



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
SECOND SESSION
1998

LEGISLATIVE ASSEMBLY

Wednesday, 23 December 1998

Legislative Assembly

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THE SPEAKER (Mr Strickland) took the Chair at 10.00 am, and read prayers.

BILLS - ASSENT

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

1. Road Traffic Amendment Bill.
2. Botanic Gardens and Parks Authority Bill.
3. Pearling Amendment Bill.

BILLS - RETURNED

1. Pearling Amendment Bill.
2. Mutual Recognition (Western Australia) Amendment Bill.
3. Revenue Laws Amendment (Assessment) Bill (No 2).

Bills returned from the Council without amendment.

CANNING RIVER REGIONAL PARK

Petition

Dr Gallop (Leader of the Opposition) presented the following petition bearing the signatures of 192 persons -

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

We the undersigned petitioners call on the State Government to purchase that portion of the Castledare estate zoned "Parks and Recreation" in the City of Canning Town Planning Scheme No. 40 to allow for its full and proper incorporation into the Canning River Regional Park as recommended by a series of reports to Government.

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

[See petition No 122.]

CAMPING LAWS, AMENDMENTS

Petitions

Ms Warnock presented the following petition bearing the signatures of 22 persons -

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

We the undersigned, call upon the State Government to amend certain laws which are seen as unfair, restrictive and discriminatory towards us, the Australian public.

We therefore ask that the following legislation be amended.

1. The Caravan Park 50 km protection zone be returned to its former 16 kms.
2. The 3 night Camping Law be amended to 28 nights on rate payers own property allowing for holiday visits by family or friends without having to seek special written permission from authorities.
3. That country road Park/Rest Area limits of 4 hours be increased to 12 hours allowing long distance tourists, travellers and truck drivers to vacate roads during the hours of darkness if they so chose.
4. That en - route country Rest Stops of up to 12 hours be not defined as camping.

Please acknowledge receipt of petition letter.

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

Similar petitions were presented by Mr Masters (four signatures), Ms McHale (two signatures), Mr Day (one signature) and Mr Brown (two signatures).

[See petitions Nos 123 to 127.]

WOMEN'S PRISON, PYRTON

Petition

Mr Brown presented the following petition bearing the signatures of 2 093 persons -

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

We, the undersigned petitioners, register our strong opposition to the development of a women's prison or pre release centre on the Pyrtton site, Lord Street, Eden Hill.

We believe this valuable site should be reserved for the whole community. Specifically, we believe this site should be used for community purposes and in a way which recognises the cultural, environmental sensitivity and beauty of the area.

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

[See petition No 128.]

PRISON, BASSENDEAN, LOCKRIDGE AND EDEN HILL

Petition

Mr Brown presented the following petition bearing the signatures of 942 persons -

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

We, the undersigned petitioners of Western Australia call on the State Government to recognise that we reject the government's proposal to place a prison in the area of Bassendean, Lockridge, Eden Hill or nearby urban areas. Our collective community answer to the prison proposal is 'No Prison'.

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

[See petition No 129.]

SWAN RIVER FORESHORE REDEVELOPMENT

Petition

Dr Gallop (Leader of the Opposition) presented the following petition bearing the signatures of 255 persons -

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

We, the undersigned citizens call upon the State Government to reassess its priorities and redirect the \$80 million it has committed to the redevelopment of the Swan River Foreshore to more worthwhile community infrastructure projects in the areas of health, education and public transport.

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

[See petition No 130.]

CORPORAL PUNISHMENT

Petition

Mr Johnson presented the following petition bearing the signatures of 16 persons -

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

We, the undersigned call on the members of the State Parliament to immediately pass legislation allowing for the use of the birch against offenders who assault the elderly and the most vulnerable in our community and to those who peddle drugs to our children.

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

[See petition No 131.]

CAKE STALLS

Petition

Mr Nicholls presented the following petition bearing the signatures of 684 persons -

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

We, the undersigned call on the State Government to take all steps possible to prevent any moves by the Commonwealth Government that would prevent or restrict the Australian tradition of community groups holding cake stalls to raise funds. If cake stalls were stopped many of our community organisations would face financial hardship.

Raising funds for charitable purposes through cake stalls has been an established practice for at least the last fifty years and therefore we strongly object to any changes that would stop this practice in the future.

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

[See petition No 132.]

INCREASED POLICE PRESENCE, ROCKINGHAM

Petitions

Mr McGowan presented the following petition bearing the signatures of 1 100 persons -

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

We the undersigned, being residents of the City of Rockingham request more police be allocated to the Rockingham area, furthermore that this be attended to as a matter of urgency.

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

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

A further similar petition was presented by Mr McGowan (360 signatures.)

[See petitions Nos 133 and 136.]

BUS SERVICE, LANGFORD

Petition

Ms McHale presented the following petition bearing the signatures of 41 persons -

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

We, the undersigned wish to express our utmost concern at the cancellation of bus service 228 which currently travels along Langford Avenue, Langford. The cancellation of this service will leave Langford residents without a night time and weekend service.

We call upon the Government to take heed of the community's needs and concerns and to urgently examine the possibility of reinstating a bus service along Langford Avenue after hours and on weekends.

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

[See petition No 134.]

COMMUNITY POLICING OFFICE, ROCKINGHAM*Petition*

Mr McGowan presented the following petition bearing the signatures of 25 persons -

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

We the undersigned, ask that the Government move the Community Policing Office out of Lotteries House and back into the Rockingham City Shopping Centre. This would mean an increase in the accessibility of community policing and added security presence in the Rockingham City Shopping Centre.

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

[See petition No 135.]

BUSINESS OF THE HOUSE*Suspension of Standing Orders*

MR BARNETT (Cottesloe - Leader of the House) [10.22 am]: I move -

That for Wednesday, 23 December 1998, so much of the standing and sessional orders be suspended as is necessary -

- (a) to enable government business to take precedence at all times; and
- (b) for the House to suspend its proceedings from approximately 1.00 to 2.00 pm.

The purpose of this motion is to allow for today's sitting to deal with messages returned from the Legislative Council. The effect of this motion is that private member's business will not apply, although I am sure members will move a matter of public importance during the day. Question time will still apply.

Question put and passed with an absolute majority.

PARLIAMENTARY SITTING DATES, 1999*Statement by Leader of the House*

MR BARNETT (Cottesloe - Leader of the House) [10.24 am]: Cabinet recently approved the parliamentary sitting dates for the 1999 calendar year. Members will be aware that the current sitting dates cover the 1998 spring sittings and the 1999 autumn sittings and provide that the House shall resume next year on 9 March and continue until 1 July 1999. The 1999 autumn sittings outlined in these new sitting dates remain unchanged from those previously laid down.

It is proposed that the official opening of the third session of the thirty-fifth Parliament be held on Tuesday, 10 August 1999 with the Wednesday and Thursday of that week being normal sitting days. This procedure was employed for the official opening in August this year. It is envisaged that the opening next year will also be a low-key affair, as appears to be supported by most members. The 1999 spring sittings are scheduled to run until 25 November next year.

The new dates provide for a total of 22 sitting weeks in 1999. That is consistent with the number of sitting weeks in the past four years and continues to support the recommendations of the Commission on Government and the Standing Orders and Procedure Committee. However, I stress that these dates outline the sitting program for this House. The other place may choose to sit on different weeks next year to accommodate its workload. Members should be cautious in choosing to make other arrangements for weeks directly following the scheduled winter and summer recess periods as extra sitting days may be required at those times - as has been aptly demonstrated this year. As has been the practice in recent years, the House is not scheduled to sit on weeks during which a public holiday falls or when school holidays are scheduled. The House is scheduled to sit no longer than three consecutive weeks at any time. I table the 1999 parliamentary sitting dates for the information of members.

[See paper No 633.]

ALINTAGAS SALE*Statement by Minister for Energy*

MR BARNETT (Cottesloe - Minister for Energy) [10.26 am]: I advise the House of the Government's decision to sell 100 per cent of the state-owned gas corporation, AlintaGas. The sale will take place in the first half of 2000. It will include the pipeline distribution system and the retail and trading function. The sale represents a further logical step in implementing

the Government's energy policy initiatives leading into the next century. The Government has introduced a range of reforms to the Western Australian gas market since 1995. These include -

- separation of the State Energy Commission of Western Australia into Western Power and AlintaGas;
- disaggregation of the North West Shelf domestic gas contract;
- staged access to the Western Australian gas market to a fully open market by 1 July 2002;
- the \$2.4b sale of the Dampier to Bunbury natural gas pipeline; and
- the adoption of the national access code for pipeline access.

The sale of AlintaGas is entirely consistent with the reform process to date. AlintaGas presently distributes gas from producers in the Carnarvon basin to around 400 000 residential, business and industrial customers throughout Western Australia via 10 000 kilometres of distribution pipelines. It employs 400 people in its business operations and expects to record a \$35m profit after tax on a total revenue of \$350m in the current financial year. AlintaGas now ranks among the top five gas businesses in Australia in terms of customers serviced. However, by the middle of next year, AlintaGas is expected to be the only significant gas business in Australia remaining in government ownership.

In September 1998, AlintaGas engaged consultants Deutsche Bank to provide advice on the possible sale of its remaining businesses. A copy of the Deutsche Bank report was provided to me for my consideration in October. After examination of the report and provision of independent advice from the Office of Energy, I considered the case for selling AlintaGas compelling for the following reasons -

- it will provide the best available option for delivering lower gas prices to consumers;
- it will result in consumer choice through increased competition;
- it will maximise the value of the business to the Government and all Western Australian taxpayers;
- it will minimise the Government's exposure to the business risks of competition as the gas market becomes fully deregulated by 1 July 2002;
- it will reduce the burden on government resources in managing the asset, as well as releasing capital for other purposes; and
- it will open up new market opportunities for the business which might not eventuate under government ownership.

The sale will occur in two stages. The first is to determine the sale process and method and the second is to conduct the sale proper. At this early point, I estimate the sale could be concluded by mid-2000. In order to undertake stage 1, an AlintaGas sale steering committee will be established which will report to the Government. The steering committee will be chaired by Dr Des Kelly, who, as members will recall, led the steering committee which managed the successful sale of the Dampier to Bunbury natural gas pipeline on the Government's behalf. The AlintaGas sale steering committee will also consist of the chief executive officers of AlintaGas, Treasury and the Office of Energy. The AlintaGas sale steering committee's main function in the first stage will be to investigate, evaluate and recommend a sale process to the Government. In doing so, it will examine a range of critical policy issues such as -

Points of Order

Mr THOMAS: The minister's time has expired and he should resume his seat. Quite clearly he is misusing the procedures of this House which provide for brief ministerial statements to make a major announcement. That is indicated by the fact that his time has expired. He should be making a major statement which would allow the Opposition time to reply.

The SPEAKER: There is no point of order, but the member has taken the opportunity to put his point of view. I remind ministers that there is a three-minute rule. However, there is quite a bit of flexibility with that.

Mr KOBELKE: Mr Speaker, for the benefit of members who wish to stick to the standing orders as they apply to the allocation of times, can you indicate whether flexibility applies to the time available in all areas of debate or in only certain areas, and how we can make a judgment about the flexibility and the time allocated under the standing orders?

The SPEAKER: Again, there is no point of order. The practice of the House, which carries a lot of weight with Speakers, is that from time to time, albeit not very often, ministers go over their three minutes.

Debate Resumed

Mr BARNETT: The policy issues include safety and reliability of gas supply; ensuring the lowest feasible gas tariffs for small customers; the interests of AlintaGas employees; the actual sale method; the corporate structure of AlintaGas; recognition of competition policy guidelines; the impact of the sale on existing contractual arrangements; and sale legislation.

Upon the conclusion of stage 1, the steering committee will report to Government with its recommendations, which I expect will occur by mid-1999. A decision will then be made by the Government about the basis on which a sale is to proceed. In determining the sale method, the Government is committed to identifying ways in which the Western Australian public can participate directly by buying shares in AlintaGas.

As Western Australia moves towards a free and open market in gas, there are no real reasons for the State to retain ownership of a gas distribution and trading company. Following the successful sale of the Dampier to Bunbury natural gas pipeline, I am confident that the sale of AlintaGas will provide a substantial return to Western Australian taxpayers and that the business of supplying gas to the community will be further strengthened by the involvement of private sector commercial operators.

FINANCIAL ASSISTANCE - CANNING VALE WEAVING MILLS LTD

Statement by Minister for Commerce and Trade

MR COWAN (Merredin - Minister for Commerce and Trade) [10.32 am]: I advise the Parliament of a financial assistance package offered to, and accepted by, Canning Vale Weaving Mills Ltd, a Western Australian textile company manufacturing and distributing high quality towels and towelling products. Assistance is being provided by way of an interest-free loan to a maximum of \$4m for the purchase of property from LandCorp to assist the company expand and relocate its vertically-integrated towelling products operations from four sites to one. The loan is secured by bank guarantees and progressively converts to a grant subject to achievement of planned levels of investment, employment targets and product sales targets.

Canning Vale Weaving Mills is one of the larger manufacturers in the State and is embarking on an expansion to maintain its growth in both overseas and domestic markets. The company intends to invest around \$58m in its three-year development program which will ensure that it enhances economies of scale and continues to keep up to date with advanced technologies and modern equipment. Through this investment, Canning Vale will be well placed to face increased competitive forces as tariffs are reduced in the new millennium. Once in full production, the new facility will increase employment from around 320 people to almost 450 people and involve a doubling of the current plant's rated capacity. Sales are anticipated to reach \$90m in five years' time and export sales are expected to increase by around \$16m per annum. The financial assistance being provided to Canning Vale Weaving Mills is in recognition of the important investment and employment impact of the expansion and to ensure timely expansion to exploit market opportunities overseas, particularly in the United States. Funds are being provided in three instalments of \$2m, \$1m and \$1m, the first two of which have been provided to enable early access to land and settlement of land purchase. The third instalment is due in July 1999. This assistance is provided to ensure that a well-operated and growing Western Australian business can enhance its international competitiveness, exploit current opportunities in overseas markets, maintain and enhance its technically advanced operations and be well placed to meet the challenges of the tariff-free environment post-2000.

I am pleased to table the details of the financial assistance provided by the Government to Canning Vale Weaving Mills Ltd. Early in its first term of office, the Government gave a commitment to greater accountability in relation to financial assistance to industry. As well as disclosing to Parliament, on a case-by-case basis, all assistance packages to industry valued at more than \$250 000, I also undertook to table annually details of smaller assistance packages. I now take this opportunity to table those details before the House as well.

[See papers Nos 634 and 635.]

Mr Thomas: Mr Speaker!

The SPEAKER: The Minister for Labour Relations.

Mr Thomas: I was up first.

The SPEAKER: I have given the call to the minister and I do not expect little judgments from the member for Cockburn of, "I was up first." The member for Cockburn will get the call eventually.

CHINA MISSION

Statement by Minister for Labour Relations

MRS EDWARDES (Kingsley - Minister for Labour Relations) [10.35 am]: I wish to advise the House of the results of a mission to China from 31 October to 7 November 1998, the primary purpose of which was to promote the export of Western Australian occupational safety and health products and services, which included signing an agreement of cooperation with the Bureau of Work Safety of the State Economic and Trade Commission of the People's Republic of China. This agreement of cooperation formalised a supportive government-to-government link between WorkSafe Western Australia and China's Bureau of Work Safety and provides business opportunities for Western Australian companies.

The mission delegates included representatives from OSHNet, a group of private Western Australian companies established in 1994 which are seeking to export their occupational safety and health products and services, and representatives from

WorkSafe Western Australia. The mission was in two parts: Firstly, to our sister State, Zhejiang Province and, secondly, to Beijing. WorkSafe Western Australia has an established supportive government-to-government link with the Labour Bureau of Zhejiang Provincial Government through a memorandum of understanding. The mission to Zhejiang Province by the delegates from Western Australia included the presentation of a seminar on occupational safety and health, site visits to key organisations in Hangzhou and Ningbo and individual meetings of the OSHNet members with private and government organisations to explore potential business opportunities. The mission to Beijing included the signing of an agreement of cooperation between WorkSafe Western Australia and the Bureau of Work Safety of the State Economic and Trade Commission of the People's Republic of China, site visits and individual meetings to explore business opportunities. In addition, I attended the Western Australian Economic and Technical Research Fund seminar hosted by the State Metallurgic Industry Bureau of the People's Republic of China and the Department of Resources Development of Western Australia on behalf of the Minister for Resources Development. The seminar discussed various research projects in progress, renewed new proposals and established strategies for 1999.

A significant achievement of this mission to the OSHNet members was a unique marketing opportunity in gaining access to people of significance and influence in China. Without the support of the Western Australian Government that would not have been possible. It also presented the OSHNet members with opportunities to present themselves as professional and viable businesses in exporting occupational safety and health services and products to China.

The memorandum of understanding and agreement of cooperation provides future business opportunities for Western Australian private companies. The mission also enabled a greater understanding to be gained on the culture and future economic direction of China. Other benefits were the further strengthening of links between Western Australia and the People's Republic of China and the provision of support for other trade activities. I table a full report on the China mission.

[See paper No 636.]

MINIM COVE - ROADS AND SERVICES OVER SAFETY CAP OF CONTAINMENT CELL

Minister for the Environment - Personal Explanation

MRS EDWARDES (Kingsley - Minister for the Environment) [10.38 am]: On 19 November 1998 I answered question on notice 648. It has subsequently been discovered that part of the information provided was incorrect. Accordingly, I wish to take the first opportunity available to notify the House of the circumstances and provide the correct information. On 20 August 1998, the member for Maylands asked a question on notice regarding the Minim Cove containment cell and LandCorp's redevelopment of the contaminated site at McCabe Street, Mosman Park. Part of the question asked whether the Department of Environmental Protection had advised LandCorp that roads placed over the safety cap at the Minim Cove containment cell were unacceptable. The reply was, "No." This advice by DEP referred to current negotiations being undertaken with LandCorp concerning road design and placement. However, the department wrote to the Western Australian Planning Commission on 25 March 1996 and sent LandCorp a copy of that letter in which it stated in part that the Department of Environmental Protection was concerned that the current subdivision plans may place a road reserve over part of the containment cell, which was unacceptable.

In providing its advice to me in relation to question 648, the department was aware of the 1996 letter; however, it interpreted the question as relating to only current negotiations, rather than the historical origins of the project. That was an error of judgment by the department for which it accepts full responsibility. The department's recent advice to LandCorp has been that, subject to draining, geotechnical aspects and other long-term management issues, the proposal may be acceptable. However, final DEP approval of the road design and final service configuration of the containment cell will have to await submission of the land-use plan to the department. I table the correct reply to question on notice 648, and seek leave to have it incorporated in *Hansard*.

[See paper No 637.]

The SPEAKER: Order! The paper is tabled. However, only tables, graphs and similar documents are permitted to be incorporated in *Hansard*. The answers will not be incorporated, but at some stage the minister may be able to read them into the record.

ALINTAGAS SALE - REPLY TO BRIEF MINISTERIAL STATEMENT

Suspension of Standing Orders

MR THOMAS (Cockburn) [10.42 am]: I move -

That so much of the standing orders be suspended as would allow the member for Cockburn to respond for a maximum period of three minutes to the brief ministerial statement made by the Minister for Energy regarding the sale of AlintaGas.

It is the Opposition's desire to respond to the brief ministerial statement by the Minister for Energy announcing the sale of

AlintaGas. If ever a circumstance arose in which standing orders should be suspended to enable a statement to be made, this is it. Clearly, the Government and minister have misused the forms of this House relating to brief ministerial statements. How is that the case? I was a member of the Standing Orders and Procedure Committee which introduced the provision for brief ministerial statements to remove the need for ministers to use Dorothy Dix questions to make minor announcements. Brief ministerial statements were to be announcements of sufficient moment to be reported to Parliament, but not be major policy announcements. Provision existed - it still does - for major ministerial announcements to be made by way of ministerial statements, which allow an opposition response. That is how it should be. Parliament should be a place of debate, not merely a cheer squad for the Government.

In the last day of Parliament, in a short ministerial statement, with no provision for opposition response, an announcement is made for the sale of a major utility. That is a matter of great significance requiring debate in Parliament, as are the processes and procedures involved. The Government has actively misled the people of Western Australia. It went to the election last year without any suggestion of an announcement regarding the sale of energy utilities in this State. It was clear that an asset was to be sold - the Dampier-Bunbury natural gas pipeline. The Opposition supported that proposition - indeed, it did so before the Government supported the proposition. It was clear to the people that the Government and the Opposition supported the sale. However, not a word was heard from the Government regarding its intentions in relation to AlintaGas or Western Power. The Opposition stated clearly that it was opposed to the privatisation of energy utilities. People knew what they were getting in that regard. People were misled because the Government did not say a word about considering selling the energy utilities of this State. Therefore, people voted at the last election unaware that the Government could possibly sell those assets.

The Government has no mandate to undertake such a major move. It is a major move because the reticulation of our domestic gas supplies in this State is a natural monopoly. The Dampier-Bunbury natural gas pipeline is not a natural monopoly. Even under the Government's timetable, a competing pipeline will exist within a year or two. The reticulation of pipes through the suburbs and regional towns served by AlintaGas is a natural monopoly which should not pass into private hands with a private monopoly able to hold the gas consumers of this State to ransom. That is the Opposition's view; the Government has a different view. I challenge the minister to hold off the sale, and put the matter to the people. Wait until the next election, or call an early election if it is a matter of such importance to the minister, and let the people decide. People who speak to me as the opposition spokesperson on Energy do not support the privatisation of natural monopolies, such as the gas distribution or reticulation system.

The brief ministerial statement indicates that the Government believes efficiencies will be achieved by a private company operating the natural monopoly rather than having a public monopoly. That is an insult to the workers of AlintaGas and the people working in the public sector. AlintaGas is a competitive and efficient organisation. It is unnecessary to privatise it to achieve greater efficiency. It has been shown that it is able to compete with private operators. Tenders were called for the reticulation of gas for the Kalgoorlie-Boulder area, for which AlintaGas tendered in competition with AGL Pipelines Limited and other private gas companies. AlintaGas won the tender on a competitive basis. It is a competitive, publicly-owned organisation of which the people of Western Australia can be proud. For all those reasons, this is a matter of great moment in its substantive subject matter and the democratic processes involved. Standing orders should be suspended so the House can have a proper debate on the issue rather than have little more than a three-minute, throw-away short ministerial statement by the Minister for Energy without a substantive reply on the last day of Parliament.

MR GRILL (Eyre) [10.48 am]: It came as a bolt out of the blue that a decision should be made so precipitately by the Government to sell 100 per cent of AlintaGas. We knew that Deutsche Bank was conducting an inquiry into the possible sale of this agency. We all knew that the report would have been completed in September or October of this year. However, neither the Opposition nor the public has received a copy of the report or been apprised of its content or the conclusions drawn by Deutsche Bank in relation to the sale of AlintaGas.

The Labor Party opposes the sale of AlintaGas, as was more than adequately pointed out by the member for Cockburn. Also, concern arises about whether some of the objectives set out by the minister will be achieved. One might talk about selling the Dampier-Bunbury pipeline to one monopoly holder - one cannot do it any other way. However, when it comes to selling AlintaGas, many other options are available. The impression given in the press statement - although it does not state so definitively - is that 100 per cent of AlintaGas will be sold off to one operator. As the member for Cockburn pointed out, that is simply replacing a government near monopoly, with a private near monopoly. That is not the way to bring about efficiency or competition. The minister's statement gives every impression that a public utility will simply be replaced by a private utility. I will draw a contrast with what happened in Victoria. Victoria's system is somewhat smaller than ours. It is larger in terms of the number of customers, but smaller in terms of volume of gas. The Victorian system has recently been privatised, and parts of the Victorian utility have been sold off. However, before it was sold off, it was broken into three approximately equal, competing elements. That engendered competition within the market. What Western Australia appears to be getting is a private monopoly. The experience in the United Kingdom is that private monopolies of public utilities do not work. We will see an escalation of prices once that private monopoly gets into stride. There is a long history of that in the UK. The British Government now concedes, and has for some time, that it made major mistakes in going down

a similar track to the one now being pursued by the State Government. I have real concern about this. This is a major asset. There should have been some debate on this proposal before it was announced.

Mr Barnett: There has been a longstanding public debate about AlintaGas for the past 18 months.

Mr GRILL: The minister was saying in the media only six months ago when this matter was raised that the time for debate would come later, and the Opposition was jumping at shadows by commenting at that time. The minister indicated there would be an occasion for comment on that report, although he did not say that definitively. That report has not been made public. We have not been given an opportunity to debate it, and the public is not aware of the content of the report. We are flying in the dark. There is no doubt about those facts, because they are in print. The minister indicated to the Opposition only a few months ago that the occasion for debate on the proposal put forward by the Government would come later, not earlier. The minister indicated that debate on the matter was premature. It was not premature at all. The Government has simply gone down its own sweet path on the matter, without consulting the Opposition, the people of Western Australia, or - as far as I know, and I keep in fairly good contact with it - the industry. That is absolutely outrageous. It is outrageous to come into this House with no notice, and, on the basis of a three minute statement, indicate that the Government will sell off one of the major assets left unsold in this State. I cannot believe that the minister has done it. It is in contradiction to implied commitments the minister has already made. I oppose the sale of AlintaGas with all my heart. It is wrong.

MR BARNETT (Cottesloe - Minister for Energy) [10.52 am]: The Government does not support the suspension of standing orders to debate this matter. The Opposition has the opportunity to use the matter of public interest debate this afternoon to debate the issue if it so wishes, and I encourage it to do so. I am happy to debate for an hour or so the decision of the Government to sell AlintaGas.

Mrs Roberts: We will do it now.

Mr BARNETT: No, we will do it during the MPI. It is the Opposition's call. We have listened to two speakers. I have effectively allowed two opposition spokespersons to comment. The Government has not objected to two opposition speakers, and has allowed both members to speak on the issue. If the Opposition chooses to speak later it can. As I said in the statement, legislation will come into this Parliament in the first half of next year which will allow a full and vigorous debate about all of the policy issues I referred to in the statement. The Government has not made the decision hastily. Over the past six months it has carefully gone through the issue and it has made a decision.

Dr Gallop: Why didn't you tell us about it before the election?

Mr BARNETT: It is appropriate that the first public announcement of the Cabinet decision be made in the Parliament. The Opposition did not do that in government. It made all sorts of major decisions for the State which cost literally millions of dollars without any accountability or advice to Parliament. Members opposite may argue that I should have made a 20-minute statement, and that is a fair enough argument. However, at least this Government makes the first public announcement of decisions in the people's Parliament. That is something members opposite failed to do in government.

MRS ROBERTS (Midland) [10.55 am]: What the minister has done today is indicative of the Government's arrogance in selling off government assets and the way it treats this Parliament. We have not seen a technical breach of our standing orders by the use of a three-minute statement rather than a full ministerial statement, which has a maximum time for debate of 20 minutes. However, it was certainly an abuse of the Parliament. One must question the minister's motivation in the use of a three-minute statement instead of a full ministerial statement, which an issue as significant as this demands. The fact is that if the minister used the procedure of a ministerial statement in the Parliament the opposition spokesman would have, as of right, the opportunity for a 20-minute response. That was the minister's sole motivation for choosing to use the three-minute statement today. The minister raises a red herring by saying that the Opposition could make it the matter of public interest for today. Why did the minister not advise us yesterday that he would be selling off AlintaGas? Both the Cabinet and the Opposition met yesterday and discussed what they would be doing in Parliament today. We discussed what issues we would prepare for today and what our MPI would be. If the Government wants to raise an issue like this, it should suspend standing orders and we will debate it. The Government should not tell the Opposition on the day that it brings forward the issue that this could be our MPI. The Opposition has already prepared an MPI. If the minister had advised the Opposition last week, or even yesterday, we would have seriously considered that matter. However, the minister has chosen to sneak in the matter today by way of a three-minute statement and he has been exposed.

Question put and a division taken with the following result -

Ayes (20)

Ms Anwyl
Mr Brown
Mr Carpenter
Dr Constable
Dr Edwards

Dr Gallop
Mr Graham
Mr Grill
Mr Kobelke
Mr Marlborough

Mr McGinty
Mr McGowan
Ms McHale
Mr Pandal
Mr Riebeling

Mr Ripper
Mrs Roberts
Mr Thomas
Ms Warnock
Mr Cunningham (*Teller*)

Noes (32)

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

Pair

Ms MacTiernan

Mr Marshall

Question thus negatived.

COAL MINES LEGISLATION AMENDMENT AND REVIVAL BILL*Receipt and First Reading*

Bill received from the Council; and, on motion by Mr Barnett (Minister for Resources Development), read a first time.

Second Reading

MR BARNETT (Cottesloe - Minister for Resources Development) [11.02 am]: I move -

That the Bill be now read a second time.

The purpose of this legislation is to provide for the winding-up of the coal mines accident relief fund, which has served its purpose and is no longer needed. The fund was established under section 38 of the Coal Mines Regulation Act 1946 for the purpose of providing relief to injured mine workers and to the widows and children of mine workers who were killed or died as a result of their employment. The Coal Mines Regulation Act was repealed on 9 December 1995, by the coming into force of the Mines Safety and Inspection Act. The intention was for the fund to be wound up upon the repeal of the Coal Mines Regulation Act, but this did not eventuate due to a lack of agreement at that time between the affected parties concerning the winding-up arrangements. Those affected parties had previously agreed that the fund should be wound up, because the amounts of payments to members were being superseded by the increased amounts available under workers compensation. As a consequence, the continuing expense of operating the fund could no longer be justified. Agreement has since been reached by all affected parties on the required arrangements for the winding-up of the fund. These arrangements are reflected in this Bill which will -

Amend the Coal Miners' Welfare Act to provide for a different fund - the coal miners' welfare fund - to receive moneys standing to the credit of the coal mines accident relief fund at its wind-up, and the levy from mine owners on the output of all coal sold which is currently payable at a rate of 0.410¢ a tonne to the coal mines accident relief fund; and

revive certain provisions of the Coal Mines Regulation Act in order to validate the operations of the coal mines accident relief fund since the Act was repealed in 1995, and provide for the winding-up of the fund and associated matters, including the lump sum payout of all remaining beneficiaries of the fund.

At this point it is appropriate to mention that the coal miners' welfare fund was established under the Coal Miners' Welfare Act to assist in providing amenities for coalminers and improving their general welfare. The owners of coalmines are required to pay to the coal miners' welfare fund a levy of 2¢ a tonne of coal mined to enable the fund to achieve its objectives. Recipients of monetary grants made by the coal miners' welfare fund include schools, sporting clubs, homes for the aged, heritage groups and meals on wheels services. All such grants require the prior approval of the Minister for Mines. In addition to coalminers, the benefits flowing from these grants in many instances are enjoyed by people not directly employed in the mining of coal.

As indicated earlier, all affected parties - namely, the Collie Combined Mining Union's Council representing beneficiaries; owners of coalmines, the Coal Mines Accident Relief Fund Trust; and the Coal Miners Welfare Board - have been consulted and agree with the arrangements for the winding-up of the coal mines accident relief fund. This legislation will provide for the orderly termination of a now obsolete fund, and includes provisions for a final and appropriate payout of all remaining beneficiaries and the distribution, through the coal miners' welfare fund, of any residual funds into areas which will most benefit the coalmining community. I table clause notes for the benefit of members. I commend the Bill to the House.

[See tabled paper No 639.]

MR GRILL (Eyre) [11.05 am]: I do not intend to adjourn this debate as would normally be the case. I will deal with it now because I have had a telephone call from the Coal Miners Industrial Union of Workers. It is keen to see this very simple legislation dealt with expeditiously. I am told by the union that five years ago it came to the conclusion that this fund was redundant. The benefits and contributions relating to many of these funds, which were set up decades ago, have been superseded. The mine workers' relief fund and other funds were set up in the goldfields by the workers in cooperation with the mining companies. The establishment of those funds recognised the fact that injured and sick workers, and their widows and children, needed benefits. Since that time, the statute law has changed and we have put in place, in the workers compensation legislation and pursuant to common law in many instances, adequate provisions so that those injured in mining accidents, or those who become sick because of or during their work receive benefits.

The benefits paid under the coal mines accident relief fund were meagre - about \$3.50 a day. Of late they have been paid as benefits ancillary to workers compensation payments. The injured workers were initially paid for the cost of travelling from Collie to Perth for specialist treatment and things of that nature. We all know that statutory provisions and government regulations now cover most of those costs. Of course, a benefit of \$3.50 a day is not large and would not help very much.

These funds are redundant and they have been progressively replaced. However, we should give some recognition to the people who set them up. They were set up with much goodwill and forethought. Those involved saw a need and recognised that it should be met long before Parliament did much about the issue. Those people deserve our thanks and recognition because they have done much good.

Like the mine workers' relief fund in the goldfields, this fund is no longer relevant and the amounts that are required to be paid are not large. The Coal Mines Regulation Act refers to a levy of 0.410¢ a tonne on the output of all coal sold during a six calendar-month period to be paid into the fund. I understand another levy under the parent Act builds that up to 2¢. In his second reading speech the minister said -

The owners of coalmines are required to pay into the coal miners' welfare fund a levy of 2¢ a tonne of coal mined to enable the fund to carry out its objectives.

As I said, the Bill indicates the sum of less than half a cent. I presume therefore that under the parent Act there is another amount of 1.5¢ which builds the fund to 2¢. The minister might clarify that. I would not like to be selling the people of Collie short on this issue. On the passing of this legislation - it has already passed through the other place - the funds generated by the combined operation of this legislation and the parent Act will go into a community fund, which is already in place. Those moneys will be used for a range of community purposes.

I am informed that the fund is already called the coal miners' welfare fund. It is in truth a community fund. The secretary of the fund is Collie Shire chief executive officer, Ian Miffling. The board of the fund also comprises the President of the Coal Miners Industrial Union, John Borlini; Mick Murray from the combined unions; and Vin Rose from the Department of Minerals and Energy. All decisions made by the fund are referred back to the mining companies for their consultation, if not concurrence, before moneys can be paid out of it.

The Opposition agreed to deal with this legislation at short notice because it was requested to do so by the union. The union has been labouring with this matter for at least five years and at least four years has passed since the agreement to wind up the fund. I understand Hon John Cowdell in the upper House has been the prime mover of late to see this reform take place. Earlier the member for Collie had a hand in bringing about the decision which would have wound up the fund.

I understand there is \$490 000-plus in the fund. The union would like at least \$100 000 of that, which I understand has been earmarked to be spent on the coalminers institute in Collie for a new roof and general upgrading. The Opposition believes this is good legislation and that the winding up of the fund is a prudent move. The payment of the funds generated by the mining companies into the coal miners' welfare fund to be spent for community purposes is worth supporting.

In general terms the Workers' Compensation and Rehabilitation Act and other common law rights have well and truly superseded the objects of the fund under consideration. The legislation is proper and should be supported.

DR TURNBULL (Collie) [11.14 am]: As has already been mentioned we are debating winding up the coalminers' accident relief fund. In 1946, following the Second World War, there was a great shortage of manpower in the Collie coalmines. In fact, many people had to be seconded into coalmines during the Second World War to ensure the continuation of the coal supply. As a result of that great shortage of manpower in such a vital industry, a royal commission was appointed to investigate conditions in the coalmines in Collie. The commission was extensive and came out with many recommendations. Much legislation flowed from the recommendations culminating in the consolidation of many rules into the Coal Mines Regulation Act. That major piece of work resulted in an extensive review of all the regulations needed to ensure safety in underground coalmines such as the Collie coalmines.

Along with the regulations for mining and safe practices within the mines a decision was made to examine the conditions of the workers. The *Hansard* of Wednesday, 26 November 1947 refers to a small part of the royal commission report which says that it is universally acknowledged that there must be an increase in the amenities which should be provided for miners

and will in due course be provided for the workers in all other industries; it is therefore very fitting and proper that a start should be made in an industry which is essential to the State as coal mining.

It is obvious from that, that not only the coalmines, but also consideration of the health and safety of coalminers were important at that time. The royal commission indicated that this would be the beginning of new conditions for workers in all industry in Western Australia. The Royal Commission into the Coalmining Industry in 1946 set very high standards which began on the coalfields.

The establishment of the coal mines accident relief fund and the coal miners' welfare fund set a new trend in industry in Western Australia because for the first time the Government, the companies and the workers were required to provide organisations and finance for the welfare of people who worked in that industry. As has been already said today, the coal mines accident relief fund established a fund which could allocate money to miners who either had been injured as a result of an accident in the mines or had a medical condition as a result of working in the mines. It was also to provide relief for the widows and children. Since the implementation of the Workers' Compensation and Rehabilitation Act, which now covers all industries in Western Australia, the moneys in this fund are not nearly as necessary to the workers as they were originally.

By the time I came to Collie as a doctor about 30 years ago the coal mines accident relief fund moneys were fairly meagre and complementary to the workers compensation provisions. The small levy for each tonne of coal has been going into this fund for a long time. Consequently, the fund has built up to about \$460 000. I assure the House that the money earmarked for allocation to the renovation of the miners institute - which is owned by the Collie branch of the Coal Miners Industrial Union of Western Australia - will be going to a good cause. The miners institute is magnificent art deco building which is regarded as a historically significant building. It is on the state heritage register. The allocation of money from this fund for that building's renovation and preservation is very worth while.

I now move to the amount of money involved and the levy. I pay tribute to Hon George Cash who, in his time as Minister for Mines, presided over negotiations about the levy and where that money could be directed. Certain parties mooted the idea that the levy should be simply abolished but Hon George Cash felt that the desire of the people of Collie - those who worked in the coalmines and those in the general community - for the levy to continue should be acceded to. The levy will go into the miners' amenity fund. I understand that the levy of 0.4¢ will be added to the current levy of 0.2¢ for the coal miners' welfare fund. The fund is very well used.

Mr Grill: That is something we have to ascertain because 0.4¢ is mentioned in the Bill but the second reading speech indicated that all up 2¢ will go into the fund. I have put that question to the minister.

Dr TURNBULL: It will be added to and made up to 2¢. I believe it is about 1.7¢ at the moment.

Mr Grill: That was the proposition I put to the minister and he was going to check that out.

Dr TURNBULL: Yes, it will be added to the current levy.

Mr Grill: A total of 2¢?

Dr TURNBULL: Yes. This 2¢ is very important to the Town of Collie because it is an area with very low capacity for rating of surrounding lands. Therefore, the local government funds for providing facilities within a community are not as flush as in many areas. Over the years, the coalminers' welfare fund has been used to fund many of the significant buildings and facilities within the Collie community. In this way, the Collie community has benefited from this fund. The winding up of this small Bill is a historic event. It is the taking of what was originally a very "forward thinking" levy and placing it into a fund which is still very much needed and appreciated within the Collie community.

I convey to the House the thanks of the coal miners union, the companies and the rest of the Collie. This Bill will continue the great tradition of the coal miners' welfare fund and all of the facilities it has provided. The coal miners' welfare fund has truly achieved what the 1946 royal commission wanted it to do; that is, to provide amenities for the coalminers and community to improve their physical, cultural and social wellbeing.

