – 410 persons.

During the March 1999 quarter, the unemployment levels in the area were:

City of Armadale – 2,682 persons;  
 City of Cockburn – 2,739 persons;  
 City of Gosnells – 3,621 persons;  
 City of Melville – 2,513 persons;  
 Town of Kwinana – 1,302 persons;  
 Shire of Serpentine-Jarrahdale – 135 persons.

#### NORTH WEST MENTAL HEALTH BUDGET

828. Mr GRAHAM to the Minister for Health:

- (1) Since October 1998 what has been the budget allocation for health services in the North West of the State to deal with mental health?
- (2) Since October 1998 what additional allocation has been made to health services in the North West of the State to deal with mental health?
- (3) If there was no additional allocation, what is/are the reason/s that no additional allocation has been made?
- (4) If there was an additional allocation -
  - (a) what is the allocation to each health service in the North West;
  - (b) for what purpose is each allocation made;
  - (c) what is the period which the funding is expected to cover; and
  - (d) what are the outcomes that the funding is expected to achieve?

Mr DAY replied:

- (1) The Budget allocation for 1998/99 was \$ 2,981,360.
- (2) The budget allocation for 1999/00 is \$ 3,562,670 an increase of \$ 581,310.
- (3) Not applicable.
- (4)
  - (a) The North West Mental Health region comprises the Kimberley Health Service, the East Pilbara Health Service and the West Pilbara Health Service. All funding is allocated to the Kimberley Health Services which is the "Head Service" for the North West Mental Health Region.
  - (b) The increase in allocation comprises:
 

Community Service Development	\$200,000
Air travel supplement	\$100,000
Regional Youth Counsellors	\$140,000
Aboriginal Programs	\$ 38,000
Regional Detoxification services	\$ 14,000
Tobacco Sales Control	\$ 4,000
Consumer Price Index escalation	\$ 85,310
  - (c) Funding is provided annually on a financial year basis.
  - (d) Expansion of community and outreach capacity for Mental Health and Alcohol & Drug programs.

#### ABORIGINAL HEALTH WORKERS, PILBARA

833. Mr GRAHAM to the Minister for Health:

How many Aboriginal health workers are employed in Aboriginal communities in the Pilbara region of the State?

Mr DAY replied:

This information is an approximate estimate based on information from the records of East and West Pilbara Health Services, Aboriginal Medical Services and from a recent questionnaire conducted by the Pilbara Public Health Unit. Aboriginal Health Workers are employed throughout the East and West Pilbara Regions and are as follows:

Newman Community Health	2
Newman Medical Centre	2
Port Hedland Community Health	2
South Hedland Community Health	2
Roebourne Shire Community Health	2
Communicable Diseases Unit	1
Environmental Health Unit	6
Karratha Sexual Health	1
Tom Price	1
Aboriginal Medical Services	
Mawarnkarra AMS (Roebourne)	10
Puntukurnu AMS (Jigalong)	3
Wirraka Maya AMS (Port Hedland)	5
Well 33	1
Cotton Creek	2
Roebourne	10
Punmu	1

#### OIL LEAK, BELVIDERE, EAST PERTH

845. Ms MacTIERNAN to the Minister for Planning:

- (1) Has Ertech Pty Ltd or its insurers admitted liability for the oil leak at the Belvidere subdivision in East Perth?
- (2) If not, who will meet the costs of the clean-up?
- (3) Did the Environmental Protection Authority (EPA) conduct an investigation into the leak?
- (4) If yes, will the Minister table the EPA report?
- (5) If not, why not?

Mr KIERATH replied:

- (1) No.
- (2) The East Perth Redevelopment Authority's insurer.
- (3) No. The investigation was undertaken by environmental consultants to Western Power and the results were made available to the Department of Environmental Protection.
- (4)-(5) Not applicable.

#### GLOUCESTER PARK REDEVELOPMENT

846. Ms MacTIERNAN to the Minister for Planning:

- (1) Has the East Perth Redevelopment Authority (EPRA) been approached by the Western Australian Trotting Association (WATA) or any other body to assess the viability of the redevelopment of Gloucester Park for residential and commercial purposes?
- (2) If yes, who approached EPRA?
- (3) Does EPRA have any plans to develop the Gloucester Park land?
- (4) If yes -
  - (a) when is it envisaged that the land will be developed;
  - (b) is EPRA considering purchasing Gloucester Park to develop the land;
  - (c) is EPRA considering developing Gloucester Park in conjunction with the WATA; and
  - (d) what is the anticipated cost and financial benefit to EPRA of the development?
- (5) Is Gloucester Park or any of its buildings heritage-listed?
- (6) If yes, what parts of Gloucester Park are heritage-listed?