MR MCGOWAN (Rockingham) [11.25 am]: I take the opportunity presented by the Coal Mines Legislation Amendment and Revival Bill to speak about a coalminer whom I used to know. Lindsay Addis died on the Sunday before last. Members of the Labor Party, particularly those from the southern suburbs of Perth and Collie, were familiar with Lindsay. He was a Collie coalminer for a number of years. I last saw him just before his death at a Brand electorate council meeting - that is an Australian Labor Party meeting - with the member for Peel on that day. The meeting was held at Kim Beazley's office and Lindsay attended representing the Collie branch of the Australian Labor Party. He presented a good report to the electorate council meeting detailing the position of the party in Collie and how it had performed in a range of booths in that electorate during the federal election. He pulled out of his pocket a list of the booths and the votes the party received in them. He detailed that in percentage terms and actual numbers of votes and where the vote had increased or decreased from the previous federal election. After the meeting I spoke to Lindsay for about five minutes about how things were going and about his wife, Daphne, and the family. He was optimistic and happy, having attended a meeting of the party he loved. He

was in good spirits and looking forward to Christmas. I understand that he then went to the Rockingham shopping centre and was driving home when he was killed in a car accident. The accident occurred on a dangerous corner in Rockingham. Lindsay Addis was 73 years old. He was a person of enormous strength and spirit with a great many ideals. He was remarkably fit for his age and had a firm handshake. I first met Lindsay during the 1993 federal election campaign. He was intimately involved in the campaign in the Brand electorate when it incorporated Collie. He has been a stalwart of the Collie branch of the Australian Labor Party for many years.

I attended his funeral last Thursday in Bunbury. A large number of people from the Collie community attended that funeral, as well as the federal Leader of the Opposition, Mr Kim Beazley. He made time to go to Bunbury for the funeral to pay his respects to someone who had played a big role in the Brand division of the Australian Labor Party. He had also helped Mr Beazley's political career and his grasp on the electorate of Brand. After the event, Mr Beazley spoke very highly of Lindsay. He remembered Lindsay well and said that if there were more people like him, the world would be a better place.

I learnt a little about Lindsay's past at the funeral. I did not know that he had served in the Air Force during and after the Second World War. I also did not know that he had lived for a period in East Germany after the Second World War where he learnt German. Lindsay was more left wing about his political ideals 50 years ago than he was recently. That probably reflected the times in which he lived and the experiences he had had in his life. I had known him for about six years and for that time he was a committed Labor supporter. He was a very committed social democrat. He had a view of the world in which one always had to take care of one's friends and community and those who were less fortunate. He had a strong following in the Collie community. Looking at the number of people who attended the funeral or the event afterwards, it seemed that most of the people in Collie had turned out to pay their respects to a very fine man. The Australian Labor Party and this Parliament pass on their sympathy to Lindsay's wife, Daphne, and his family.

MR MARLBOROUGH (Peel) [11.32 am]: I want to take the opportunity, as did my colleague the member for Rockingham, to say a few words about Mr Lindsay Addis in connection with this Bill. When we look at coal in Western Australia, we automatically think about the town of Collie. That town and the coalmining industry has a fine history in Western Australia. The Coal Mines Legislation Amendment and Revival Bill was based around the concept of 2¢ in the tonne being paid by mining companies into a central fund. Historically, that has been used to compensate workers for their injuries. The scheme was a trendsetter in its day. It was put in place before the appropriate workers compensation legislation was available to assist injured workers in Western Australia. The result of this Bill will be to change the focus of the fund and allow the moneys that are still collected to be administered in such a way that it will more directly benefit the town of Collie.

In looking at the history of this Bill members can reach conclusions about the early days in the coalmining industry in Collie and about the people who were involved in the mining industry at management and worker levels. As my colleague mentioned, Lindsay Addis passed away a couple of weeks ago on a Sunday morning, shortly after leaving a meeting which we had attended with him at the Brand electorate council. He was involved in a fatal accident. Lindsay Addis epitomised the strength of character of the early pioneers in the coalmining industry in Western Australia. He had a typical working-class background. He went through the depression period as a young boy with his family. His family had to leave the farm and, because of his circumstances, he had little school education and at 15 years of age was working and trying to earn a living. However, he never stopped educating himself and, through that process, became extremely well read and highly thought of. He became a leader in the Collie community and was a councillor for a number of years. He was an outspoken advocate of coalminers' rights at a shop-floor level. His family, particularly his wife, Daphne, is obviously grieving at the loss of a dedicated father and a man who had such high moral standards and who was highly respected in the Collie community. As a young man he quickly demonstrated his ability on the coal front to speak out about issues that were right and wrong by attending union meetings and being quite vigorous in debates. A funny story was told at his funeral. People who knew him far better than I recounted that after speaking at his first union meeting he was reminded by a number of the old hands that he was way before his time. They told him that he had to be on the coal front for 10 years before he could speak out in that way at a union meeting. He obviously carried on that way throughout his life. He was not afraid to speak his mind, but, more importantly, when he spoke his mind, people listened. He was a man of few words, but when he spoke, people knew that he meant what he said, and they respected it. Through his lifestyle he set a standard for others to follow. He was committed to the coalmining industry and to Collie. It is a sad loss to both his family and that community. I had the pleasure of knowing him, not that well, for a number of years through his involvement in the Labor Party. I pass on my condolences to his wife, Daphne, and his children and immediate family.

MR BARNETT (Cottesloe - Minister for Resources Development) [11.37 am]: I thank members opposite and on this side of the House for their support of this Bill. It is a long overdue piece of legislation. The member for Eyre raised the issue of the levy rate. I regret that I cannot answer that question now. The member's answer is probably correct, but I will confirm the situation in writing from the Department of Minerals and Energy.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and passed.

LOCAL GOVERNMENT AMENDMENT BILL (No 2)*Returned*

Bill returned from the Council with amendments.

Council's Amendments - Committee

The Chairman of Committees (Mr Bloffwitch) in the Chair; Mr Omodei (Minister for Local Government) in charge of the Bill.

The amendments made by the Council were as follows -

No 1

Clause 6, page 4, after line 4 - To insert the following subclause -

(2) After section 3.12(3) the following subsection is inserted -

" (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice. "

No 2

Clause 7, page 4, after line 8 - To insert the following subclause -

(2) After section 3.16(2) the following subsection is inserted -

" (2a) A notice under subsection (2) is also to be published and exhibited as if it were a local public notice. "

No 3

Clause 12, page 8, after line 7 - To insert the following subclause -

(3) Subsection (2)(b) does not justify the destruction of an animal before it has been impounded for at least 7 days.

No 4

Clause 18, page 10, after line 4 - To insert the following subclause -

(2) Before section 3.59(6) the following subsection is inserted -

" (5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice. "

No 5

Clause 19, page 10, lines 6 to 9 - Clause deleted.

No 6

Clause 30, page 17, after line 2 - To insert the following lines -

(3) The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.

No 7

New clauses 57 and 58, page 34, after line 8 - To insert the following new clauses -

57. Extension of time for Joondalup and Wanneroo inaugural elections

(1) In this section —

"inaugural election" has the meaning given by section 4.2(2) of the *Local Government Act 1995*.

(2) Despite section 4.3(2) of the *Local Government Act 1995*, the day fixed for any poll needed for the inaugural election for the City of Joondalup established on 1 July 1998 may be any day that is not later than 31 December 1999.

(3) Despite section 4.3(2) of the *Local Government Act 1995*, the day fixed for any poll needed for the inaugural election for the Shire of Wanneroo established on 1 July 1998 may be any day that is not later than 31 December 1999.

58. Quarterly reports by Joondalup and Wanneroo commissioners

(1) In this section —

"**commissioners**" has the meaning given by clause 7 of the *Joondalup and Wanneroo Order 1998* published in the *Gazette* on 26 June 1998.

(2) Within 14 days after the end of each quarter, the commissioners of the City of Joondalup are to report to the Minister about the performance of their functions.

(3) Within 14 days after the end of each quarter, the commissioners of the Shire of Wanneroo are to report to the Minister about the performance of their functions.

(4) The first reports under subsections (2) and (3) are to be given to the Minister after the quarter ending on 31 March 1999.

(5) The Minister is to cause each report to be laid before each House of Parliament on the next sitting day of that House after the Minister receives it.

(6) If because a House of Parliament is not sitting, a report cannot be laid before that House within 7 days after the Minister receives it, the Minister, within that time, is to —

(a) give a copy of the report to the Clerk of that House; and

(b) cause the report to be printed and made available to the public.

(7) A copy of the report given to the Clerk of a House under subsection (6) is to be laid before that House on its next sitting day.

No 8

Long title, page 1 - To insert after the word "amend" the words "and affect".

Mr OMODEI: I move —

That amendments Nos 1 and 2 made by the Council be agreed to.

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

Mr OMODEI: I move —

That amendment No 3 made by the Council be agreed to.

The Government has negotiated this amendment with members of the Opposition and has agreed to require a council to keep a sick or injured animal for at least seven days before putting it down, unless it needs to be destroyed sooner. The member for Rockingham will recall debate in this Chamber on this Bill: It was deemed that in most cases the seven-day period would be reasonable, and the amendment has been agreed to.

Mr McGOWAN: I am pleased that the Government has agreed to this amendment. The wording is slightly different from that which I proposed in this Chamber, and I am pleased that the Government has tidied up my wording — I am not a parliamentary draftsman. The amendment is close to what the Opposition proposed in this place. It is not a major change, but is designed to help people who perhaps go away and lose track of their dog or cat. They may leave it with a neighbour and the animal may become ill. The amendment will prevent an animal being put down precipitously. In time, this provision will save a great deal of heartache in families who may otherwise have their pride and joy, be it a cat or dog, put down when they are away. I am pleased that the minister has seen reason on a number of occasions with these amendments and has agreed to opposition proposals.

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

Mr OMODEI: I move —

That amendment No 4 made by the Council be agreed to.

The amendment is self-explanatory and relates to the publishing of a business plan; that is, one statewide and one locally. The current legislation outlines that the process should be followed twice. Following negotiations with members in the other place, particularly the Australian Democrats, the Government agreed to the amendment.

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

Mr OMODEI: I move -

That amendment No 5 made by the Council be agreed to.

Mr McGOWAN: Again, I am pleased that the Government has agreed to the Opposition's point of view on this clause. In this Chamber, when amendment No 5 was initially debated, the Opposition wanted to delete from the Bill a requirement that local government commissioners be permitted to operate for two years. The Local Government Act allows commissioners to work within a council for one year. In practice, commissioners were appointed to an authority for a longer period than one year. The Opposition believes that one year should be sufficient for those activities to be completed, particularly when provision exists for the appointment to be extended. The Opposition considers that the one-year appointment is sufficient under the Act. The Government believed it should be extended to two years and argued forcefully for that change. In the upper House, the Opposition stuck to its guns that the two-year requirement was excessive. I am glad that the Government has agreed. The installation of commissioners in local government is an abrogation of democracy. I said in the debate in this place that we would not like it if the Federal Government were to install commissioners in this place, even though it is a constitutional impossibility. Local government is an autonomous and important level of government. People of this State deserve democracy to apply in local government.

We are pleased that the Government has agreed to the amendment made by the Council. I am also pleased that the minister has displayed a great deal of reason in this Chamber by allowing this amendment to stand and not abandoning the Bill altogether, as it seems the Government will do with other Bills. I am pleased in many areas, and unhappy in one or two other areas. The minister has shown belated goodwill -

Mr Omodei: Belated?

Mr McGOWAN: Belated in that the measures needed to be passed in the other House. It must be the Christmas spirit causing the minister to show so much goodwill on these amendments! I am pleased that the Government has agreed to amendment No 5.

Mr OMODEI: Amendment No 5 will delete clause 19 which relates to the proposal by the Government to extend local government commissioners' time of appointment across the State to two years. That proposal would bring them into line with the suspension and dismissals procedures, which also apply for two years. I thank the member for Rockingham for his words of encouragement. I become a little concerned when the Opposition passes accolades. I was impressed by Hon Tom Helm's comments in the upper House: He heaped praise upon me as minister and upon the Government.

Mr McGowan: What did he say?

Mr OMODEI: He said that the minister and his staff were outstanding. I started to wonder whether I had this right! The Labor Party has a political angle on this issue; namely, it is pandering to some people in the northern suburbs who would like to shorten the terms of the Wanneroo commissioners. The Government believes no gains will be made in having the commissioners in any place for an extended time. I would like to return to a democratically elected local government as soon as possible. The Wanneroo commissioners' appointment is to be extended. It is a maximum, not mandatory, two years; that is, it is any time up to two years. Wanneroo was a large establishment and its split is probably the largest local government transaction to take place in Western Australia since the split of the City of Perth. The one-year appointment was not adequate with the City of Perth. It was adequate to deal with small councils like the Ngaanyatjaraku amalgamation, where much of the work was carried out prior to the deliberation. I intend to table a report on the progress made so far in the restructure of Wanneroo. It was said in the other place that the commissioners were moving too slowly, and that the Government had given them a false impression that their appointment would be for two years. That is not true. The report will show that the commissioners have been working in all haste. The accusation was also made that the commissioners were not using enough outside resources to assist them in their deliberations on the split of the city, and its assets and liabilities. The report will show clearly that all of those things have occurred, and that outside resources are being used. Had we tabled those reports earlier, I am sure the Opposition would have found a reason to attack the Government for using too many outside resources to assist the commissioners. It is a matter of striking a balance. Passing legislation through the Parliament is the art of the possible, and knowing full well the structure of the Legislative Council and the way it operates nowadays, my instructions to my staff were to negotiate with the Opposition, including the Australian Democrats and the Greens (WA), to pass the legislation through the Parliament. Although I welcome some of the accolades of the Opposition, I still believe that the requirement for two years should have been agreed to. However that was not the case, and under new clause 57, which we will debate shortly, we have at least been able to achieve a compromise.

Mr McGOWAN: The Minister for Local Government has obviously fallen for the reverse psychology used by Hon Tom Helm, an ALP member for the Mining and Pastoral Region. His flattery has lulled the minister into a false sense of security, and the minister has agreed with the Opposition on this point. I congratulate my colleague in the other place for his sterling job there and for hoodwinking the minister with his fulsome and flowery praise. The minister thinks he is doing a good job.

I am not convinced the minister needs too many accolades from the Australian Labor Party, because that would not help the minister's position with his own side.

Mr Omodei: I wish they would stop.

Mr McGOWAN: The minister has fallen for the Opposition's use of reverse psychology in this matter. The minister said that the Labor Party was pandering to interests in the northern suburbs. That is not correct. Although the minister believes the provision to extend the commissioner's appointment to two years will bring the Bill in line with other legislation, the Opposition believes it is an abrogation of democracy in a local authority. The Labor Party believes in a democratic system; in fact, we believe in one vote, one value on a wider level.

Mr Shave: What is that?

Mr McGOWAN: The member for Alfred Cove would not know about that. The continued appointment of commissioners who are not elected and who have not been given an imprimatur by the people is an abrogation of democracy.

The CHAIRMAN: We are dealing with the deletion of a clause, not the issue of one vote, one value, or democracy.

Mr McGOWAN: Mr Chairman, I would hate to think we might deal with democracy in this Chamber.

The Labor Party was not pandering to particular interests; it was trying to do the right thing for the State of Western Australia and not a particular section of the State.

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

Mr OMODEI: I move -

That amendment No 6 made by the Council be agreed to.

This clause relates to the payment of gratuities, and is a matter that was negotiated between the Government and the Opposition. An appropriate compromise has been reached to set prescribed amounts under regulation.

Mr McGOWAN: Amendment No 6 deals with the payment of gratuities to council employees or councillors when they leave a local authority. The Council's amendment arose from an amendment put by the Opposition in this Chamber, but rejected by the Government. However, in expressing some Christmas goodwill, the minister has agreed to the form of words put in the other place which achieves the same thing. The amendment I moved in this place would have limited any gratuity paid by any council to the sum of \$5 000. A number of, in particular, chief executive officers around the State probably earn more money than the minister - even though the minister is grossly overpaid. In some instances, CEOs have received large gratuities upon leaving their office. That is inappropriate. The amendment I proposed in this place attempted to limit any gratuity to \$5 000. The minister's staff advised me that the word "gratuity" might have some impact on salary packaging and superannuation, particularly taxation implications which might not have been intended by the original clause. In the other place the Government passed an amendment so it could create regulations to limit the amount of gratuities paid by councils. This is a positive step and the Opposition will support it. It is probably not as forthright as the amendment I proposed in this place. However, it provides the Government with the capacity to limit gratuities paid in the future to council staff and councillors. I would like to see the Government put the regulations in place quickly, because I am sure that once some people hear about this power they will line up their retirements and gratuities before the regulations come into effect. The Opposition will keep an eye on this to ensure that these regulations are put in place fairly swiftly, and we have in place a regime which will protect ratepayers.

Mr OMODEI: The member's holier than thou attitude must be challenged. The largest gratuity payout made to a local government practitioner in Western Australia was made by a Labor Government, when Minister David Smith approved a \$100 000 gratuity. The reason we debated the issue in the committee stage was to alert members that under salary packaging and contractual arrangements, gratuities or de facto gratuities can be built into a local government practitioner's salary. The requirements of the current Act are that the gratuity be advertised in the community. The accountability measure is in the ballot box. If members of the community considered that the local government's gratuity policy was too generous, they would change the council, and thereby change the policy. Although I know the member's intentions are good, I will not allow his comments that the Government was permitting extraordinary payouts to retiring local government officials to go unchallenged. The Government was trying to restrain those payouts to sensible arrangements.

Mr McGOWAN: At no time did I allege that the minister was attempting to allow any extraordinary payments to any council officers. The minister raised the example of a past Labor minister. I could not care less what happened in a former Labor Government; I was not a party to it. I do not know the facts, but on the face of it I do not agree with what was done. If I were the Minister for Local Government in two years' time, I would prevent those sorts of gratuities.

Mr Shave: Keep your money in your pocket; do not waste your money.

Mr McGOWAN: We will see. The minister was lucky to retain his seat; I have a bigger margin.

I would put in place regulations. The minister said that local government authorities are autonomous and deserve the right to do what they want. I agree that local governments are autonomous and that they should govern their own affairs. However, the minister wants to extend the period during which the commissioners can operate. That is an unusual dichotomy.

Mr Shave interjected.

Mr McGOWAN: Hon Tom Helm has inflated the minister's head and he needs it brought back to size. Obviously the minister cannot do that, so I will have to do it.

Mr Omodei interjected.

Mr McGOWAN: That does not display much Christmas goodwill.

This clause is designed to prevent excessive payments to ex-local government officers. I know the minister knows that has happened and that we should do something about it, and the ratepayers of the State would support this Parliament if it did so.

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

Mr OMODEI: I move -

That amendment No 7 made by the Council be agreed to.

This amendment inserts a new clause introduced by the Government given the rejection of clause 19, which dealt with the extension of the commissioners' appointment for two years. New clause 57 extends the appointment from 12 months to 18 months. At the same time, it refers only to the City of Joondalup and the Shire of Wanneroo. Again, this amendment was negotiated between the Government and the opposition parties in the upper House. The Labor Party and the Greens (WA) seemed at one stage to be prepared to agree to an extension and then changed their minds. With a display of commonsense, the Australian Democrats voted with the Government, and the legislation was amended to allow an extension of six months and the elections for the Shire of Wanneroo and City of Joondalup to be no later than 31 December 1999.

Mr McGowan: You said six months; it is 18 months.

Mr OMODEI: It is an extension of six months. Originally it was 12 months and it will be extended by six months.

The inaugural elections should be held by postal vote, and that should happen early in December with both new councils taking office at the end of that month. That clarifies some of the comments made in the upper House. The representative minister in the upper House referred to the councils being elected in May 2000; in fact, the elections will take place in December 1999 and the new councillors will take their places by the end of that month.

It is well known that this has been a contentious issue purely because of the logistics and size of the task before the commissioners. They have acted in an exemplary manner. It is not an easy task and they are independent. In distributing the assets of the City of Joondalup and the Shire of Wanneroo, we need independent people. Members can well imagine that if new councillors were elected, they would be parochial, and one could not blame them for that. The minister would then be required to intervene and make some of the transfers by Governor's order, which would not make for an orderly transition to the two new local government entities.

The six-month extension is not sufficient time in which to complete the task. The commissioners will be required to act with all haste and use whatever resources are available to ensure that the two new councils can conduct elections by post. In the end, the commissioners make that decision, but I favour postal voting. More than half the electors will vote by post. That is a step in the right direction, and I encourage the commissioners to make a decision along those lines.

Again, the Government has been prepared to sit down with the opposition parties to negotiate. Although 18 months is not what I would call an appropriate time for the City of Joondalup and the Shire of Wanneroo to be dealt with, it goes part of the way to achieving the desired end.

Mr McGOWAN: This clause is the result of the deletion by the upper House of clause 19 of the Bill. The Government has put in place a transitional provision for the two councils concerned. The Opposition opposes this clause for two reasons. When they were appointed the commissioners knew the duration of that appointment. They had the resources of the biggest local government authority in Western Australia to achieve a split and put in place staffing and asset division arrangements that would be fair to the people of that area. They have gone along with the assumption that this minister will cave in to their demands for an extension of time. Therefore, they have been a little more relaxed about the processes they have had to put in place than they would otherwise have been.

Mr Omodei: On what basis do you make that comment? That is without foundation.

Mr McGOWAN: Has the minister been lobbied for an extension?

Mr Omodei: It was obvious that there would not be enough time. I asked the commissioners whether there would be and they said no.

Mr McGOWAN: Have the commissioners discussed the issue with the minister?

Mr Omodei: We have discussed the matter several times.

Mr McGOWAN: So they have spoken to the minister.

Mr Omodei: They can achieve only certain things in the time available. Surely the member knows that. They have a \$100m business with 1 000 employees and a host of issues with which to deal. The member seems to believe it can be done in 12 months. He is wrong.

Mr McGOWAN: The minister knows they have been there longer than 12 months. They must have been operating on the assumption they would have longer to achieve the required results. The minister must have told them he would try to put through -

Mr Omodei: Why do you say that?

Mr McGOWAN: Why the urgency? Surely they should have had the processes in place to complete the task by 1 July next year.

Mr Omodei: You are saying that while they were acting as commissioners with the suspended councils, they should have been making decisions about the split.

Mr McGOWAN: They should have been putting in place -

Mr Omodei: You would not agree to that.

Mr McGOWAN: The minister and I knew it was coming. They should have been putting in place the required mechanisms.

Mr Omodei interjected.

Mr McGOWAN: The minister is getting some advice. The puppeteer has his hand up the minister's back.

The commissioners should have operated on the basis that they had a year in which to get the job done. It is an abrogation of democracy to extend these appointments. The Opposition opposed this clause in the upper House, and it still opposes it. It will not divide on the issue; it has made its points.

For some very strange reason, the Australian Democrats voted with the Government on clause 22 to give landlords better rights than those of tenants to remain enrolled.

Mr Omodei: What has that to do with amendment No 7?

Mr McGOWAN: The minister has caught me out on that. He can take a point of order.

The Labor Party cannot work out why the Democrats did that, and I am very disappointed that they did so.

Mr OMODEI: I made it clear 12 months ago by ministerial statement that the commissioners would need more than 12 months to handle the transactions at Wanneroo. No-one can say that the Parliament, the people of Wanneroo or the people of Western Australia did not know that. It was made clear by both a statement in this House and a media statement.

The other part of amendment No 7 refers to new clause 58 which requires quarterly reports by the Joondalup and Wanneroo commissioners, to which the member did not refer. I could have let it go through but I will not. The Government initiated this new clause. It is in line with the requirements for the City of Wanneroo; that is, within 14 days of the end of each quarter, the commissioners are to report to the minister about the performance of their functions. The amendment outlines the reporting process. During the debate in the upper House the matter of reporting and commissioners being accountable was brought to the attention of the Parliament, and the Government has responded by requiring them to report in this way.

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

Mr OMODEI: I move -

That amendment No 8 made by the Council be agreed to.

This amends the long title and adds the words "to effect".

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

Mr OMODEI: I table a report titled "Resources Utilised in the Division Process" in the City of Joondalup and the Shire of Wanneroo.

[See paper No 640.]

Report

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

WESTERN AUSTRALIAN LAND AUTHORITY AMENDMENT BILL*Returned*

Bill returned from the Council with amendments.

Council's Amendments - Committee

The Deputy Chairman of Committees (Ms McHale) in the Chair; Mr Shave (Minister for Lands) in charge of the Bill.

The amendments made by the Council were as follows -

No 1

Clause 7, page 4, after line 7 - To insert the following new subsection -

- (2) Of the persons appointed under subsection (1) four shall be persons each of them having in the opinion of the Minister, knowledge of and experience in any of the fields of town planning, housing, industry, commerce, finance, engineering and land development.

No 2

Clause 11, page 8, line 4 - To insert after "in" the designation "(i)".

No 3

Clause 11, page 8, line 4 - To insert after "and" the words "(ii) section 20; and".

No 4

New clause, page 23, after line 25 - To insert the following new clause -

Section 48 replaced

- 25. Section 48 is repealed and the following section is inserted -

Review of Act

- 48. (1) The Minister is to carry out a review of the operation and effectiveness of this Act within 6 months after every 5th anniversary of the commencement of the *Western Australian Land Authority Amendment Act 1998*.
- (2) In the course of that review the Minister is to consider and have regard to -
 - (a) the effectiveness of the operations of the Authority;
 - (b) the need for the continuation of the functions of the Authority; and
 - (c) such other matters as appear to the Minister to be relevant to the operation and effectiveness of this Act.
- (3) The Minister is to prepare a report on the review within 6 months after the review is carried out and cause the report to be laid before each House of Parliament as soon as is practicable after it is prepared.

No 5

Schedule 1, page 27, lines 3 and 4 - To delete the lines.

Mr SHAVE: I move -

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

Mr McGOWAN: This clause seeks to allow the minister to appoint to the board of the Western Australian Land Authority people who meet certain qualifications. Does the minister expect the amendment to be of substance or will he pay lip service to it in terms of the people he appoints?

Mr SHAVE: Hon Norm Kelly in the other place felt that the provision required a certain designation. That has been

accepted by the Government. It is not a matter of paying lip service to the amendment. The Government did not believe it was necessary to have that stipulation but under the national competition policy it may restrict the ability to put people on the board who did not have those designated qualifications. The Government does not have a problem with the amendment.

Mr McGOWAN: As indicated in the second reading speech, the principal purpose of this Bill is to amend the Act, and most important to allow LandCorp to continue beyond 31 December this year. Why has it reached the death knock? Why, seven days prior to the death of LandCorp, are we debating the matter? A special sitting of Parliament has been called principally to debate this Bill to keep LandCorp in existence. Why is the management of this House such that at great expense involving staff, travel and electricity we have had to call a special sitting two days prior to Christmas? I do not object to working two days prior to Christmas. However, I object to the cost if the main purpose is to pass this Bill, which had opposition agreement, seven days prior to LandCorp being dissolved as an entity.

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

Mr SHAVE: I move -

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

Mr McGOWAN: I am a little perplexed about what is occurring here. I posed a question to the minister in relation to the last amendment, although it was of a general nature. However, it is relevant to debate on this amendment. Why, seven days prior to the expiry of LandCorp on 31 December 1998, are we debating its continuation at a special sitting of the Parliament? That is a straightforward question. According to the second reading speech the ministerial review findings in relation to the Western Australian Land Authority Act were handed down on 24 June this year. I recall debating this Bill shortly after that. The Opposition did not propose any amendments. I asked the minister a few questions about a bit of pork-barrelling; he responded with a few platitudes, and that was it; the Bill was passed through this House. Why six months later, seven days prior to its expiry are we debating the continued existence of LandCorp? Surely this could have been dealt with before; I am simply asking why it was not. I remember in my first year in this place - last year - we debated the sunset clause on the operation of the Act because LandCorp should have expired a year ago. I handled the Bill in this House and told members that the Opposition agreed to allow LandCorp to remain for another year. The Government knew the Opposition would agree with this Bill. Why are we now debating keeping LandCorp as a living, breathing entity?

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

Mr SHAVE: I move -

That amendment No 3 made by the Council be agreed to.

Mr McGOWAN: I am becoming frustrated by the minister. I am asking a very simple question: Why we are back in this Parliament today? This issue has been addressed in *The West Australian* in a small way. Why are members back in this Parliament debating the continued existence of an organisation with assets running into the hundreds of millions of dollars seven days before its expiry? Surely we could have dealt with this matter earlier in the session. Why have we incurred all of the expense involved in bringing members back into the House principally to deal with this Bill? I know it is principally for this Bill; everything else on the Notice Paper could have waited until the autumn session next year. By the minister's complete and bizarre silence it seems that we are in some sort of gaga situation. The minister is sitting there like a moving stuffed toy and not responding to anything I have said.

Withdrawal of Remark

Mr SHAVE: The member for Rockingham is being rude and derogatory and should refrain from this personal attack.

The DEPUTY CHAIRMAN (Ms McHale): I am not sure to which section of the member for Rockingham's speech the minister is taking exception.

Mr SHAVE: I am happy to clarify. I find it offensive to be called a "moving stuffed toy".

The DEPUTY CHAIRMAN: The member for Rockingham actually said the minister was like a moving stuffed toy, but he may reflect on his statement.

Mr McGOWAN: I am again perplexed by the minister. I do not know what is happening here - normally we get on so well. I know for a fact the minister has skin thicker than a saltwater crocodile. I know he would not be offended by being described as a moving stuffed toy.

The DEPUTY CHAIRMAN: The minister has taken exception to the member for Rockingham's comments.

Mr McGOWAN: I withdraw.

Debate Resumed

Mr McGOWAN: I asked a simple question of the minister. If he cannot answer, it is appropriate for the Leader of the House to explain why we are back here today merely to deal with this Bill. This Bill is designed to allow LandCorp to remain in existence beyond 31 December and we have a special sitting of Parliament to deal with it. We had months of Parliament to deal with it.

Mr Bloffwitch interjected.

Mr McGOWAN: The minister will not answer so the member for Geraldton might be able to answer. Nothing else we are dealing with today is urgent. The member for Geraldton knows we have been brought back here to deal with this Bill because if we do not do so, LandCorp ceases to exist. This Bill could have been dealt with two weeks ago. The Opposition would have agreed and the Government knows it.

Mr Bloffwitch: It is a very good reason to deal with it.

Mr McGOWAN: Why not do it before? Members have been brought back to deal with this Bill at additional expense and this bloke, the minister - I will not describe him as a toy but as a very precious saltwater crocodile - is unable to come up with any reason whatsoever for us to be back here dealing with this. We should have dealt with the matter a few weeks ago. The minister's incompetence has cost the taxpayers of this State a lot of money.

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

Mr SHAVE: I move -

That amendment No 4 made by the Council be agreed to.

Mr McGOWAN: I remember seeing Muhammad Ali going back on the ropes and letting George Foreman punch him for eight rounds and not say a word. I hate to compare the minister with Muhammad Ali because I hold Ali in the highest regard. However, the minister is not saying anything to justify his position. The people deserve some sort of answer. I am not the member for Armadale; the minister cannot rile me - I will rile the minister. I cannot work out why the minister cannot answer this simple question about why this matter was not dealt with earlier. The ministerial review findings were released in June of this year and this matter could have been dealt with at any time since then. Now we have a special sitting of the Parliament to cover up for the minister and all the minister does is sit back on the ropes and not defend himself. It is pretty pathetic to watch.

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

Mr SHAVE: I move -

That amendment No 5 made by the Council be agreed to.

I will clarify a couple of comments made by the member for Rockingham. I find it extraordinary that he can come into this place and start to berate me because members in the other place did not deal with this legislation before now. Some of the comments the member for Rockingham made are quite untrue. He said that this legislation was introduced in June. He knows very well that the legislation was introduced in October and debated then - it was not done six months ago. If he is trying to get his name in the newspaper just before Christmas, he is not doing a very good job of it. The reality is we always expected this House to come back before the end of the year. The decision was made to deal with this Bill on this day because the upper House has been sitting until now. It would have been done yesterday except the upper House is dealing with further legislation today. It was thought that today was the opportune time to deal with this matter. The House was not coming back only to deal with the Western Australian Land Authority Amendment Bill. If it is the case that some of the other legislation we hoped to be passed has not come back to the House or has come back in an unacceptable state, it is not my fault and it is not the fault of the Government. The fact that the member's colleagues in the upper House have deliberately embarked on a bloody-minded course to destroy any legislation the Government introduces into this Parliament is not my fault. That is the fault of the colleagues of the member for Rockingham. If the member is coming in here to get a Christmas present and to try to berate me for the behaviour of his colleagues, I suggest he talk to them, not me.

Mr McGOWAN: That is not true. The minister and government members know full well that there was never an understanding that Parliament would be coming back today. The minister said that we are trying to destroy everything; we are supporting this Bill. We supported most of the amendments that the Government proposed in the upper House. The minister's saying that we are trying to destroy the Government's Bills is a crazy, mad, lunatic statement. The minister knows that there is one essential reason. We are into round five; it is like the rumble in the jungle stage now where the minister is completely punch drunk on this matter. We have not heard one explanation of why he did not bring this in earlier. He knows he could have brought it in earlier because we would have supported it. The minister is costing this State a great deal of time and money, and he knows it.

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

Report

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

GAS PIPELINES ACCESS (WESTERN AUSTRALIA) BILL*Returned*

Bill returned from the Council with amendments.

Council's Amendment - Committee

The Deputy Chairman of Committees (Ms McHale) in the Chair; Mr Barnett (Minister for Energy) in charge of the Bill.

The amendments made by the Council were as follows -

No 1

Clause 23, page 17, after line 18 - To insert the following subclause -

- (3) In making a decision under section 4.15 of the Code, the relevant Regulator may treat any tax liability arising from an exempt matter as an administrative cost referred to in section 4.15 (a) (ii) or (b) of the Code.

No 2

Clause 36, page 25, lines 13 to 15 - To delete the lines and substitute the following lines -

- (5) Within 14 days after a direction is given under subsection (2), the Regulator is to send to the Code Registrar a copy of the direction and cause the text of the direction to be published in the *Gazette*.

No 3

Clause 36, page 25, line 16 - To insert after the words "is to be" the following words -

tabled in both Houses of Parliament not later than 14 sitting days of the day on which the direction was given and

No 4

Clause 73, page 44, lines 19 to 21 - To delete the lines and substitute the following lines -

- (4) If a direction is given under subsection (2), the arbitrator is to cause the text of the direction to be published in the *Gazette* within 14 days after the direction is given and, within 14 days after any person asks the arbitrator to give to the person a copy of the direction, the arbitrator is to comply with the request.

No 5

Clause 73, page 44, line 22 - To insert after the words "is to be" the following words -

tabled in both Houses of Parliament not later than 14 sitting days of the day on which the direction was given and

No 6

New clause 28, page 20, after line 22 - To insert the following new clause -

Appointment of Regulator

- 28.** (1) When there is a vacancy or impending vacancy in the office of Regulator, the Minister is required to -
 - (a) inform the Commissioner of that vacancy or impending vacancy; and
 - (b) request the Commissioner to act under this section to enable the filling of that vacancy or impending vacancy.
- (2) On receiving the request, the Commissioner is to invite the Minister to inform the Commissioner of any matters that the Minister wishes the Commissioner to take into account in nominating a person or persons suitable for appointment to the office of Regulator.
- (3) The Commissioner is to notify the vacancy or impending vacancy in such manner as the Commissioner thinks sufficient to enable suitably qualified persons to apply for appointment.
- (4) The Commissioner is to cause applicants to be examined, but nothing in this section requires the examination of all applicants.

- (5) To assist in the examination of applicants, the Commissioner is to form a selection panel that is to be chaired by the Coordinator of Energy and is to include at least 2 other persons chosen by the Commissioner.
- (6) The Commissioner may seek advice from such sources as the Commissioner considers relevant and may invite such other persons as the Commissioner thinks fit to assist him or her to decide on the person or persons suitable for appointment to the office of Regulator, and any person so invited may sit on the selection panel when it is examining applicants and may take part in the deliberations of the Commissioner on the matter.
- (7) If the Commissioner decides on a person or persons suitable for appointment to the office of Regulator, the Commissioner is to nominate that person or those persons and forward to the Minister the name or names of the person or persons nominated, together with full particulars of the qualifications of that person or those persons.
- (8) If the Minister accepts the person, or one of the persons, nominated by the Commissioner, the Minister is to recommend to the Governor that the person accepted be appointed.
- (9) If the Minister rejects the person, or both or all of the persons, nominated by the Commissioner, the Minister may request the nomination of another person by the Commissioner and is to deal with any further nomination as if it were made under subsection (7).
- (10) If the Commissioner does not nominate any person suitable for appointment or a nomination or further nomination by the Commissioner is rejected, the Minister -
 - (a) may recommend to the Governor that -
 - (i) in the absence of a nomination by the Commissioner, a named person; or
 - (ii) a named person other than a person nominated by the Commissioner, as the case requires, be appointed to the office of Regulator; and
 - (b) is to cause notice of the making of that recommendation, together with the reasons for recommending the named person, to be published in the *Gazette* as soon as practicable.
- (11) In this section -

"Commissioner" means the Commissioner for Public Sector Standards under the *Public Sector Management Act 1994*;

"Coordinator of Energy" means the Coordinator of Energy appointed as required by the *Energy Coordination Act 1994*.

No 7

New clause 62, page 39, after line 3 - To insert the following new clause -

Appointment of arbitrator

- 62.** (1) When there is a vacancy or impending vacancy in the office of Arbitrator, the Minister is required to -
 - (a) inform the Commissioner of that vacancy or impending vacancy; and
 - (b) request the Commissioner to act under this section to enable the filling of that vacancy or impending vacancy.
- (2) On receiving the request, the Commissioner is to invite the Minister to inform the Commissioner of any matters that the Minister wishes the Commissioner to take into account in nominating a person or persons suitable for appointment to the office of arbitrator.
- (3) The Commissioner is to notify the vacancy or impending vacancy in such manner as the Commissioner thinks sufficient to enable suitably qualified persons to apply for appointment.
- (4) The Commissioner is to cause applicants to be examined, but nothing in this section requires the examination of all applicants.
- (5) To assist in the examination of applicants, the Commissioner is to form a selection panel that is to be chaired by the Coordinator of Energy and is to include at least 2 other persons chosen by the Commissioner.

- (6) The Commissioner may seek advice from such sources as the Commissioner considers relevant and may invite such other persons as the Commissioner thinks fit to assist him or her to decide on the person or persons suitable for appointment to the office of arbitrator, and any person so invited may sit on the selection panel when it is examining applicants and may take part in the deliberations of the Commissioner on the matter.
- (7) If the Commissioner decides on a person or persons suitable for appointment to the office of arbitrator, the Commissioner is to nominate that person or those persons and forward to the Minister the name or names of the person or persons nominated, together with full particulars of the qualifications of that person or those persons.
- (8) If the Minister accepts the person, or one of the persons, nominated by the Commissioner, the Minister is to recommend to the Governor that the person accepted be appointed.
- (9) If the Minister rejects the person, or both or all of the persons, nominated by the Commissioner, the Minister may request the nomination of another person by the Commissioner and is to deal with any further nomination as if it were made under subsection (7).
- (10) If the Commissioner does not nominate any person suitable for appointment or a nomination or further nomination by the Commissioner is rejected, the Minister -
 - (a) may recommend to the Governor that -
 - (i) in the absence of a nomination by the Commissioner, a named person; or
 - (ii) a named person other than a person nominated by the Commissioner,
 as the case requires, be appointed to the office of arbitrator; and
 - (b) is to cause notice of the making of that recommendation, together with the reasons for recommending the named person, to be published in the *Gazette* as soon as practicable.
- (11) In this section -

"Commissioner" means the Commissioner for Public Sector Standards under the *Public Sector Management Act 1994*;

"Coordinator of Energy" means the Coordinator of Energy appointed as required by the *Energy Coordination Act 1994*.

No 8

New clause 86, page 51, after line 3 - To insert the following new clause -

Review of Act

- 86.**
- (1) The Minister is to carry out a review of the operation and effectiveness of this Act as soon as is practicable after the review day described in subsection (3) and in the course of that review the Minister is to consider and have regard to -
 - (a) the effectiveness of the operations of the Western Australian Independent Gas Pipelines Access Regulator, the Western Australian Gas Review Board, and the Western Australian Gas Disputes Arbitrator; and
 - (b) such other matters as appear to the Minister to be relevant to the operation and effectiveness of this Act.
 - (2) The Minister is to prepare a report based on the review and, as soon as is practicable after the report is prepared (and in any event not more than 12 months after the review day), cause it to be laid before each House of Parliament.
 - (3) The review day is 7 November 2002 or, if before that day a licence is granted under the *Petroleum Pipelines Act 1969* for a pipeline that is to be a cross-jurisdiction pipeline, the day on which the licence is granted.
 - (4) In subsection (3) -

"cross-jurisdiction pipeline" means a pipeline that is partly in the jurisdictional area of this State and partly in the jurisdictional area of the Northern Territory or South Australia.

Mr BARNETT: I move -

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

Mr THOMAS: The Opposition supports this amendment. I will make a few general comments about all the amendments and then I will make specific comments on each amendment as it arises. We are disappointed in the message that has been received from the other place. As members will recall if they were in the Chamber at the time the Bill was debated a few months ago, the Opposition had a comprehensive set of amendments. We moved them in this House to no avail, as one would expect. Nonetheless, we had an interesting debate on the subject. Using its naked political force, the Government defeated those amendments. Nonetheless, the merit of the propositions we put forward was amply demonstrated. My colleague Hon Mark Nevill moved them and similar amendments in another place. Unfortunately, he could not persuade the minor parties of the merits of the case. They put forward alternative amendments which went in different directions which we supported. We now have a weakened version of the amendments which were put forward in this Chamber two or three months ago. These amendments illustrate the fact that the Bill that was put forward by the Government was defective and needed amending. I am pleased that we were able to cooperate with the minor parties, particularly Hon Helen Hodgson from the Democrats, to draft some amendments to remedy the defects in the Bill.

The first amendment to which we are referring deals with taxation. At the time the Bill went through this Chamber, there was a general understanding and concern in industry that it might be subject to capital gains tax from the commonwealth as a result of any transfers of assets which were required as a consequence of the ring-fencing requirements of the code. The Government was not able to satisfy the industry that it would be exempt. Members would be aware that it is a commonwealth tax. Although state taxes are exempt and are able to be exempted under this Bill, at the time we were debating the Bill, industry had only a statement from the Deputy Commissioner of Taxation that he thought that such transfers would be exempt from capital gains tax. We understood the concern of industry that it would like a better assurance than an indication from the Commissioner of Taxation that it would probably not be subject to capital gains tax as a consequence of the transfers of assets that are required by this legislation. We moved an amendment which would have prevented the section coming into effect until the minister had satisfied himself that that was the case. Hon Helen Hodgson is the author of this proposition and has obviously used her professional knowledge of taxation matters to draft a clause which has the effect which we sought, but in a better way. We are very pleased to include that amendment.

The industry is most concerned that the Government will be introducing legislation in Parliament that could conceivably expose it to millions of dollars in capital gains tax on the say so or on the understanding of the Commissioner of Taxation that it would be exempt. The industry wants something better and we are very pleased to cooperate with the minor parties in the upper House to ensure that it receives it. We are very pleased that the Government has seen the wisdom of this direction and is supporting the amendment.

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

Mr BARNETT: I move -

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

Mr THOMAS: In this case we have a series of amendments which have a similar theme of accountability. This clause contains a requirement that directions given under subsection (2) of the clause are to be published in the *Gazette*, whereas previously that was not the case. They were simply to be sent to the code registrar. This amendment will increase the degree of public accountability so the public will know when directions are given by the minister to the regulator and there will be full and immediate accountability; not finding out six months later.

It is very interesting that we should have the opportunity to consider the notion of accountability in the gas industry. Earlier on today the minister stood in this Chamber and announced the sale of AlintaGas in a three-minute brief ministerial statement which does not provide the opportunity for parliamentary debate. He sought to sneak a major announcement through Parliament in the days before Christmas, no doubt in the hope that the public would not notice.

Mr Barnett: I am sure people will notice. There was no desire to sneak it through; the desire is to tell people what is happening.

Mr THOMAS: That is very difficult to believe.

Mr Barnett: There will be a big press conference with all media in attendance. It will be full-on.

Mr THOMAS: That is difficult to believe. Brief ministerial statements are intended under standing orders to be used for minor announcements. The minister hoped to avoid debate.

Mr Barnett: I assure you that I am looking forward to debate on this matter.

Mr THOMAS: So am I.

Mr Barnett: It will be good fun - I hope there is lots of it!

Mr THOMAS: It will be an interesting six months for the minister. That debate will have a sad and different end for the minister from the debate on the Bill before us. The Opposition will oppose the sale of AlintaGas.

Mr Barnett: Can you repeat that? Is the Labor Party's position to oppose the sale of AlintaGas?

Mr THOMAS: Yes.

Mr Barnett: Have you checked with your leader?

Mr THOMAS: Yes.

Mr Barnett: Do you oppose the sale?

Mr THOMAS: Yes.

Mr Barnett: Thank you. I want to make your position clear going to the next election. You oppose the sale of AlintaGas.

Mr THOMAS: That is right. It is interesting that the minister referred to our position going to the next election, as I predict that this sale will still be an issue at the next election. We will oppose as strenuously as we can in this House the legislation which will be necessary for the sale of AlintaGas. I assume it will be through an amendment to the Gas Corporation Act. We will seek to have our colleagues in the other place oppose that measure. We will seek to have the Greens (WA) and the Democrats oppose the sale. Of course, they will speak for themselves. However, if they are persuaded by the merits of keeping a natural monopoly in public ownership, the legislation will be defeated and the minister will be defeated in his efforts to sell off public assets. I ask the minister to desist from his position when we go to the next election. I can advise the minister that he is out of touch with what the people of Western Australia think; namely, they are opposed to the sale of natural monopolies to private hands.

Mr Barnett: Do you know what a natural monopoly is?

Mr THOMAS: I have a pretty good idea.

Mr Barnett: Do you have a definition to offer to the debate?

Mr THOMAS: One definition is that the price of goods is more efficiently obtained, or one can deliver the service at a lower price, by having one owner rather than two. That is what I recall from economics 10.

Mr Barnett: It is nothing like it, but still.

Mr THOMAS: While the minister was in the economics faculty, I was on the other side of the car park in the arts faculty studying other matters. The small amount of economics I studied indicates that it is services that are able to be delivered at a lower price by having one operator rather than two. I look forward to the debate with the minister in the months to come.

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

Mr BARNETT: I move -

That amendment No 3 made by the Council be agreed to.

Mr THOMAS: I return to the issue of accountability, and the minister's attempt to sneak through Parliament a major announcement on a major change of policy, and then sneak a sale of a major asset to the private sector. The minister will dispose of a major public asset which is a natural monopoly. The people of Western Australia certainly do not want this sale. It is appropriate that once again the opportunity to debate this matter arises with a clause considering accountability. The provision outlines that a direction must be tabled in both Houses of Parliament not later than 14 sittings days after the direction was given. The relevance is Parliament's involvement. The minister is seeking to minimise the opportunity for parliamentary debate on his sale of public assets, which people wish to retain in public ownership. The minister is wrong. The people of Western Australia do not want these natural monopolies sold into private ownership.

I am not sure of the minister's involvement in the federal election on 3 October. I was involved in campaigning in the seat of Fremantle. I am not sure for whom the minister campaigned; he probably was on the horns of the dilemma regarding what to do in the federal election -

Mr Barnett: Why? I campaigned for the now member for Curtin and the former member for Stirling.

Mr THOMAS: That is interesting to know. I thought the minister might be tempted to campaign for the former member for Curtin. It would have been a wise thing to do; he is an honourable man.

Mr Barnett: If you have such an interest in Curtin, you should be advised that I spoke at the launch of Julie Bishop's campaign and at all the functions involved in it.

Mr THOMAS: I do not know whether a One Nation campaign was run in Curtin. We had one in Fremantle. Interestingly, a major issue raised by the people, among a number of issues raised, was privatisation. People are sick of privatisation. People are opposed to these moves as they value public assets. They have a degree of ownership, intellectual and emotional. They do not want them transferred to private ownership. One Nation misused that sentiment. However, the innate perception regarding the people of Western Australia was correct. If natural monopolies are to move into private ownership, people could be held to ransom by the owners of that infrastructure. It is clear that one need not dispose of the critical and strategic infrastructure to free up the market. One can free up the gas market, while retaining publicly owned infrastructure: One can have a free gas market in which people can buy gas from different producers or suppliers, but have the critical infrastructure remain in public ownership. That has existed until recently with the sale of the Dampier-Bunbury natural gas pipeline. It has existed for major consumers of gas, and it can be extended to minor consumers. I challenge the minister: If he seriously believes that the people of Western Australian support his jaundiced policy, why not hold off until after the election and put it to the test?

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

Mr BARNETT: I move -

That amendment No 4 made by the Council be agreed to.

Mr THOMAS: Amendments Nos 4 and 5 relate to what I broadly describe as accountability. Amendment No 4 adds a requirement for direction to be published in the *Government Gazette*, and amendment No 5 will see documents tabled in both Houses of Parliament. They improve accountability and receive opposition support.

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

Mr BARNETT: I move -

That amendment No 5 made by the Council be agreed to.

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

Mr BARNETT: I move -

That amendment No 6 made by the Council be agreed to.

Mr THOMAS: The subject matter of this amendment is different from the previous five amendments. I hope the minister might do a little bit more than sit mute, as he has done previously in the debate, and answer some of my questions, because this is the most critical aspect of the Bill. During earlier committee debate in this Chamber on the classes of person who would be able to be appointed as regulator, because we did not want somebody who would be prone to being a captive of the industry, we spoke about the fact that people have written libraries of books on the propensity of regulators to be captured by the industry that they regulate. The Opposition expressed its concern that it was likely, with the sort of structure the minister was bringing forward, that the regulator would be prone to that happening. For that reason the Opposition wanted the Australian Competition and Consumer Commission to undertake the regulatory job in gas transmission. However, as the state regulator would undertake that job in gas distribution, we wanted to define the class of person from which that office could be appointed to exclude people who had worked in the industry in this State in the recent past or in government in an area where they were regulating or in some sense administering that industry.

The Opposition made the point that Western Australia is still a relatively small State - 1.9 million people according to this morning's *The West Australian* - and that the gas industry, although looming large in our State, still comprises a small circle of people. One has only to be involved in the industry, whether in government, opposition or the industry, for a short space of time to know most of the people in the industry. The Opposition felt that the Bill would create a situation in which the regulator would be likely to be captured by industry. That is not a reflection of the people who would be considered in those categories; that is the way of the world. The Opposition was concerned to create a situation in which that would not occur. I made suggestions to the minister outside the Chamber that, if he did not want to bring in the ACCC as the regulator, he should create a regulator with a broad jurisdiction to cover rail, water, electricity and the other areas that need to be regulated, so that the jurisdiction is so broad that the regulator is less likely to be captured by one small aspect of it. Notwithstanding the merits of that position, which is a good one, the Opposition was unable to persuade the minor parties in the other place of that position. Negotiations led to new clause 28 in the substantive Bill which has to do with the processes for the appointment of the regulator, and brings in the Commissioner for Public Sector Standards. In the substantive Bill the Commissioner for Public Sector Standards originally had no role in the appointment of the regulator. New clause 28 will create a role for the Commissioner for Public Sector Standards, so the regulator will be detached from not only the minister but also the industry at large. The person will come to it with a fresh view. Processes are in motion to appoint a person to that position, notwithstanding that the legislative basis for the position did not exist. What is the status of that position and what will happen to whatever has been occurring up to this point?

Mr BARNETT: The Government has agreed to follow what might be described as normal public sector processes for the

appointment of a CEO to apply equally to the appointment of a regulator. I have no difficulty with the suggestion that came from the other place. The legislation allows for the appointment of an interim regulator, if necessary, and the subsequent appointment of the permanent regulator. There is a desire among industry to know who the regulator will be, and to immediately start to deal with some of issues that apply in the new access code rules. I do not know how we will approach that. That decision has not yet been made. Once the Bill is proclaimed we might enter into a formal process for the appointment or we might opt to appoint an interim regulator so that industry issues can be dealt with during the appointment process. I will undertake to inform the member when that decision has been made, but it will not be made for some weeks yet.

Mr Thomas: Is the minister saying that no arrangement has been reached with any of the candidates?

Mr BARNETT: There has been a process, but no appointment has been made.

Mr THOMAS: I thank minister for the undertaking that he will inform me of those steps as they occur over the forthcoming weeks. It is a most important matter. I look forward to receiving any information. I will put on record the reasons for the Opposition's concern in this matter. The Labor Party is committed to the principles of competition, the national competition policy and the national processes that have been put in place for this. We do not see that they apply any differently to Western Australia than to other places. When the minister introduced the Bill and spoke in support of a state regulator instead of the ACCC the Opposition was alarmed that mention was made of special circumstances applying in Western Australia. So often when people talk about special circumstances, they are making a case to be exempted from some requirement or other. The Opposition was fearful that the minister was seeking to evade the State's obligations under the National Competition Policy in relation to natural gas. It was critically important from the Opposition's viewpoint that the regulator be absolutely detached from industry, and not be vulnerable to pressure which comes from people who have a sob story about a particular investment or other. A regulator would need to be hard-nosed in the application of various principles. The code provides a lot of scope for discretion, hence the regulator in this instance, and the arbitrator in the next clause, have substantial powers. They will be able to make decisions that have significant commercial implications for the people who are involved in the matters on which they are regulating or arbitrating as the case may be. Therefore, when the Opposition heard phrases like "special circumstances" it was concerned that this might be the case. The important point is not so much the form of words in this clause, the code, the alternative amendment that we put forward some months ago, and the form of words that apply to amendment No 7, it is the nature of the person who is appointed to that position. My colleagues and I have been concerned that the Government has in process the steps to make an appointment and was making a de facto appointment before the legislation was passed. I am pleased that the minister has given us an assurance that that is not the case, and he will keep us informed of the processes over the forthcoming weeks. Everybody would agree that it is probably one of the most important decisions that will be made in this portfolio area in the next year or so. The Opposition will have achieved its end if this clause ensures the appointment of someone who is detached from the industry and able to operate impartially. The Opposition supports this amendment and the following amendment.

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

Mr BARNETT: I move -

That amendment No 7 made by the Council be agreed to.

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

Mr BARNETT: I move -

That amendment No 8 made by the Council be agreed to.

Mr THOMAS: The review of the Act is most desirable. The Opposition supports the amendment.

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

Report

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

Sitting suspended from 1.02 to 2.00 pm

BILLS - ASSENT

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

1. Mutual Recognition (Western Australia) Amendment Bill.
2. Revenue Laws Amendment (Assessment) Bill (No 2).

[Questions without notice taken.]

REGIONAL FOREST AGREEMENT PROCESS*Matter of Public Interest*

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

This House expresses its grave concern about the manner in which the Minister for the Environment has undermined community confidence in the Regional Forest Agreement process in this State and calls on her to give an assurance that the proposed agreement will be reviewed by the Environmental Protection Authority prior to the completion of the process and the agreement being signed.

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.

DR EDWARDS (Maylands) [2.38 pm]: I move the motion.

On 7 December of this year the Environmental Protection Authority handed down its report on the Department of Conservation and Land Management's compliance with the 1992 forest management conditions. The EPA report had two sections. The first section dealt with CALM's compliance with the 1992 conditions and the second section provided advice with respect to the development of a Regional Forest Agreement in Western Australia.

Turning to the first section, if members look at the way in which the EPA tabulated the ministerial conditions of 1992 and they count which conditions CALM has complied with and which it has not, they will note that it is about 50:50, with a small group of other conditions where it is either questionable or events have moved on. The conditions with which CALM has not complied are particularly troubling. One of the most significant of those is condition 2.2. In the 1992 environmental conditions, 2.2 related to the detailed implementation of proposals and it required any proposal implemented under the forest management plan to be in accordance with the designs and conditions as submitted to the Environmental Protection Authority. Where there was any variance, the Minister for the Environment had to agree to it. Condition 2.2 is straightforward and tells the Department of Conservation and Land Management how it must act in the years to come under the forest management plan. The EPA found that CALM had failed to comply with this significant condition and that it had failed to refer some of its logging practices to the EPA for assessment. It also found that CALM had failed to implement logging of the jarrah forests in the way set out, so that scientific studies could be done and the impact of logging on different sites and regions could be assessed. That is a very serious failing to which the EPA is pointing.

The EPA had other concerns, and said that the forest monitoring and research committee had not functioned in the way it was meant to, and had not been set up in a manner that would allow it to achieve its objectives. The EPA said it also needed to work more closely with CALM to make sure that when the final compliance was assessed, the processes for carrying out these assessments of the forest management plan were much more transparent. The words "transparent" and "transparency" keep cropping up in the EPA report. It calls for CALM to be more transparent about logging in this State. It is a momentous report from the EPA. It stated that CALM was failing in its proposals for logging and in the way it carried out some of its scientific research and had set up its research and monitoring committee. It is a significant report from the EPA.

Under the original 1992 conditions, a report such as that is not the final word. The minister may arbitrate on the conditions that are in dispute. I note that the minister has appointed Mr Codd to carry out this task. I hope she will indicate in her response that it will not be just an internal paper review. In order to re-establish our faith in the forest and the way in which it is managed, we need a review that will take public submissions and be much more open, transparent and accountable than have been some of the logging practices in this State.

The most significant point in the EPA's report was its reference to the Regional Forest Agreement process which has been going on for more than two years and, we are led to believe, is drawing to a conclusion. The most far-reaching comments from the EPA are those dealing with the Regional Forest Agreement. For example, it considered that the issue of sustainable harvest levels had not been adequately dealt with, and concluded that the level of logging set for jarrah sawlogs was not sustainable. The EPA recommended that the current maximum logging level of 490 000 cubic metres a year be reduced as quickly as possible to a level in the order of 250 000 cu m a year. The EPA took its task very seriously. Contrary to the statements of the federal Minister for Forestry and Conservation, the EPA is credible. It considers scientific papers and the chairman is a member of the Australian Academy of Science and Technology, which is not an easy academy into which to be inducted.

The EPA considered this matter in great detail and came up with what can only be extremely worrying conclusions about the management of Western Australian forests. On the contentious issue of old growth forests, the EPA recommended that the RFA should ensure that the forest areas regarded by the public as icons - that is, old growth forests it does not want to

be logged - should be fully considered for protection, regardless of whether they meet the specific RFA criteria for old growth forests. The EPA demonstrated that in the lengthy time it took to prepare the report on CALM's compliance, it listened to the community, and its response reflects community concern.

One of the most significant comments by the EPA is that it will not be bound by an RFA. In other States, environmental protection agencies and authorities are being squeezed out of the process, but the EPA has made it abundantly clear that it will not be bound by the RFA and will continue to provide independent advice on environmental matters related to forest management. There is no doubt about the huge concern in the community about the management of the State's forests. This concern must be taken more seriously. One way in which it could be addressed is by subjecting the RFA to an assessment by the EPA. The Opposition calls on the Minister for the Environment to commit to that proposition. Why should the EPA look into the Regional Forest Agreement? The first reason is that the Commonwealth and State Governments promised, in the scoping agreement for the RFA, that the draft RFA would be subjected to environmental impact assessment processes in a joint commonwealth-state situation. Recently, this notion has been reaffirmed in the Federal Parliament by the Minister for the Environment and Heritage. I am sad that the state minister is shying away from that and that the federal Minister for Forestry and Conservation has said that the EPA should get out of it. I hope the state minister will take up the cudgels and give Minister Tuckey a few facts about the whole issue and some of the history of this matter. I also hope that the federal minister will listen. I wish her good luck!

Another issue on the notion of referring the RFA to the EPA is that virtually all political parties agree to it. That is an unusual situation, on which the Government should capitalise. The Legislative Council recently released its ecologically sustainable development report on managing the forest, and the committee was made up of members from all political parties. One of its recommendations was that the draft RFA be assessed by the EPA. That has been reaffirmed by the Labor Party which considered the report in its caucus room. This issue has also been raised separately by the National Party in a paper released on forest management. It strongly argues that the draft RFA should be considered by the EPA. I predict that the minister will say that she has had legal advice that the draft RFA may not be a proposal under the current Environmental Protection Act and that is the reason for not abiding by the initial commitment. I have received arguments that a finalised RFA, so long as it is not vague, would trigger the Environmental Protection Act, because it will alter the environment. If the final RFA is so vague that it does not trigger the Environmental Protection Act, because its impact is so nebulous, the Government will invite a huge community outcry. The whole aim of the RFA process is to present the community with a document that provides certainty. The Labor Party likes the notion of the RFA and it would like to see certainty. I believe almost everyone in this House and many people in the community want that certainty. Even the conservationists, some of whom I have spoken to who are quite rabid in their protests, do not enjoy protesting. They would like more certainty. Although it will never be possible to provide a perfect system, the problem is that the way the RFA process is proceeding, it is becoming so discredited that people cannot be sure that the outcome will be beneficial and that it will remain in force for 20 years. The RFA binds the State to a 20-year program, which means the Government must take it seriously, and ensure that the public participates and that the relevant people are consulted. I am sad to say that process has not been followed to date with the RFA. There is no point in the Prime Minister and the Premier signing off on a document, and then shooting it off to the EPA.

That will be too late; the horse will have bolted. We need the Environmental Protection Authority, the State's independent environmental watchdog, to look at this document before the final signing off. Equally it is not enough to say that the forest management plan will be amended and will go to the EPA. Again, issues within the scope of the RFA but possibly outside the scope of the forest management plan will not be able to be assessed by our independent environmental watchdog. If the Government is presenting the people of Western Australia with a document concerning forest management which ties us in for 20 years, we on this side of the House demand that the EPA cast its eye over that document and the Government release it for public consultation before the Premier and Prime Minister sign off on it. It was disappointing that the minister did not come out more strongly and defend the members of the EPA and the report they had gone to some trouble to compile when the report was released. I have read many EPA bulletins and documents and I am, therefore, even more worried by the tone taken in this document. I know that members of the EPA experienced some heartache and difficulty in drawing all the information together and releasing this document. However, the Parliament should strongly back the EPA in this concern.

Members now know that 30 000 submissions were made to the Regional Forest Agreement process in Western Australia. The Federal Parliament was told recently that the 30 000 submissions have been checked, compared and compiled and that the method used to analyse those submissions has been audited. We know there are two reports; a report of all the submissions made on the RFA and one on the auditing of the methodology but when will we see these reports? The member for Cottesloe recently wrote to one of his constituents and told him that all ministers would receive a copy of the summary of the RFA in the next few weeks. If is good enough for ministers to receive this, when is it good enough for the public to receive it? The public should be engaged if we are to achieve some sort of credible outcome. Members might ask why the Opposition is raising this now. It is doing so because all indications are that the RFA is drawing to a conclusion. In answers to questions asked in this House, in Federal Parliament and in the upper House of this State, we are being told that the RFA will soon be signed. It is no wonder people have little confidence in the RFA. There have been huge outpourings from community groups, stakeholders and scientists that the process has not been credible. They say they have not been able to

contribute good science and that the science they have contributed has not always been used in ways justified by the data. While this happens, we have continuing debacles in some of the forest blocks in the south west; for example, the Wattle block debacle. The minister admitted to the upper House that she signed the temporary control area for Wattle block - something CALM would be aware of - and then sent CALM operatives into the forest to negotiate with the protesters and to try to get them to move. What sort of mediation is that? It is not mediation whereby people have equal information and power. CALM went in there knowing the minister had already signed for the temporary control area; no wonder that negotiation failed. The part of Wattle block which is on the interim register of the national estate has now been logged and for what? I am reliably informed by people who visited the area that the timber is quite small and undoubtedly most of the block has been logged for woodchip. We have similar problems with Giblett block. It is on the interim register of the National Estate.

Mr Omodei: Could you repeat that? Did you say it was logged for woodchip?

Dr EDWARDS: I am about to say that. Technically, parts of Giblett block were illegally logged; people logged them without permission.

Mr Omodei: You said they were logged for woodchip.

Dr EDWARDS: No, I did not, I said Wattle block was.

Mr Omodei: Logged for woodchip?

Mrs EDWARDS: Yes. Giblett block is now continually under threat of logging. Who knows when that will occur? I turn now to the karri hillocks near Northcliffe. That issue was raised with me recently and I wrote to the Minister for the Environment about it. I am sad to say that not a month goes by without my getting calls from people down south saying that a bit of high conservation value forest is about to be logged and asking what I can do about it. Often I cannot do a lot other than raise it in here. I was alarmed to learn that the little karri hillocks in Northcliffe are allegedly on the interim list of the register of the National Estate. I use the word "allegedly" because, like other members of the public, I have great difficulty trying to work out exactly what CALM is up to and which bits on the map are on the interim list of the National Estate. People who have pored over maps for the past few days tell me that this is yet another example of National Estate listed forest being lost to us forever. This is occurring in a climate of goodwill. I refer to the Bridgetown-Greenbushes accord process. The shire in that area brought all the parties to the table and drew up an accord document. That document is not perfect and nobody would argue that it is. However, it was a good situation of concerned local people being able to get together around a table and try to sort out some of these difficult issues. The report of the Standing Committee on Ecologically Sustainable Development in the upper House put forward the notion of trying to use an accord process to get through a difficult issue but the idea was rejected.

We need a consultative approach. This Regional Forest Agreement will be with us for 20 years. We have seen how much opinion has changed in the past couple of years. Opinions will continue to roll, people will continue to want old growth forests protected. We should not be ramming through something which is unacceptable to the community. We should be consulting with and engaging the community to achieve an outcome which is acceptable to everybody. To top all this off, on 9 December Channel 7 television reported on a trial to chip jarrah. We have been told all along that one cannot woodchip jarrah but that is not true. I understand that jarrah being chipped in this trial is sent to Saudi Arabia to be burnt in a silicon smelter. This is an interesting development because one of the conditions of the 1992 forest management conditions and the EPA's report that CALM complied with was No 10. That condition deals with new proposals and says the EPA must look at them. Presumably the chipping of jarrah is a new proposal but, to date, people are not aware of a contract and how much jarrah has been chipped. This is a prime example of where the EPA has said CALM has complied but in the few days since the release of the CALM report we find that it may not have complied. This only adds to the angst the community feels about there being something very bad in our forests, that something needs to change and that we should have greater faith in the agency managing this process.

One of the most crucial aspects of the EPA's report was what it said about CALM and CALM's structure. The report made recommendations about that structure. The EPA noted that CALM is vulnerable to perceptions of interest because on one hand, it is charged with being essentially a commercial operator in the forests and on the other, it is managing those forests and protecting their biodiversity. The EPA perhaps puts this the most eloquently in stating -

. . . the RFA process requires CALM to implement transparency of process in all aspects of planning, execution, research, audit and public reporting of timber harvesting and forest management . . .

The EPA went on to say that it recognised the significant role of the RFA. We all agree but it must be a good RFA or it will not deliver. Referring to the forest debate, the EPA continued -

the RFA has a significant role to play in improving and changing the dynamics . . .

However, none of that will change unless we have a credible RFA. All we will see is continuing conflict and fighting in our

forests. The EPA is to be praised for the breadth of its report and for the courage of its members in releasing that report to the public. The Opposition calls on the minister to exert more leadership in this forest debate, to rebuff Minister Tuckey and to praise and support her EPA. Above all, the Opposition calls on the minister to refer the Regional Forest Agreement to the EPA so that the public can have input and the agreement can be assessed before we are all locked into an unworkable 20-year plan.

MR McGINTY (Fremantle) [3.00 pm]: I second the motion moved by the member for Maylands and support the sentiments she expressed in her contribution. I speak as the former Minister for the Environment who set the conditions under which the timber industry would proceed for the 10 years following 24 December 1992. I have a real interest in what has occurred with respect to the forests in recent times. I will focus on two issues because they were of great concern to me as the then Environment minister responsible for the forests and they are becoming increasingly the focus of public concern and attention.

The public are calling out for the minister to show some leadership on this issue. The issues are the level of sustainable cut and the preservation of the old growth forests.

Mrs Edwardes: For how long were you minister?

Mr McGINTY: Long enough to set these conditions - for about four months at the end of 1992. This was the major issue dealt with prior to the 1993 election.

In 1987 Barry Hodge, then Minister for the Environment, fixed the conditions attached to the timber industry for the next five years. He set a declining level of cut that recognised that the amount of jarrah taken from our forest - more than 10 years ago - was at that point not sustainable and could not be continued. In December 1992 I was faced with this dilemma. The Department of Conservation and Land Management was saying to me that it had done a new inventory of the forest and that it could cut more jarrah from the forest than it previously thought was possible. That was not the case. When I applied my mind to it, examined the evidence and spoke to the people involved it was clear that the agenda on which CALM had embarked was to increase its income from the forest by increasing the level of cut.

CALM had dealt with Barry Hodge, the minister who directed that a reduction occur in the cut. CALM hoped in 1992 that would be reversed and the cut would be significantly increased. I did not agree with that. Condition 8 of the Forestry Conditions was set in 1992. As a result of the doubling of the amount of jarrah to be taken from our forests that CALM wanted and the controversy surrounding it, I directed that the amount of jarrah taken from the forests be maintained at the level fixed in 1987 - in other words on a declining basis - until a proper independent assessment was undertaken and more evidence produced on which a proper decision could be made. One of the recommendations was the establishment of a scientific and monitoring committee.

The Government changed and an inquiry was undertaken by Dr Tim Meagher. Even he said that CALM wanted to dramatically over-cut the forest in an environmentally unsustainable way. He said that the appropriate level of cut was somewhere in the order of 300 000 cubic metres a year plus or minus 50 000 cu m; that is, somewhere between 250 000 and 350 000 cu m. Environment Minister Minson set the cut at 490 000 cu m of jarrah. He knew that was unsustainable and that what he was doing was the wrong thing. He then said he would fix it at that artificially high level; in other words, we were dramatically over cutting the forests by a significant amount - this was his excuse - in order to give the timber industry time to restructure so it could get used to lower levels which would be the basis on which the forests could be managed in perpetuity in a sustainable way.

It was nonsense then and it is nonsense today. Barry Hodge dealt with this issue in 1987. He fixed a declining level of cut. I continued it in 1992 but with the change of government in 1993 the level of cut was allowed to be increased beyond what the minister's own adviser Dr Tim Meagher said was sustainable, let alone what the Environmental Protection Authority and other experts said should be allowed. The problem today is that far too much jarrah is being cut out of our forests. We are destroying them because of an economically driven imperative. It is something that future generations will very much regret. In its report, the EPA has called for halving the amount of jarrah to be taken to 250 000 cu m a year. That was the level at which it was operating in 1992. That is the level to which we should return now.

When visitors and friends come to Western Australia from overseas or interstate I tell them to look at the forests in the south. People come back with one of two reactions: They are either enthralled with our karri forests or appalled at the destruction being perpetrated in our forests. Why will the minister not preserve our old growth forests? It is Labor Party policy to do so and the community is calling out for that to be done? Why will the minister not ensure that our forests are managed on an ecologically sustainable basis because they are not at present and every one knows that?

MR PENDAL (South Perth) [3.06 pm]: I support the motion largely because it is expressed in moderate terms. I notice that the harshest terms it uses is "the grave concerns" over the minister's actions and it is worth supporting given that it avoids much of the inflammatory or reckless language often contained in motions of this kind. Ironically, only one government in the past 20 years, since 1978, has taken the whole of the issue seriously. I say "ironically" because history will demonstrate

that that was the Charles Court Government of the mid-seventies. It set about making that historic transition in Western Australia to plantation timber. An announcement was made in the middle of 1978 when June Craig was the Minister for Forests. The problem is that the transition signalled in 1978 did not come about. Successive governments following that of Sir Charles Court, including the current Government, have let down the people of Western Australia by not bringing about that transition.

Secondly, I am appalled at the conduct of Wilson Tuckey in this whole debate. If ever there was an opportunity for a new federal minister to add something significant to a debate, this might have been the occasion that Mr Tuckey could have taken to make that contribution. He has made a complete hash of the job in the first 10 weeks of the role. His role, if anything, should be confined to one element alone; that is, export licences in particular for woodchipping. That is a legitimate commonwealth function. However, Mr Tuckey has made a complete hash of the matter from day one.

Thirdly, I make the observation that others have made: The Environmental Protection Authority in this State took a courageous stand several weeks ago. Perhaps we should not applaud it for that given that it was merely doing its job.

Not only are the forests being over-cut, but also there is an abuse of the forest reserves. Evidence of that is in the two most recent contracts that have been let for railway sleepers to be produced out of our jarrah forests. Why has that been allowed to occur? Can members believe that the production of jarrah sleepers is more economical than the production of concrete or steel sleepers? For jarrah sleepers to be preferred over and above substitutes for reasons of economy must say something in the most condemnatory fashion about the value - literally, the economic value - that we put on our timber resources. That says an awful lot about the whole of the debate.

On reflection, the Environmental Protection Authority's action was courageous. Nonetheless, Mr Tuckey had no right whatever to belittle and degrade the commentary of the members of the EPA in the way that he did. He had every right, as does anyone in public or private life, to challenge anyone in a public position such as the EPA. However, no-one has the right to degrade the debate as Mr Tuckey did by stooping as low as he did to attack the members in the way that he did. For those reasons I intend to support the motion.

MRS EDWARDES (Kingsley - Minister for the Environment) [3.11 pm]: I will put some points on the record before I respond to comments of members opposite. Firstly, the Government will not support the motion. Secondly, I reaffirm the Government's commitment to a sustainable forest industry in Western Australia. It must also be ecologically sustainable. Ecologically sustainable forest management is a part of the whole Regional Forest Agreement process arising out of the independent expert advisory group report which came down in December 1997.

Mr McGinty: When will you reduce the jarrah cut?

Mrs EDWARDES: It is important that all Western Australians have a high level of confidence in the way our forests are managed. The RFA process currently being negotiated between the States and the Commonwealth aims to provide this confidence and certainty for the next 20 years. For the information of the member for Fremantle, the cut is just over 300 000 cubic metres at this time.

It is unbelievable that the matter of public interest motion refers to the minister's undermining of community confidence in the RFA process. The RFA will support both regional employment and industry development, and will protect the region's important environmental and conservation value.

Several members interjected.

The DEPUTY SPEAKER: I call the member for Fremantle to order for the first time.

Mrs EDWARDES: There has been a strong and deliberate campaign by some members of the conservation movement specifically designed to undermine the RFA process. I have attempted to meet with those members of the conservation movement who wanted to discuss their concerns with me. They have taken up that opportunity, although some of those members have continued to stay outside of the RFA process.

The RFA process commenced four years ago with the analysis and selection of a set of deferred forest areas. I will go through the chronology of the RFA process, because I think that once a process has gone on for a long time people tend to forget how it started and what the process was in the first instance. In July 1996 the scoping agreement was signed by the Premier and the Prime Minister. The scoping agreement set out the framework for the comprehensive regional assessment and the development of the RFA. A deferred forest agreement was also signed in July 1996. That set aside approximately 80 000 hectares from timber harvesting until such time as the RFA was signed. That DFA was based on an assessment conducted from June to December 1995. The RFA steering committee was also formed and comprised four state and four commonwealth representatives.

The public consultation process commenced with a series of six public meetings held around the south west region. In September of that year the scoping of CRA projects commenced with technical committees and project teams being formed. The first stakeholder reference group meeting was also held, and discussions with stakeholders and respective and relevant

agencies began. A state agreements Act consultative committee was also formed. It was chaired by the Department of Resources Development and a public consultation brochure was widely distributed on how to become involved in the Western Australian RFA process. In October to December 1996 the CRA projects commenced. Those projects involved biodiversity, old growth forest, wilderness, heritage, and economic and social assessments. Consultation also continued throughout the stakeholder reference group meetings, and meetings were being held with specific interest groups. Also, a Nyoongar action group was formed as part of indigenous consultation for the RFA.

From January to June 1997 a panel of independent scientists and experts was appointed to consider the issue of mapping of forest eco-systems and the ecologically sustainable forest management project was approved with an independent expert advisory group panel being appointed. It is important that members are reminded who those independent experts were, because that outlines the work of the expert advisory group. That group was chaired by Professor Ian Ferguson, the head of the department of forestry and resource conservation at the University of Melbourne. It included Dr Mark Adams from the University of Western Australia; Dr Mick Brown, the assistant chief of the division of forest research and development of Forestry Tasmania; Dr Steven Cork, a principal research scientist at the Commonwealth Scientific and Industrial Research Organisation's division of wildlife and ecology; Dr Brian Egloff, senior lecturer of the University of Canberra; and Mr Graham Wilkins, the chief forest practices officers of the Forest Practices Board of Tasmania. It also involved a project management group. I will refer to that report later on.

It was at that time that I came to the Environment portfolio, and I announced a package of forest initiatives which included a further deferral of harvesting of 10 000 hectares of jarrah in the Blackwood area. That is a significant amount when one considers our target of 60 per cent of old growth forest.

A series of six public meetings was held at venues around the south west. The issue of the contribution of informal reserves to the CRA reserve system was being discussed. It was important that any comprehensive and adequate reserve system involved a number of different types of reserves, both formal and informal. Fourteen CRA projects were also under way with another six projects being approved. During the months of July to December five CRA projects - social, economic, world heritage and integration projects - were approved. The ESFM panel - I just advised its membership - held a series of meetings including consultation with a wide range of community, industry and government groups. That report was published in December, and I encourage all members to read it. Essentially, the recommendations of that panel are being considered to form part of the RFA agreement.

Also during this time community, heritage and indigenous workshops were held in south west centres as part of the national estate assessment. A social assessment team commenced a series of comprehensive consultations, surveys and data collection, and the writing-up phase of the CRA assessment report commenced. Also, four stakeholder reference group meetings were held, including a meeting at Manjimup.

During the months of January 1998 to May 1998 the CRA report was published, as well as other assessment reports, including minerals assessment, world heritage assessment and background reports on economic, social, environment and heritage. The integration of data was also undertaken using a rapid analysis computer system called the Forest Reservation Impact Immediate Analysis System. That has provided Western Australia with more data than it had previously. A series of approaches to reserve designs were developed also with impacts assessed and work commenced on a public consultation paper. The public consultation continues with the stakeholder reference group and social assessment team meetings.

In May 1998, the public consultation paper was published with a series of three approaches to reserve design, as outlined, as well as the current benchmark. There were also two positions in respect of informal reserves dealing with partial accreditation of 170 000 hectares being accredited and identification of all informal reserves which, in Western Australia is extensive, about 315 000 ha. Also, the impacts on the industry under the public consultation paper approaches were outlined. The impacts range from 0-520 jobs lost. Other Regional Forest Agreement reports that were published at that time included the accreditation of wood yield methods and data, community heritage reports, a national estate report, a tourism industry report and the timber industry report. The public consultation period commenced at that time, an RFA infoline was established, fact sheets were distributed, and a series of RFA open days were held at nine locations in Perth and the south west region. Also, a two-way stakeholder reference group meeting was held to explain the public consultation paper.

From June 1998 to December 1998, we received in excess of 30 000 public submissions. All of those submissions have been acknowledged. A database has been established for logging those submissions, and the analysing of the issues is being developed presently, in addition to an independent audit of the process which will be published at the same time as the analysis of the public submissions and the RFA are released.