Mr KIERATH replied:

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

- (3) No.
- (4) Not applicable.
- (5) No, however, may be in the future.
- (6) Not applicable.

#### WHITEMAN PARK, EXTENSION

854. Mr BROWN to the Minister for Planning:

- (1) Did the Government recently announce plans to extend Whiteman Park?
- (2) Will the park be extended?
- (3) What is the precise description of the area of land that will be included in the park?
- (4) Is any of that new area over a priority 1 water catchment - Gngangara Mound area?
- (5) If so, what percentage of that new area is over priority 1 catchment area?
- (6) What buildings/activities are permitted to be provided/constructed over the priority 1 water catchment area?
- (7) Can this area be used for any activities that will ameliorate the cost of running Whiteman Park?
- (8) How big is the area to be sold off from Whiteman Park?
- (9) Is the area to be sold off a water conservation area?
- (10) Is the area to be sold off over a priority 1 water catchment?
- (11) Will the inclusion of the new area and the selling off of the area not on the priority 1 mound leave the park with -
  - (a) a huge or enlarged water conservation area to manage; and/or
  - (b) a smaller area for the development of facilities?
- (12) Will the area left for development be large enough for projects over the long term, say for fifty years plus?
- (13) Is the area to be sold off mostly or partly wetland?
- (14) Is it likely that Bennet Brook will suffer further degradation as a result of the proposed sell off of that land?

Mr KIERATH replied:

- (1)-(2) Yes.
- (3) The land being added to Whiteman Park consists of a 1,000 hectare site located in the 'IP8' West area which lies immediately to the south of Gngangara Road and west of Beechboro Road and a 250 hectare section of land south of the Park following the Bennett Brook from Marshall Road to the Swan River.
- (4) Yes.
- (5) Approximately 80%.
- (6) Buildings/activities are subject to the requirements of Water catchment provisions as determined by Waters and Rivers Commission.
- (7) Yes.
- (8) 263 Hectares (Overall an area of approximately 340 hectares has been identified for disposal. The extra 80 hectares is not within the current boundaries of Whiteman Park).
- (9)-(10) No.
- (11) (a) Yes.  
(b) No.
- (12) Yes.
- (13) No. The land is to be disposed is degraded grazing lands.
- (14) No.

#### WHITEMAN PARK, EXTENSION

855. Mr BROWN to the Minister for Planning:

- (1) Has the Government recently announced plans to extend Whiteman Park and sell off part of Whiteman Park?



- (2) Is it true that some of the land to be sold was acquired for inclusion in the park in the 1960s or 1970s?
- (3) Was the land acquired by the use of some money from the Federal Government?
- (4) What amount of Federal Government money was provided to acquire the land?
- (5) Were there any conditions in the Federal Government funds made available that require the State to repay the money to the Federal Government?

Mr KIERATH replied:

- (1)-(3) Yes.
- (4) The Federal Government provided \$2.910 million under the Urban and Regional Development (Financial Development) Act to purchase a portion of the lands under the Improvement Plan No. 8.
- (5) This is currently the subject of discussions between officers of the Ministry for Planning and Federal counterparts.

#### WHITEMAN PARK, RENT FOR USE OF FACILITIES

856. Mr BROWN to the Minister for Planning:

- (1) How many non Government organisations/clubs use Whiteman Park?
- (2) How many of these organisation/clubs pay rent for their facilities at the Park?
- (3) What is the amount of rent paid by each organisation/club?
- (4) How is the rent calculated?
- (5) Is there a consistent formula used in the assessment of rents?
- (6) If so what is that formula?
- (7) Has the same formula been applied to each organisation/club?
- (8) If not why not?

Mr KIERATH replied:

- (1) There are 26 sports and other clubs and groups of a not for profit nature with facilities within Whiteman Park, 6 commercial operators and one school.
- (2) All of them.
- (3) The current annual rent paid by each group is as follows:

##### NOT FOR PROFIT GROUPS

W.A. Light Railway Preservation. Association Inc.	\$140 + 5% of turnover
Perth Electric Tramway Society Inc.	\$110 + 5%
W.A. Model Aircraft Sport Centre Inc. (Representing 5 groups)	\$923
Tractor Museum of W. A. Inc.	15% of turnover
Motor Museum (Combined Car Clubs)	40% of turnover
Whiteman Park Pottery Association Inc.	\$3750 + 5%
Whiteman Park Crafts Association Inc.	\$3350 + 5%
Woodmagic Inc.	\$2250 + 5%
Bus Museum of Western Australia Inc.	\$1200
Astronomical Society of Western Australia Inc.	\$174
Model Off Road Buggy Club Inc.	\$50
Horseman's Pony Club Inc.	\$593
Perth Regional Appaloosa Club Inc.	\$190
W.A. Shooting Association Inc. (Representing 7 groups)	\$1144