At the time that Senator Robert Hill and I met with various groups in the south west region, a concern was raised about whether old growth forest mapping was correct. An independent botanist was engaged to check all the areas submitted and very little was found to be incorrect, and what was, was corrected. Additional reports were published, such as the social assessment report, the timber value adding report and other economic background reports. A total of 32 reports are available presently as a result of the RFA process. Far from it being a simple forest debate, it is complex. I would go so far as to say that there is nothing simple at all in the whole forest debate.

During that period, in establishing all those reports, about 500 scientists were involved in that comprehensive regional assessment. A number of areas were outlined including conservation, heritage, tourism, water, minerals, timber and other values in the south west forest. A comprehensive regional assessment report, which summarised the findings, included numerous maps of the results. It is important, again, for members to take the opportunity to look at that detail. I have one of those maps with me which I will table as part of this debate.

[See paper No 645.]

Mrs EDWARDES: The public consultation paper, which I have highlighted and which was released at the end of July, was something of significance. I will refer to comments made by both the commonwealth Minister for Environment, Senator Robert Hill, and me at the time that the paper was released. Senator Hill said that the RFA would aim to meet the nationally agreed criteria for environmental values such as biodiversity, old growth forests and wilderness. It will ensure that south west forests are maintained for future generations with ecologically sustainable management of the whole native forest estate, both within and outside conservation reserves. We now have more detailed scientific information than ever before to help manage our unique forest resource. That information is widely available and I encourage every member to read the report before submitting their views on how the forest should be managed. That consultation paper clearly showed the complexities of the issues involved in developing an RFA. It also said at the time that the approaches which were outlined were by no means exhaustive but designed to promote feedback and discussion. The final RFA may lead to results which are a mixture of the different approaches or which lie, to some extent, outside the range of approaches that were explored in that paper. However, we emphasised at that time that the report should not be seen as pre-determining the outcome of the RFA process but was clearly designed to promote discussion and feedback; and we got that feedback in the 30 000 submissions that came through that process.

Members have highlighted a number of things that are of concern to them. The member for Maylands said that the conditions in the Environmental Protection Authority report on compliance were simple. The EPA and the Department of Conservation and Land Management disagreed in a number of those areas. The EPA identified that some of those conditions were complex and it was difficult for it to be able to determine how compliance could be achieved. The news release from the chairman of the EPA at the time said in part -

In relation to the compliance report . . . CALM had complied with most of the environmental conditions set out in the Ministerial Statement of 24 December 1992.

He said that in preparing the advice, the EPA was conscious that the review was being undertaken mid-way through a 10-year plan, and that compliance for some of the conditions may take the full term.

Mr Bowen went on to say that the nature of some of the conditions set in 1992 made it difficult to report on compliance, and that for these it was a matter of judgment as to whether compliance had been reached.

Therefore, there is nothing simple about those ministerial conditions.

The level of harvest and sustainable yield was mentioned by the member for Fremantle. I responded that although under the current forest management plan the sustainable yield was set at 490 000, the industry was to take notice and start to consider restructuring during the 10-year existence of the forest management plan. The cut by the end of this year is likely to be a little over 300 000 cu m.

The news release continued -

Mr Bowen said that the allowable harvest for jarrah, measured by the quantity of first and second grade logs, was set by the Minister of the day at a high level for the term of the management plan so as to provide time for the industry to adjust to a long-term, sustainable level of harvest by restructuring and using lower quality logs. Figures for a sustainable level of harvest have been cited in the report.

It is important to remember that Mr Bowen said those figures are a useful starting point. Nobody can identify currently, while we are in the process of considering a reserve design arising out of the RFA, what will be the sustainable yield of level because it is clear that if more forest and more land is reserved than the sustainable yield, it will be impacted upon by the increasing level of reservation. Therefore, we should not be talking about what is the sustainable yield, because that will be established as a result of the whole RFA process. I had the Premier appoint Mr Michael Codd to assist me in making a decision when dealing with the differences between CALM and the EPA. It will not be an internal or public review process. Primarily, he has been appointed to assist me in making a decision on compliance or otherwise in the different issues arising between CALM and the EPA.

I say to the member for Maylands that the RFA will not be vague. It is an extensive document but it is a strategic, level-planning document and it is that document which does not form a proposal under our current Act. The EPA will not only provide me with advice for my consideration leading up to the finalisation of the RFA, but will also, as it has made clear in its report, have a continuing role at various stages arising out of the RFA process, and will be particularly involved in the assessment of the new forest management plan.

The Regional Forest Agreement is just purely a strategic level document. The forest management plan will be the critical document, and will go out for public consultation. The Environmental Protection Authority will be involved in that. The scoping agreement for the Western Australian regional forest assessment outlined the process for a cooperative environment impact assessment of the RFA by both the Commonwealth and Western Australian Governments. It covers how their involvement will meet those statutory requirements that have been set out. I have not been shown a copy of the letter to which the member for Cottesloe referred. I was surprised when I received the question - I cannot remember whether it was on notice from a member of Parliament or whether it came through the media - to learn ministers were about to receive summary documents of public submissions, because I have not received them; therefore, it will be quite enlightening for me. The member for Cottesloe has gone away to find out to what the comments referred.

Mrs Roberts: Someone must have advised him, or else he made it up.

Mrs EDWARDES: We do not know what was intended by the comments. The summary has not been extended to ministers. It is not likely that it will be circulated to ministers prior to the RFA process being completed. The member for Maylands referred to Giblett block being continually under threat. It is not. At the end of last year I made it quite clear, through media release and public comment, that any further logging in Giblett block would be deferred until after the RFA had been completed, and I stand by that. Giblett block is not under threat, as the member indicated.

I will comment a little about plantations. I have a letter to the member for South Perth in this regard, and I heard his comments about the State Government's plantation policy. We in Western Australia can hold our heads high because of the level of plantation timber we have underway. In the early 1980s the policy of the then Government was to achieve net self-sufficiency for timber products in Western Australia by expanding the timber plantations to replace the expected decline in timber from native forests. That came through in the 1987 regional management plan for timber strategy, and represented a major shift in policy. The aim of self-sufficiency in Western Australia was modified to the extent that if plantations could be grown economically, there was an opportunity to grow additional timber resources for export. This proposal came to fruition, in that 100 000 hectares of blue gums have been planted in the past 10 years. The Department of Conservation and Land Management was established in 1984-85. When it was formed, 7 per cent of the sawlog and veneer log production was softwood. It has risen to 30 per cent to 30 June this year. We predict this trend will continue and softwood sawlogs will play an increasing part in that market. All members will be aware of the salinity action plan and the continuing work to increase the level of plantation growth in Western Australia.

I refer to the concluding remarks of the expert individual advisory groups. Many people - I refer not to those in this place, but rather to those in the public arena - have taken the opportunity to focus their attention on the Department of Conservation and Land Management and their perception about the raising of revenue through royalties and management of forest as well as conservation areas. In short: If we are short of money, we log more forests. Nothing could be further from the truth. I acknowledge that perception is held in the wider community, and we must address it through the RFA process. In its report, the expert advisory group said that the Act setting up the Department of Conservation and Land Management to manage the forest estate on an integrated basis was one of the major strengths of the Western Australian system, given the characteristics of the region. It went on to say -

. . . that the current environment management system for the South-West Forest Region meets many of the requirements of a system to pursue ecologically sustainable forest management. The strengths of the system include a well developed system for integrated planning and implementation on a Regional basis, supplemented by individual management plans for specific areas. The predominantly top-down approach uses modern technology, research, specialist skills and professional judgment to advantage.

I am very lucky to be the minister with responsibility for the Environmental Protection Authority, which I regard as a highly professional body. I was pleased to reappoint as its chairman Mr Bernard Bowen who is highly regarded for his professionalism and integrity. I am also very lucky to be the minister with responsibility for the Department of Conservation and Land Management. In the words of this expert independent advisory group, CALM has been a professional organisation in the management of the forests. The difficulties arising out of the compliance report will be resolved between the Department of Conservation and Land Management and the EPA. The Environmental Protection Authority will continue to provide me with independent advice, and I welcome and support that. The Department of Conservation and Land Management and the Environmental Protection Authority wish to work together more closely to ensure our forests are managed in an ecologically sustainable way.

MR OMODEI (Warren-Blackwood - Minister for Local Government) [3.37 pm]: I support the comments of the Minister for the Environment. As members will be well aware, most of this debate revolves around my electorate of Warren-Blackwood, which encompasses most of the southern forest region. I see today's debate as yet another example of where if politics is introduced into a commonsense argument, rational debate takes back stage well and truly. I find it incredible that the Opposition seeks to attack the Regional Forest Agreement process.

Dr Gallop: We are not attacking it. We are trying to make it work properly.

Mr OMODEI: The Leader of the Opposition has attacked it ad nauseam, and has also attacked the Department of Conservation and Land Management which, like the Environmental Protection Authority, is another government department. I must remind the Opposition that the genesis of the Regional Forest Agreement was the result of the resource assessment report, first started by Hon R.J. Hawke, and followed up with the national policy statement, signed by Premiers around the nation, including the Premier of Western Australia at that time, Carmen Lawrence. That RFA process was then put in train. Basically, it is a scientific analysis of where the resources were, and setting certain benchmarks that would be adhered to. In fact, the Commonwealth's responsibility relates only to export licences for woodchip; matters relating to the management of forests are in the domain of the Government of Western Australia. I remind members that when the Department of Conservation and Land Management was first initiated by the Labor Government in the mid-1980s, conservative governments defended the status quo; that is, the Forests Department, the National Parks Authority and the wildlife section of the Fisheries and Wildlife Department. Only with the assistance of the National Party did the Department of Conservation and Land Management become a reality.

It is almost incongruous that the RFA was initiated by the federal Labor Government, that the Department of Conservation and Land Management was initiated by the state Labor Government, and that the conservative party now supports those processes and organisations. CALM has become one of the most professional forestry management organisations in the world. It would be nonsense to undo it. If members want to dismantle the budget arrangements and give CALM a consolidated revenue fund budget, let us do so in order that it will not need to raise its own revenue.

Nothing much has changed. The Forest Act was enacted in 1919. In the 1970s an extra 1 million hectares went into conservation. Progressive forest management plans which were started by the Labor Government in 1982 were followed up in 1987 and in 1992 under Labor Governments. Suddenly the member for Fremantle talks about a former Minister for the Environment, Hon Barry Hodge, setting the cut in 1987. By the time the matter reached Hon Barry Hodge, CALM was setting the cut. The minister is now in charge. Levels of cut were well and truly in excess of the 490 000 cubic metres. The member for Greenough would like to speak, but we have run out of time.

The cut in relation to the jarrah forest, RFA or not, was to be reduced significantly in the management plan of 2003. As the minister has said, whatever happens out of the RFA will dictate what the cut will be, whether it be jarrah or karri forest. The aim of the Government of the day - I hope that it would be supported by the Opposition - is to have a sustainable forest timber industry and a sustainable ecological forest for future generations of Western Australians. The matter is of great angst to me. I have refrained from making public comment on it because it is well and truly in the bailiwick of the Minister for the Environment. She has made a very good fist of it over time. However, if members read the letters to the editor in today's edition of *The West Australian* they will find good commonsense there.

DR GALLOP (Victoria Park - Leader of the Opposition) [3.43 pm]: The member for Warren-Blackwood correctly pointed out that the Regional Forest Agreement process was initiated by federal and state Labor Governments. Labor members are concerned about the way in which the agreement is being implemented in Western Australia. We are concerned that there be a lasting solution to the conflicts in our forests. Therefore, three conditions must be met. Firstly, people must be assured that when scientific criteria are being applied there is consensus on what the science is - a consensus about terms such as "sustainability" and about how to measure old growth forests and so on. Labor members have argued that the Government has simply not done its homework on those scientific issues, therefore what is coming out at the other end does not have the required consensus. Secondly, we must make sure that all stakeholders are involved in the process so that they can have a sense of ownership of it. There is no doubt that there has been no sense of ownership through stakeholder involvement. Thirdly and crucially - this is what the motion is all about - is the extent to which government authorities that are concerned with the environment will have a proper process of scrutiny of the Regional Forest Agreement. The minister has told us that they will do that in respect of other forest management matters but not the RFA.

That is exactly the response that leads people to lack confidence in the process being pursued by the Government. The Environmental Protection Authority, which has taken an important interest in the matter and which has a great reputation in our community for applying scientific criteria to environmental issues, is being kept out of the RFA process.

Mrs Edwardes: No, it is not.

Dr GALLOP: In the important sense it is being kept out. Until the Government comes to grips with the scientific criteria, community involvement and the EPA scrutiny there will be no support for the RFA.

Question put and a division taken with the following result -

Ayes (19)

Ms Anwyl
Mr Brown
Mr Carpenter
Dr Edwards
Dr Gallop

Mr Graham
Mr Grill
Mr Kobelke
Mr Marlborough
Mr McGinty

Mr McGowan
Ms McHale
Mr Pandal
Mr Riebeling
Mr Ripper

Mrs Roberts
Mr Thomas
Ms Warnock
Mr Cunningham (*Teller*)

Noes (31)

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 Barron-Sullivan	Mrs Holmes	Mr Nicholls	Dr Turnbull
Mr Bradshaw	Mr House	Mr Omodei	Mrs van de Klashorst
Mr Court	Mr Johnson	Mrs Parker	Mr Wiese
Mr Cowan	Mr Kierath	Mr Prince	Mr Osborne (<i>Teller</i>)
Mr Day	Mr Marshall	Mr Shave	

Pairs

Ms MacTiernan	Mr Board
Mr Bridge	Dr Constable

Question thus negatived.

NATIVE TITLE (STATE PROVISIONS) BILL*Council's Requested Amendments*

Amendments requested by the Council now considered.

Committee

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

The amendments requested by the Council were as follows -

No 1

Page 111, after line 24 - To request the Legislative Assembly to make the following amendment -

To insert the following new clause -

7.54. Parliamentary Joint Committee on Native Title

(1) As soon as practicable after the commencement of this Part and after the commencement of the first session of each Parliament, a joint committee of members of Parliament, to be known as the Parliamentary Joint Committee on Native Title, must be established.

(2) The Parliamentary Joint Committee's duties are -

- (a) to consult extensively about the implementation and operation of this Act with -
 - (i) groups of Aboriginal peoples;
 - (ii) industry organisations;
 - (iii) local governments; and
 - (iv) other appropriate persons and bodies;
- (b) to inquire into and report to both Houses on the implementation and operation of this Act as soon as practicable after the end of the period of 24 months from the establishment of the Commission and every eighteen months thereafter;
- (c) to examine each annual report that is prepared by the Commission under this Act and of which a copy has been laid before a House, and to report to both Houses on matters -
 - (i) that appear in, or arise out of, that annual report; and
 - (ii) to which, in the Parliamentary Joint Committee's opinion, the Parliament's attention should be directed; and
- (d) from time to time, to inquire into and, as soon as practicable after the inquiry has been completed, to report to both Houses on the effectiveness of the Commission.

No 2

Page 112, after line 10 - To request the Legislative Assembly to make the following amendment -

8.3. Assistance from Attorney-General

(1) A person who is, or intends to be -

- (a) a consultation party; or
- (b) a negotiation party,

to a consultation or negotiation, as the case may be, or a mediation or hearing in relation thereto, may apply to the Attorney-General for the provision of assistance under this section in relation to the consultation, negotiation, mediation or hearing.

(2) Subject to subsection (3) the Attorney-General may authorize the provision by the State to the applicant, either unconditionally or subject to such conditions as the Attorney-General determines, of such legal or financial assistance as the Attorney-General determines.

(3) The Attorney-General shall not authorize assistance under this section unless the Attorney-General is satisfied that -

- (a) the applicant is not eligible to receive assistance in relation to the matter concerned from any other source (including from a representative Aboriginal body);
- (b) the provision of assistance to the applicant in relation to the matter concerned is in accordance with the guidelines (if any) determined under subsection (4); and
- (c) in all the circumstances, it is reasonable that the application be granted.

(4) The Attorney-General may, in writing, determine guidelines that are to be applied in authorizing the provision of assistance under this section.

(5) In this section -

“the applicant” means the person referred to in subsection (1).

Mr COURT: I move -

That amendment No 1 requested by the Council be not agreed to.

These amendments have come to this place because they relate to expenditure and the Labor Party in the Legislative Council wanted to introduce them. It has requested that this House initiate the amendments because the Constitution Acts Amendment Act, section 46 provides -

The Legislative Council may not amend any Bill so as to increase any proposed charge or burden on the people.

I suppose we could argue about whether the Council can send such an amendment, but that is for another day.

The first amendment involves the establishment of a parliamentary joint committee on native title. The Government opposed that in the Council and it opposes it in this place. It is simply another imposition on what is already a complex system. It would divert the Native Title Commission from doing the job it is meant to be doing.

The amendment has been proposed because the Labor Party wants continually to imply that conservative Governments cannot be trusted with Aboriginal matters. It believes that such a parliamentary joint committee is the way to go. The Government refutes that absolutely. I do not want to get into a long debate about this amendment.

Mr RIPPER: The Labor Party continues to support this amendment. It will therefore vote against the motion not to accept this request from the Council to include this provision. The Premier seems to think that this will be an awful complication for the native title process. I remind him that we already have the Joint Standing Committee on the Anti-Corruption Commission. It appears to be satisfactory for the ACC to be partly accountable to a parliamentary joint committee but in the Premier's view it is not appropriate for there to be a committee considering native title.

I cannot see why the Government is resisting this approach. It seems upset by the suggestion that there is criticism of its record on Aboriginal affairs. How in touch is this Government if it does not recognise that it has a problem in some sections of the community in relation to its approach to native title and Aboriginal affairs? There is considerable scepticism in the Western Australian community about this Government's approach to these issues, and with good reason. The Premier has said for years that he has the solution to native title, but when tested he has been found wanting. As he knows only too well, his original solution to native title -

Mr Court: It was a good one.

Mr RIPPER: He continues to say that, but it was thrown out by the High Court 7:0. Any solution thrown out by the High Court, by definition, is no solution at all. The Government's attitude to native title is a problem. If it wants acceptance of its solution and legitimacy, it must take special measures. Given this Government's record, there will not be confidence in its native title processes unless special accountability mechanisms are implemented. That might be regrettable to the Premier, but it is the outcome of his Government's record.

This is not a very radical proposal. We have plenty of parliamentary committees dealing with other issues, many much less significant than this. Given the prospects for division in the community, the emotions felt on all sides, and the significance of the issue to indigenous people and those interested in the development of the State, why not have a parliamentary joint committee to continue to assess our approach to native title issues and the way in which this issue is being approached by the body set up under the legislation?

Mr Trenorden: Will the committee travel?

Mr RIPPER: Apparently the member for Avon wants to serve on the committee. It probably will not travel, so perhaps he should find someone else to serve on it.

I am surprised that, given the weighty matters on which the Opposition and the Government disagree with regard to native title, the Government is so obstinate that it will resist even this very modest measure to establish some additional degree of comfort for sections of the community about the way in which this Government will handle the issue.

Question put and a division taken with the following result -

Ayes (32)

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

Noes (18)

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

Pairs

Mr Board	Ms MacTiernan
Mr Bridge	Dr Constable

Question thus passed; the Council's requested amendment not agreed to.

Mr COURT: I move-

That amendment No 2 requested by the Council be not agreed to.

The second amendment concerns assistance from the Attorney General. Members opposite must think the Government is a bottomless pit when it comes to providing legal advice when claims and negotiations are under way. The reason for this amendment is that all the amendments have made the legislation too complicated. If the legislation were workable we would not need all the extra legal assistance the Opposition is seeking with this amendment. The result of this amendment will transfer millions of dollars from taxpayers to lawyers, therefore the Government opposes it.

Mr RIPPER: The Opposition opposes the motion. The request from the Council is for a simple amendment designed to help Western Australians who might be required to deal with native title processes. Most native title parties already have some access to legal aid. This amendment is designed for people such as small prospectors who are not native title parties and who are caught up in the processes. The Premier chants his mantra "make the legislation workable". The legislation is workable. The amendments we have proposed in this Chamber and in the other place do not make the legislation unworkable. This amendment is an example of the approach we have taken. We have acknowledged that some groups of

people in the community do not have the access to legal aid that native title parties usually have. We want to provide for small prospectors and other small developers so that they are not placed at a disadvantage. The amendment has been carefully crafted so that people cannot double dip. If people could get legal aid from any other source they could not get it through the scheme proposed in this amendment. It is specifically targeted to those people who are otherwise frozen out of legal aid. I cannot understand why the Government wants to deny its own supporters, its own constituency - the people it claims to represent - access to legal aid to assist them with the native title processes.

Even if the Government's legislation were passed without any amendment, native title is still, of necessity, a reasonably complicated process. It is unusual for people who receive letters from the National Native Title Tribunal and it will be unusual for people who receive letters from the state Native Title Commission. The first thing they will want is legal advice because of the fears that have been raised, particularly by the Premier, about native title issues. It is a modest amendment; it is an example of the good sense of all the amendments that Labor has proposed. Once again, on the one hand, the Premier has provided a glib response which does not go into the detail of the issue, and on the other hand he has displayed an obstinate and stubborn approach. We will not be bullied into passing the legislation because the Premier chants his mantra "workability, workability". He should get down and debate the detail with us if he wants successful legislation in this State. Here is a Premier who says there is no money to assist the battlers caught up in native title processes. On the other hand, the same Premier is prepared to spend millions of dollars on fruitless and unsuccessful High Court challenges because he cannot see past his own prejudices on native title issues.

Question put and a division taken with the following result -

Ayes (32)

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

Noes (18)

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

Pairs

Mr Board	Ms MacTiernan
Dr Constable	Mr Bridge

Question thus passed; the Council's amendment not agreed to.

Report

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

SURVEILLANCE DEVICES BILL

Message from the Council

THE ACTING SPEAKER (Mr Osborne): I have received the following message from the Council -

Dear Mr Speaker

At the second reading speech of the *Surveillance Devices Bill 1997* [92-1] in the Legislative Assembly, clause 26(3) reads -

(3) A surveillance device or connected device seized under subsection (2) may be retained until the final determination of any proceeding under this Act relating to it unless it is ordered to be returned otherwise dealt with under subsection (4).

As a result of amendments made by the Assembly, clause 26 became clause 36 [92-2B]. Clause 26 was not subject to amendment. However, the Bill sent to, and passed by, the Legislative Council contained 36(3) in the following form -

(3) A surveillance device or connected device seized under subsection (2) may be retained until the final determination or be returned or otherwise dealt with under subsection (4).

The words "any proceeding under this Act relating to it unless it is ordered to" have been omitted from the reprinted Bill with the result that the provision does not make sense.

Accordingly, under joint standing order no 12, I draw this matter to the attention of the Legislative Assembly.

Yours sincerely

L B Marquet
Clerk of the Parliaments

Council's Message - Committee

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

Mr PRINCE: In accordance with Joint Standing Order No 12, I move -

That clause 36(3) of the Surveillance Devices Bill be amended to read as follows -

- (3) A surveillance device or connected device seized under subsection (2) may be retained until the final determination of any proceedings under this Act relating to it unless it is ordered to be returned or otherwise dealt with under subsection (4).

This section of the Bill was not canvassed at all in debate in this place, and no amendment was made to it. By some means unknown - probably electronic - the Bill was delivered to the Legislation Council with the middle lines I just read out omitted. The omission was not the subject of debate in Parliament, but was picked up by parliamentary counsel in a proof reading sense before the measure was to be proclaimed. The mistake was notified to the Legislative Council, which, by way of the joint standing order, has notified this Chamber by message. I seek to insert the lines dropped out so the Bill can return to its original form.

Amendment put and passed.

Report

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

OCCUPATIONAL SAFETY AND HEALTH (VALIDATION) BILL

Returned

Bill returned from the Council with amendments.

Council's Amendments - Committee

The Chairman of Committees (Mr Bloffwitch) in the Chair; Mrs Edwardes (Minister for Labour Relations) in charge of the Bill.

The amendments made by the Council were as follows -

No 1

Clause 3, page 2, line 25 — To insert after the word "valid" the following word —
" and ".

No 2

Clause 3, page 2, line 25 — To insert after the word "the" the following word —
" principal ".

No 3

New clause 3, page 2, after line 3 — To insert the following new clause —

" **3. Interpretation**
In this Act —
"principal Act" means —

- (a) the *Occupational Health, Safety and Welfare Act 1984* as in force before 1 October 1995; or
- (b) the *Occupational Safety and Health Act 1984* as in force on and from 1 October 1995."

No 4

New clause 4, page 2, after line 28 — To insert the following new clause —

" **4. *Occupational Safety and Health Act 1984* amended**

(1) Section 52(3) of the *Occupational Safety and Health Act 1984* is repealed and the following subsection is inserted instead —

" (3) Proceedings for an offence against this Act may be commenced at any time within 3 years after the offence was committed. "

(2) Section 52(3) of the *Occupational Safety and Health Act 1984*, as inserted by subsection (1), applies in respect of an offence committed against that Act before the commencement of subsection (1) despite the fact that the time for commencing proceedings for that offence expired before the commencement of subsection (1). "

No 5

Long Title, page 1, line 7 — To insert after the words "*Occupational Safety and Health Act 1984*" the following words —

" and to amend that Act "

Mrs EDWARDES: I move -

That the amendments made by the Council be agreed to.

The Bill passed earlier by the Assembly dealt with actions of the previous WorkSafe Commissioner, Mr William Neil Bartholomaeus, when the procedure of his appointment had a defect. This Bill provided a mechanism for dealing with potentially invalid prosecutions. The proposed amendment to the validation Bill moved in the other place now before us will amend section 52 of the *Occupational Safety and Health Act* to permit all prosecutions to be commenced up to three years after the offence was committed, calculated retrospectively. The statutory limitation for commencing proceedings under the Act is currently 12 months, except in relation to notifying the commissioner of a reportable injury or disease, in which case the period is two years. New proceedings could then be instituted under the Act.

The Government, in adopting this approach, gives an unequivocal undertaking that WorkSafe Western Australia will pursue only past offences for which a prosecution has already commenced. Also, numerous examples can be found of other Acts with a statutory limitation of three years or longer. For the information of the House, the *Western Australian Marine Act 1982*, the *Heritage of Western Australia Act 1990* and the *Land Tax Assessment Act 1976* specify three years. The *Human Reproductive Technology Act 1991* specifies five years, and the *Casino Control Act 1984* and the *Pollution of Waters by Oil and Noxious Substances Act 1987* have no time limit for prosecution action to be taken.

I express my appreciation for all the work done by the member for Nollamara to assist me with the Bill's passage through both Houses of Parliament.

Mr KOBELKE: The Labor Party supports the measure, as it supported the Bill's passage in this and the other place. The situation arose in which prosecutions already under way were challenged because of a technicality, and other periods were open to challenge, relating to the appointment of the then WorkSafe Commissioner. I will not revisit those issues; however, it was an issue of major mismanagement. We are not in a position to apportion blame and determine whether it was the then minister's responsibility or the incumbent of the office of the WorkSafe Commissioner. To have a senior officer not properly appointed for five different periods amounts to massive mismanagement by the coalition Government. I will not go on with that matter here; nevertheless, the Government cannot espouse a record of improving health and safety with such abysmal management of WorkSafe itself.

On top of that total failure to manage properly, we discovered that the appointments of other officers had lapsed and that they had acted under powers of the Act when not appointed. Therefore, a range of further legal matters could now be open to challenge if prosecutions or other matters were to flow from decisions made at the time. The further amendments moved in the other place are to provide a mechanism by which, on technical grounds, actions taken on notices, or cancelling or suspending licences, can be validated by this Bill. That reflects very poorly on this Government and WorkSafe. Yet another set of issues were not managed correctly, raising the possibility of prosecutions falling over. Although the minister has not mentioned it, the State has been placed in the position of potentially being liable for considerable costs; for example, a crane driver with a large investment in a crane who had his licence suspended illegally, and who in the interim went bankrupt or

lost business, could potentially sue the State because of the illegality of the action. Prosecutions or actions of other types can proceed, as a result of this amendment, as though the appointments were correctly made.

I had some difficulty with the mechanism which has been put forward. My first concern is that I was informed the minister has been advised to extend the period in which prosecutions can be lodged from one year from the date of the incident to three years simply as a mechanism; therefore, a substantial change to the Occupational Safety and Health Act is being used as a mechanism to resolve the appointments problems and we do not have time to debate the value and merit of extending the period of prosecution. I feel some considerable disquiet about a major change in prosecution being slipped through at this late stage simply to provide a mechanism to validate actions taken by officers at WorkSafe whose appointments had lapsed. Having said that, in the few weeks available to me I have spoken to a number of people involved in the occupational health and safety area. The unanimous view I heard was that extending the period to three years was, if anything, positive and certainly not a negative move. On that basis, the Opposition has accepted the Government's proposal to extend the period of prosecution from one to three years. However, the fact remains that when one looks at the laws which leave people open to prosecution, one does not willy-nilly change the period during which people can be prosecuted. We need to acknowledge that in extending the prosecution period we are making a substantial change to the principle Act. The Opposition accepts the change on the minister's advice and the limited advice that it has received in the available time. Our advice has been that the change will generally be widely accepted and the effect is likely to be benign. Therefore, the Opposition is willing to go along with the minister's proposal despite its being put forward simply as a mechanism to fix the problem. The minister has not argued at any length that a three-year period for prosecutions is, of itself, a big improvement in the operation of the Act. However, the Opposition accepts that if it is not an improvement, at least it will not be an issue of any detriment.

The Opposition is concerned, secondly, about the retrospectivity of the changes. This Government has a record of introducing retrospective elements of legislation on a regular basis. In most cases, the Opposition has gone along with the Government because the changes have generally been beneficial. They have ensured the system is working well and there has not been potential for retrospective liability to fall on someone. It has not been possible to prosecute anyone for actions which were not illegal at the time of their commission. This change opens up that potential. Someone who performed an action and was not prosecuted for 12 months had been in a position of not being able to be subject to possible prosecution under the Occupational Safety and Health Act. This retrospective amendment means a person could be charged over actions he was cleared of and could not be considered liable for 23 months ago. The Opposition could find that element of the legislation unacceptable but it is willing to accept the assurance of the minister of a clear government policy that the retrospectivity introduced by this Bill will not be applied to furnish prosecutions which are not already under way. In her statement the minister said that in adopting this approach the Government gives an unequivocal undertaking that WorkSafe Western Australia will pursue prosecutions for past offences only where that prosecution has already commenced. The Opposition accepts the Government's solemn undertaking that the window of opportunity legally opened by this retrospectivity will not in any way be utilised to begin new prosecutions. Therefore, the Opposition also accepts that there is not a potential detriment for individuals who have been free of the potential for prosecution. The Opposition accepts that as a full undertaking on the part of the Government and does not see any potential in this retrospective legislation for people who should be free of any possible prosecution to be caught.

The Opposition wants these changes passed because it is aware that two cases currently before the courts have been delayed through challenges to the ability to prosecute because of the failure to appoint certain officers. It is aware of the suffering families have experienced in two of these fatalities. Those people cannot put these harrowing experiences behind them and get on with their lives while they are waiting for the finalisation of those prosecutions which have been placed on hold until this legislation passes through the Parliament. The Opposition has supported and attempted to expedite this Bill because of the importance of consideration of the proper processes of prosecutions through the law and the individual people who have been involved. In closing, this has been a sorry tale of total mismanagement. I hope the Government addresses these problems so that now and into the future we will see in WorkSafe a better performance in general administration and the way it upholds and fulfils its obligations under the Occupational Safety and Health Act of this State.

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

Report

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

HEALTH AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

Council's Amendments - Committee

The Chairman of Committees (Mr Bloffwitch) in the Chair; Mr Day (Minister for Health) in charge of the Bill.

The amendments made by the Council were as follows -

No 1

Clause 5, page 3, line 18 - To insert before the word "The" the following words -

Subject to subsection (3),

No 2

Clause 5, page 3, after line 29 - To insert the following subclauses -

- (3) The regulations shall not permit smoking, where the premises contain more than two enclosed public places, in more than two of those enclosed public places.
- (4) Subsection (3) does not apply to the Burswood Casino.

No 3

Clause 5, page 4, line 20 - To insert after the word "review" the following words -

recommending further steps to be taken to achieve smoke free enclosed public places

No 4

Clause 5, page 4, line 21 - To insert after the word "and," the following words -

is to cause it to be laid before each House of Parliament

No 5

Clause 5, page 4, lines 22 and 23 - To delete the words "is to cause the report to be laid before each House of Parliament" and substitute the following words -

and in any event not later than 4 years after the commencement referred to in subsection (1).

Mr DAY: I move -

That amendments Nos 1 and 2 made by the Council be agreed to.

These amendments limit the number of enclosed public places within a premises where exemptions are allowed to a maximum of two such places within any one premises with the exception of the Burswood Casino. The Government has indicated that it is happy to accept these amendments. These amendments and the issue generally have been the subject of a great deal of debate in the other place and the broader public arena over the past week or two.

I am well aware that some members of the non-government parties have stated that smoking should be able to occur in a maximum of one enclosed public place within any building. That applies particularly to hotels. Therefore, the view of some people is that smoking should be confined to a maximum of one bar or lounge area within a hotel. I am also aware that the hotel industry argues that to have such a restriction in some cases would be unworkable. It argues that a number of hotels and taverns have two distinctly different clientele groups and that, therefore, there must be an ability for those two groups and the people within them who want to smoke to be able to do so in different areas of the hotel. It would be unreasonable and unworkable to require them to come together within the one bar. I am prepared to accept that argument to a certain extent. However, there is also a very strong view among all members of Parliament, and certainly among the community generally, that the majority of the population who choose not to smoke should be able to access a non-smoking area within a hotel. That is impossible to argue against. The question of how far we go through the inclusion of amendments in the Bill can be considered further in the preparation of the regulations. At the very minimum, I will be seeking the cooperation of the hotel industry in ensuring that, unless there is a good reason to the contrary, smoke-free areas are provided in all hotels so that people who choose not to smoke have an area which they can attend in that hotel and not be subject to the presence of tobacco smoke.

In addition, I will also seriously consider the inclusion in the regulations of a requirement that smoke-free areas be provided in hotels. I will not give an absolute commitment about that at the moment because it needs to be the subject of further discussion with the hotel industry. However, I can see no good reason that all hotels could not provide such a smoke-free area. It is important to realise that we are debating the Bill, not the final regulations. Once this Bill completes its passage through this Chamber, the drafting of the regulations will be able to take place in some detail. I expect to have further discussions over the next month or so. It is also important to remember that a review clause is included within the Bill so the legislation will be reviewed three years after it comes into operation. It will be possible to make other changes after that time as well as, if necessary, prior to that time. I support the adoption of the two amendments.

Mr McGINTY: I am heartened by what the minister has said on this matter. Over the past few weeks considerable controversy has surrounded this matter in a parliamentary sense. Over the past 12 to 15 months there has been a broader

controversy dealing with the question of smoking generally. For practical purposes I will take members back to Monday, 14 December to bring this matter into the most recent context. The Australian Hotels Association then proposed an amendment to this legislation. This was the subject of some discussion as a result of the letter written by the Australian Hotels Association on 14 December involving discussions between the Government and the opposition parties. In that letter the Australian Hotels Association made a proposal. It was in the form of a letter signed by Bradley Woods the Executive Director of the Australian Hotels Association and, it reads in part -

These amendments will have the effect of restricting smoking to a maximum of two enclosed public places within a premises on the basis that a further enclosed public place is set aside in that premises to be smoke free.

The precise wording for the proposed amendment is then set out. It is quite clear that it meant that a hotel could have up to two smoking bars on the condition that there was also a non-smoking area. It seemed to embody a very important principle. It seemed to be the basis on which, albeit reluctantly, everyone could be dragged together and we could have an agreement on the basis of what should apply to hotels for the future; that is, that in the smaller hotels that might have only one bar, smoking would be allowed for practical reasons. However, in the larger hotels, provided it had a dedicated non-smoking area, it could have up to two bars in which people would be allowed to smoke. That seemed to be a significant concession on the part of the hotel industry. It was a very big move from where it was at the time of the committee on passive smoking chaired by Ian Taylor. When he brought the people together there was no coming together of minds. That seemed to be the basis on which we could proceed and that is why I am heartened by what the minister has said. If the principle is accepted that there should be an option for people to go into a smoke-free place in a hotel, it would be a significant step forward. Most people would say that something significant has been achieved from the debate that has taken place since the controversial regulations were gazetted by the Minister for Industrial Relations affecting the Occupational Safety and Health Act.

My initial feeling after the debate in the upper House was one of considerable disappointment. I appreciate the qualifications which have been placed on it by the minister, but if we end up with something similar to what the minister has described in the regulations, we can all say that it is a big step forward in the inevitable move towards smoke-free enclosed places. I reiterate what I said during the initial debate on this Bill: The debate about smoking in enclosed places took on enormous proportions during the 1980s when Western Australia was not only an Australian leader, but also a world leader in the movement to recognise the harmful health effects of smoking and to prohibit smoking in, firstly, workplaces and more recently in entertainment venues including the TAB, shops and the like. If the minister follows through along the lines which he has indicated, we can all be quite pleased.

Dr GALLOP: I congratulate both the minister handling this Bill and the Australian Labor Party spokesperson on the way they have approached this issue on behalf of their respective parties. This has been a very difficult issue. From the point of view of the member for Fremantle and the Labor Party, there is a strong health imperative that we must bring to bear on this issue because we have been given strong advice to that effect. On the other side, all sorts of practical problems are involved in making that health imperative a practical policy. What has impressed me has been the willingness of the minister to engage with the Opposition on this issue, to discuss the question and to look at ways in which we might reach a mutual accommodation. There was a time in that process where, unfortunately, it seemed that there was a breakdown in the communication between the two sides. However, as the member for Fremantle said, we are very heartened by the Minister for Health stating that he will make every effort through the regulations to meet the twin objectives of the practical solution and at the same time provide that choice for non-smokers in the two-bar situation.

All credit must go to the minister for the way he is handling this difficult issue. It is a model for what we should be doing. If an issue is contentious between the two Houses, we should not be frightened to work out where we agree and where we disagree, to consult with the various interest groups that are involved, and to try to come up with a package. I am very encouraged by the way the minister has tackled this issue. I also congratulate the member for Fremantle for the passion with which he is pursuing this issue in trying to ensure that the health interest is properly protected. I put on record our appreciation for the work of those two members on this legislation.

Mr McGINTY: I have spoken about the importance of giving people a choice between smoking and non-smoking areas in hotels, and assuming that the regulations will do what the minister has communicated, we are very pleased with that significant step forward. That seems to me to be the logical basis upon which to arrive at an accommodation. However, these regulations will also apply to two other areas of the liquor industry, if I can put it that way. The area about which I feel most passionate is nightclubs. I believe, as the father of three children who are in their early twenties and who attend nightclubs, that it is not right that we allow such a dangerous thing as smoking to occur in places that are frequented by large numbers of young people. A similar approach to the one that has been taken for hotels must be considered for nightclubs, and if it is not possible to do that now - I think it is possible to do that now - certainly in the review we should do something to protect teenagers and people in their early twenties, who are almost exclusively the patrons of nightclubs, from exposure to tobacco smoke. The international experience is that if people cannot smoke in the places to which they go to relax and enjoy themselves, they are far more likely to give up smoking. That is an overwhelming argument in support of restricting smoking in nightclubs more severely than has been proposed by the Government in these regulations. I believe that is

eminently achievable. Any parent of late teenage children will know that they come home from nightclubs with their bodies and their clothing reeking of tobacco smoke and that they are not good places for young people to go from a health perspective. We must stress that this matter is about health. It is not about the convenience of the entertainment industry. I urge the minister to look seriously at this matter in the years ahead, and hopefully I will be in his position when the review is conducted and will be able to take some more solid and progressive action than he has taken in respect of nightclubs on this occasion. I feel passionately about this matter and believe we could have done considerably more than has been achieved.

In respect of the casino, we should be very careful that we do not subjugate or repress the health interests of the staff of the casino and, for that matter, the staff of all these venues, because overwhelmingly the staff of nightclubs, hotels and the casino are young people, and we must take into account their health interests. I believe the casino has been able to get away with too much on this occasion. The casino already has 40 per cent of its gaming floor smoke free; therefore, for the casino to agree to make 50 per cent of its gaming floor smoke free in the future is no concession at all on its part. The casino is not measuring up to its responsibilities to the community, its employees and its patrons, and it must do a lot more than it is doing currently, whether that be by providing dedicated smoking lounges in relatively isolated parts of the casino, or whether it be by moving as a second step from having 50 per cent of its gaming floor smoke free to having 75 per cent of its gaming floor smoke free. The minister and the Parliament should demand more of the casino than it has been prepared to give on this occasion; and if that demand were placed in the terms in which it has been enunciated - that is, its responsibility to protect the health of its employees and its patrons - and if the casino were any sort of responsible social citizen in this State, it would measure up on this occasion. I am disappointed that it has reacted in a hostile way to the proposition that it should do more to look after its patrons and employees. I hope that the minister will use his best endeavours over the next few months, in the context of the making of these regulations, to require the casino to come to the party, as he is proposing to require hotels to come to the party, because a move from 40 per cent to 50 per cent is nothing for the casino and it should have done more. I leave the minister with the message that he should do what he can to twist the arm of the casino, because it has a duty to do more than it is doing.

Mr DAY: I thank members of the Opposition for their comments, particular their generous comments with regard to the debate which has occurred over the past month or so. I thank the Leader of the Opposition for his kind words. A bipartisan approach has been taken to this very significant legislation, and other non-government parties have also entered into the discussions in a constructive manner. It is pleasing that we are now very close to being able to move forward with the power that has been created under the Health Act to impose regulations that will control the amount of smoking which can occur in enclosed public places. I thank the Opposition and the non-government parties for their support for the legislation generally and for the amendments.

The letter that was sent to the member for Fremantle by the Australian Hotels Association gave the clear impression that it would support a provision whereby a hotel which had two bar areas would set aside one of those areas as a non-smoking area. That letter could at best be described, with the benefit of hindsight, as confusing, and it could be argued that it is misleading -

Mr McGinty: I do not think it is that silly.

Mr DAY: Whatever the case, it has eventuated that what the AHA wrote in that letter is not what it meant, for whatever reason - whether it changed its mind afterwards, or whether it simply got it wrong in the first place. Given that that is the case, it is not possible to impose on the hotel industry at this time a mandatory requirement that under no circumstances will smoking be allowed in two different areas of hotels. However, as I said earlier, I will engage in discussion with the AHA, as the representative of the industry, with the strong intention of putting in place some regulations which will be workable from its point of view, and I will also ensure that people who want access to a smoke-free area in hotels are able to do so.

I take on board the comments of the member for Fremantle with regard to the exposure of young people to tobacco smoke in nightclubs. I have not yet met with the representatives of that industry, but when I do, I will indicate that it is my intention to bring forward the requirement that 50 per cent of their general floor space be smoke free from the beginning of 2000; and unless some very strong argument is put to convince me otherwise, that is exactly what will happen. It is important also that nightclubs be put on notice that at some stage in the future, there will be a further reduction to 25 per cent, or even to zero per cent, in the area in which smoking can occur. I will be taking that matter to the representatives of nightclubs and cabaret operators and will be seeking a strong explanation from them as to why they cannot allow smoking in only 25 per cent of their floor space in a short time. As far as the Burswood Casino is concerned, in a similar way to which the implementation date will be brought forward for nightclubs, it is my intention to move forward from the beginning of 2001 to the beginning of 2000 the requirement for 50 per cent of the main gaming floor space to be smoke free. I am pleased to say that the casino representatives have agreed to that change and do not see any problems in making it. To some extent the member for Fremantle may argue that is because the casino is moving from only 40 per cent to 50 per cent smoke free. Nevertheless, it is a welcome change. I have explained to it that I believe further changes will be made in the not too distant future and that it will need to start preparing for some of those changes, albeit that it may find it difficult to comply with the requirement that smoking be permitted in only 25 per cent of the floor space.

As far as the impact on staff at the casino and other workplaces is concerned, it is important for employers in all places to pay very close attention to section 19 of the Occupational Safety and Health Act and to realise that employers have a duty of care to their employees in those circumstances. If I were an employer, I would be very conscious about allowing smoking at the workplace.

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

Mr DAY: I move -

That amendment No 3 made by the Council be agreed to.

This amendment inserts words into the Bill in relation to the report following the review which is required to be undertaken three years after the legislation comes into effect. It states that a recommendation should be made regarding further steps to be taken to achieve smoke-free areas in enclosed public places. It could be argued on one hand that it is not appropriate to pre-empt the outcome of any review which will be undertaken in approximately three years and that it is really intellectual nonsense to some extent to prescribe what may happen following that review. On the other hand, the amendment does not specify any action to be taken at that time but can be regarded as indicative of a general desire for further progress to be made in reducing the amount of smoking that occurs in enclosed public places. To that extent, on behalf of the Government I have agreed to this amendment and do not see any problems with its operation.

Mr McGINTY: It is very important that everyone understand that we are moving towards smoke-free enclosed public places. This amendment places beyond any doubt that further steps will be taken and that ultimately we will achieve smoke-free entertainment venues. They are really the last bastion of smoking in enclosed places. This has been done away with in so many other areas. When people go to watch the Dockers win at Subiaco Oval -

Several members interjected.

Mr McGINTY: A game is coming up so we will settle that one fairly soon. Everyone in the entertainment industry should realise that smoking in enclosed places is being phased out. This amendment simply emphasises that. It says to people in the entertainment industry that they must conduct their business on the basis that that is the direction in which things are going. We are happy to support it.

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

Mr DAY: I move -

That amendments Nos 4 and 5 made by the Council be agreed to.

The effect of these amendments is simply to require that the report which will be prepared following the review of the legislation is required to be tabled in Parliament no later than four years after the commencement of the operation of the legislation. That is what was in mind when this legislation was drafted. We had not specified any time period by which the report would be required to be tabled but I certainly do not see any difficulty in doing so within four years. I am happy to support the amendments.

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

Report

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

TITLES VALIDATION AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

MR COURT (Nedlands - Premier) [4.55 pm]: I move -

That consideration of Legislative Council message No 33 in committee be made an order of the day for the next sitting of the House.

I will explain the absurdity of what the Labor Party is doing with this legislation. Shortly after the Legislative Council has considered the Native Title (State Provisions) Bill and it comes back here, we will be able to see how the Labor Party has, as I have said, emasculated that legislation. The reason I have moved to have this put on the Notice Paper is that it is important that this Chamber understands what the Labor Party has done with its amendments. I want to explain to this House what the Labor Party has done with its amendments. Firstly, it has changed the schedule in the validations Bill and removed 1 700 titles from that schedule. It has decided that native title has been extinguished on properties with conditional purchase blocks and perpetual leases, but it has removed other leases from the schedule. That means residential or commercial leases can now be subject to native title claims. It means that people living in Kalgoorlie, for example, who have houses on

residential leases, can have their property subject to native title claims. If their neighbour has a house on a freehold block, that neighbour does not have a problem. That is why I say the Labor Party is creating the second-class citizens.

Mr Carpenter: You want to create black and white classes.

Mr COURT: Members opposite must explain what they are doing with the validation Bill. The second amendment by the Labor Party relates to public infrastructure and public works. I will explain to the Legislative Assembly how absurd this is. Under its amendment, the footprint of the building on the ground has extinguished native title, but it is not extinguished on the grounds of the building. If the Government wanted to extend a school and that extension would move into the grounds of the school, it must go through the native title process. Have members heard of anything so absurd? The Leader of the Opposition in the Legislative Council gave the example of the Kununurra District Hospital and said that it should be possible for a native title claim to be made on the grounds of that hospital, for some reason related to the growing of yams. I want the Legislative Assembly to know what the Labor Party has been doing with these Bills. I also want to tell the Legislative Assembly what the Labor Governments in New South Wales and Queensland have done. The federal Bill has a schedule attached to it. The Labor Governments in those two States passed the validation Bill, together with the schedule attached to the federal legislation. That did not happen in Western Australia. The Labor Party wants to fiddle around and it does not want to validate titles. During question time today, the Leader of the Opposition asked why I did not validate a certain lady's title. I have been listening to the debate in the Legislative Council. Last week Hon Mark Nevill, who does not support what the Labor Party is doing, gave the example of a pensioner living on a residential lease and said that her backyard is under native title claim and it is being heard in the Federal Court.

Mr Ripper: Why not validate the title?

Mr COURT: If the Opposition had not removed her property from the schedule, she would not have any native title issues.

Dr Gallop: Come into the modern era. Grow up.

Mr COURT: That is interesting. Are the Labor Governments in New South Wales and Queensland back in the dark ages?

Dr Gallop: No, they have packages to deal with the whole issue.

Mr COURT: I will tell the Leader of the Opposition what those Premiers said to me. They could not get that validation Bill in and out of their Parliaments quickly enough.

Dr Gallop: Why not pass this Bill?

Mr COURT: Because the Opposition has changed the schedule.

Mr Ripper: Does that affect the validation?

Mr COURT: I want to make three points about this. Residential and commercial leases have been pulled out of the schedule.

Mr Ripper: That does not affect validation.

Mr COURT: There would be no validation problem if the Opposition passed the Bill with the original schedule.

Mr Ripper: The schedule deals with extinguishment, not validation.

Mr COURT: That is right.

Mr Ripper: You do not know what you are talking about.

The ACTING SPEAKER (Mr Barron-Sullivan): Order! I remind members that we are dealing with a motion on whether this legislation should be considered at a later stage rather than dealt with now. We are not dealing with the detail of the legislation.

Mr COURT: The three points I make are that Labor Governments in New South Wales and Queensland have seen fit to pass the validation Bill without changing the schedule, because all the States were involved in helping the Federal Government prepare the schedule. Labor Governments were involved.

Mr Ripper: It is a different schedule in different places.

Mr COURT: Western Australia is different! The same sorts of titles have been included in the validation schedule. Members opposite do not need to talk to me; they can talk to the people whose houses are on those leases.

Dr Gallop: We are happy to show the leadership that you will not show. You spread fear in the community and do not know what the word leadership means.

The ACTING SPEAKER: Order members!

Mr COURT: I am moving that this Bill sit on the Notice Paper over the Christmas period. Members opposite can tell all those people what they have done to their leases. They have pulled those leases off the schedule.

Dr Gallop: We will say to the 10 000 people that we are happy to validate their titles but the Government put them off. We will tell the mining industry that the Government will not validate the 5 000 titles in their industry. The Premier is spreading fear and hostility in the community.

Mr COURT: The Leader of the Opposition can talk about spreading fear and uncertainty in the community, but his party has just removed 1 700 titles from the schedule.

Mr Carpenter: This is the first tough issue to come along and you cannot deal with it. You do not have the sense, intelligence and diplomatic skill to deal with it.

Mr COURT: Perhaps the member for Willagee wants to explain the marvellous concept of public works where native title is extinguished on the footprint of the building but not on the grounds. Members opposite might want to explain why they have chosen 23 December as their magical date. Their actions on these amendment are an absolute nonsense.

Mr Carpenter interjected.

The SPEAKER: Order! The member for Willagee.

Mr COURT: I said during question time that the Leader of the Opposition had said he would consult. Has he consulted with any of the residential leaseholders in Kalgoorlie?

Dr Gallop: Have you?

Mr COURT: Yes, the Government has.

Dr Gallop: So have Labor members.

Mr COURT: That is why these leases were included in the schedule.

Dr Gallop: We front up to these people, talk to them and tell them the truth.

Mr COURT: Over the Christmas period the Leader of the Opposition will be able to catch his first flight to Kalgoorlie for more than 12 months, sit down with these people and say, "Do you know that awful coalition Government wanted to say that native title had been extinguished on your home, but we pulled it out of the schedule?"

Dr Gallop: Do not get too excited about extinguishment; it reveals the true side of your character.

Mr COURT: Spoken by a Leader of the Opposition -

The SPEAKER: Order! It sounds much nicer now. I indicate to the House that we cannot continue with people interjecting at that level all over the place. I understand the sensitivities of the matter and will allow a small amount of interjection, but it should not be used, as by the member for Willagee, as an opportunity to mount personal attacks.

Mr COURT: That comment was made by the Leader of the Opposition, who will go home to the comfort of his house on a freehold block of land. However, people living in Kalgoorlie whose home is on a residential lease, could have a native title claim on their property.

The Labor Party has enshrined in legislation the fact that anyone's backyard can be claimed. Members opposite want to enshrine that in law. They ridiculed the Government four years ago for saying that; however, Hon Mark Nevill said people who say a backyard cannot be claimed do not know what they talking about, and he gave examples of such claims. The Government is trying to solve that situation. Members opposite are being a bit too cute by half.

Someone might be running a small business on a commercial lease. Why would that small business want that ongoing uncertainty? In the Legislative Council the Labor Party, the Greens (WA) and the Australian Democrats have the numbers, and they got together to pass these amendments. It is good enough for Labor Governments in Queensland and New South Wales, but members opposite know better. All they will do is increase uncertainty.

We will discuss this matter when we come back in March. Hopefully by then some commonsense will prevail and members opposite will realise that a number of people will be hurt by what they have done with these amendments.

DR GALLOP (Victoria Park - Leader of the Opposition) [5.11 pm]: In the speeches during the second reading stage on this legislation some months ago the Opposition said it supported two principles: First, it stated that it wished to validate all titles issued after 1994 in the pre-Wik uncertainty that prevailed and, secondly, that it would confirm extinguishment where it was clear the common law had dictated that that was so. The two objectives the Government said were behind this legislation were the validation of all titles issued in that era of uncertainty before the Wik decision and the confirmation of extinguishment where the common law had dictated. I said the Opposition would look at the legislation very carefully to

ensure that when the final form passed through this Parliament it did those two things. The Premier of Western Australia is not accepting the passage of legislation that will validate all the titles that were issued. I refer to titles over major projects such as the hot briquetted iron project in Port Hedland and a range of other titles issued after 1994. This Premier will not validate those titles because he wants to play politics with this issue.

Let us refer to the second objective - the confirmation of the extinguishment of common law. The Australian Labor Party stands in this Parliament for good government and the scrutiny of legislation. Two principles were applied in the other place. Principle No 1: Is it appropriate to expose the taxpayers of Western Australia to compensation when that is not required? Principle No 2: Is it fair to extinguish native title when the common law has not said it is done? They are the principles of the taxpayers of Western Australia and they are based upon the common law.

The problem with our Premier is that he takes shortcuts and tries to achieve things that are not based on reality. What happens? He gets caught out further down the track. It happened in 1993. Today he said that his 1993 legislation was good legislation.

Mr Court: It was.

Dr GALLOP: He says it again! It was ruled out 7:0 by the High Court of Australia and he says it is good legislation! He must come to terms with reality and the world in which we live. Unless he does that he is jeopardising taxpayers' dollars in Western Australia and he will continue to foster discord and disharmony in our community.

All the titles are validated by this legislation. Inasmuch as there might be a coexisting interest with the leaseholder interest, the leaseholder interest prevails, and it prevails through the renewal and the remaking of those leases. That is the bottom line of this legislation. It should be passed by this Parliament. The only reason it would not be passed is that some members want to play politics with the issue.

We were told by this Premier that it was absolutely vital that the Titles Validation Amendment Bill be passed before Christmas. The Opposition said it would ensure it was passed before Christmas. The Labor Party wanted a proper inquiry in the upper House. Unfortunately, it did not get that because too many issues were referred to the committee. In addition, the Labor Party could not get the inquiry it wanted. Members were told the Bill had to be passed for certainty reasons. All those reasons, which were said to be the basis upon which this legislation should be passed, have been dealt with in this legislation. There would be no invalid titles; validity would be provided by legislation; certainty would be provided to all leaseholders. What is more, the Australian Labor Party has ensured that the taxpayers it represents in this Parliament will not face a bill they should not face because it is not necessary and, as I said, it is not fair.

The Premier of Western Australia is sending a message to indigenous people that inasmuch as they have presented a problem, the Government will remove the problem. The only certainty understood by this Premier is the certainty of extinguishment. I will say to the Premier, as I said to the Attorney General when we debated this issue in a briefing: According to his Government, the only certainty that exists is death. Without that we have the complexities of life. Those complexities are such that there are different interests, pressures and values. The Premier must come to terms with those differences and the fact that Aboriginal people have rights. For him to come into this place and say that the Government will extinguish those rights sends an appalling message just before Christmas to a group of people in our community. The message it sends is that their rights do not matter.

Mr Court interjected.

Dr GALLOP: Of course her rights matter. The Labor Party's amendments protect her rights, and the Premier knows they do. We have a Premier who is willing to allow a state of uncertainty to continue for his narrow political purposes and who is willing to expose taxpayers' money when that is not necessary.

Firstly, and most importantly, we have a Premier who says to this section of our community that they are not important. On the eve of Christmas 1998, he says that they are not part of our community, they do not matter. He says, "Where you provide a problem to us, we will get rid of the problem and take away the rights you might have." In that sense, I underline the word "might". The Premier risks taxpayers' money and allows a state of uncertainty to continue. He tells a group of people in our community that he does not believe that they have a legitimate place in the community. When their interests are awkward for others he says "Get rid of them. Wipe them away!"

This Premier does not understand that we live in the end of the twentieth century. He does not understand that we live in a world of complexity and different interests. We must address as a community the reconciliation of those interests. Until he comes to grips with that issue, we will never solve this problem. He will continue to play politics. He will fan the flames in our community which cause conflict, and not deal with the substance of the issue. That is what we are debating today. It is a tragedy that all members opposite are not rising up against the Premier on this issue telling him in no uncertain terms that they want the titles validated and the Bill passed.

I was extremely proud that for the first time in the history of the colony or State of Western Australia, the Legislative Council

passed legislation which did not diminish, take away or overthrow Aboriginal rights in our community. This was the first time in our history that that Chamber saw to it that Aboriginal rights were taken seriously. That very important event in the history of this State happened because people in that House with different points of view from different political parties had the commonsense to see that different stakeholders are involved in the issue. We want a permanent solution based on the principles of justice -

Mr Court: They cannot think for themselves. They had more advisers around the place from the eastern States than I have ever seen. They had political advisers and legal advisers.

Dr GALLOP: The Premier reveals his ignorance on these issues. This is an issue of detail. One must cross the t's and dot the i's; if not, there are consequences. We live in a modern world. Western Australia is not a hillbilly State run by a few people on their own behalf. We have the rule of law in this State.

The SPEAKER: Order! I remind the Leader of the Opposition that the question is that consideration of this message be made an order of the day for the next sitting of the House. I am aware of the sensitivities. I gave the Premier considerable latitude for about 10 minutes, and I have given a similar courtesy to the Leader of the Opposition. We should start moving towards the motion.

Dr GALLOP: I reiterate the point that rule of law should apply in Western Australia, and equally to all our citizens. The Premier is jeopardising that rule by saying we will extinguish native title when we do not have to. That is to the detriment of our community. It does not have to be done - it should not be done - as we can validate all the titles and provide certainty. I disagree with the motion moved by the Premier. I agree with what the Legislative Council has done for the first time in its history. It has provided a framework with the validation question for us to get on with this issue. It is to the shame of the Premier, on the eve of Christmas, that he plays politics with an issue which goes to the heart of our community and its members. The Premier knows what he is doing: He knows that we provide certainty if this Bill is passed. He knows that we validate the title. He knows that it will provide a basis on which the community can have coexistence. However, he is not willing to accept coexistence, just as his forebears in the Liberal Party back in the nineteenth century could not accept it. They cannot come to terms with the fact that indigenous interests are part of our community. I welcome that interest - it is a wonderful thing. Parliament should welcome it. Pass the legislation and do the decent thing for a change, Premier, and at the same time make sure those titles are validated.

MR RIPPER (Belmont - Deputy Leader of the Opposition) [5.25 pm]: I oppose the motion that this message be made an order of the day for the next sitting of the House. This Government told us that this legislation was urgent and had to pass through both Houses of Parliament before Christmas. This Government extracted from the Opposition an undertaking that it would cooperate with the passage of the legislation before Christmas. We have honoured that undertaking. The Government has turned its back on its own assertion that this legislation is urgent; it is saying to the people of this State that 10 000 titles are potentially invalid, but it does not intend to validate them before Christmas, as it asked the Labor Party to do. The Labor Party proposes to validate the 10 000 titles if the Government will cooperate in passing the legislation before Christmas.

Mr Court: Why did you take 1 700 titles off?

Mr RIPPER: We did not take 1 700 off the 10 000 titles. The Premier misunderstands the distinction between validation and extinguishment. I reinforce that the Labor Party is now prepared to put the legislation in its amended form through the House in order to validate the 10 000 titles. We should not put it off until March; we should do it now. I reinforce to members opposite our commitment to validation.

During debate in committee the Opposition drew attention to the fact that the Government issued titles unlawfully in 211 instances in seven major projects. Unfortunately, the Government does not have the power to validate all of those titles; it must find some other way to validate them. However, some of those 211 titles which were issued unlawfully, and are therefore potentially invalid, will be validated by this legislation. Even though it is the Opposition's view that the Government acted unlawfully, we are prepared to support this legislation which will validate most of those 211 titles which underlay those seven important resource development projects. It is the Government which wants to put off to March the validation of the titles underlying those seven major resource projects - to the extent that this legislation is capable of validating those titles.

I have said already, and it is important to make this distinction because there is some fear in the community, that the Premier misunderstands the issues of validation and extinguishment. We do not need to extinguish native title in order to validate the non-native title that someone holds. We can validate the title and that person's rights are fully protected. This legislation will make the title valid. If members opposite read the Opposition's amendment, the non-native title right prevails over the native title right to the extent of any inconsistency, so there is full validity of the title, full prevailing of those rights over any native title rights.

Mr Court: Do you think it should apply to school grounds?

Mr RIPPER: When the Premier is up with the detail of the legislation, I will take an interjection from him. However, he is not across the legislation, so he should not be contributing at this stage. The Premier should have spent more time mastering the detail and he would not make an elementary mistake of confusing validation with extinguishment.

The title is valid and the title right will prevail. Finally, if the person wants to renew the lease, and if there is a question of regranting the lease, the rights still prevail; there is no need to go through the future act procedures of the NTA or of the state native title legislation, should it be passed. The rights of these title holders are fully protected. However, they are fully protected only if this House passes the legislation. The Government is putting those rights at risk by saying it will put this off until March. It said the Bill was urgent, but now it does not want to deal with it.

There is one other reason that the Government has got it entirely wrong. A clause which the Labor Party has amended in the other place, with the support of other parties, is headed "Confirmation of past extinguishment". The Government's rationale for that part of the Bill is that common law has already extinguished native title, and all it is doing is putting into black and white statutory law what has already happened. If it has already happened, what is the need for there to be any fear in the community? The problem is that the Government has misled the Parliament. The Government is telling the Parliament it is confirmation of past extinguishment. However, it is not only about confirmation of past extinguishment; it goes beyond that. There would be no need for the fear and emotion if all we were doing was confirming what had already happened.

It seems that some members opposite misunderstand what the Labor Party is about. They do not understand the positive reasons we are moving the amendment. People have come to the Opposition and said that the schedule of tenures which extinguishes native title is unfair; it goes way beyond the common law and it extinguishes native title on tenures on which common law has not extinguished native title. That is unfair in itself, but also it has implications for the future. Firstly, native title claimants cannot register their native title claim if the claim included any area on which native title had been extinguished. If a claim includes an area on which this Bill had extinguished native title, it would not be registered. Secondly, if a claim is registered, it will be vulnerable to a strike-out action in the Federal Court. Members opposite might say that that is all very well, and lawyers for the native title parties should do their work properly and prepare the claim taking account of that fact. However, there is a problem. Some of the tenures on which native title will be extinguished by this legislation will not be discoverable through a normal title search. People will have to go back through the dry and dusty records of the lands and mines departments to conduct extensive historical research to determine any historic tenure that has extinguished native title. That is a source of uncertainty, and will be a source of litigation. That is an aspect of the Government's legislation which will add to the expense and unworkability for everyone. There is unfairness about the extinguishment that is occurring now, and there is a prospect of unfairness in the future because of the way in which the registration test will be effected.

I come now to the prospects of the people who are leaseholders. I very much appreciate their position. It is not a pleasant experience to receive letters from the National Native Title Tribunal which invite them to become involved in legal processes. I understand how they must feel. It is important that the political leaders of the State tell those people the truth, and reassure those people that if this legislation is passed their titles will be valid and their rights will prevail over any native title rights, even through renewal and regranting. We need to say that to those people so they know they do not need to be concerned, and there is no prospect of their losing their land. If native title is established on that land the only impact will be with regard to third party developers. I do not think native title will be established on any of those leases. It will be found that those leases have extinguished native title. However, let us say there is a remote chance that native title is established on one of those leases: If that occurs, there will be no impact whatever on the leaseholders. The only impact is when a third party such as a mining company says that it wants to mine in their backyard, and perhaps a native title interest will be involved with the mining company. However, that will have nothing to do with the leaseholder. There would be no impact on the leaseholder - only a potential impact if a third party came along and wanted to mine on the land.

This problem about which the Government is concerned will be sorted out by other aspects of the NTA which have already come into effect. The new registration test provides that a native title claim cannot be registered over a piece of land on which an exclusive possession act has occurred. These are exclusive possession acts, so people will not be able to register native title claims over these pieces of land. The new registration test will be applied retrospectively, so all of those multiple claims in Kalgoorlie will be subject to the new registration test retrospectively. People who say that there is a threat unless we pass this legislation do not understand the distinction between validation and extinguishment, and the impact of the new registration test. On the other hand, if we adopt the Government's solution and we extinguish everything on that schedule, we do two things: We will unfairly deprive Aboriginal people of their property rights in certain circumstances, and make it difficult for them in the lodgment of claims and the exercise of the consultation procedures and their right to negotiate. We will also raise the possibility of big compensation claims which the taxpayers will have to fund. We can have an a win-win situation in which Aboriginal people are entitled to maintain their connection with the land, and the taxpayers do not have to pay compensation, or we can have a lose-lose situation in which Aboriginal people are deprived of their connection with the land, and the taxpayers must pay. I know which solution I prefer.

This is a test for the Premier and his leadership. The Premier needs to show a great deal more maturity with regard to this

problem and his leadership than he has displayed in the past. The Premier has a choice between exploiting the natural fears of people in the community or telling them the truth. He has the choice of negotiating with the Opposition for an agreed solution to this problem or bullying the Opposition and trying to force us to pass the legislation in its original form. He has a choice of seeking solutions to this problem or grandstanding and exploiting the natural fears of people for political advantage. We are confident that what we have done is the right thing, and we are supporting the right course of action in wanting this legislation to go through today so that those 10 000 titles are validated. I cannot understand why a Government that says it is a supporter of the mining industry and of developers would want to leave 10 000 titles in limbo until March. The Labor Party does not want to do that. We want to validate those titles today, and if that is what members of the government backbench want, they should oppose the Premier's motion and bring the motion on now to validate those titles.

MR BRIDGE (Kimberley) [5.39 pm]: It is obvious that the will of the Government will prevail in a little while. When the vote is taken, this matter will be put off until March, and it will not matter how the debate proceeds in this Parliament in the next few minutes.

We are faced with an issue about which I have often spoken. I have seen the way in which we have dealt with the native title process in Australia. I have said on many occasions that the whole system is out of kilter. It is not focused on bringing about resolutions to one of the most profoundly important issues in the nation. I have said that everybody has had a go at mucking up the process. I mean that.

As parliamentarians we are part of keeping in place the most harmful aspect of the native title issue, which is the continuation of uncertainty. This country needs a set of rules to give those people who have been through the process some assurance that we will reintroduce security. It seems to me that no Parliaments of Australia can understand that. When we debate native title, whether in Federal or State Parliaments, the extent to which we play with this game creates a greyer area of uncertainty with which the nation must deal. Again, that will be exacerbated by the delay in this legislation until March. Having said that, I say to the Premier that I do not know what is his intent on the issue, but he will get the answers only within this Parliament. He will not get the answer if he relies upon the sectional interests in the community to assist him. He must turn to another form of dialogue with other people in our society who have substance, who have courage in their bellies and who are prepared to look objectively at the nation's needs. That is what the Premier must look at.

The whole native title process up to this time has been structurally destroyed because there have been wrong players at every level of the process. It is a tragedy when one thinks about the Mabo challenge, the High Court decision and where we are in Australia with the whole process. We did not have the guts, the fortitude or the courage to face up to the sensible formula of removing terra nullius and replacing it with native title. We played the game of politics and funny games out in the community. The Government had groups running around the countryside trying to grab every inch out of the whole process. What has it done at the end of the day? It has put us in a position today where the uncertainties concerning this issue remain and will continue. There is no guarantee that when we come back in March we will be better equipped. I will not be voting on this issue today because I have made my position clear to this Parliament. I do not like any part of the way that we have been playing around as a nation. There has been hanky-panky on the most fundamentally important issue ever to confront this country; because of that, I will not be a part of this motion.

Before I sit down, I want to say that I hope, for the nation's sake, that somewhere along the line the leaders of the various parties will realise that to get an answer to this problem they must draw upon the resources of better individuals than the players who are involved in it at the moment. I do not say that lightly because many people are endeavouring to solve this problem with good intent. However, what they are doing is effectively aborting any worthwhile capacity that we may have in reaching a consensus, a workable formula, and at the end of the day removing the uncertainty that hangs over all people in this society, from the indigenous Australians right through to the business sector and the community at large. Australia cannot afford to have such uncertainty; the greatest problem currently impacting on this country in every aspect of the parliamentary process is the uncertainty that we, as legislators, are creating. We are terrorising this country. We are destroying a wonderful country because we no longer seem to care about stability and certainty. We just play the game as if it does not matter any more.

I hope that when this legislation is put on hold - which it will be when the numbers are counted in a few minutes - the Premier, the Government and the Opposition will go away acknowledging that between now and March they must not say that they are absolutely right and everybody else is wrong but that the people in the community need more from them. At the end of the day, the community needs a process to be resurrected in this Parliament that gives us a sporting chance of getting certainty into the equation. That uncertainty is manifested tonight and it is a tragedy for the country, let alone Western Australia.

The **SPEAKER**: Member for Eyre, I will give you the call. I am mindful that the question is that the consideration of this message be made an order of the day for the next sitting of the House. We do not normally debate those motions, but we have allowed a great deal of flexibility and the opportunity for people to make some points. I do not want to see it going into a general debate with everyone in the House having a debate on this matter.

MR GRILL (Eyre) [5.45 pm]: Mr Speaker, I thank you for that. I join my colleagues on this side of the House in opposing

this motion. I oppose it because I am extremely disappointed that this Parliament has not been able to reach consensus on this issue. What we are talking about here today in reality is a handful of residential, commercial and like leases spread across the countryside. There is a concentration of between 110 and 113 of them in Kalgoorlie-Boulder. There is no doubt that there are others in Laverton, Leonora and some of the older mining towns around the State. By and large, the people who own these residential blocks that are not receiving either validation today or extinguishment of native title in respect of their properties, are at the bottom end of the economic spectrum. They are the people who, for one reason or another, have not been able to convert their leasehold properties into freehold.

When I first started practising law in Kalgoorlie-Boulder, approximately half of the land there was leasehold land - a combination of 99-year leases, long-term leases, short-term leases and special leases. By a variety of stratagems, most of which were put in place by the Labor Party, we were able to see most of that land converted to freehold. However, in recent years it has become increasingly expensive to convert leasehold land to freehold. People at the bottom end of the economic spectrum have not been able to make those conversions because they have not been able to afford it. They are the people being left out by this process today. Some of those people are Aboriginal people. I have read the list and I know most of the names on the list. They are the people, some of them Aboriginal, who are being left out because they have not been able to afford -

Mr Court: Your amendments are leaving them out of that process.

Mr GRILL: It is the failure of this Parliament that is leaving them out of this process. I have advocated the cause of these people on a number of occasions in this House because I was always fearful that they may be left out of the process. Unfortunately, they have been left out of the process on a number of occasions in the past.

When I first started practising law in Kalgoorlie-Boulder these 99-year and long-term leases could be converted to freehold by the payment of a very modest sum of money. The Department of Land Administration is now demanding full market value for conversions. Full market value in Kalgoorlie today for a residential block is \$70 000. People cannot afford it. They are the people who are being let down by this process here today. They cannot afford it and have not been able to afford it in the recent past. If they had taken their option 10 or 15 years ago, it might have been different; but people did not see the necessity for it back in those days because leasehold land in Kalgoorlie was regarded as the equivalent of freehold land if it was held on a long-term lease. We have let these people down. In the end what are we talking about? We are talking about 1 300 or 1 700 titles. It would not be hard to put every one of those leases by name, number and ownership in a schedule and make an assessment of every one of them, if the Government wanted to do that. In fact, the Government has probably made that assessment because it has the equipment and the computers able to do that.

When I look at the list of the 113 people from Kalgoorlie, I know the names of half of those people who had residential lots. Many of them have been forced into the courts, through the procedures of the Native Title Tribunal which has let them down badly. When I spoke privately to officers within the National Native Title Tribunal they conceded that so far they had not been able to come to grips in any effective way with native title in the eastern goldfield region because of the historical complications. Many of these matters have been forced into the Federal Court. These people do not want to be there. They cannot afford to be there. They are sprayed with paper, like confetti, coming out of the Native Title Tribunal and the Federal Court. Every time there is an interlocutory proceeding in the court, they get a further spray of the paper. Every time there is a change to an application within the Native Title Tribunal, they get a further spray of paper.

Mr Trenorden: It scares the daylight out of them.

Mr GRILL: They do not know how to deal with it. We can reassure them by saying that at the end of the day not only will their titles be validated, but also native title on their land will be extinguished. The Deputy Leader of the Opposition is correct in making the distinction between validation on the one hand, and extinguishment on the other. I have gone through some of the long-winded processes of the Native Title Tribunal to ensure, in one case, that extinguishment took place on freehold land, and the people whose land was being claimed under the native title legislation, received a letter from the Native Title Tribunal informing and reassuring them that their land was no longer the subject of a native title claim and that native title had been extinguished on it. Every one of those people who has a long-term lease with a house or a business on it, should receive the same consideration. Because of our failure here today, that will not happen. We can talk in lofty terms about our philosophical position, but what about the position of those at the bottom end of that economic scale, those who do not understand the nature of the various pieces of paper they receive from the Federal Court or the Native Title Tribunal? To them it is absolutely alarming.

What does it amount to in terms of the area of this State? For all the special leases and general purposes leases, along with these commercial and residential leases over which we now have a disagreement - according to the government officials; I have no reason to disbelieve them - it is 0.6 per cent of the State. If we take out general purpose and special purpose leases, which we all agree on, it comes down to 10 per cent of 0.6; that is, 0.06 per cent of the whole State. In Queensland these procedures took up 20 per cent of the State. The Parliament solved the problems there. Here it takes up 0.06 of the State, and we cannot solve the problem. That is an indictment on every single one of us. The Deputy Leader of the Opposition, at the denouement of his speech said, quite rightly, that the road is still open to negotiation. This Bill need not be held over

until March. The Premier must ensure the Bill is laid off for a couple weeks, that some negotiation takes place and that we come back and sort out the situation for these battlers. It is an injustice not to do that.

Mr Court: If you people see sense, we will come back in days.

Mr GRILL: I do not want to see this Bill laid over until March. It is unfair on those people. They want some certainty tomorrow, if they can get it; if not tomorrow, the next day. The whole purpose behind native title legislation was to bring certainty. We said that we would codify the law in such a way that it was clear, and people would not be dragged through the courts; that we would not have to rely on common law in the future; and that we would avoid the spectacle of these people and others, the native title applicants, being dragged through the courts for up to 10 years. Today we are failing those people by not agreeing on this legislation.

Question put and a division taken with the following result -

Ayes (27)

Mr Baker	Mr Day	Mr Masters	Mr Trenorden
Mr Barnett	Mrs Edwardes	Mr McNee	Mr Tubby
Mr Barron-Sullivan	Dr Hames	Mr Minson	Dr Turnbull
Mr Board	Mrs Hodson-Thomas	Mr Nicholls	Mrs van de Klashorst
Mr Bradshaw	Mr Johnson	Mrs Parker	Mr Wiese
Mr Court	Mr Kierath	Mr Pandal	Mr Osborne (<i>Teller</i>)
Mr Cowan	Mr Marshall	Mr Sweetman	

Noes (17)

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

Pairs

Mr Prince	Ms MacTiernan
Mr House	Ms Anwyl
Dr Constable	Mr Bridge

Question thus passed.

ACTS AMENDMENT (LAND ADMINISTRATION, MINING AND PETROLEUM) BILL

Returned

Bill returned from the Council without amendment.

COMMERCIAL TENANCY (RETAIL SHOPS) AGREEMENTS AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that in response to the Assembly's message No 64 it did not insist on its amendments Nos 2 and 4 to 10, and agreed to the amendments proposed by the Assembly in substitution for Council amendments Nos 1 and 3.

SURVEILLANCE DEVICES BILL

Council's Message

Message from the Council received and read notifying that in response to Assembly's message No 64, and in accordance with Joint Standing Order No 12, it had concurred with the following resolution -

That clause 36(3) of the *Surveillance Devices Bill 1997*, be amended to read as follows -

- (3) A surveillance device or connected device seized under subsection (2) may be retained under the final determination of any proceeding under this Act relating to it unless it is ordered to be returned or otherwise dealt with under subsection (4).

JOINT STANDING COMMITTEE ON THE ANTI-CORRUPTION COMMISSION

Reports, Fifth and Sixth

MR THOMAS (Cockburn) [6.01 pm]: I move -

That the reports be printed.

I have for tabling the fifth report of the Joint Standing Committee on the Anti-Corruption Commission and sixth report of the joint standing committee on the second working group meeting of parliamentary committees with a role to oversee criminal justice and law enforcement bodies. The report on the Anti-Corruption Commission is in response to some recommendations which came from the Anti-Corruption Commission. I do not intend to speak at length about the report on the second working group meeting of parliamentary committees with a role to oversee criminal justice and law enforcement bodies. It is a national body of committees similar to our own, which has responsibility for overseeing bodies such as the Anti-Corruption Commission. The group met in Perth some months ago and its report, in essence, is a communique of that conference. I commend the report to the House.

The joint standing committee's other report, which is on the Anti-Corruption Commission, is a response to a letter to the Premier from the Anti-Corruption Commission recommending several changes to the Anti-Corruption Commission legislation. I do not intend to speak at length to that report other than to draw attention to several recommendations that were made by the committee.

The Anti-Corruption Commission sought to amend the legislation. It is enabling legislation in several ways, and for the most part they are fairly mundane matters, several of which have been agreed to. However, one recommendation in particular has caused some comment in the Press and by the Police Union and it requires a response. That was a recommendation from the Anti-Corruption Commission that it should be able to make findings in respect of serious improper conduct. The Anti-Corruption Commission has jurisdiction to examine matters of official corruption, criminal conduct and serious improper conduct. Serious improper conduct concerns matters which fall short of corrupt conduct or criminal conduct but nonetheless are serious. There is a question whether the Anti-Corruption Commission has jurisdiction to deal with them and, in particular, to make findings on whether serious improper conduct has occurred. The recommendation is that the Anti-Corruption Commission should not have jurisdiction to make such findings.