##### COMMERCIAL ORGANISATIONS

Village Cafe	10% of turnover
Channel 7	\$15,000
Vodafone	\$8,240
Whiteman Park Print Shop	\$3540 + 5% of turnover
Parke Adventure Tower	\$390 + 5% to 15% of turnover
Glen Williams (furniture maker)	\$780 + 5% of turnover
Riverlands School	\$14,000

- (4) By application of the rates and percentages set out in each lease.
- (5) Yes, except where negotiation with commercial organisations allows a higher return to the Park to be realised.
- (6) Lease payments are calculated as a 4% per annum return on the assessed market value of the land area or building occupied, based on the existing use, this valuation being done by an external independent property valuation

consultant. Where a group makes use of an area of the park but do not have or need exclusive access to that land, such as the area over-flown by the model aircraft, and some horse riding areas, a licence fee is charged in lieu of lease rental, at 20% of the equivalent lease payment for that area. Organisations that sell a product or service are charged a licence fee from 5% of turnover in addition to lease rental. Leases with commercial organisations are negotiated on a commercial basis appropriate to the intended use, and any potential benefit to the Park, with a view to maximising the return to the Park.

- (7) Yes, except in the case of commercial organisations where a higher return could be realised by negotiation as previously outlined.
- (8) Not applicable

### QUESTIONS WITHOUT NOTICE

#### GOVERNMENT VEHICLE FLEET, FINANCIAL NEGOTIATIONS

##### 268. Dr GALLOP to the Premier:

I refer to the story on the front page of *The West Australian* earlier this month under the headline "Car fleet fiasco costs State \$30m".

- (1) Is the Premier concerned when his former Minister for Services and also Minister for Works, the member of Greenough, says he did not have a grasp of the complicated financial negotiations before signing off on the deal?
- (2) Is it normal practice for ministers to sign deals worth hundreds of millions of taxpayers' dollars without understanding what they are getting into?

##### Mr COURT replied:

- (1)-(2) The member to which the Leader of the Opposition referred has told me that that was not the case. I had something to say about some of the reporting of this matter at a press conference this morning. To talk about that deal as a fiasco and as disastrous, and to talk about losses is all false with a capital F. It is about time for some credibility in the reporting of those matters.

#### NORTHERN SUBURBS GRAFFITI TASK FORCE

##### 269. Mr BAKER to the Minister for Police:

I refer to the establishment last year of the Northern Suburbs Graffiti Task Force and ask whether the minister can provide this House with a brief report concerning this group's operations to date.

##### Mr PRINCE replied:

I thank the member for some little notice of this question, which has enabled me to put together some facts and figures. As it is not the briefest of reports, I shall summarise it, and then make the detail available to the member.

A comparison of the figures in 1997-98 with those in 1998-99 shows a reduction of 14 per cent in the total number of offences reported in the Mirrabooka police district, and between 1997-98 and 1998-99, a reduction of 7.2 per cent. It is interesting to note that in the six months between November 1998 and April 1999, the reported incidence of graffiti fell by 49 per cent. The City of Stirling clean-up campaign removed about 26 000 tags during the financial year to 30 June this year. In 1998-99, the Ministry of Justice work order teams attended to approximately 100 000 square metres of fencing throughout the area. There has been a considerable change in the way these matters are handled. The result has been a much more rapid deployment of clean-up teams in response to fresh graffiti reports, which is of benefit to the public. Graffiti still remains a problem, although at a much reduced level.

For the year ended 30 June 1999, the Mirrabooka police district effected a total of 281 arrests, summons or cautions. That shows that the efforts of the community as a whole are fundamental to the success of the campaign. There is a voluntary code of practice in place for retailers with regard to the sale of textas, crayons, paint spray cans and glass cutters, and zero tolerance of those items at a number of senior high schools. There is now an increasing use of textas rather than spray cans for graffiti. To a certain extent that is a result, first, of the shopkeepers stopping people buying spray cans and, secondly, putting them into display cabinets so that they cannot be stolen easily. The result is beneficial, but there has also been a shift to the use of other objects for graffiti. That is a summary. I will make the paper available to the member for Joondalup and to any other member who would like more information.

#### GOVERNMENT VEHICLE FLEET, ALINTAGAS

##### 270. Dr GALLOP to the Minister for Energy:

Will the minister confirm that AlintaGas has withdrawn from the Matrix Finance Group vehicle leasing deal; and, if so, will the minister explain why AlintaGas has walked away from this deal?

**Mr BARNETT replied:**

I do not know the fine details of it. However, AlintaGas preferred to purchase and own its vehicles. As a general comment, for government trading enterprises, such as Western Power and AlintaGas particularly, which operate, in a commercial sense, totally separately from government, I prefer them to have their own arrangements for certain things, including vehicles. From my recollection, there was no particular concern about the Matrix deal; it was simply that AlintaGas preferred to do its own -

Dr Gallop: So there were not any benefits in it?

Mr BARNETT: It chose to do its own corporate thing.

Dr Gallop: Were there losses to it?

Mr BARNETT: If the Leader of the Opposition had given me prior notice of the question, I would have asked the question -

Dr Gallop: You should know.

Mr BARNETT: It is not a matter of "should know". I do not interfere in AlintaGas' vehicle purchasing.

Dr Gallop: This is a matter of public controversy and you should know the answer to the question.

Mr BARNETT: If the Leader of the Opposition had given me some warning, I may have provided some information on AlintaGas' view. AlintaGas chose to maintain and own its vehicles. I have no difficulty with its doing that.

Dr Gallop: What does that say about its view of your Government?

Mr BARNETT: Nothing.

**YAGAN'S HEAD, REBURIAL****271. Mrs van de KLASHORST to the Minister for Aboriginal Affairs:**

In the Swan Valley people are looking for Yagan's grave with a view to building an interpretive centre in the area. I know of the controversy in the Aboriginal community over the reburial of this great warrior's head. Will the minister please advise me, so that I can advise these people, what actions are being taken to facilitate reburial of Yagan's head?

**Dr HAMES replied:**

I thank the member for some notice of this question. This matter has been somewhat controversial within the Aboriginal community. Members will recall that last year a group of Aboriginal elders went to England to retrieve Yagan's head, which was sent over there and buried under a series of orphans' graves. It took some efforts, particularly by Ken Colbung, to retrieve that head. Once it was retrieved, the Derbarl Yerrigan Committee, which comprises representatives from those senior elders groups, was set up. As a result of that, and with some funding from the Aboriginal Affairs Department and support from the Minister for Planning and the Metropolitan Cemeteries Board, a great deal of work has been done in conjunction with the local shire to search for the body of Yagan. That committee has employed a leading expert in finding graves, an eminent archaeologist, Professor Richard Wright from Sydney, who until recently has been in Bosnia employed by the International War Crimes Tribunal searching for graves. He has searched about half of the site and has not yet been able to find the grave. However, he is continuing with that work.

The controversy is that one member of the local Aboriginal community has broken away from the group organising the search. This person is creating some conflict within the Aboriginal community about where the people are looking and what should happen at the conclusion of the search. My understanding is that once the Derbarl Yerrigan Committee has found the grave, it intends to build a memorial on that site, with an interpretive centre located on the same site. That will be done if and when a burial site is found.

**GOVERNMENT VEHICLE FLEET, TENDER DOCUMENTS****272. Mr RIPPER to the Minister for Services:**

I refer to the tender documents for the contracting out of the Government's vehicle fleet, and ask -

- (1) Will the minister explain why his department chose not to proceed with the original tender, that of a two-year operating lease with no residual value, and instead proceeded with a 10-year, \$270m motor vehicle funding facility?
- (2) Does the minister believe that the sale of the vehicle fleet and the adoption of vehicle leasing have introduced new financial pressures in increasing leasing costs?

**Mr BOARD replied:**

- (1)-(2) I cannot believe that the members of the Opposition are continuing to have a go at a contract which is returning a profit to the community and to the taxpayers. They are absolutely on the wrong track. Have they given any thought to the \$200m debt that was retired as a result of what we inherited from the Opposition? Have they given any thought to the \$5m less in interest payments we must pay as a result of not having that debt? As the Premier has already indicated, this contract has had an independent assessment. The financial gain to the taxpayer is there for all to see. We stand by the Matrix Finance Group contract.

## GOVERNMENT VEHICLE FLEET, LEASING COSTS

**273. Mr RIPPER to the Minister for Services:**

As a supplementary question, does the minister believe that the sale of the vehicle fleet and the adoption of vehicle leasing have introduced new financial pressures in terms of increasing leasing costs?