The Anti-Corruption Commission had sought from the Premier power to make findings. The committee recommends to the House - the report has been tabled in the Legislative Council by the Chairman of the Committee, Hon Derrick Tomlinson - that the Anti-Corruption Commission should not have that power. The Anti-Corruption Commission has power with respect to criminal conduct and corrupt conduct to be an investigative body and it has been found by the Supreme Court to be an investigative body, not a tribunal to make findings. It can bundle together its evidence and make recommendations and refer that evidence to the Director of Public Prosecutions. If the Director of Public Prosecutions is so minded, on receiving that evidence he can institute criminal proceedings. That is now accepted as the role of the Anti-Corruption Commission.

The role of the Anti-Corruption Commission in relation to serious improper conduct is less well defined. Decisions of the Supreme Court suggest that the commission's jurisdiction is ambiguous. The Joint Standing Committee on the Anti-Corruption Commission recommends that there should be congruence between the powers of the Anti-Corruption Commission in relation to serious improper conduct and powers in relation to criminal and corrupt conduct. It should continue to be an investigative body and it should bundle together its evidence and refer it to an appropriate body.

In the case of public servants, for the most part the appropriate body which could receive and consider reports would be the Commissioner for Public Sector Standards, and the processes that are prescribed under the relevant legislation would be invoked. For police officers there are processes in the Police Act that can be invoked when the Anti-Corruption Commission makes a recommendation or refers evidence to the Commissioner of Police. There have been complaints about appropriateness and whether standards are just in relation to the way in which matters are dealt with. It should not be the role of the Anti-Corruption Commission to make findings in relation to serious improper conduct.

When the Anti-Corruption Commission made recommendations to the joint standing committee, it pointed out that apart from questions that might arise in relation to police officers, there are gaps in relation to officers or people over whom the Anti-Corruption Commission has jurisdiction. Two examples were cited. Firstly, local government officers if, for example, there is a finding of corruption in relation to a small local authority which might not have the resources properly to investigate and to deal with allegations of serious improper conduct.

Secondly - members should take note of this - our attention was drawn to what occurs when evidence in relation to serious improper conduct is provided against members of Parliament. No machinery is in place for dealing with evidence that might lead to conclusions of serious improper conduct by members of Parliament. The Joint Standing Committee on the Anti-Corruption Commission says that it is a matter with which we need to deal. If the Parliament should establish a code of conduct and procedures, whether it be privileges committees or whatever, to deal with evidence that might lead to conclusions that members of Parliament have been involved in serious improper conduct, it should do that. However, it is saying that it is not the role of the Anti-Corruption Commission to sit as a court and to come to conclusions on serious improper conduct be it in relation to members of Parliament, local government officers, police officers or public servants. The role of the Anti-Corruption Commission is to be an investigator and to bundle together its evidence and send it to the appropriate authority. If there are gaps in those appropriate authorities that is a matter the Parliament must deal with in legislation. We do not wish to see this body established as a body that is able to reach conclusions.

One of the reasons for that is that it has coercive powers. It is able to compel evidence and to require people to make statements, which in the normal course of events they could not be required to make. Although some safeguards exist, those people do not always have the means to defend themselves that they would have in a court against allegations of corrupt conduct that is invariably criminal conduct. In tribunals or hearings that might be held under the Public Sector Management Act they would have the right to defend themselves, debate evidence and cross-examine witnesses, etc.

Under the Anti-Corruption Commission Act, because of the serious nature of the matters with which it deals as an investigative body, the commission has powers that extend beyond the Police Force. Its role is simply to acquire evidence, to bundle it together and to refer it to the appropriate bodies. It should not have the capacity to make findings on serious improper conduct, notwithstanding that it has sought those powers.

In its letter to the Premier the Anti-Corruption Commission also sought to have the same powers for investigations as it has for preliminary investigations. The commission has some powers in relation to preliminary investigations which it does not have for substantive investigations, some of which include the power to compel evidence. The committee says there should be a graduated standard between a special investigator, which is the final stage of the powers of the Anti-Corruption Commission - it has effectively the powers of a royal commission - the powers of investigation and before that, the powers of a preliminary investigation.

Due to a historical anomaly relating to the drafting of the Official Corruption Commission Act and amendments to it in 1994, the Anti-Corruption Commission has greater powers in conducting a preliminary investigation than a substantive investigation. The committee recommends that the concept of a preliminary investigation should be abolished and that the powers of the Anti-Corruption Commission in conducting preliminary investigations should be no greater than those it possesses in conducting investigations as such. There should be graduation between the various levels of seriousness of investigation on which the commission is able to embark.

In relation to the several matters referred to the Premier by the Anti-Corruption Commission, the joint standing committee has recommended in the most part that those powers should not be acceded to.

The Press reported this morning that Mr Dean from the Police Union said that the report that I am making to the House - I understand he would have been responding to the tabling of that report by Hon Derrick Tomlinson in the other place - was flying in the face of the findings of the Full Court on the powers of the Anti-Corruption Commission. With respect, Mr Dean has misunderstood the report. I hope that he and other people who have an interest in this matter will take the trouble to read the report in some detail because it has been well thought out by the committee. The committee is saying effectively that the role of the Anti-Corruption Commission is that of an investigator, be it in relation to serious improper conduct, criminal conductor or corrupt conduct, and it should bundle together its evidence and refer it to the appropriate authority, whether it be the Director of Public Prosecutions or one of the other bodies to which I referred earlier. The committee also says - I think this is where Mr Dean misunderstood the nature of the report - that in referring that evidence to the DPP, the Anti-Corruption Commission must make some evaluation of the evidence. It would be clearly a waste of time for an investigative body to bundle together facts and make no evaluation of it. There is implicit evaluation of the evidence in its being referred to a body. There is obviously a suggestion that it could be the subject of a prosecution.

The joint standing committee is saying that although the Anti-Corruption Commission should have the capacity to make investigations, it should also have the capacity to evaluate that evidence in a preliminary sense, without reaching a conclusion that a prosecution should be launched. It is barred by statute from reaching conclusions or making a recommendation that a prosecution should be launched; in the same way as serious improper conduct is referred to the Police Commissioner and several other bodies that could be involved such as the Commissioner of Public Sector Standards. It should have the capacity to make an evaluation of the evidence. Obviously that is not a matter of coming to a conclusion that steps should be taken.

Question put and passed.

[See paper Nos 646 and 647.]

NATIVE TITLE (STATE PROVISIONS) BILL

Council's Further Message

Message from the Council received and read notifying that it continued to press its requested amendment for a new clause 8.3.

Speaker's Ruling

THE SPEAKER (Mr Strickland): The message just received from the Legislative Council about the Native Title (State Provisions) Bill 1998 purports to press a request which it made for the Assembly to make an amendment to the Bill which the Council could not make. Section 46 of the Constitution Acts Amendment Act 1899 allows for such an original request. However, I harbour grave doubts about the extent to which the original requests were in accordance with section 46. As

the matter was raised very late, I did not have an opportunity to fully consider it and had discussed with the Clerk the prospect of raising this matter in the next meeting of the Standing Orders and Procedure Committee which has nearly completed its review of the standing orders of the Assembly.

Section 46(4) of the Constitution Acts Amendment Act states -

The Legislative Council may at any stage return to the Legislative Assembly any Bill which the Legislative Council may not amend, requesting by message the omission or amendment of any item or provision therein: provided that any such request does not increase any proposed charge or burden on the people. The Legislative Assembly, may if it thinks fit, make such omissions or amendments, with or without modifications.

It appears to me that the original amendments requested by the Council could have been held to be contrary to section 46(4) because they would have increased the burden on the people. However, that is not a matter with which the House now needs to deal and I hope to be in a position to have the matter fully dealt with by the Standing Orders and Procedure Committee before the House sits again in March next year.

I turn now to a ruling made on 29 November 1966 on the Land Tax Amendment Bill when the Speaker followed a 1927 ruling which, in effect, stated that in the case of a Bill which the Legislative Council cannot amend, but in respect of which it can make a request to the Legislative Assembly that the Bill be amended, the Legislative Council has no constitutional authority to go further than to make this request. Having once made the request and that request having been refused by the Legislative Assembly, the Legislative Council has exhausted its powers under the Constitution Acts Amendment Act section 46(4). Having reviewed this, Speaker Hearman concurred with that viewpoint and expressed the view that any further approach by the Council to the Legislative Assembly must be in some form stronger than a request and that that was not allowed by the Constitution Acts Amendment Act. He ruled that these further approaches which the Council described as a "pressed request", were out of order. Following that ruling, the then Treasurer moved that a message be forwarded to the Legislative Council advising that the powers of the Council had been exhausted and the Assembly could not consider the Council message.

In dealing now with the Native Title (State Provisions) Bill 1998 I agree with that view. The need for that approach is even clearer when we consider that the Bill has not completed its passage through the Legislative Council and we are not dealing with agreement or otherwise with the Bill as a whole, but with only two amendments to the Bill which the Council wishes to make but cannot because it lacks the powers. Accordingly, I advise the House that the message should not be accepted or its substance further considered.

On motion by Mr Court (Premier), resolved -

That a message be forwarded to the Legislative Council in the following terms -

With reference to Council message No 39 in relation to the Native Title (State Provisions) Bill, the powers of the Legislative Council to request an amendment were exhausted when the Legislative Assembly declined to make the amendments requested. The Assembly cannot further consider Council message No 39.

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Spent Convictions (Act Amendment) Regulations (No 3) 1998 - Thirty-eighth Report

MR WIESE (Wagin) [6.24 pm]: I present for the benefit of the House the Joint Standing Committee on Delegated Legislation report on the Spent Convictions (Act Amendment) Regulations (No 3) 1998. I move -

That the report be printed.

Mr WIESE: This is the thirty-eighth report of the committee. The regulations seek an extension of the exemption from the Spent Convictions Act to the Anti-Corruption Commission by way of regulation. The committee previously dealt with this issue in its thirty-fourth report which was tabled in the Parliament in June this year. The committee expressed concern in that report and again now that the intention of the Spent Convictions Act is being undermined frequently by each additional exemption of an organisation or department by way of regulation. The committee again strongly suggests that the Act should be amended to ensure that such exemptions must be made by amendment to the Act which must be debated in the Parliament.

This report also highlights that in many situations in the past, exempt departments, organisations and the like may have checked the spent convictions of employees or potential employees as part of their process of employing staff and that the records of these staff, even those not subsequently employed, may well be sitting in personnel files held by the departments. During our discussion with personnel from the Anti-Corruption Commission, it became clear that that would be the case with it. The committee suspects that it may well be also the case in many previous instances where exemptions from the Spent Convictions Act have been sought and used as part of the process of vetting employees of those organisations. The

committee believes, and I think the House will agree, that that should not be the case. These records should not be retained within an organisation once the need for vetting of those spent convictions has concluded. The risk of other persons accessing those personal files is far too great. The committee urges all departments to immediately destroy these personnel files or the record of spent convictions retained in personnel files in these organisations once the purpose for which they were sought and obtained has been finalised and served. I thank the House for its indulgence in allowing this report to be tabled and I commend the report to the House.

Question put and passed.

[See paper No 648.]

Sitting suspended from 6.27 to 7.01 pm

NATIVE TITLE (STATE PROVISIONS) BILL

Returned

Bill returned from the Council with amendments.

Council's Amendments - Committee

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

The amendments made by the Council were as follows -

No 1

Clause 3.1, page 9, after line 12 — To insert the following paragraphs —

“ or

(c) that is current vacant Crown land; or

(d) in relation to which section 12K of the *Titles Validation Act 1995* applies;

“**current vacant Crown land**” means Crown land that —

(a) is vacant as at; and

(b) in relation to which any tenure of non-exclusive possession had ceased to have any effect on or before,

the 23 December 1996;

”.

No 2

Clause 3.12, page 15, after line 14 — To insert the following sub-clause —

“ (2) Before a Part 3 act is done, public notice of the act must be given by advertisement —

(a) in a newspaper circulating generally throughout the State; or

(b) in a newspaper that satisfies any requirements prescribed by the regulations for the purposes of this paragraph.

”.

No 3

Clause 3.13, page 15, after line 18 — To insert the following subparagraph —

“ (a) the location and details of the relevant land or waters; ”.

No 4

Clause 3.24, page 20, lines 2 to 13 — To delete the lines and substitute the following lines —

“ In the case of any Part 3 act, the consultation parties must consult with each other in good faith with a view to reaching an agreement about —

(a) minimizing the effect; and

(b) compensating for the effect,

of the act on the enjoyment of registered native title rights and interests in relation to the relevant land and waters.

”.

No 5

Clause 3.34, page 24, line 21 to page 25, line 13 — To delete the lines and substitute the following lines —

- “ (1) In making its determination in respect of a Part 3 act, the Commission must take into account the effect of the act on —
- (a) the enjoyment by the objectors of their registered native title rights and interests;
 - (b) any area or site on the relevant land of particular significance to the objectors in accordance with their traditions; and
 - (c) the economic or other significance of the act to —
 - (i) Australia;
 - (ii) this State;
 - (iii) the area in which the relevant land is located; and
 - (iv) Aboriginal peoples who live in that area.
- (2) In taking into account the matters mentioned in subsection (1), the Commission may also consider the effect of the act on —
- (a) the way of life, culture, traditions and economic interests of any of the objectors;
 - (b) the freedom of access by any of the objectors to the relevant land;
 - (c) the carrying out, by any of the objectors, of rites, ceremonies or other activities of cultural significance, on the relevant land in accordance with their traditions;
 - (d) any other matter that the Commission considers relevant.
- (3) While taking into account the effect of a Part 3 act as mentioned in subsection (1)(a), the Commission must also take into account the nature and extent of —
- (a) existing rights and interests that are not native title rights and interests, in relation to the relevant land;
 - (b) existing use of the relevant land by persons other than the objectors; and
 - (c) unless it recommends that the act not be done, consider ways in which the impact of the act on registered native title interests of the objectors in relation to the relevant land can be minimized.
- (4) Taking into account the effect of a Part 3 act on an area or site mentioned in subsection (2)(d) does not affect the operation of any law of the Commonwealth or the State for the preservation or protection of those areas or sites. ”.

No 6

Clause 4.11, page 39, after line 4 — To insert the following new subparagraph —

- “ (a) the location and details of the relevant land or waters; ”.

No 7

Clause 4.24, page 45, after line 2 — To insert the following new subclause —

- “ (2) Without limiting the scope of any negotiations under this section —
- (a) they may, if relevant, include the possibility of including a condition that has the effect that an objector is to be entitled to payments worked out by reference to —
 - (i) the amount of profits made;
 - (ii) any income derived; or
 - (iii) any things produced,
 by a proponent as a result of doing anything in relation to the relevant land after the act is done; and
 - (b) the nature and extent of the following may be taken into account —

- (i) existing rights and interests that are not native title rights and interests, in relation to the relevant land;
- (ii) existing use of the relevant land by persons other than the objectors; and
- (iii) the practical effect of the exercise of those existing rights and interests, and that existing use, on the exercise of any registered native title rights and interests in relation to the relevant land. ”.

No 8

Clause 4.37, page 52, after line 5 — To insert the following new subclause —

“ (3) In the event that any of the circumstances described in subsection (2) have occurred, the Minister must give notice to the consultation parties and the Commission that no determination will be made. ”.

No 9

Clause 4.40, page 53, after line 2 — To insert the following new subclause —

“ (3) A determination under section 4.31 is a regulation for the purposes of section 42 of the *Interpretation Act 1984*. ”.

No 10

Clause 5.8, page 68, after line 28 — To insert the following new subclause —

“ (2) Before a Part 5 act is done, public notice of the act must be given by advertisement —

- (a) in a newspaper circulating generally throughout the State; or
- (b) in a newspaper that satisfies any requirements prescribed by the regulations for the purposes of this paragraph. ”.

No 11

Clause 5.9, page 69, after line 4 — To insert the following new subparagraph —

“ (a) the location and details of the relevant land or waters; ”.

No 12

Clause 5.19, page 73, lines 5 to 11 — To delete the lines and substitute the following lines —

“ In the case of any Part 5 act, the consultation parties must consult with each other in good faith with a view to reaching an agreement about —

- (a) minimizing the effect; and
- (b) compensating for the effect,

of the act on the enjoyment of the registered native title rights and interests in relation to the relevant land and waters. ”.

No 13

Clause 5.29, page 77, line 13 to page 78, line 4 — To delete the lines and substitute the following lines —

“ (1) In making its determination in respect of a Part 5 act, the Commission must take into account the effect of the act on —

- (a) the enjoyment by the objectors of their registered native title rights and interests;
- (b) any area or site on the relevant land of particular significance to the objectors in accordance with their traditions; and
- (c) the economic or other significance of the act to —
 - (i) Australia;
 - (ii) this State;
 - (iii) the area in which the relevant land is located; and
 - (iv) Aboriginal peoples who live in that area.

(2) In taking into account the matters mentioned in subsection (1), the Commission may also consider the effect of the act on —

- (a) the way of life, culture, traditions and economic interests of any of the objectors;
- (b) the freedom of access by any of the objectors to the relevant land;
- (c) the carrying out, by any of the objectors, of rites, ceremonies or other activities of cultural significance, on the relevant land in accordance with their traditions; and
- (d) any other matter that the Commission considers relevant.

(3) While taking into account the effect of a Part 5 act as mentioned in subsection (1)(a), the Commission must also take into account the nature and extent of —

- (a) existing rights and interests that are not native title rights and interests, in relation to the relevant land;
- (b) existing use of the relevant land by persons other than the objectors; and
- (c) unless it recommends that the act not be done, consider ways in which the impact of the act on registered native title interests of the objectors in relation to the relevant land can be minimized.

(4) Taking into account the effect of a Part 5 act on an area or site mentioned in subsection (2)(d) does not affect the operation of any law of the Commonwealth or the State for the preservation or protection of those areas or sites. ”.

No 14

Clause 5.36, page 80, line 25 — To insert after the word “applies,” the following words —

“ then subject to subsections (3), (4), (5) and (6) ”.

No 15

Clause 5.36, page 81, after line 5 — To insert the following subclauses —

“ (3) The responsible Minister must give written notice to the Commission requiring it, by the end of the day specified in the notice, to give to —

- (a) the Minister; and
- (b) each consultation party,

a summary of material that has been presented to the Commission in the course of the Commission making a recommendation under section 5.28 in respect of the act concerned.

(4) The responsible Minister must give written notice to each consultation party that the Minister is considering making the determination and that each consultation party —

- (a) may, by the end of the day specified in the notice, give the Minister any submission or other material that the consultation party wants the Minister to take into account in deciding whether to make the determination and, if so, its terms;
- (b) if the consultation party does so, must also give each of the other consultation parties a copy of the submission or other material; and
- (c) may, within 7 days after the specified day, in response to any submission or other material given by —
 - (i) any other consultation party; or
 - (ii) the Commission,

give the Minister any further submission or other material that the consultation party wants the Minister to take into account as mentioned in paragraph (a).

(5) The day specified under subsection (3) or (4) must —

- (a) be the same in all of the notices given under the subsections; and
- (b) be a day by which, in the responsible Minister's opinion, it is reasonable to assume that all of the notices so given —

- (i) will have been received by; or
- (ii) will otherwise have come to the attention of,
the persons who must be so notified.

(6) If the responsible Minister complies with this section, there is no requirement for any person to be given any further hearing before the responsible Minister makes the determination. ”.

No 16

Clause 7.4, page 92, line 1 — To delete the word “other ” and to substitute the following word —

“ ordinary ”.

No 17

Clause 7.5, page 92, lines 8 to 14 — To delete the clause and substitute the following clause —

“ **7.5. Eligibility for appointment as Chief Commissioner**

(1) A person is not eligible to be appointed as the Chief Commissioner unless the person —

- (a) is a Judge of the Supreme Court or District Court of the State or any other State or Territory or a Judge of the Federal Court;
- (b) is a former judge of any court of the State or elsewhere in Australia or a former Justice of the High Court; or
- (c) a person who is, and has been for at least five years, enrolled as a legal practitioner of the Supreme Court of the State or any other State or Territory, or of the Federal Court of Australia or the High Court.

(2) Notwithstanding any other provision of this Act the Chief Commissioner shall be appointed by the Governor and shall hold office in accordance with this Act. ”.

No 18

Clause 7.51, page 111, after line 24 — To insert the following new subclauses —

“ (3) In carrying out a review under this section the Minister must —

- (a) ensure that a notice in accordance with subsection (4) is published in —
 - (i) the *Government Gazette*; and
 - (ii) a daily newspaper circulating generally throughout the State,
 within 1 month of the commencement of the review; and

(b) consider any public comments or submissions made to the Minister within the period specified in such notice.

(4) A notice must —

- (a) state —
 - (i) the fact of;
 - (ii) the reasons for; and
 - (iii) the objectives of the review; and

(b) invite public comments or submissions within 2 months from the publication of the notice. ”.

No 19

New Clause 1.2A, page 3, after line 2 — To insert the following new Clause 1.2A —

“ **1.2A. Objects of Act**

The main objects of this Act are —

- (a) to provide for the acknowledgement and protection of native title;

- (b) to establish ways in which future dealings affecting native title may proceed and to set standards for those dealings; and
- (c) to ensure that Western Australian law is consistent with standards set by the Commonwealth Native Title Act for future dealings affecting native title. ”.

No 20

New Clause 3.44A, page 29, after line 22 — To insert the following new Clause 3.44A —

“ **3.44A. Copy of determination to be laid before Parliament**

- (1) The responsible Minister must cause a copy of a determination under section 3.40, together with reasons for the determination, to be laid before each House of Parliament.
- (2) Subsection (1) is to be complied with as soon as is practicable after the determination is made and in any case, in relation to a House of Parliament, within 15 sitting days of that House after the determination is made.
- (3) A determination under section 3.40 is a regulation for the purposes of section 42 of the *Interpretation Act 1984*. ”.

No 21

New Clause 4.57A, page 63, after line 7 — To insert the following new Clause 4.57A —

“ **4.57A. Copy of declaration to be laid before Parliament**

- (1) The responsible Minister must cause a copy of a declaration under section 4.53, together with reasons for the declaration, to be laid before each House of Parliament.
- (2) Subsection (1) is to be complied with as soon as is practicable after the declaration is made and in any case, in relation to a House of Parliament, within 15 sitting days of that House after the declaration is made.
- (3) A declaration under section 4.53 is a regulation for the purposes of section 42 of the *Interpretation Act 1984*. ”.

No 22

New Clause 5.39A, page 82, after line 12 — To insert the following new Clause 5.39A —

“ **5.39A. Copy of determination to be laid before Parliament**

- (1) The responsible Minister must cause a copy of a determination under section 5.34, together with reasons for the determination, to be laid before each House of Parliament.
- (2) Subsection (1) is to be complied with as soon as is practicable after the determination is made and in any case, in relation to a House of Parliament, within 15 sitting days of that House after the determination is made.
- (3) A determination under section 5.34 is a regulation for the purposes of section 42 of the *Interpretation Act 1984*. ”.

No 23

New Clause 5.43, page 82, after line 24 — To insert the following new Clause —

“ **Application Fee may be waived**

- 5.43.** The Executive Director may waive payment of whole or part of a fee payable under section 5.42 where —
- (a) having regard to the income, day to day living expenses, liabilities and assets of the person liable to pay the fee, in the Executive Director’s opinion, payment of the fee would cause financial hardship to the person; or
 - (b) for any other reason the Executive Director considers it appropriate to do so. ”.

No 24

New Clause 7.52, page 111, after line 24 — To insert the following new Clause 7.52 —

“ **7.52. Special report**

- (1) The Commission may at any time make a special report to the Minister on any matter arising from or in relation to the exercise of its functions.

(2) The Minister is to cause a report prepared under this section to be laid before both Houses of Parliament as soon as is practicable after its receipt by the Minister. ”.

No 25

New Clause 7.53, page 111, after line 24 — To insert the following new Clause 7.53 —

“ **7.53. Restriction on publication**

The Commission must not in any annual or special report disclose any matters known to the Commission to be of sacred, ritual or ceremonial significance to Aboriginal persons or a particular community or group of Aboriginal persons. ”.

No 26

Schedule 2, page 116, line 5 — To delete the line and substitute the following lines —

“ (1) The Executive Director shall be appointed by the Governor on the recommendation of the Minister, and shall hold office in accordance with this Act.

(1A) A person is not eligible to be appointed as the Executive Director unless —

- (a) the person is enrolled, and has been for at least five years, as a legal practitioner of the Supreme Court of the State or any other State or Territory, or of the Federal Court of Australia or the High Court; and
- (b) the person has substantial experience in relation to —
 - (i) Aboriginal societies;
 - (ii) relevant law;
 - (iii) administration; or
 - (iv) any other activities relevant to the duties of the Executive Director. ”.

No 27

Schedule 3, page 130, lines 14 to 21 — To delete the lines.

Mr COURT: I move -

That the Bill be laid aside.

In moving this motion, I feel a number of emotions, because we have been given an opportunity by the Federal Parliament, with the amendments that it moved to the Native Title Act, to put in place a workable state native title regime. However, the Labor Party, with the help of the Greens (WA), the Australian Democrats and a bevy of legal advisers, has come back with a series of amendments that have basically put the Government in a position where we believe that the existing federal regime will be more workable - and even that is unworkable - than if we accepted these amendments. This Government believes strongly that the Labor Party has denied a democratically elected Government the opportunity to put in place a workable native title regime that will provide some certainty. One of the cornerstones of our democracy and one of our most important constitutional responsibilities is the administration of land and resource management in this State. We will be betraying the people of Western Australia if we do not have a workable legislative framework in place.

It has become obvious now from the debate that has been taking place that some things are certain. I am certain that very few members opposite actually understand the practicalities of running a land and resource management system, the complexity of running that system and the complexity of incorporating a native title regime into that system. Secondly, I am convinced that most the Labor members would not have a clue what amendments they have introduced and passed through the Legislative Council.

I add that one part of this debate that I find absolutely abhorrent is members of the Australian Labor Party, the Greens (WA) and the Australian Democrats accusing me and members of the Government of being racist because we do not accept their amendments. There have been so many comments made in recent weeks trying to portray the Government as a Government that is racist. That, my friends, is not the case. All people in the Government are totally committed to trying to implement a workable regime. Members opposite have now given us a recipe for ongoing division in this State.

Mr Speaker, you know that the existing federal legislation with its right-to-negotiate provisions on leasehold lands has proved itself to be unworkable. I want to run through a summary of the overall effect of the Labor Party's amendments on this legislation. The overall result has produced a Bill that is more unworkable than the Keating Government's federal native title legislation. The amendments have made the Government's Bill unconstitutional, unworkable and non-compliant with the Native Title Act. The Bill in its present form could not be approved by the commonwealth minister because of the Labor

amendments. The Labor amendments have shifted large areas of the State from the consultation regime in part 3 of the Bill, which was one of the changes that took place with the federal legislation to enable us to set up a consultation regime for leasehold lands because everyone knew that the right-to-negotiate provisions were not working on leasehold lands. Those amendments have shifted large areas of the State from that consultation regime in part 3 to the right-to-negotiate regime in part 4 thereby defeating the purpose of the legislation, which was to provide for an alternative state regime over co-existing tenure as provided for in the commonwealth Act.

Mr OSBORNE: I rise to allow the Premier to continue his remarks.

Mr COURT: Not only has Labor shifted large areas into the right-to-negotiate provisions, but it has also made fundamental changes to the alternative consultation regime to make it virtually the same, if not worse, than the right-to-negotiate provisions - I will get into a bit of detail in a minute - thereby defeating the whole purpose of the legislation. In making these changes, Labor has, either in ignorance or deliberately, amended the Bill in a way that will render it non-compliant with the commonwealth Native Title Act. This means that it cannot be approved by the federal minister and would therefore never become operational.

The Labor amendments to the structure, reporting requirements and overview of the proposed State Native Title Commission are a collection of the most extreme and bizarre procedures ever applied to a body of this nature. They are so complex and convoluted that the commission would never be able to get down to the job it was required to do because it would be bogged down in endless reviews, reporting and public consultation processes.

I will quickly run through the main amendments that the Labor Party has installed. In clause 3.1 is the definition of alternative provision areas. The ALP has made an amendment that will reinstate the right to negotiate over 325 000 square kilometres, 12.5 per cent of the State, where under the Native Title Act the alternative consultation process would have applied. Clause 3.12 is the notification procedures. The ALP amended the Bill to force applicants for mining titles to place advertisements in newspapers in relation to native title procedures. The amendment is an unnecessary cost and imposition on applicants, as they must also provide written notification to all native title parties in any case. It serves no practical purpose.

Dr Gallop: Are you reading a paper from the mining industry?

Mr COURT: No I am not. Clause 3.24 is the consultation process. This is the most damaging of the ALP amendments. It makes a fundamental change to the government Bill as an attempt by the ALP to turn the consultation process into a right to negotiate by another name. The form of the amendment makes the amended Bill inconsistent with the Native Title Act and will prevent the provisions from being given approval by the federal minister. It was probably the ALP's purpose in any case; that is, to appear to support the concept of state native title legislation while putting in place amendments that would ensure that it would never achieve federal approval.

On the determination criteria in clause 3.34, the ALP has added into the Bill an amendment that will mean that the detailed criteria that applied to the right to negotiate will now also apply to the consultation process. This change is further evidence that the ALP is not prepared to accept that the State can under the commonwealth Act put in place alternative procedures.

Clause 3.44A is the parliamentary disallowance. I would like to see those opposite move this amendment when they are in government. The ALP has made amendments throughout the Bill that result in every ministerial determination being made subject to parliamentary disallowance. Can members imagine us running a planning approval system in such circumstances? These amendments are totally unacceptable and unworkable. It is not acceptable to subject a minister to this level of political interference in the exercise of ministerial discretion. A Government is democratically elected. With many decisions the buck must stop somewhere but the ALP has effectively made a nonsense of those provisions.

Mr Kobelke interjected.

Mr COURT: If people do not like Governments' decisions they vote them out. Clause 4.24 covers the share of profits, income and things produced. Under this ALP amendment, claimants who have yet to be confirmed as native title holders would be able to demand a share of profits, income or things produced from project proponents under the right to negotiate. This amounts to the State giving claimants the right to levy royalties on developers. This would compromise the long-established principle of crown ownership of minerals.

The ALP has made similar unacceptable amendments to part 5 on townsites and infrastructure projects, as it did to part 3. The overall effect of those amendments is to make the processes under part 5 -

Mr RIPPER: I would like to hear more of this mining industry document.

Mr COURT: I have news for the Deputy Leader of the Opposition. The overall effects of these amendments is to make the processes under part 5 which will apply to future acts in existing townsites and for infrastructure projects very similar to the right to negotiate processes that have already been proved to be unworkable. With part 7 and the native title commission, the Labor Party has made a multitude of amendments to the provisions that set up and cover the operations of the proposed state native title commission. These changes are unprecedented in that they layer on levels of parliamentary scrutiny, public

consultation and political interference that would make the commission unworkable. For example, a provision requires four months' consultation before the commission can establish its own operating procedures. No other tribunal or commission is subject to such unworkable processes.

I have quite deliberately mentioned those amendments so it is on the record why the Government has not been able to accept this amended legislation. I go back to the fundamental problem we had with the federal legislation: With the right to negotiate provisions on leasehold properties, people could not get through the system unless they had the money to pay for it. If people have the money, they can get through the system. A democracy must have as its foundation a workable land and resource management system. A system cannot be put in place which requires people to buy their way through the processes - something with which the Labor Party is pretty familiar. With this legislation the unworkability will continue. The blackmail situation will arise in which, if money is not paid - these people are not native title holders, but claimants and there can be multiple native title claimants on the same land -

Mr Minson: There is a new threshold test.

Mr COURT: The threshold test has been changed. As Labor members in the other House said, this will still not stop the multiple claims occurring. The Leader of the Opposition will proudly get up and defend the fact that for over 90 per cent of Western Australia we will have right-to-negotiate processes; he will say that is good. This right-to-negotiate process was created by Paul Keating; it did not magically come out of the High Court of Australia. He assured everyone it would not apply over pastoral leases because native title had been extinguished by the pastoral leases. He told me that twice to my face. He said it publicly on many occasions. He said that if the High Court said that was not the case, he would go back into the Parliament the next day to legislate to make sure it was the case. That was the Labor Prime Minister of this country.

We then had the Wik situation where the assurances of Labor to pastoralists and anybody else were found to be worthless. Now we have the post-Wik situation where a consultation regime with the Aboriginal claimants is required under the federal legislation, but not a right to negotiate. The Labor Party has given the Committee an amendment under which people - they need not be native title holders, just claimants - must consult in good faith to reach agreement, including for compensation. We are being asked to accept a provision as a result of which the right to negotiate will go much further than the right contained in the federal legislation. Those opposite are saying that people must reach agreement, pay their money, or compensation or whatever, when those people have not been proved to be native title holders.

Several members interjected.

Mr COURT: Those opposite can say what they like, but they have squandered an opportunity given not by John Howard, but by the Federal Parliament - the House of Representatives and the Senate. They said that a state regime can be established and a consultation process put in place.

Mr OSBORNE: I make this contribution to enable the Premier to continue his remarks.

Mr COURT: The House of Representatives and the Senate have said that we can try to put in place a consultation process. We believe we could have made it work. We gave an assurance that we would try to make that work, as hard as it would be. The concept put to us by those opposite - that is, people must negotiate and reach agreement, including for compensation - is worse than that under which we currently must operate under the federal legislation. The tragedy of all this is that the uncertainty and unworkability will continue. A great deal of division will now be created.

Mr Ripper: By you.

Mr COURT: No. Division will be created, and if people have money they can buy their way through the system. There will be a major backlash, particularly in Western Australia which is the State most affected by native title. This is the best opportunity to provide some positive benefits for Aboriginal people. They will not win from this situation. Members opposite say they are doing this to protect the Aboriginal interests.

Mr Ripper: And the State's interests.

Mr COURT: No, members opposite are not protecting the State's interests. Aboriginal people want to sit down and negotiate some commonsense agreements. The Labor Party has sent into this House from another place the most ludicrous, legalistic framework that they know does not work. They know they cannot make it work. This political decision was made, along with the Greens (WA) and the Australian Democrats, and all the political and legal advisers from the eastern States.

Mr Carpenter: Plane loads of them. They are at the airport ready to go back.

Mr COURT: They are; that is exactly right, my friend. I despair of what the Labor Party is doing to this State by allowing this uncertainty and unworkability to continue. I hope that in years to come we will be able to bring legislation into this Parliament, with the support of members opposite, to put a workable framework in place.

Dr GALLOP: It is unfortunate to report that the Premier of Western Australia has been giving that sort of speech since he came to the Parliament in the 1980s. That is the problem; he keeps making the same speech, despite the fact that the world has moved on. It is interesting to read the press release from the National Native Title Tribunal on 21 December that the

tribunal could not hear the case for the granting of 15 mining leases in the goldfields and great southern regions because the Western Australian Government had not negotiated with native title applicants. That is the story of the Government of Western Australia. It will not come to grips with this issue.

The Labor Party has given its reasons for its amendments in debate in this Chamber and in the other place over recent months, and I will not go through all the arguments again. That has been done very clearly. However, I remind government members of what is necessary to achieve certainty in this issue. The legislation must pass through this Parliament and be agreed to by the commonwealth minister. The Commonwealth of Australia is still discussing this matter with the Western Australian Government, and it is still concerned that aspects of the Government's Bill, which the Premier wants the Opposition to support without amendment, do not shape up according to the national Native Title Act. I refer briefly to the section 33 provisions under the right to negotiate, which are in the federal Act but not in the state Act. This problem is still being discussed by the Commonwealth and the State. The Commonwealth still has some concerns about it. If the commonwealth minister passes the state legislation, it is then possible for anyone to put that ministerial decision to judicial review. The courts will then consider whether or not the state legislation should have been passed by the commonwealth minister, according to the requirements laid down by the Commonwealth Parliament. I can assure members that many areas in this legislation led the Opposition to move amendments and caused it to believe that, firstly, the judicial review would almost certainly take place and, secondly, would have some chance of success because the Government had not dotted its i's and crossed its t's with regard to this legislation.

In order to be certain, the legislation must go through the Federal Parliament. The Federal Parliament comprises the House of Representatives and the Senate in which there are Independents and minor parties that could control the balance on issues. The Bill the Government wanted passed unamended was not in the spirit of the Harradine amendments. The Opposition read the debate.

Mr Court: It was.

Dr GALLOP: Has the Premier seen the comments of Senator Harradine in the Federal Parliament? Obviously the Premier of Western Australia has not done his homework on this issue. That has been the problem all the way through. The Government's legislation does not provide certainty or workability. To give one little example, the Premier said how awful that we had taken a number of historical leases outside consultation and put them in the right to negotiate section. There was a practical and good reason for doing that; that is, so that one regime was in place for dealing with one area of land.

We come back to the point: Commonwealth Government support is required, judicial review can occur, House of Representatives and Senate support are required under all those three tests: The test of the Commonwealth Government, the test of judicial review and the test of parliamentary review. The Government's unamended legislation would not have survived any of those tests. It would not have been workable.

Mr Court: What absolute rubbish.

Dr GALLOP: The Premier says that is rubbish. Let us have a look at the record on who is right and who is wrong when the word "rubbish" is used.

Mr Court interjected.

Dr GALLOP: I remember the debate well in 1993.

Mr McGOWAN: I would like to hear more of what the Leader of the Opposition has to say.

Dr GALLOP: In 1993 the Opposition opposed the Government's legislation. The Premier said "It is rubbish, you are wrong". Who was right and who was wrong? Not only was the Opposition right in 1993; it was right to the tune of 7:0. Not one High Court judge defended the Premier in that decision. Who was right and who was wrong about whether the Government of Western Australia was following good faith provisions? Here it is. The Federal Court and the National Native Title Tribunal have made it clear that the Government has not been following good faith in all these areas.

We have had a government that cuts corners and that does not deal with the issues seriously and therefore never produces a workable, long-term solution to this issue. It does not want a solution, rather than examining the substance of the issue, it plays politics with it. It is a sad thing that all of the members opposite are lining up behind a Premier on this issue who lost 7:0 in 1994 and who will lose again on his unamended legislation. The Opposition's actions are in the spirit of proper parliamentary review, the spirit of the national legislation, and in the spirit of the interests of all the stakeholders on this issue. It has come up with a solution that could last, unlike the Government's approach to this issue.

Mr RIPPER: This Bill has failed as a result of the choice of this State Government. Labor supports a Western Australian solution to native title. This Government has decided, because it has faced a bit of opposition in the Parliament and because some people in the Parliament have different ideas to it, it will spit the dummy and lay the Bill aside. The Bill has failed as a result of the choice of this State Government. However, it could have failed in some other ways if the Government had proceeded and managed to get it through the Parliament without amendment. As the Leader of the Opposition pointed out, the Bill is enacted under the authority of the Native Title Act. The commonwealth minister can make a determination that the Bill does not comply with the provisions of the NTA.

Parties might not agree with the determination of the commonwealth minister; they might take his determination to judicial review. In other words, the commonwealth minister cannot make a simply political decision; he or she must make a decision that will withstand judicial review. However, as members might know by now, there is another more political circumstance in which the Bill can fail to be consistent with the commonwealth legislation. The commonwealth minister's determination, should he make a determination that the Bill is consistent with the commonwealth Native Title Act, can be overturned by a majority of members of the Senate. The majority of members of that place are politicians. Their decision would not be made subject to judicial review; they would make a quasi-political decision. They would decide whether the Bill in its totality met their view of what they were approving when they finally passed the NTA. This Bill has failed as a result of the Government's choice. Had the Government succeeded in getting it through the Parliament unamended, it might have failed in one of those other three ways.