**Mr BOARD replied:**

The Opposition must know that whoever leases or buys a vehicle in Western Australia is subject to the marketplace. The financial arrangements which are in place are a benefit to the community. As the Premier has already indicated in his statement today, the second-hand car market has changed over the past few years. Whoever buys or leases a car is subject to that market.

## LANDCORP, DEBT

**274. Mr BAKER to the Minister for Lands:**

Can the minister provide the House with a commentary on LandCorp's debit situation over the past three years?

**Mr SHAVE replied:**

I thank the member for some notice of this question.

Mr McGinty: What a good question! That is a disgrace.

The SPEAKER: Order! Members must be careful with their questions. Asking a minister to provide a commentary is very open-ended.

Mr SHAVE: It is true that the Government has placed a high value upon improved financial performance and the lowering of debt levels carried by the public sector generally. Agencies, such as LandCorp, have been required to review their balance sheets, identify core and non-core assets and then determine what actions will bring about a lowering of their debt positions. LandCorp's response is clearly demonstrated. LandCorp's debt levels have fallen from \$107m at the end of 1996-97 to \$41m at the end of 1997-98. At the end of 1998-99, there was a cash positive position. The financial performance of public sector trading agencies is an important matter for the Government. LandCorp's future activities, debt levels, periodic asset reviews and repositioning strategies will continue to reflect this Government's emphasis on minimising debt levels, and minimising a financial burden that would otherwise be carried by every Western Australian.

## GOVERNMENT VEHICLE FLEET, LEASING COSTS

**275. Dr GALLOP to the Minister for Services:**

Given the minister's last answer, is he now backing away from his Cabinet minute dated 1 April 1999, which states that the Matrix deal has resulted in new financial pressures in terms of increasing leasing costs?

**Mr BOARD replied:**

The Leader of the Opposition seems to have in front of him information about what goes to Cabinet these days, and that is interesting. I stand behind what I said in my previous answers: The marketplace is a changing entity. The fact is that second-hand cars -

Dr Gallop: Leasing costs.

Mr BOARD: Will the Leader of the Opposition let me answer the question? The price of second-hand cars has dropped because of the goods and services tax. It has an effect on leasing costs, and that affects the whole marketplace. We stand behind the financial arrangements which are in place.

## GOVERNMENT VEHICLE FLEET, NEW FINANCIAL PRESSURES

**276. Dr GALLOP to the Minister for Services:**

I have a supplementary question. Has the Matrix Finance Group deal resulted in new financial pressures in terms of increasing leasing costs to the Government?

**Mr BOARD replied:**

Anyone leasing a car in Western Australia today is paying more than he was 12 months ago, when he was paying more than he was two years ago.

## GOVERNMENT PRIORITIES, STATEMENTS BY LEADER OF THE OPPOSITION

**277. Mr MASTERS to the Minister for Employment and Training:**

- (1) Is the minister aware of statements made by the Leader of the Opposition regarding this Government's priorities being focused on Perth's central business district?
- (2) Is the minister aware of any examples which show that these statements are wrong?

Several members interjected.

The SPEAKER: Order! The Leader of the Opposition -

Mrs Roberts interjected.

The SPEAKER: Order! The member for Midland should always keep an eye on the Chair. Interjecting when I am standing is a serious offence.

**Mr KIERATH replied:**

(1)-(2) I thank the member for the question. I am aware of certain comments the Leader of the Opposition has made.

Dr Gallop: You monitor them very closely.

Mr KIERATH: Yes, I do. I listen to what the Leader of the Opposition says because I understand that when a person is under pressure he can get rather desperate. However, I cannot understand why the Leader of the Opposition would make a statement which is so easily disproved. Where in St Georges Terrace is Margaret River? The Government has announced that it is funding a study into a wine science centre of excellence. Where on earth is the largest TAFE campus in the Kimberley? It is in Broome. Is that in the Terrace? I do not think so. One could hardly say that Broome is in the central business district. The member for Moore is getting a new TAFE at Moora. Will the Leader of the Opposition try to tell me that Moora is located in the Hay Street Mall?

Several members interjected.

Mr KIERATH: I do not think the Leader of the Opposition would know, I do not think he goes to regional Western Australia. The last time the Leader of the Opposition made an ill-informed swipe at the Government, I informed the House of the various planning strategies in place for rural areas. Clearly that information did not sink into the Leader of the Opposition so I will run through them again for his benefit. They are Port Hedland, Shark Bay, Broome, North West Cape, the mid-west, Karratha, Leeuwin-Naturaliste, Wilbinga-Lancelin, and the Peel and goldfields regions. That is just to name a few. I do not know where the Leader of the Opposition hides. I admit it does not take a Rhodes scholar to see that none of these excellent initiatives is located in the central business district. We know that the Leader of the Opposition cannot read the Budget Statements - I have shown before that he cannot understand them. Now he does not know where the central business district is. Perhaps the Leader of the Opposition should study a map of Western Australia instead of reading political biographies.

#### GOVERNMENT VEHICLE FLEET, LOSSES BORNE BY INSURANCE COMPANY

**278. Mr RIPPER to the Premier:**

I refer again to the vehicle leasing contract.

- (1) Is the Managing Director of the Matrix Finance Group, Garrick Hawkins, correct when he states that losses of \$1m are not being borne by the State or Matrix but rather by an insurance company?
- (2) If so, can the Premier explain how this is so and will he identify the insurance company?

**Mr COURT replied:**

- (1)-(2) The Matrix Finance Group wrote a detailed letter to *The West Australian* because of the misinformation which had been printed in that newspaper. That letter explains these matters and I will give the Opposition a copy of it. To my knowledge, that letter has not been published. A difficulty facing the Opposition is that it has been silent on this matter. Then there was a series of front-page stories in *The West Australian* which the Opposition has assumed to be correct and it has asked a series of questions based on that assumption. I will provide the Opposition with a copy of the letter from Matrix. I will have it in a few minutes if it can be sent in and the Opposition will then have an understanding of that involvement.

#### GOVERNMENT VEHICLE FLEET CONTRACT, AVAILABILITY TO BE VIEWED

**279. Mr RIPPER to the Premier:**

If the Matrix Finance Group contract is so good, why can Western Australians not see a copy of it?

**Mr COURT replied:**

It is not usual - I never knew of it during the Opposition's time in government - to make public any financial contracts.

Mr Ripper: Why can't we see it if it's so good for the State?

Mr COURT: The Deputy Leader of the Opposition should ask himself the question.

Ms MacTiernan: Time has moved on. We have moved on. We have a report from the Commission on Government. We are in the 1990s, not the 1980s. That's what's changed. We've learnt; you haven't.

Several members interjected.

The SPEAKER: Order! Question time was going famously until the outburst from the member for Armadale.

Mr COURT: Time has moved on. This Government, for example, has operated under freedom of information legislation, which the Opposition never did when it was in government. We provide briefings to members opposite that we could only have dreamt of receiving when we were in opposition; for example, on the actuarial report.

Mr Ripper: So, you'll give us the report?

Mr COURT: No, I will not give the report to the Opposition.

Mr Ripper: You won't give us the contract so that we can analyse it ourselves? What have you got to hide?

Mr COURT: The Deputy Leader of the Opposition should listen to this because he will ask me the same question tomorrow. I will not give the actuarial report to the Opposition because the report outlines all of the information that the Government requires for negotiations with this contract. The contract is written in such a way that it can be renegotiated. The Opposition does not understand some of these things.

Dr Gallop: So, there are problems in that report. You are renegotiating it.

Mr COURT: I cannot believe how naive the Opposition is.

Dr Gallop: We are not naive. You are a sucker, Premier. They are making the profits and you are making the Western Australian taxpayers carry all the risks; it is simple.

Mr COURT: If we had continued to do what the Opposition did when it was in government there would have been a \$39m additional cost for our vehicles.

Mr Kobelke: Justify the numbers you drag out of the air, Premier, which have no meaning at all. You have done it time after time. Justify the \$39m. Table the documents. They are just as flimsy as this bit of nonsense and should be tabled.

Dr Gallop: It is a one-and-a-half page memo from someone who is employed by the Government.

Mr COURT: Is the Leader of the Opposition saying that independent actuarial advice -

Dr Gallop: Is Mr Williamson the Chairman of the Government Employees Superannuation Board or not?

Mr Ripper: This is actuarial advice. It's a wonder it wasn't signed by Jack Gilleece!

Mr COURT: Now this is interesting.

Dr Gallop: Is it true or not?

Mr COURT: The Opposition is now saying -

Dr Gallop: Is it true?

Mr COURT: Let me finish. The Opposition is now saying that an independent actuarial report from PricewaterhouseCoopers is false.

Mr Kobelke: Will you table the letter that requested that advice?

Mr COURT: I will table that information.

[See paper No 204.]

Mr Ripper: Will you give us the contract tomorrow?

Mr COURT: No, I said I would not provide the contract. When the Opposition was in government it never provided contracts, which is appropriate with commercial contracts.

Ms MacTiernan: Why did you tell this Parliament, after the Commission on Government's recommendations had been received, that you would table these contracts?