The Premier seems to think that we are left with an absolute catastrophe because we do not have state native title legislation. We could have it if he were prepared to compromise and work with the Opposition. However, we will not as a result of his choice.

Let us consider the consequences of that choice. We are left with federal native title legislation. The Premier continues to pretend that the federal legislation is the same as the native title legislation that was passed in 1993. It is not; it has been amended under the Howard Government. We in this State are left with the John Howard-Brian Harradine solution. If the Premier thinks that is an absolute catastrophe, he is being critical of the actions of his own federal coalition colleagues. It is not the Paul Keating legislation but the John Howard-Brian Harradine legislation that will operate in this State as a result of the Premier's very shortsighted and emotional decision to lay aside the Bill.

I will deal with some of the detail. The Premier has insisted over and over again that the Labor Party's amendments make the Bill unworkable. That is the Premier's chant - he repeats it over and over again without any reference to the details of which he is speaking. When people hear the Premier say that the legislation is unworkable, the Premier must be challenged on the detail. The Premier is good at the glib one liner on native title questions, but the public is becoming tired of that. At last the Premier is being confronted on the detail. That is where the Premier finds it difficult to cope. The media and the community should challenge the Premier on the detail of this legislation because his assertions lack credibility when closely examined.

I will refer to that detail. The Premier has extensively criticised the right to negotiate. Those criticisms apply equally to the federal right to negotiate. That federal right has been supported by the federal coalition Government. When the Premier scathingly criticises the right to negotiate and says that this is a Labor scheme and the Government does not agree with it - he says it is unworkable, unrealistic and wrong, and it is an advantage for the wealthy but a difficulty for the poor - he is talking about the legislation passed by his own coalition colleagues at the federal level. If they did not support the legislation, they could have done what the Premier has done and laid it aside. However, they supported its passage. The Premier is criticising John Howard's scheme. It is wrong of him to suggest that the right to negotiate is supported only by the Labor Party.

The second point the Premier made was to criticise the Labor amendment which shifted some land from the application of the consultation procedure to the application of the right-to-negotiate procedure. That is land which is current vacant crown land. It might have had a historic tenure upon it, but it has no tenure applying to it at the moment. It is perfectly reasonable that all vacant crown land should be treated in the same way. Crown land which never had a tenure upon it should be treated the same as crown land which now has no tenure upon it. What is the rationale for having two different sets of procedures for land in the same position; namely, that with only the interests of the crown and native title upon it? For two years between 1913 and 1915, some historic tenure, which has now expired, and which might never have been taken up, may have applied to that land. If it looks like vacant crown land, it should be treated as vacant crown land.

The Labor Party's amendment is reasonable. The Government is trying to create unworkability and uncertainty. If we had proceeded with the Government's original scheme, developers and others would have spent a great deal of time going back through land tenure records to find historic tenure trying to prove that land which looks like current vacant crown land should not be considered under part 4, right to negotiate, of the Bill but under part 3, consultation procedures. Litigation might have followed as other parties sought to challenge the research and decisions. An arena of unnecessary research and litigation would have followed, as people tried to reduce indigenous rights on land that looks like vacant crown land.

The Premier also said that the consultation procedures in part 3 of the Bill have been made worse as a result of Labor amendments. He just asserts that, but does not outline the detail. After the Labor amendments, the consultation procedure is still much different from the right-to-negotiate procedure. I went through this point in my contribution to the third reading debate on the Bill. The time lines are different; the matters which can be negotiated are different; and the criteria which the commission applies when making a determination following the failure of consultation are different from the criteria applied to a determination made by the commission when negotiations fail. Significant differences exist following the Labor amendments between the consultation procedure in part 3, and the right to negotiate in part 4.

The Premier makes glib assertions, but when he is taken to the detail, the assertions do not stand up. The scheme we are left with in Western Australia is the John Howard-Brian Harradine scheme which includes the right to negotiate of which the Premier is so critical. It is the scheme of the Premier's federal coalition colleagues. It is perfectly reasonable for all

vacant crown land to be considered under the same scheme. Significant differences exist between the consultation procedure and the right-to-negotiate procedure.

Mr McGOWAN: I would like to hear further from the Deputy Leader of the Opposition.

Mr RIPPER: This Premier talks about the unworkability of native title legislation. Nothing is so unworkable as legislation struck down in the High Court. The Premier has never had a workable solution to native title in this State. The Premier had what he still calls good legislation. That so-called good legislation was struck down in the High Court 7:0. All the Premier's glittering promises to the people of Western Australia came to nought because the High Court struck it down. All the Premier's glittering promises about the current legislation would have come to nought had the legislation proceeded through this Chamber and then been struck down by the commonwealth minister, on judicial review, or by the Senate. It is no good the Premier saying that legislation is wonderful if it is not valid or constitutional. It is ludicrous. The ultimate unworkability is unconstitutionality or invalidity of legislation. The Premier does not have a good track record on workability of legislation.

Many of the Opposition's amendments to the legislation were imported from the commonwealth Native Title Act. The amendment that the Premier complains about regarding the right to negotiate on compensation derived from profits, is a straight import from the NTA. Prime Minister Howard approved that clause, and the Labor Party took that clause and moved it as an amendment for inclusion in the state version of the right-to-negotiate procedures. If it is so terrible, why did John Howard approve it, and cop it? If it is good enough for John Howard, it is good enough for the State version of the native title legislation.

It is regrettable that we will not have a Western Australian solution to native title. It would have been a mark of maturity for this State and this Parliament to have agreed on a native title scheme peculiar to Western Australia. Regrettably, the Government has found it difficult to cope with a Parliament in which it does not have absolute control. Regrettably, the Government prefers to bully, to grandstand and to exploit politically rather than to negotiate with other parties in the Parliament.

It is the Government's choice to throw aside the Bill. The Australian Labor Party would prefer to have this Bill amended and passed through this Parliament. The Premier cannot go to the people of Western Australia and say that this is a catastrophe for Western Australia. It is not, because what will apply as a result of the Premier's own stubbornness is the federal legislation, which is the solution proposed by John Howard and Brian Harradine.

Mr SWEETMAN: I agree with the Premier's position on this. Compared with my views, the Premier's position is conservative. My electorate has been affected by native title, so I know what the implications of this will be to my electorate and the people of regional Western Australia generally.

I have a lot of trouble coming to grips with the fact that we formed the Government because we have the majority in this Chamber. However, despite the processes in the other place in the past 10 weeks, they have hijacked the democratic right of this democratically-elected Government to govern. I will even support the situation in which the Opposition found itself when it lost \$1.5b; that was its democratic right. We had to live with the consequences of its actions. I do not agree with what it did, or approve of it. It was its democratically-elected right to do that because it was given a mandate to rule for a set period; although, once the Labor Party's credentials were revealed to them, the electors had the good sense to throw it out.

The Opposition is underestimating the number of people who have been involved in this who have been prepared to go along with the 10-point plan against their better judgment. They were prepared to live with that 10-point plan. I have attended meetings at which I was accused of rolling over on native title. Many people, and not just those in my electorate, are absolutely incensed at the direction this debate has taken. They were livid that they got a watered down 10-point plan when it was finally promulgated. Now we have had the ultimate indignity of introducing parallel legislation into this Parliament and sending it to the upper House, which has flung it back in our faces. It is not appropriate that legislation can go to the other place and be hijacked by misinformed people, a pack of zealots with sectional interests, and then come back here and for us to be criticised for the legislation falling over. I want to make it clear to the Opposition the position it has adopted. The good faith that people in country Western Australia had for the 10-point plan is likely to evaporate over the summer recess. The Opposition may find that that goodwill will not apply to this debate when we return to this Parliament. I must concede to the people who are suspicious about my rolling over that, with the benefit of hindsight, I let them down. I should have been a lot more stoic in my resolve to resist even the 10-point plan, because that is what my constituents were telling me to do.

An example of the absurd situations caused by native title is the Nulla group. They have a significant claim in my electorate. I have taken the time to try to talk to those people and ease them through a couple of ticklish situations of no consequence for them. One deals with the normalisation of Coral Bay. One would think that something as simple as putting in a sewerage system would be seen to benefit everyone. Wrong! Part of the effluent pond extends outside the town reserve into Cardabia station, which is subject to native title, and we cannot do anything there. The claimants tell me that they do not have a problem with this project; they agree with it. I have met with these people. They have told me to write them a letter and they will send one back saying it is okay, but the Aboriginal Legal Service will not let them. When will the Opposition

understand that this issue is a plaything? It is not to the genuine Aboriginal people with whom we can sit down and have a bit of a chat, but it is to the people who give them wacky advice. They are the same people who have been advising Hon Tom Stephens and others in the upper House. That is why we got some distorted and perverted amendments to the Bill we sent there in good faith. The pony club in Carnarvon has been pushed off the reserve it used. A lot of kids and parents are involved in the club and they want to build another ground for the pony club. Would members believe that the problem is native title? We have negotiated with the Nulla group; it does not have a problem, it wants to see the kids conduct their pony club, but it cannot allow it because the Aboriginal Legal Service has given it sufficient reasons not to sign or agree to it.

I sit here perplexed at the position the Opposition has adopted. I have said very little in this debate to date, but I now know once and for all that there is a vast gulf between academic capacity and intellectual capacity. I understood that intellectual capacity gave one the ability to reason and understand, but I have not seen much of that on the other side of the Chamber.

Question put and a division taken with the following result -

Ayes (26)

Mr Baker	Mr Day	Mr McNee	Mr Trenorden
Mr Barnett	Mrs Edwardes	Mr Minson	Mr Tubby
Mr Barron-Sullivan	Dr Hames	Mr Nicholls	Dr Turnbull
Mr Board	Mrs Hodson-Thomas	Mrs Parker	Mrs van de Klashorst
Mr Bradshaw	Mr Kierath	Mr Pendal	Mr Wiese
Mr Court	Mr Marshall	Mr Sweetman	Mr Osborne (<i>Teller</i>)
Mr Cowan	Mr Masters		

Noes (16)

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

Pairs

Mr Prince	Ms MacTiernan
Mr House	Ms Anwyl
Mr Shave	Mr Graham
Dr Constable	Mr Bridge

Question put and passed.

Bill thus laid aside.

Report

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

ADJOURNMENT OF THE HOUSE

MR BARNETT (Cottesloe - Leader of the House) [7.50 pm]: I move -

That the House at its rising adjourn until a date and time to be fixed by the Speaker.

I again wish all members and staff of the Chamber a merry Christmas and a safe holiday period.

Question put and passed.

House adjourned at 7.51 pm

QUESTIONS ON NOTICE

Answers to questions are as supplied by the relevant Minister's office.

GOVERNMENT DEPARTMENTS AND AGENCIES

Criminal Record Screening of Employees

686. Mr KOBELKE to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

- (1) Which agencies within the Premier's portfolios have a policy on criminal record screening of employees or prospective employees?
- (2) In each agency that has a policy on criminal record screening, which categories or classes of employees, other workers or prospective workers are required to submit to criminal record screening?
- (3) For each such agency, what is the cost of criminal record screening per individual?
- (4) In which cases is the cost of criminal record screening met by the worker, prospective employee or the employing agency?
- (5) Will the Premier table a copy of each such policy document?

Mr COURT replied:

I am advised that :

Ministry of the Premier and Cabinet

- (1)-(5) The Ministry of the Premier and Cabinet has no formal policy on criminal record screening of employees or prospective employees. Where such screenings have been carried out it has been on a case by case basis, and no costs were incurred. Prospective employees from outside the public sector - either through the normal base grade clerical recruitment process or in response to positions advertised in the press - are required to declare if they have any criminal convictions, or are the subject of criminal charges.

Under Treasurer

- (1) Treasury does not have a policy on criminal record screening of employees or prospective employees.
- (2)-(5) Not applicable.

Anti-Corruption Commission

- (1) Anti-Corruption Commission (ACC).
- (2) All employees of the ACC are required to submit to criminal record screening prior to their employment being confirmed. In addition, tradesmen and other contractors such as cleaners who enter ACC premises must submit to criminal record screening.
- (3) The only direct cost involved in criminal record screening is the staff time required to obtain the relevant records, which is minimal.
- (4) The cost of criminal record screening, which is minimal, is met by the ACC.
- (5) The ACC does not have a policy document dealing with criminal record screening.

Governor's Establishment

- (1) Governor's Establishment.
- (2) All employees.
- (3) Nil.
- (4) None.
- (5) Part of induction procedure. Not formal policy document.

Office of the Public Sector Standards Commissioner

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

Gold Corporation

- (1) Gold Corporation does have a policy on criminal record screening of employees or prospective employees.
- (2) All prospective Gold Corporation employees short-listed for final selection are required to submit to criminal record screening. Also, in recent years Gold Corporation's letters of appointment have contained provision for further checks to be made during the course of a person's employment.
- (3) Gold Corporation pays a regular quarterly fee of \$875.00 for this service, regardless of how many screenings are required.
- (4) Gold Corporation meets all costs.
- (5) Attached are extracts from Gold Corporation's and the Western Australian Mint's human resources policy manuals. [See paper No 629.]

Office of the Auditor General

- (1)-(2) The Office of the Auditor General requires all prospective applicants from outside the Public Service to complete the Statutory Declaration on Form PS114 which requires them to declare whether they have a criminal record. There is no specific criminal record screening process. No specific action is taken when people join the Office of the Auditor General from within the Public Service.
- (3)-(5) Not applicable.

FORESTS AND FORESTRY

Plantations

708. Dr EDWARDS to the Minister for the Environment

- (1) What response has been made by the Department of Conservation and Land Management (CALM) to the work undertaken by Judy Clark of the Australian National University regarding Western Australian wood plantations?
- (2) Will the Minister table CALM's advice and comments on this issue?
- (3) If not, why not?

Mrs EDWARDES replied:

- (1) CALM issued a media statement on 31 May 1996 outlining their response. They wrote to Dr Clark on 5 July 1996, and I also wrote to her on 29 October 1997 and 19 August 1998.
- (2) CALM's preliminary advice of September 1995 and media release of May 1996 is tabled. [See paper No 628.]
- (3) Not applicable.

FORESTS AND FORESTRY

Regrowth Forest

760. Dr CONSTABLE to the Minister for the Environment:

- (1) How many hectares of re-growth forest exist in Western Australia?
- (2) How many hectares of re-growth forest are available for harvesting in the next five, ten, 15, 20 and 25 years?
- (3) What is the economic value of re-growth forests?
- (4) What are re-growth forests predominantly used for?
- (5) Who owns the re-growth forests?
- (6) How many hectares of re-growth forests are presently in national parks or other reserves?
- (7) What percentage of State forest is re-growth forest?
- (8) Where is the re-growth forest located?

Mrs EDWARDES replied:

- (1) The area of regrowth native forest on CALM managed land in the south west as at December 1997 was approximately 314 000 hectares, comprising 254 900 hectares of jarrah-marri forest and 59 100 hectares of karri forest.
- (2) The total area of regrowth native forest within land tenures and purposes for which timber harvesting is permitted according to the 1994-2003 Forest Management Plan was approximately 266 600 hectares as at December 1997. The scheduling of areas to be harvested over the next five to 25 years will largely depend upon the prevailing markets, size class distribution of stems and harvest practices adopted. It is envisaged that many of these regrowth stands will be available for harvesting within the next 25 years.
- (3) A valuation of the standing timber and infrastructure (including roads, dams and firebreaks) within all the native forests managed by CALM was compiled for the 1997-98 Annual Report. The total value of these assets was estimated to exceed \$190 million. Regrowth forests were not valued separately.
- (4) The range of uses which are permitted in CALM managed regrowth forest is determined primarily by the land tenure and then by approved management plans. These uses include any or all of the production of water, timber, minerals and basic raw materials (gravel, shale), present and future nectar flow for honey production, collection of seeds for minesite rehabilitation or land revegetation programs, the provision of tourism and recreation opportunities (e.g. Lane-Poole Reserve, Big Brook and Boranup forests), as well as scientific and educational values (Dwellingup forests and the Hills Forest). Most importantly, the regrowth forests contain a range of conservation values and represent an important growth stage in the structural diversity of the forest estate. The predominant use within a regrowth forest will vary according to location and often varies over time as the forest landscape alters.
- (5) A complete breakdown of the ownership status of the native forest regrowth estate in WA is not available as CALM does not possess detailed structural mapping of privately-owned native forest (refer to part (1) above for public land figures). A recent project undertaken as part of the Comprehensive Regional Assessment for the WA Regional Forest Agreement process involved the mapping of remnant vegetation cover on private land. This project estimated the area of remnant vegetation on private property in the south west forest region (RFA) to be 350 649 hectares, of which an unknown proportion will be regrowth.
- (6) The area of regrowth native forest within CALM managed national parks or reserves in the south-west as at December 1997 was approximately 45 200 hectares.
- (7) Approximately 22% by area of State Forest is classified as regrowth. However regrowth stems are also present in large areas of mixed-age forest.
- (8) The location of the CALM managed regrowth forest can be conveniently referenced by the CALM Forest Regional boundaries. The area of regrowth within each region is as follows:

Swan Forest Region	120 200 ha
Central Forest Region	103 100 ha
Southern Forest Region	90 700 ha

GOVERNMENT DEPARTMENTS AND AGENCIES

Revenue from Timed Telephone Calls

766. Dr CONSTABLE to the Treasurer:

Further to question on notice No 4037 of 1998, what was the total revenue collected in each of the last five years, and in the current year, by the following Government agencies charging for timed telephone calls -

- (a) the Registrar General's office;
- (b) the Department of Productivity and Labour;
- (c) the Totalisator Agency Board;
- (d) the Lotteries Commission;
- (e) the Ag West Garden Advisory Centre; and
- (f) the Western Australian Tourism Commission?

Mr COURT replied:

I have been advised that:

- (a) The following amounts were received by the Registrar General's Office and subsequently paid into Consolidated Revenue:

1993/94	\$1 245
1994/95	\$3 781

1995/96	\$3 783
1996/97	\$4 111
1997/98	\$2 978

- (b) The total revenue collected each year from the 0055/1900 recorded wage and award information service for the current and past five years are :

1993/94	\$4 075
1994/95	\$5 210
1995/96	\$5 302
1996/97	\$3 308
1997/98	\$2 471
1998/ to date	\$ 72

- (c) Amount of revenue collected from InPho Interactive Racing Radio 'Dial-a-race' service 0055 53111 @ \$0.75 per min as follows:

1993/94	\$2612
1994/95	\$1687
1995/96	\$557
1996/97	\$821
1997/98	\$488

- (d) (i) The Lotteries Commission as a customer service, offers 24 hour recorded information services for all Lotto results. Calls to this service are charged on a call duration basis. Customer enquiries, general enquiries and Lotto results are provided, during office hours, on a standard local call basis. Game results are also provided on a 24 hour basis on the Lotteries Commission's web site. Grant and funding enquiries from country areas are via a freecall 1800 number. That is at no charge to the caller, a potential country grant recipient can contact the Lotteries Commission by phone and obtain information on the Commission's grants programs.

- (ii) (a) The Gazetted Lotto Rules state that the Results of the games must be published in a daily paper which has State circulation. The 24 hour recorded Results Service is provided as an additional customer service and is utilised by players mainly in the weekend and outside of normal office hours. The provision of this service, via an outsourced 0055 service provider, was the most cost efficient option for the Commission.

- (b) The cost for calls to the Lotteries Commission's 0055 service is 40 cents per minute.

- (c) The 0055 service was first introduced in 1993.

- (d) Over the last three years 3,073,252 calls have been made to the service (eg: approximately 1 million calls per year).

- (e) The service provides an income stream of approximately \$165,000 per annum for the Lotteries Commission. As with all income streams of the Commission, it is used to offset costs and thereby to supplement funding to the community. Section 24 of the Lotteries Commission Act 1990 provides that after provision has been made for prizes and other costs and expenses, that the Commission distribute any surplus to eligible organizations for charitable and benevolent purposes.

- (e) AgWest Garden Advisory Centre - 190 Telephone Income :

The Centre was established in 1995 to provide the public with professional, independent and local advice on a wide range of gardening, insect and non-commercial agricultural queries.

1995	\$ 5 715.65	
1996	\$10 374.95	
1997	\$13 353.23	
1998	\$ 8 583.05	
Total	\$38 026.88	(February 1995 - August 1998)

- (f) The Western Australian Tourism Commission does not charge for telephone enquiries made to all WATC listed numbers, other than the cost of a local call. On some occasions, when advertising campaigns have a call-to-action which offers consumers the opportunity to obtain further information or a brochure, a percentage, or the total of the call charge, over and above the cost of a local call, is charged to the consumer. Outlined below is the total revenue collected from those advertising campaigns that have utilised such numbers:

1993/94	Nil
1994/95	Nil
1995/96	\$13.82

1996/97	\$291.07
1997/98	\$352.53
Current financial year	Nil

CHILD PROTECTION COUNCIL

780. Ms WARNOCK to the Minister for Family and Children's Services:

What are the -

- (a) special skills;
- (b) qualifications; and
- (c) experience,

of each of the individuals on the Child Protection Council that qualify them for appointment onto this body?

Mrs PARKER replied:

- (a)-(c) The membership of the Council covers a diverse range of experience and skills which have relevance to child protection issues.

VICTORIA QUAY DEVELOPMENT

783. Mr BROWN to the Premier:

- (1) How much money has been spent to date on contracts or tenders relating to the Victoria Quay proposal?
- (2) How much money has been spent to date on other expenditure, either by the Government Property Office or any other government agency, relating to the Victoria Quay proposal?
- (3) Have any funds, other than those indicated in the current Budget Forward Estimates Papers, been allocated to the Victoria Quay development?
- (4) If other funds have been allocated, what are the amounts and purpose of each allocation?

Mr COURT replied:

- (1) \$1.6 million.
- (2) Government Property Office - \$55 000.
WA Museum - \$160 000.
- (3)-(4) Yes. The WA Museum has an allocation of \$460 000 to assist in the planning of the new Maritime Museum.

KARRI AND JARRAH SUSTAINABLE YIELD

827. Dr EDWARDS to the Minister for the Environment:

- (1) Further to Legislative Assembly question on Notice No 231 of 1998, under the Department of Conservation and Land Management (CALM) Plan 1994-2003, what is CALM's estimate for the annual sustainable yield for -
 - (a) first grade jarrah sawlogs;
 - (b) second grade jarrah sawlogs; and
 - (c) other jarrah logs?
- (2) What is CALM's estimate for the annual sustainable yield for -
 - (a) second grade karri sawlogs; and
 - (b) other karri logs?

Mrs EDWARDES replied:

- (1) (a)-(b) The annual sustainable timber harvest of jarrah sawlogs, set by the Minister for the Environment on 16 August 1993 for the period of the current Forest Management Plan (1994-2003), is 490,000 cubic metres of first and second grade jarrah. This figure is the average annual timber resource available for allocation over the 10 year period of the Forest Management Plan. The proportion of first to second grade sawlog generated by integrated harvesting operations will vary across years due to the variation in the quality of forest areas harvested. The proportion of second grade sawlog sold during the years 1994 to 1996 has averaged 17% of the jarrah sawlog sales.
- (c) The average quantity of other jarrah bole logs available for allocation over the period of the Management Plan is 870,000 cubic metres per annum. Wood additional to the gross bole volume, such as wood from dead trees or branchwood, is termed "forest residue" and may also be harvested from integrated harvesting operations.

- (2) (a)-(b) The annual sustainable timber harvest of karri bole logs, set by the Minister for the Environment on 16 August 1993 for the period of the current Forest Management Plan (1994-2003), is 417,000 cubic metres. This comprised 214,000 cubic metres of first grade karri sawlogs and 203,000 cubic metres of "other logs", which includes lower quality second grade sawlogs and chiplogs. In addition, forest residue (such as branchwood) may also be obtained from integrated harvesting operations.

GOVERNMENT DEPARTMENTS AND AGENCIES

Act of Grace Payments

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

(1) In the -

- (a) 1996-97 financial year; and
(b) 1997-98 financial year

did the Premier approve any act of grace payments up to a maximum of \$2,000 from any department or agency under the Premier's control?

(2) Who were such payments made to?

(3) What was the amount of each payment?

(4) In the -

- (a) 1996-97 financial year; and
(b) 1997-98 financial year

did the Premier approve any act of grace payments between the amount of \$2,000 and \$50,000 from any department or agency under the Premier's control?

(5) What was the amount of each payment?

(6) Who was each payment to be made to?

(7) What was the purpose of each payment?

(8) In the -

- (a) 1996-97 financial year; and
(b) 1997-98 financial year

did the Premier seek approval from the Governor to make any act of grace payments over \$50,000 from any department or agency under the Premier's control?

(9) How many such payments were approved?

(10) How many such payments were made?

(11) What was the amount of each payment?

(12) To whom was each payment made?

(13) What was the reason or purpose of each payment being made?

Mr COURT replied:

(1)-(13)

I am prepared to allow the member to peruse the act of grace payments made but it has been past practice not to make some public because they are to private citizens and are of a personal nature.

GOVERNMENT DEPARTMENTS AND AGENCIES

Act of Grace Payments

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

(1) In the -

- (a) 1996-97 financial year; and
(b) 1997-98 financial year

did the Minister approve any act of grace payments up to a maximum of \$2,000 from any department or agency under the Minister's control?

- (2) Who were such payments made to?
- (3) What was the amount of each payment?
- (4) In the -
- (a) 1996-97 financial year; and
 - (b) 1997-98 financial year

did the Minister seek the Treasurer's approval for any act of grace payments between the amount of \$2,000 and \$50,000 from any department or agency under the Minister's control?

- (5) What was the amount of each payment?
- (6) Who was each payment to be made to?
- (7) What was the purpose of each payment?
- (8) In the -
- (a) 1996-97 financial year; and
 - (b) 1997-98 financial year
- did the Minister seek approval from the Treasurer and/or Governor to make any act of grace payments over \$50,000 from any department or agency under the Minister's control?
- (9) How many such payments were approved?
- (10) How many such payments were made?
- (11) What was the amount of each payment?
- (12) To whom was each payment made?
- (13) What was the reason or purpose of each payment being made?

Mrs EDWARDES replied:

Department of Conservation and Land Management:

- (1) (a)-(b) No.
- (2)-(3) Not applicable.
- (4) (a)-(b) No.
- (5)-(7) Not applicable.
- (8) (a)-(b) No.
- (9)-(13) Not applicable.

WorkCover WA:

- (1) (a)-(b) No.
- (2)-(3) Not applicable.
- (4) (a)-(b) No.
- (5)-(7) Not applicable.
- (8) (a)-(b) No.
- (9)-(13) Not applicable.

WorkSafe Western Australia:

- (1) (a)-(b) No.
- (2)-(3) Not applicable.
- (4) (a)-(b) No.
- (5)-(7) Not applicable.
- (8) (a)-(b) No.

(9)-(13) Not applicable.

Commissioner of Workplace Agreements

(1) (a)-(b) No.

(2)-(3) Not applicable.

(4) (a)-(b) No.

(5)-(7) Not applicable.

(8) (a)-(b) No.

(9)-(13) Not applicable.

Department of the Registrar, Western Australian Industrial Relations Commission.

(1) (a)-(b) No.

(2)-(3) Not applicable.

(4) (a)-(b) No.

(5)-(7) Not applicable.

(8) (a)-(b) No.

(9)-(13) Not applicable.

Department of Productivity and Labour Relations:

(1) (a)-(b) No.

(2)-(3) Not applicable.

(4) (a) In the 1996/97 financial year, the Minister sought and received approval for one act of grace payment.
(b) No.

(5) \$2 500.

(6) Ms Margaret Everett.

(7) It was payment to an award breach complainant.

(8) (a)-(b) No.

(9)-(13) Not applicable.

Perth Zoo:

(1) (a)-(b) No.

(2)-(3) Not applicable.

(4) (a)-(b) No.

(5)-(7) Not applicable.

(8) (a)-(b) No.

(9)-(13) Not applicable.

Kings Park and Botanic Garden:

(1) (a)-(b) No.

(2)-(3) Not applicable.

(4) (a)-(b) No.

(5)-(7) Not applicable.

(8) (a)-(b) No.

(9)-(13) Not applicable.

Department of Environmental Protection:

(1) No.

(2)-(3) Not applicable.

(4) (a) Not applicable.
(b) Yes.

(5) Three "Act of Grace" payments were made in 1997-98: \$32 000, \$33 500 and \$33 500.

(6) With Cabinet approval, the following payments were made to landowners of lots of land adjoining the Omex contaminated site:

\$32 000 to Norman Robert and Dorothy Joy Williams;
\$33 500 to Joseph Royce Moir and Shirley Marion Flugge; and
\$33 500 to Heather Carolyn White.

(7) The payments were made to those persons over and above the value of land owned by them at Bellevue to obtain their agreement to voluntarily transfer such land to the Minister for Planning for the purposes of Metropolitan Region Improvement Plan No 30 which is concerned with the clean up of the Omex site at Bellevue.

(8) No.

(9-13) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES

Act of Grace Payments

835. Mr BROWN to the Minister for Family and Children's Services; Seniors; Women's Interests:

(1) In the -

(a) 1996-97 financial year; and
(b) 1997-98 financial year

did the Minister approve any act of grace payments up to a maximum of \$2,000 from any department or agency under the Minister's control?

(2) Who were such payments made to?

(3) What was the amount of each payment?

(4) In the -

(a) 1996-97 financial year; and
(b) 1997-98 financial year

did the Minister seek the Treasurer's approval for any act of grace payments between the amount of \$2,000 and \$50,000 from any department or agency under the Minister's control?

(5) What was the amount of each payment?

(6) Who was each payment to be made to?

(7) What was the purpose of each payment?

(8) In the -

(a) 1996-97 financial year; and
(b) 1997-98 financial year

did the Minister seek approval from the Treasurer and/or Governor to make any act of grace payments over \$50,000 from any department or agency under the Minister's control?

(9) How many such payments were approved?

(10) How many such payments were made?

(11) What was the amount of each payment?

(12) To whom was each payment made?

(13) What was the reason or purpose of each payment being made?

Mrs PARKER replied:

- (1) Family and Children's Services
(a) No.
(b) Yes.
- Office of Seniors Interests
(a)-(b) No.
- Women's Policy Development Office
(a)-(b) No.
- WA Drug Abuse Strategy Office
(a)-(b) No.
- (2) Family and Children's Services: Mr and Mrs S Gale (live-in full time group home carers - Doubleview Group Home).
- Office of Seniors Interests: Not applicable.
- Women's Policy Development Office: Not applicable.
- WA Drug Abuse Strategy Office: Not applicable.
- (3) Family and Children's Services: \$1,013.
- Office of Seniors Interests: Not applicable.
- Women's Policy Development Office: Not applicable.
- WA Drug Abuse Strategy Office: Not applicable.
- (4) Family and Children's Services
(a)-(b) No.
- Office of Seniors Interests
(a)-(b) No.
- Women's Policy Development Office
(a)-(b) No.
- WA Drug Abuse Strategy Office
(a)-(b) No.
- (5)-(7) Family and Children's Services: Not applicable.
- Office of Seniors Interests: Not applicable.
- Women's Policy Development Office: Not applicable.
- WA Drug Abuse Strategy Office: Not applicable.
- (8) Family and Children's Services
(a)-(b) No.
- Office of Seniors Interests
(a)-(b) No.
- Women's Policy Development Office
(a)-(b) No.
- WA Drug Abuse Strategy Office
(a)-(b) No.
- (9)-(13) Family and Children's Services: Not applicable.
- Office of Seniors Interests: Not applicable.
- Women's Policy Development Office: Not applicable.
- WA Drug Abuse Strategy Office: Not applicable.

MUNDIJONG-ARMADALE BUS FEEDER SERVICE, PENSIONER CONCESSIONS

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

- (1) How many passengers on average catch the 8.52am feeder bus from Mundijong to Armadale?

- (2) Why are pensioners on this bus service refused an 'all day' concession ticket when they are connecting to an off-peak train and the next bus is not until 11.15am?
- (3) Will the Minister consider amending his predecessor's legislation to allow pensioners on feeder services to purchase 'all day' concession tickets prior to 9.00am?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1)-(3) Please refer to my response given to Parliamentary Question Legislative Assembly No 1299 dated Wednesday, 11 November 1998.

CHILDREN OF PARENTS INVOLVED IN CRIMINAL ACTIVITY

872. Mr BROWN to the Premier:

- (1) Is the Premier aware of an article that appeared in *The West Australian* newspaper on 24 August 1998 concerning the State Government considering placing children in foster care if senior family members are involved in criminal activity?
- (2) Does the article accurately describe what the Government has under consideration?
- (3) If not, what does the Government have under consideration?
- (4) What procedures and processes does the Government intend to follow in considering this matter?
- (5) Is the Premier also aware of an article that appeared in *The West Australian* newspaper on 25 August 1998 which reported the Minister for Family and Children's Service ruling out the introduction of special legislation to allow police to take children away from parents involved in criminal activity?
- (6) Does the Government intend to consider this matter notwithstanding the Minister's comments?
- (7) If so, why?

Mr COURT replied:

- (1) Yes.
- (2)-(4) The Government has a range of strategies under consideration through the Cabinet Standing Committee on Law and Order.
- (5) The Minister for Family and Children's Services stated that the Child Welfare Act already has existing provisions enabling Family and Children's Services and the Police to intervene where the child's mental, physical or emotional welfare is likely to be in jeopardy.
- (6)-(7) Refer to (2)-(4).

TEACHERS SUSPENDED

914. Mr KOBELKE to the Minister for Education:

- (1) How many Education Department of Western Australian teachers have been under suspension during some part of the 1998 school year due to either allegations or charges relating to sexual harassment or improper dealing with students?
- (2) How many of these teachers have been suspended on full pay?
- (3) Of the teachers under suspension at some time during 1998 what was the average total period for which they have been under suspension?

Mr BARNETT replied:

- (1) Four. In one case, the teacher has been found not guilty of the allegations. In the three remaining cases, the cases have not been finalised due to criminal proceedings.
- (2) Four.
- (3) Ten months. This is largely because of the length of time required for legal proceedings to be completed.

SCHOOL PSYCHOLOGISTS

932. Mr RIPPER to the Minister for Education:

With reference to the Director General of EDWA's advice to the Estimates Committee that school psychologists have been

given generic names such as co-ordinator of student services and manager of student services and that therefore departmental psychology resources had not been reduced -

- (a) how many of these positions of co-ordinator of student services and manager of student services were newly created positions and how many were retitled existing positions;
- (b) what was the selection process for appointing people to these positions;
- (c) how many school psychologists currently hold these positions;
- (d) is there a requirement that the person holding the position is a school psychologist;
- (e) if not, how can they do the work of a school psychologist if they are not qualified to do so;
- (f) have outside consultants been used to undertake professional supervision of a District's provisionally registered psychologists;
- (g) if yes, what has been the total cost of these consultants; and
- (h) did the Director-General give incorrect advice to the Estimates Committee on any of these matters?

Mr BARNETT replied:

- (a) All were newly created positions.
- (b) The positions were described (as per JDF) and advertised. Applications were received by a formally convened panel who shortlisted, interviewed and recommended selected applicants for appointment.
- (c) Twenty-one school psychologists currently hold these positions.
- (d) No.
- (e) Student Services Managers and Student Services Coordinators manage the operations of their student services team (ie Social Workers, Aboriginal Liaison Officers and Welfare Officers). They are not necessarily expected to undertake all the duties of a school psychologist. As well as the school psychology work, they also have administrative responsibilities.
- (f) Yes.
- (g) \$10 000 approximately.
- (h) No.

MINISTERIAL OFFICES, REFURBISHMENT

978. Mr RIEBELING to the Premier:

- (1) Have any Ministerial offices been refurbished since 1 July 1995?
- (2) If yes to (1) above, in each instance will the Premier provide -
 - (i) the name of the Minister's office involved;
 - (ii) the address of the office;
 - (iii) who the contract was awarded to;
 - (iv) which other companies tendered for the contract;
 - (v) the initial tender cost of the contract;
 - (vi) the actual final cost of the contract; and
 - (vii) the date the contract was awarded and completed?

Mr COURT replied:

I am advised that:

- (1) Yes.
- (2) (a) (i) Hon P G Foss QC MLC, Attorney General; Minister for Justice; the Arts and Hon M J Criddle MLC, (Previously - Hon E J Charlton MLC), Minister for Transport.
- (ii) 12th Floor, Dumas House, 2 Havelock Street WEST PERTH WA 6005.
- (iii) QVS Interiors (Reception/Fitout Alterations).
- (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.

- (v) \$92,856.
 - (vi) \$89,332.
 - (vii) Date contract awarded: 27 May 1996.
Date contract completed: 10 December 1996.
- (2) (b)
- (i) Hon C J Barnett MEd MLA, Minister for Resources Development; Energy; Education; Leader of the House in the Legislative Assembly.
 - (ii) 19th Floor, 197 St Georges Terrace PERTH WA 6000.
 - (iii) Tony Engelberts (Painting).
 - (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
 - (v) \$7,575.
 - (vi) \$7,850.
 - (vii) Date contract awarded: 24 March 1997.
Date contract completed: 29 March 1997.
 - (iii) Dawn Express Partitioning Pty Ltd (Fitout Alterations).
 - (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
 - (v) \$17,695.
 - (vi) \$21,739.
 - (vii) Date contract awarded: 21 March 1997.
Date contract completed: 27 May 1997.
 - (iii) Bunnings (Flooring).
 - (iv) Nil.
 - (v)-(vi) \$6,850.
 - (vii) Date contract awarded: 25 March 1997.
Date contract completed: 21 October 1997.
- (2) (c)
- (i) Hon D J Shave MLA, Minister for Lands; Fair Trading; Parliamentary & Electoral Affairs.
 - (ii) 11th Floor, Dumas House, 2 Havelock Street, WEST PERTH WA 6005.
 - (iii) Charuga & Sons (Upgrade Office Acoustics).
 - (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
 - (v)-(vi) \$6,048.
 - (vii) Date contract awarded: 15 April 1997.
Date contract completed: 3 June 1997.
 - (iii) Tony Engelberts (Painting).
 - (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
 - (v)-(vi) \$8,690.
 - (vii) Date contract awarded: 30 June 1997.
Date contract completed: 17 July 1997.
- (2) (d)
- (i) Hon P D Omodei MLA, Minister for Local Government; Disability Services.
 - (ii) 11th Floor, Dumas House, 2 Havelock Street, WEST PERTH WA 6005.

- (iii) Tony Engelberts (Painting).
- (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
- (v) \$10,400.
- (vi) \$11,320.
- (vii) Date contract awarded: 4 June 1997.
Date contract completed: 24 June 1997.
- (2) (e) (i) Hon R K Parker MLA, Minister for Family & Children's Services; Seniors; Women's Interests.
- (ii) 10th Floor, Dumas House, 2 Havelock Street, WEST PERTH WA 6005.
- (iii) Davmar Interiors (Upgrade Office Acoustics).
- (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
- (v)-(vi) \$11,180.
- (vii) Date contract awarded: June 1997.
Date contract completed: August 1997.
- (2) (f) (i) Hon H J Cowan MLA, Deputy Premier; Minister for Commerce & Trade; Regional Development; Small Business.
- (ii) 28th Floor, 197 St George's Terrace. PERTH WA 6000.
- (iii) Dawn Express Partitioning Pty Ltd (Fitout Alterations).
- (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
- (v) \$47,575.
- (vi) \$53,413.
- (vii) Date contract awarded: 1 September 1997.
Date contract completed: 11 May 1998.
- (2) (g) (i) Hon M J Criddle MLC, (Previously - Hon E J Charlton MLC), Minister for Transport.
- (ii) 12th Floor, Dumas House, 2 Havelock Street, WEST PERTH WA 6005.
- (iii) Tony Engelberts (Painting).
- (iv) State Supply Commission Policy 1.3 states that details of unsuccessful offers shall remain confidential.
- (v) \$11,660.
- (vi) \$11,320.
- (vii) Date contract awarded: 23 July 1997.
Date contract completed: 13 August 1997.
- (2) (h) (i) Hon N F Moore, Minister for Mines; Tourism; Sport and Recreation; Leader of the Government in the Legislative Council
- (ii) 10th Floor, London House, 216 St George's Terrace, PERTH WA 6000.
- (iii) Not applicable. The office was refurbished in 1996 by the lessor as part of the lease renewal negotiated by the Government Property Office.