Mr COURT: I have just explained that the Opposition today has questioned independent advice given on this matter.

#### CARNARVON AND LOWER GASCOYNE, LOCAL WATER RESOURCES

#### 280. Mr SWEETMAN to the Minister for Water Resources:

- (1) Will the Minister for Water Resources please explain what future development using local water resources is proposed for Carnarvon and surrounding areas of the lower Gascoyne River.
- (2) Can the minister explain how the local water resources will sustain any future development?

#### Dr HAMES replied:

I thank the member for the question.

- (1)-(2) I have recently established the Lower Gascoyne Water Resources Development Steering Committee on behalf of the Government to look at water resources in the Gascoyne area. The committee comprises representatives from the community, industry, local government and State Government, including the member for Ningaloo. The inaugural meeting of the committee was held on 18 August 1999. Some of the options to be considered by that steering committee include, first, increasing the availability of water to Carnarvon; second, new development adjacent to the existing water supply area of the lower Gascoyne; and third, new development upstream of Rocky Pool, some 50 kilometres east of Carnarvon on the Gascoyne River.

In addressing those options the committee will be required to consider the economic, social and environmental aspects as well as the current and future needs for the development of this State. There is great potential here for a win situation on all fronts. We will be able to guarantee future water supplies for the residential expansion in Carnarvon, ensure ongoing improvements to the water supply for existing horticulturalists and do something about providing some guarantee against low water flows in the future.

We will also be able to develop possible future horticultural expansion either upstream from Carnarvon or in the Rocky Pool area. The committee will have about 18 months to prepare a report that I hope to take to Cabinet by February 2001 to consider that possibility.

#### GOVERNMENT BUS FLEET, SALE

##### **281. Mr RIPPER to the Premier:**

I refer to the article headlined "Matrix in bus lease deal" in today's edition of *The West Australian* and ask -

- (1) Has the existing bus fleet been sold? If so, for what price and how many buses were involved in the sale?
- (2) Was the fleet valued before the sale? If so, at what value?
- (3) What are the leasing arrangements for the buses that have been sold?

##### **Mr COURT replied:**

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

#### NORTHERN AUSTRALIA, DEVELOPMENT

##### **282. Mr BRIDGE to the Minister for Planning:**

As members will be aware, I have frequently asked in this place over many years about development of northern Australia, particularly the north west of our State. Given this, I ask the minister to outline what steps, if any, are in place to enhance development in the area?

##### **Mr KIERATH replied:**

I thank the member for some notice of this question. I am pleased to inform the House, particularly the member for Kimberley, that the Kununurra-Wyndham area is poised to become the important growth hub of northern Australia. That is highlighted by the recent release of a draft of the Kununurra-Wyndham area development strategy. The area's economy will be built on diversifying its base from pastoralism, irrigated agriculture, tourism, mining, resource development, fishing and aquaculture. Kununurra will continue as the principal town in the area. Plans allow for a future population of 10 000 people, with expansion in a southern direction. The Wyndham structure plan is based on a population of 2 000, development in the port area for industry. The three-mile area is residential and the six-mile area is rural residential.

As I think the member for Kimberley was keen to determine, the development of land in the area and the settlement hierarchy will be largely influenced by Aboriginal values and aspirations. Planning for the settlements and the service centres will include the land allocation. The Aboriginal, European and Asian heritage places will represent various phases of adaptation and ingenuity in the Kimberley area. The strategy recognises those aspects as worthy of conservation.

This is yet another example of governing for all Western Australians, not just those in inner cities. It shows how hollow and desperate are the claims made by the Leader of the Opposition. This Government is proud of its national leadership on strategic planning for not only the economy but also the culture and heritage of regional Western Australia. I am particularly pleased with the efforts regarding the Kimberley.

#### CRAB SEASON

##### **283. Mr MARSHALL to the Minister for Fisheries:**

It is estimated that the professional blue manna crab catch last season in the Peel waterways was valued at \$330 000.

- (1) Will the prolific crab season developed since the opening of the Dawesville Channel in 1994 continue?
- (2) What has been the impact of crab traps rather than netting on the industry in my electorate?

##### **Mr HOUSE replied:**

- (1)-(2) It is true that the catch of all fish, including crabs, has increased since the opening of the Dawesville Channel. Scientists at Fisheries WA tell me that the coming season will be very good, and indications are that an enormous number of crabs are coming into the estuary. The change to traps from nets has had a number of beneficial effects, including allowing the smaller crabs to escape and not become tangled and lost in the nets as occurred previously. This has allowed professional fishermen to spend less time, and therefore incur less cost, accessing their crab quota. Increased numbers of crabs are coming into the Mandurah Estuary as a result of the Dawesville Channel, which also has been good for recreational fishing.

## GOVERNMENT BUS FLEET, SALE

**284. Mr RIPPER to the Premier:**

Given the Premier's half-smart answer to my last answer, I ask -

- (1) Is the Government considering selling the existing bus fleet?
- (2) If so, what price is anticipated will be gained from the sale, and how many buses will be involved in such a sale?
- (3) Has the existing bus fleet been valued in anticipation of such a deal?
- (4) If yes to (3), what value has been accorded to the fleet?

**Mr COURT replied:**

(1)-(4) The member said that I had made a smart answer -

Mr Ripper: Half-smart.

Mr COURT: The previous question was: Has the existing bus fleet been sold, and if so, for what price and how many buses were involved in that sale? I answered no.

The answer to the first part of this question is yes. The Deputy Leader of the Opposition spoke about the anticipated price, the numbers of buses involved and their value. I am sorry, but I do not have that information at my fingertips. If the member places the question on notice -

Dr Gallop: We gave you notice!

Mr COURT: The Deputy Leader of the Opposition asked whether the Government is anticipating selling the existing bus fleet, but the question of which the member gave me notice had nothing to do with that matter. The member read the wrong question!

Mr Ripper: Give us the answer. It is a big deal. You are the Treasurer of the State and you should know.

Mr COURT: I gave the answer to the question. If the member did not listen, I said, yes, we are proposing to do it. I was asked whether we anticipated selling the bus fleet, to which I said yes. The Deputy Leader of the Opposition said he gave notice of the question so I would have the detail. However, the question for which I was given notice related to the new bus fleet, and had nothing to do with the old bus fleet. The other question was whether the existing bus fleet had been sold, and, if so, for what price. I said no, and the Deputy Leader of the Opposition said that this was a half-smart answer.

Several members interjected.

The SPEAKER: Order! The member for Southern Rivers has been standing waiting to receive the call, but it is hard to do so above the noise in the Chamber.

## ARMADALE HOSPITAL PUBLIC FACILITY, PRIVATE WING

**285. Mrs HOLMES to the Minister for Health:**

What is the current status of the possibility of having a private wing as part of the Armadale hospital public facility?

**Mr DAY replied:**

I thank the member for some notice of this question. As I have explained previously, the Government shares the view of a number of community, medical and other groups in the Armadale area that it is desirable to have a number of private beds co-located on the site of the Armadale hospital redevelopment. For that reason, a request for a private wing to be co-located with the public facilities was advertised on the weekend of 4 September of this year. The closing date for the submission of proposals is 3 November, after which we will have some indication about who will be interested in providing the private beds at the Armadale hospital site. I am pleased to advise the House that Cabinet gave approval yesterday for the expression of interest process for the main construction work to commence and to enter the public arena so the buildings can be completed about the middle of 2001.

## NEW BUS FLEET, FINANCING PACKAGE

**286. Mr RIPPER to the Premier:**

Some notice has been given of this question, and I hope the Premier is prepared to answer this one.

- (1) How is the Matrix Finance Group involved, or proposed to be involved, in financing the acquisition of new buses?
- (2) What are the number of new buses involved?
- (3) What is the value of the total financing package?

**Mr COURT replied:**

I thank the member for some notice of this question. The Deputy Leader of the Opposition did not give me notice of the previous question, but he gave notice of this question.



Mrs Roberts: You're playing semantics.

Mr COURT: I am not playing semantics.

Mr Ripper: I gave notice of two questions, and asked three because of your half-smart answer to the first one!

Mr COURT: No. The Deputy Leader of the Opposition gave notice of two questions, of which this is one.

(1)-(3) After a proper process, Matrix has been given a conditional mandate to prepare a financial structure to support the acquisition of the new buses. Nothing has been finalised on that matter. That structure will need to be supported by a binding taxation ruling by the Australian Taxation Office before financial arrangements are agreed to by the Government. We are talking about purchasing approximately 850 new buses. The estimated cost of the new buses on the basis of current delivery prices is approximately \$270m in today's dollars, plus interest at prevailing rates during the term of the contract.

Mr Ripper: Is that counted in the state debt figure?

Mr COURT: The buses delivered at present have an interim arrangement; that is, they are being funded through Treasury Corporation. That would be part of the -

Mr Ripper: What about the new ones?

Mr COURT: I do not know how a full leasing arrangement will be accounted for, as we do not own the buses. I will obtain a specific answer from Treasury. I will provide an answer this afternoon on the net debt position.

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