NATIONAL COMPETITION POLICY

1009. Mr BROWN to the Premier:

- (1) Is the Premier aware the Australian Senate has established a select committee to review competition policy and particularly those aspects of policy relating to the application of the public interest test?

- (2) In light of concerns raised in the Senate about the proper interpretation and application of the public interest test, does the Government intend to withhold further scrutiny of Western Australian legislation under the competition principles until such time as the Senate select committee delivers its report?
- (3) If not, why not?
- (4) Is it true that any review of legislation conducted between now and the time the Senate select committee reports may be found to be inadequate if it applies a public interest test different to that which the Senate believes appropriate?

Mr COURT replied:

- (1) Yes.
- (2)-(3) No. The Senate inquiry has not raised concerns regarding interpretation and application of the public interest test.
- (4) No. Conduct of public interest tests is a State Government responsibility. Any interpretation the Senate makes is its own.

EXMOUTH RESORT AND CANAL DEVELOPMENT

1010. Mr BROWN to the Minister for Regional Development:

- (1) Did the Minister advise Parliament on 25 March 1997 that expressions of interest for the Exmouth resort and canal development were called in November 1996?
- (2) When was the decision made to call expressions of interest?
- (3) Were any of the following Ministers -
 - (a) involved in; and
 - (b) consulted about;
 expressions of interest being called for the Exmouth resort and canal development, namely -
 - (i) the Premier;
 - (ii) the Minister for Planning;
 - (iii) the Minister for the Environment;
 - (iv) the Minister for Tourism; and
 - (v) the Minister for Lands?
- (4) If so, on what date did such consultation or involvement first occur?
- (5) Were any of the following departments and agencies -
 - (a) consulted;
 - (b) involved;
 in the decision to call for expressions of interest in the Exmouth resort and canal development, namely -
 - (i) Western Australian Tourism Commission;
 - (ii) Department of Conservation and Land Management;
 - (iii) Department of Land Administration;
 - (iv) Department of Planning; and
 - (v) Department of Premier and Cabinet?
- (6) What was the nature of the consultation and/or involvement?
- (7) On what date did that involvement or consultation first occur?

Mr COWAN replied:

- (1) Yes.
- (2) 23 September 1996.
- (3) Yes, (a) and (b) - (i) to (v).
- (4) 4 September 1996.
- (5) Yes, (a) and (b) - (i), (iii) and (iv).
- (6) Membership of Project Taskforce established by Cabinet.
- (7) March 1995.

EXMOUTH RESORT AND CANAL DEVELOPMENT

1012. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Were any of the departments and agencies under the Minister's control involved in the decision to call expressions of interest for the Exmouth resort and canal development in November 1996?
- (2) If so, in what way was the department or agency involved?
- (3) What was the first date the department or agency became involved?
- (4) Were any of the departments and agencies under the Minister's control consulted about the expressions of interest being called for the Exmouth resort and canal development?
- (5) What was the nature of the consultation?
- (6) What was the first date the department or agency was involved in any consultations on such expressions of interest being called?

Mr BRADSHAW replied:

- (1) Yes.
- (2) The Western Australian Tourism Commission was involved as a member of the Exmouth Boat Harbour and Associated Land Development Steering Committee.
- (3) The Western Australian Tourism Commission has been involved in discussions related to the Exmouth Boat Harbour since the proposal was first floated in the late 1980s.
- (4) Yes.
- (5) The Western Australian Tourism Commission was a member of the Exmouth Boat Harbour and Associated Land Development Steering Committee which oversaw the expressions of interest process which was project managed by LandCorp.
- (6) March 1995.

EXMOUTH RESORT AND CANAL DEVELOPMENT

1014. Mr BROWN to the Minister for Lands:

- (1) Were any of the departments and agencies under the Minister's control involved in the decision to call expressions of interest for the Exmouth resort and canal development in November 1996?
- (2) If so, in what way was the department or agency involved?
- (3) What was the first date the department or agency became involved?
- (4) Were any of the departments and agencies under the Minister's control consulted about the expressions of interest being called for the Exmouth resort and canal development?
- (5) What was the nature of the consultation?
- (6) What was the first date the department or agency was involved in any consultations on such expressions of interest being called?

Mr SHAVE replied:

- (1) Yes, DOLA and LandCorp.
- (2) The Department of Land Administration was a member of a Cabinet appointed Exmouth Boat Harbour and Associated Land Development Steering Committee, chaired by the Gascoyne Development Commission. On behalf of the Exmouth Development Steering Committee, LandCorp project managed the project evaluation and called for Expressions of Interest. The Committee key membership consists of the Gascoyne Development Commission, Ministry for Planning, Department of Transport and Shire of Exmouth.
- (3) DOLA May 1995.
LandCorp March 1995.
- (4) Yes.
- (5) The Department of Land Administration provided formal comment on a Cabinet submission prepared by the

Gascoyne Development Commission. LandCorp project managed the project evaluation and called for Expressions of Interest.

- (6) DOLA September 1996.
LandCorp March 1995.

EXMOUTH RESORT AND CANAL DEVELOPMENT

1015. Mr BROWN to the Minister for the Environment:

- (1) Were any of the departments and agencies under the Minister's control involved in the decision to call for expressions of interest for the Exmouth resort and canal development in November 1996?
- (2) If so, in what way was the department or agency involved?
- (3) What was the first date the department or agency became involved?
- (4) Were any of the departments and agencies under the Minister's control consulted about the expressions of interest being called for the Exmouth resort and canal development?
- (5) What was the nature of the consultation?
- (6) What was the first date the department or agency was involved in any consultations on such expressions of interest being called?

Mrs EDWARDES replied:

Department of Conservation and Land Management:

- (1) CALM was not involved in the decision to call for expressions of interest for the Exmouth resort and canal development in November 1996.
- (2)-(6) Not applicable.

Department of Environmental Protection:

- (1) No.
- (2)-(3) Not applicable.
- (4) The Department of Environmental Protection was advised by the consultant to LandCorp in an attachment to a letter dated 19 December 1996 that there would be a call for 'Expressions of Interest' but comment was neither sought nor given.
- (5)-(6) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES

Use of Private Investigation Agency

1041. Mr RIEBELING to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

- (1) Have any of the Government Departments or Agencies under the Premier's jurisdiction used the services of a private investigation agency since 1 January 1996?
- (2) If yes, why was the investigation agency used?
- (3) What was the name of the investigation agency?
- (4) How much was the investigation agency paid?

Mr COURT replied:

I am advised that :

Ministry of the Premier and Cabinet

- (1)-(4) Ministry of the Premier and Cabinet records indicate that no investigators have been used since 1 January 1996.

Office of the Public Sector Standards Commissioner

- (1) No.

(2)-(4) Not applicable.

Note: The Office of the Public Sector Standards Commissioner conducts independent reviews and inquiries under s.24 of the Public Sector Management Act 1994.

Two consultants engaged by this Office under tender numbers RFP 30898 (inquirer) and RFP 98497 (reviewer), to conduct such reviews or inquiries are licensed investigators. However, the Office does not use them in their capacity as licensed investigators.

Gold Corporation

- (1) Yes, on one occasion.
- (2) To investigate possible fraudulent conduct by a member of staff.
- (3) PIBOB.
- (4) \$1 000.

GOVERNMENT DEPARTMENTS AND AGENCIES

Use of Private Investigation Agency

1045. Mr RIEBELING to the Minister for Primary Industry; Fisheries:

- (1) Have any of the Government Departments or Agencies under the Minister's jurisdiction used the services of a private investigation agency since 1 January 1996?
- (2) If yes, why was the investigation agency used?
- (3) What was the name of the investigation agency?
- (4) How much was the investigation agency paid?

Mr HOUSE replied:

AGRICULTURE WESTERN AUSTRALIA

- (1) Yes.
- (2) To investigate matters related to the control of a plant disease (apple scab).
- (3) Westcheck Investigations.
- (4) \$8,611.17.

POTATO MARKETING CORPORATION OF WA

- (1) Yes. The Potato Marketing Corporation trading as Western Potatoes.
- (2) The service was used to manage and control the production of large quantities of potatoes which were grown for the export market but were being delivered into the domestic market and consequently affecting the returns and livelihood of the domestic potato growers who had grown through licences for that period. As the potatoes were grown in widespread areas from Baldivis to Myalup and given the limited resources of Western Potatoes, an investigation agency was employed in order to ensure that Western Potatoes carried out its obligations under the Act effectively. The Corporation's Industry Security Manager was absent during this time due to illness.
- (3) Westcheck Investigations.
- (4) From 1 January 1998, a total of \$288,851 has been paid to the company.

WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY

- (1) Yes.
- (2) To assist in the preparation of evidence to brief the Crown Solicitor's Office in regard to a prosecution.
- (3) VIP Security Industries Pty Ltd.
- (4) \$521.80.

GOVERNMENT DEPARTMENTS AND AGENCIES

Use of Private Investigation Agency

1062. Mr RIEBELING to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Have any of the Government Departments or Agencies under the Minister's jurisdiction used the services of a private investigation agency since 1 January 1996?
- (2) If yes, why was the investigation agency used?
- (3) What was the name of the investigation agency?
- (4) How much was the investigation agency paid?

Mr MARSHALL replied:

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

COMMITTEES AND BOARDS, MEMBERSHIP

1063. Mr BROWN to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

For each board, committee, or the like, in each portfolio under the Premier's control -

- (a) what is the name of the board or committee;
- (b) what are the names of, and positions held by, members of each board or committee;
- (c) what was the commencement date and expiry date of each member's position; and
- (d) what is the remuneration, or fee, paid for each position?

Mr COURT replied:

The document was tabled in the Legislative Assembly on 24 November 1998. [See paper No 461].

COMMITTEES AND BOARDS, MEMBERSHIP

1080. Mr BROWN to the Minister representing the Minister for Transport:

For each board, committee, or the like, in each portfolio under the Minister's control -

- (a) what is the name of the board or committee;
- (b) what are the names of, and positions held by, members of each board or committee;
- (c) what was the commencement date and expiry date of each member's position; and
- (d) what is the remuneration, or fee, paid for each position?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

The Boards and Committees database was tabled in the Legislative Assembly on 24 November 1998. [See paper No 461.]

VACATION SWIMMING CLASSES

1085. Mr RIPPER to the Minister for Education:

- (1) Why has the Minister decided to call tenders for the teaching of swimming during school vacations?
- (2) What do parents currently pay for vacation swimming classes?
- (3) What will they have to pay when the classes are outsourced?
- (4) Will the Minister guarantee that the quality of vacation swimming classes will not be compromised by this decision?
- (5) Was a feasibility study undertaken into the costs and benefits of contracting out prior to making the decision?
- (6) If not, why not?

- (7) If yes, what were the recommendations?
- (8) If applicable, would the Minister table the study?

Mr BARNETT replied:

- (1) The Education Department, as with all Government agencies, is continually reviewing all areas of its operations in an effort to maximise the effectiveness and efficiency of resources. In this context, an Education Department Swimming management review group was formed and consultants' reports on vacation swimming commissioned. As a result of those processes, the recommendation that the market should be tested in relation to the outsourcing of the Teacher Training and Vacs swim programs, either separately or in combination, was accepted.
- (2)
- | | |
|--------|---------|
| Single | \$22.00 |
| Family | \$60.00 |
- (3) No decision has yet been made to outsource. However, any variations to charges are only expected to arise as a result of increases in the Consumer Price Index. Before any increase in charges occurs, the Program Manager(s) would be required to submit a proposal to the Education Department for review and ratification. In addition, I have given a guarantee that the outsourcing of Vacs swim classes will only proceed if fees are set at an affordable level.
- (4) No final decision has yet been made to outsource, but if it were, considerations of quality will be paramount, and the quality of the current programs would be the benchmark.
- (5) Yes. The Education Department completed a Management Review with the assistance of two external consultants, Bird Cameron for the cost analysis and Coopers and Lybrand for the risk analysis.
- (6) Not applicable.
- (7)-(8) As the Education Department is currently in the process of negotiating with the preferred proponent, it would be improper to table the study at this time, including the recommendations, as it contains commercially sensitive material.

FORESTS AND FORESTRY - PLANTATION OUTPUT

1102. Dr EDWARDS to the Minister for the Environment:

- (1) What proportion of Western Australia's sawn timber and wood panels (medium density fibreboard, particle board and veneer) production is made from plantations today?
- (2) What is the projected supply of wood from the public plantation estate for each year commencing 1998 over the next 30 years, disaggregated into -
- radiata sawlogs;
 - pinaster sawlogs;
 - radiata veneer logs;
 - pinaster veneer logs;
 - radiata logs;
 - pinaster chiplogs;
 - radiata - other small logs; and
 - pinaster - other small logs?
- (3) Why has the Government, via the Department of Conservation and Land Management (CALM), entered into negotiations with Western Australian and overseas investors for the processing of this wood from existing plantations into laminated veneer lumber, sawtimber and expanded particle board production, but not included any of these plantation processing developments in any Regional Forest Agreement (RFA) options?

Mrs EDWARDES replied:

- (1) In 1997 34% of the State's sawn timber production was from softwood plantations. No statistics are kept on the proportion of panel wood products sourced from these plantations. The resources for these products are taken from roundwood production (predominantly from plantations) and sawmill residues. Deliveries of industrial wood suggest these products are almost totally comprised of plantation softwoods.
- (2) Supply projections for plantation timber yields into the future vary with the assumptions made and strategies adopted. The most important statistic relates to the area of plantation established. This will have a direct impact on the initial yield of small logs when the plantation is first thinned at about age 12 years. Beyond that age, the potential yield will vary widely depending on a number of factors, including the annual area planted, the rate of growth of the forest, the products required by purchasers and the silvicultural techniques adopted. I am therefore not able to provide a projected supply of wood over the next 30 years disaggregated into the specific log products as requested by the member. However, it is the State's intention to continue to expand softwood plantation resources, as announced by the Government in November 1996.

- (3) An RFA report titled "Review of value adding development opportunities for the Western Australian hardwood industry" identified employment opportunities for timber industry developments, which included plantation resources. A summary of these development opportunities was included in Appendix 3 of the public consultation paper. The sale of the majority of pine timber from public plantations for sawlogs and particle board is covered by the Dardanup Pine Log Sawmill Agreement Act 1992 and the Wesply (Dardanup) Agreement Authorization respectively. It is not appropriate to include in an RFA document any possible proposals which have not been formalised. The member is also referred to the answer provided to question 1806(1)-(3).

GOVERNMENT DEPARTMENTS AND AGENCIES - CONTRACTS WITH EMPLOYER ORGANISATIONS

1116. Mr KOBELKE to the Minister for the Environment; Labour Relations:

- (1) Have any departments or agencies within the Minister's portfolios, let or made contracts, grants, or secondments, since 1 July 1997 to the Western Australian Chamber of Commerce and Industry, or any other employer organisations or bodies controlled by an employer or industry organisation?
- (2) If yes, what are the details of each case including -
- (a) the department or agency involved;
 - (b) the recipient of the contract, grant or secondment;
 - (c) a description of the purpose for the contract, grant or secondment; and
 - (d) the value or cost of the contract, grant or secondment?

Mrs EDWARDES replied:

Perth Zoo:

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

Kings Park and Botanic Garden:

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

WorkCover WA:

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

Department of Environmental Protection:

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

Commissioner of Workplace Agreements:

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

Department of Productivity and Labour Relations:

- (1) Yes.
- (2) (a)-(b) The Department of Productivity and Labour Relations and the Western Australian Chamber of Commerce and Industry are parties to a contract.
- (c) The contract is for the supply of wage schedules for Federal Awards.
- (d) The cost for a one year subscription was \$950.

WorkSafe WA:

- (1) Yes.
- (2) (a) WorkSafe WA.
- (b) Chamber of Commerce and Industry of Western Australia.
- (c) Participation in tripartite activities.
- (d) \$15 625

Department of the Registrar, Western Australian Industrial Relations Commission.

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

Department of Conservation and Land Management

- (1) Yes.

- (2) (a) The Department of Conservation and Land Management.
- (b) Western Australian Chamber of Commerce and Industry, Australian Institute of Management and Chambers of Commerce in various towns throughout the State.
- (c) Numerous staff have attended various training courses and workshops have been organised for CALM purposes.
- (d)
- | | |
|---|----------|
| Albany Chamber of Commerce | \$90 |
| Australian Institute of Management | \$2 485 |
| Bunbury Chamber of Commerce | \$12 600 |
| Cervantes Chamber of Commerce | \$105 |
| Chamber of Minerals & Energy of WA | \$620 |
| Derby Chamber of Commerce | \$38 240 |
| South West Chambers of Commerce | \$195 |
| Western Australian Chamber of Commerce and Industry | \$940 |

GOVERNMENT DEPARTMENTS AND AGENCIES - CONTRACTS WITH EMPLOYER ORGANISATIONS

1126. Mr KOBELKE to the Minister representing the Minister for Mines:

- (1) Have any departments or agencies within the Minister's portfolios, let or made contracts, grants, or secondments, since 1 July 1997 to the Western Australian Chamber of Commerce and Industry, or any other employer organisations or bodies controlled by an employer or industry organisation?
- (2) If yes, what are the details of each case including -
- the department or agency involved;
 - the recipient of the contract, grant or secondment;
 - a description of the purpose for the contract, grant or secondment; and
 - the value or cost of the contract, grant or secondment?

Mr BARNETT replied:

For the Department of Minerals and Energy

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

GOVERNMENT DEPARTMENTS AND AGENCIES - CONTRACTS WITH EMPLOYER ORGANISATIONS

1129. Mr KOBELKE to the Minister representing the Minister for Transport:

- (1) Have any departments or agencies within the Minister's portfolios, let or made contracts, grants, or secondments, since 1 July 1997 to the Western Australian Chamber of Commerce and Industry, or any other employer organisations or bodies controlled by an employer or industry organisation?
- (2) If yes, what are the details of each case including -
- the department or agency involved;
 - the recipient of the contract, grant or secondment;
 - a description of the purpose for the contract, grant or secondment; and
 - the value or cost of the contract, grant or secondment?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

Fremantle Port Authority

- (1)-(2) The Fremantle Port Authority is a member of the Western Australian Chamber of Commerce and Industry and as such uses contracted services on a fee for service basis.

Main Roads Western Australia

- (1)-(2) Insofar as Main Roads is concerned there have been no grants or secondments to the Western Australian Chamber of Commerce and Industry. In respect to contracts, Main Roads has purchased various publications and training from the Chamber to an appropriate cost of \$1 500.

Westrail

- (1) Westrail is a member of the WA Chamber of Commerce and Industry.
- (2) (a) Westrail.

- (b) WA Chamber of Commerce and Industry.
- (c)-(d) Training - \$1 310.

MINISTER FOR FAIR TRADING - MINISTERIAL CAR, ACCIDENT

1138. Mr RIEBELING to the Minister for Fair Trading:

In relation to the car accident involving the Minister's ministerial car on 20 January this year -

- (a) did the Minister have contact with the Police, at any time, in relation to this accident;
- (b) if yes, when did he have this contact and what was the nature of the contact; and
- (c) did the Minister give the police a written statement about the accident?

Mr SHAVE replied:

- (a) No.
- (b) Not applicable.
- (c) No, my daughter provided a written statement to the police.

MINISTER FOR FAIR TRADING - MINISTERIAL CAR, ACCIDENT

1139. Mr RIEBELING to the Minister for Fair Trading:

As the vehicle involved in an accident at 1.00pm on Tuesday, 20 January 1998 was a ministerial car allocated to the Minister for his use in his capacity as a Minister of the Crown -

- (a) where was the Minister at the time of the accident; and
- (b) for what purpose was the car being used?

Mr SHAVE replied:

- (a)-(b) I was not in the car, however the car was being used for private use, authorised by myself.

MINISTER FOR FAIR TRADING - MINISTERIAL CAR, ACCIDENT

1141. Mr RIEBELING to the Minister for Fair Trading:

In relation to the car accident involving the Minister's ministerial car on 20 January 1998 -

- (a) what was the cost of the damage to the other vehicle involved in the accident;
- (b) who paid for this damage;
- (c) were there any passengers in the Minister's car;
- (d) if so, who were they;
- (e) were any injuries sustained;
- (f) if yes -
 - (i) who sustained injuries; and
 - (ii) what were those injuries;
- (g) were any charges laid by the police; and
- (h) if yes -
 - (i) what were the charges; and
 - (ii) who were they laid against?

Mr SHAVE replied:

- (a) I am informed by the Fleet Manager that RiskCover paid \$1000 to repair the third party vehicle.
- (b) The insurer - RiskCover.
- (c) No.
- (d) Not applicable.

- (e) No.
- (f) Not applicable.
- (g) No.
- (h) Not applicable.

STATE FINANCE - PAYMENT OF INVOICES

1146. Dr GALLOP to the Treasurer:

- (1) Is the Government prepared to review its policy on the period within which it pays invoices?
- (2) Is the Treasurer aware that a number of small business people believe the State Government should pay accounts within thirty days of receipt?
- (3) Will the Treasurer reintroduce a policy whereby invoices are paid within thirty days of receipt?
- (4) If not, why not?

Mr COURT replied:

- (1) Treasurer's Instruction 308 in relation to this matter was reviewed in 1997 and re-issued on 12 September 1997. Some clarification to the wording in the instruction was made in January 1998 and further clarification and guidance will be issued shortly.
- (2) Yes.
- (3)-(4) The Government is, and has always been committed to the application of sound commercial business practices, where appropriate, within the public sector. The standard terms of trade offered by the public sector are comparable with normal commercial practice within the private sector. The present system allows for the public sector to pay its accounts according to the terms of trade offered by suppliers as part of their contract to supply goods or services. Normal commercial terms of trade are for payment during the month following the month in which the creditor's claim for payment is made. However, should alternative terms of trade be implicit within a contract for service, then the public sector policy allows agencies to accept and comply with these arrangements should they be commercially sound.

KARRI - DUTCH GOVERNMENT'S REFUSAL TO PURCHASE

1157. Dr EDWARDS to the Minister for the Environment:

- (1) Further to question on notice No. 663 of 10 April, 1997, has the Department of Conservation and Land Management (CALM) now completed its review of the response of the Dutch Directoraat-General Rijkswaterstaat, received by CALM on 12 September 1996, regarding the refusal of the Dutch Government to buy karri?
- (2) If yes, will the Minister please table a copy?
- (3) If not, does CALM intend to complete this review?
- (4) If the answer to (3) above is yes, when does CALM expect to complete the review?

Mrs EDWARDES replied:

- (1) An independent consultant engaged by CALM has completed a review of this matter.
- (2) The consultant is printing his report. The report will be available in the near future.
- (3)-(4) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES - ANNUAL REPORTS, COSTS

1188. Mr BROWN to the Minister for Primary Industry; Fisheries:

- (1) For each department or agency under the Minister's control, what was the cost of producing the 1997-98 annual report, including -
 - (a) artwork;
 - (b) publication;
 - (c) distribution; and
 - (d) writing?
- (2) What were the equivalent costs for the 1996-97 annual report?

- (3) Was the 1997-98 annual report produced wholly within the department or agency?
- (4) If not -
- (a) what services were provided by contractors; and
- (b) at what cost?
- (5) Was the 1996-97 annual report produced wholly within the department or agency?
- (6) If not -
- (a) what services were provided by contractors; and
- (b) at what cost?
- (7) Who printed the 1997-98 annual report?
- (8) Who printed the 1996-97 annual report?
- (9) How many copies of the 1997-98 annual report were printed?
- (10) How many copies of the 1996-97 annual report were printed?

Mr HOUSE replied:

AGRICULTURE WESTERN AUSTRALIA

- (1) 1997/98 Agriculture WA Annual Report:
- | | | |
|-----|--------------|----------|
| (a) | Artwork | \$9,470 |
| (b) | Publication | \$6,530 |
| (c) | Distribution | Nil |
| (d) | Writing | \$4,200 |
| | | \$20,200 |
- (2) Costs of producing the 1996/97 Annual Report were \$21,593.81.
- (3) No.
- (4) (a) Editorial, artwork and printing.
(b) \$20,200.00.
- (5) No.
- (6) (a) Editorial, artwork and printing.
(b) \$21,593.81.
- (7) Scott Four Colour Print.
- (8) Lamb Print.
- (9)-(10) 1,000 copies.

FISHERIES WESTERN AUSTRALIA

- (1) 1997/98 Fisheries WA Annual Report:
- | | | |
|-----|---------------------------|-------------------|
| (a) | Artwork | |
| | Design and layout | \$2,350 |
| | Colour scans | \$240 |
| | Graphs | \$245 |
| | Film outputs etc | \$5,812 |
| | SUBTOTAL | \$8,647 |
| (b) | Publication | |
| | Writing & editing | \$3,900 |
| | Management fee | \$450 |
| | Printing | Not yet finalised |
| | SUBTOTAL | \$4,350 (to date) |
| | TOTAL CONTRACTS (TO DATE) | \$12,997 |
- (c) Distribution - NOT YET DISTRIBUTED.
- (d) Writing. All staff contributed to the writing of their relevant sections. Staff time and costs have not been calculated for this project.
- (2) Costs of producing the 1996/97 Fisheries Department's Annual Report:

- | | | | |
|-----|-------------------|----------|----------|
| (a) | Artwork | | |
| | Scans | \$5,295 | |
| | Graphs, charts | \$1,344 | |
| | Design | \$930 | |
| | SUBTOTAL | \$7,569 | |
| (b) | Publication | | |
| | Writing & editing | \$3,680 | |
| | Management fee | \$2,828 | |
| | Printing | \$6,320 | |
| | SUBTOTAL | \$12,828 | |
| (c) | Distribution | | |
| | Postage | \$4,500 | |
| | Load onto website | \$1,450 | |
| | SUBTOTAL | \$5,950 | |
| | TOTAL CONTRACTS: | | \$26,347 |
- (d) Writing. All staff contributed to the writing of their relevant sections. Staff time and costs have not been calculated for this project.

(3) No.

- | | | | |
|-----|---------|--------------------------|----------|
| (4) | (a)-(b) | Design & layout | \$2,350 |
| | | Graphs | \$245 |
| | | Colour scans (x16) | \$240 |
| | | Author's corrections | \$370 |
| | | Alts to PI's (auditors') | \$430 |
| | | Management fee | \$450 |
| | | Editing & writing | \$3,100 |
| | | Films etc (materials) | \$5,812 |
| | | SUBTOTAL | \$12,997 |

Other services which will be supplied to complete task will be printing, distribution and loading onto website - costs not available at this time.

(5) No.

- | | | | |
|-----|---------|-------------------|----------|
| (6) | (a)-(b) | Scans | \$5,295 |
| | | Graphs, charts | \$1,344 |
| | | Design | \$930 |
| | | Writing & editing | \$3,680 |
| | | Management fee | \$2,828 |
| | | Printing | \$6,320 |
| | | Postage | \$4,500 |
| | | Load onto website | \$1,450 |
| | | SUBTOTAL | \$26,347 |

(7) Scott Four Colour will print the 1997/98 Annual Report.

(8) Scott Four Colour printed the 1996/97 Annual Report.

(9) 1000 copies will be ordered.

(10) 1000 copies were printed.

GOVERNMENT DEPARTMENTS AND AGENCIES - ANNUAL REPORTS, COSTS

1189. Mr BROWN to the Minister for the Environment; Labour Relations:

- (1) For each department or agency under the Minister's control, what was the cost of producing the 1997-98 annual report, including -
- | | |
|-----|-------------------|
| (a) | artwork; |
| (b) | publication; |
| (c) | distribution; and |
| (d) | writing? |
- (2) What were the equivalent costs for the 1996-97 annual report?
- (3) Was the 1997-98 annual report produced wholly within the department or agency?
- (4) If not -
- | | |
|-----|---|
| (a) | what services were provided by contractors; and |
| (b) | at what cost? |

- (5) Was the 1996-97 annual report produced wholly within the department or agency?
- (6) If not -
- (a) what services were provided by contractors; and
- (b) at what cost?
- (7) Who printed the 1997-98 annual report?
- (8) Who printed the 1996-97 annual report?
- (9) How many copies of the 1997-98 annual report were printed?
- (10) How many copies of the 1996-97 annual report were printed?

Mrs EDWARDES replied:

Department of Environmental Protection

- (1) (a) \$2 730
(b) \$9 239
(c) Not distributed at the time this answer was prepared
(d) In house.
- (2) (a) \$4 370
(b) \$10 745
(c) \$1 876
(d) In house.
- (3) Yes.
- (4) Not applicable.
- (5) Yes.
- (6) Not applicable.
- (7) Lamb Print.
- (8) Advanced Press.
- (9) 1 300
- (10) 1 500

Environmental Protection Authority

- (1) (a) \$790
(b) \$2 021
(c) Not distributed at the time this answer was prepared.
(d) \$1 000
- (2) (a) \$1 085
(b) \$2 450
(c) \$612
(d) \$2 000
- (3) No.
- (4) (a) The first draft was written by a contract writer.
(b) \$1 000
- (5) No.
- (6) (a) The first draft was written by a contract writer.
(b) \$2 000
- (7) George Percival Printers.
- (8) Advanced Press.
- (9) 800
- (10) 1 000

Perth Zoo

- (1) (a) \$7 327

- (b) \$4 273
(c)-(d) Nil.
- (2) \$7 195 (art work), \$4 280 (publication).
- (3) No.
- (4) (a) Artwork by Complete Imaging, publication by Sands Print Group.
(b) Artwork - \$7 327, publication - \$4 273.
- (5) No.
- (6) (a) Artwork by Complete Imaging, publication by Sands Print Group.
(b) Artwork - \$7 195, publication - \$4 280.
- (7)-(8) Sands Print Group.
- (9) 300
- (10) 500

Kings Park and Botanical Garden

- (1) (a) \$4 420
(b) \$9 796
(c) \$80 (estimate)
(d) In house.
- (2) \$8 775
- (3) No.
- (4) (a) Design, artwork, typesetting, amendments and printing.
(b) \$16 500 (estimated cost only).
- (5) No.
- (6) (a) Design, artwork, typesetting, amendments and printing.
(b) \$8 775.
- (7) Planet Creative Media.
- (8) Mundy Design.
- (9)-(10) 300

Department of Labour and Productivity

- (1) The Department of Productivity and Labour Relations Annual Report for 1997/98 has not yet been finalised and therefore final costs are not yet available.
- (2) \$9 707.
- (3) No.
- (4) (a)-(b) Structural development \$3 000
Writing/Editing \$2 925
Graphic design)
Pre-Press) Final costs not yet determined
Printing)
- (5) No.
- (6) (a)-(b) Writing/Editing \$1800
Graphic design/ Pre-Press/ Printing \$7907
- (7) It is contracted to Lamb Printers.
- (8) Swift Printers and Leader Press.
- (9) It is anticipated that 200 copies of the 1997/98 Annual Report will be printed.
- (10) 50

Commissioner of Workplace Agreements

- (1) (a)-(d) Not available - the report is in draft format pending the Auditor General's opinion.

- (2) \$2 704
- (3) Yet to be determined.
- (4) Not applicable.
- (5) Yes.
- (6) Not applicable.
- (7) Yet to be determined.
- (8) Touchstone DDI - (West Coast Print).
- (9) Yet to be determined.
- (10) 200.

WorkCover WA

- (1)
 - (a) In house.
 - (b) \$392.
 - (c) Nil.
 - (d) In house.
- (2) Nil.
- (3) No.
- (4)
 - (a) Photocopying and binding.
 - (b) \$392
- (5) Yes.
- (6) (a)-(b) Not applicable.
- (7) Swift Print and Copy Services (photocopying and binding only).
- (8) Not applicable.
- (9) 50 (photocopied - Swift Print and Copy Services) plus 30 photocopied in house.
- (10) 100 - photocopied in house.

Conservation and Land Management

- (1)
 - (a) artwork \$3 567 (desktop publishing)
 - (b) publication \$7 075 (printing)
 - (c) distribution \$2 531
 - (d) writing Nil.
- (2) \$11 853
- (3) No.
- (4)
 - (a) Desktop Publishing.
 - (b) \$3 567.
- (5) No.
- (6)
 - (a) Desktop Publishing.
 - (b) \$3 512.
- (7)-(8) Optima Press.
- (9)-(10) 1500 copies.

Department of the Registrar, Western Australian Industrial Relations Commission:

- (1)
 - (a)-(c) \$1 200
 - (d) Would be unnecessarily time consuming to estimate.
- (2) \$ 1 000
- (3) No.

- (4) (a) Artwork and printing.
(b) \$ 1 200
- (5) No.
- (6) (a) Artwork and printing.
(b) \$1 000
- (7)-(8) Mooreprint.
- (9) 120
- (10) 100

WorkSafe Western Australia:

- (1) (a)-(d) The Annual Reports of the WorkSafe Western Australia Commission and WorkSafe Western Australia (the department) were published on the Internet, using internal departmental resources. A limited number of photocopied word processed versions were made available; and copying and postage costs were absorbed into normal operating expenses, therefore a cost is not available.
- (2) The 1996/97 Commission and department Annual Reports were also published on the Internet.
- (3) Yes.
- (4) (a)-(b) Not applicable.
- (5) Yes.
- (6) (a)-(b) Not applicable.
- (7)-(8) A small number of hard copy versions were produced, which were either laser printed or photocopied on an as needs basis.
- (9)-(10) See answer to question (1).

GOVERNMENT DEPARTMENTS AND AGENCIES - ANNUAL REPORTS, COSTS

1199. Mr BROWN to the Minister representing the Minister for Mines:

- (1) For each department or agency under the Minister's control, what was the cost of producing the 1997-98 annual report, including -
 - (a) artwork;
 - (b) publication;
 - (c) distribution; and
 - (d) writing?
- (2) What were the equivalent costs for the 1996-97 annual report?
- (3) Was the 1997-98 annual report produced wholly within the department or agency?
- (4) If not -
 - (a) what services were provided by contractors; and
 - (b) at what cost?
- (5) Was the 1996-97 annual report produced wholly within the department or agency?
- (6) If not -
 - (a) what services were provided by contractors; and
 - (b) at what cost?
- (7) Who printed the 1997-98 annual report?
- (8) Who printed the 1996-97 annual report?
- (9) How many copies of the 1997-98 annual report were printed?
- (10) How many copies of the 1996-97 annual report were printed?

Mr BARNETT replied:

DEPARTMENT OF MINERALS AND ENERGY

- (1) Final costs for the Department of Minerals and Energy Annual Report 1997-98 are not yet available.

(2) The costs for the 1996-97 annual report were:

- (a) Artwork and negative preparation - \$6,000
- (b) Printing - \$11,500
- (c) Insertion into envelopes - \$240
- (d) Proof reading - \$400

(3) No.

(4)	(a)	Service Costs to Date	(b)	Cost
		Editing		\$1,980
		Estimate of future costs		
		Proof-reading		\$ 500
		Pre-press and printing		\$18,000
		Insertion into envelopes		\$ 250

(5) No.

(6)	(a)	Service	(b)	Cost
		Proof-reading		\$ 400
		Pre-press and printing		\$17,500
		Insertion into envelopes		\$ 240

(7) This report has not yet been printed.

(8) Lamb Print.

(9) 1,200 copies will be printed.

(10) 1,200.

MINERALS AND ENERGY RESEARCH INSTITUTE OF WESTERN AUSTRALIA

- (1) (a) artwork - \$1,094.97
- (b) printing - \$2,745.00
- (c)-(d) costs were not measured but are estimated to be in the region of \$5,000 - \$6,000.

- (2) (a) artwork was provided free of charge by the Department of Minerals and Energy.
- (b) printing - \$2,516.00.
- (c)-(d) cost were not measured but are estimated to have been in the region of \$5,000 - \$6,000.

(3) No.

- (4) (a) artwork
- (b) printing - \$1,094.97

(5) The 1996-97 report was drafted by MERIWA, with compilation and layout assistance provided free of charge by the Department of Minerals and Energy.

(6) Not applicable.

(7) Fine Line Print and Copy Service.

(8) Colourtype Press.

(9) 400 copies will be printed.

(10) 450

CHEMISTRY CENTRE (WA)

(1) The cost of producing the Chemistry Centre (WA) annual report was -

- (a) artwork nil
- (b) publication \$100.00
- (c) distribution \$20.00
- (d) writing \$2000.00

(2) The same as for 1997-98.

(3) Yes.

(4) Not applicable.

(5) Yes.

(6) Not applicable.

(7)-(8) In-house.

(9)-(10)
60

COAL MINES ACCIDENT RELIEF FUND TRUST

(1) The total cost of producing the 1997-98 annual report of the Coal Mines Accident relief Fund Trust, including artwork, publication, distribution and writing was \$50.00

(2) \$50.00

(3) Yes.

(4) Not applicable.

(5) Yes.

(6) Not applicable.

(7)-(8) In-house.

(9)-(10)
10

COAL MINERS' WELFARE BOARD

(1) The total cost of producing the 1997-98 annual report of the Coal Miners' Welfare Board, including artwork, publication, distribution and writing was \$50.00

(2) \$50.00

(3) Yes.

(4) Not applicable.

(5) Yes.

(6) Not applicable.

(7)-(8) In-house.

(9)-(10)
10

COAL INDUSTRY SUPERANNUATION BOARD

(1) The cost of producing the Coal Industry Superannuation Board Annual Report was:

(a)-(b)	artwork & publication	\$4,372.00
(c)	distribution	\$50.00
(d)	writing	Not applicable.

(2) Annual Report 1996/97

(a)-(b)	artwork & publication	\$4,767.00
(c)	distribution	\$50.00
(d)	writing	Not applicable.

(3) No.

(4) Annual Report 1997/98

(a)	design typesetting and print production	
(b)	cost - design	\$2,570.00
	cost - print	\$1,802.00

(5) No.

(6) Annual Report 1996/97

(a)	design typesetting and print production	
(b)	cost - design	\$2,622.00
	cost - print	\$2,145.00

(7) Printing Annual Report 1997/98 - Frank Daniels Pty Ltd.

(8) Printing Annual Report 1997/98 - Quality Press.

(9) Annual Report 1997/98 copies printed - 150.

- (10) Annual Report 1996/97 copies printed - 150.

GOVERNMENT DEPARTMENTS AND AGENCIES - ANNUAL REPORTS, COSTS

1200. Mr BROWN to the Minister for Police; Emergency Services:

- (1) For each department or agency under the Minister's control, what was the cost of producing the 1997-98 annual report, including -
- (a) artwork;
 - (b) publication;
 - (c) distribution; and
 - (d) writing?
- (2) What were the equivalent costs for the 1996-97 annual report?
- (3) Was the 1997-98 annual report produced wholly within the department or agency?
- (4) If not -
- (a) what services were provided by contractors; and
 - (b) at what cost?
- (5) Was the 1996-97 annual report produced wholly within the department or agency?
- (6) If not -
- (a) what services were provided by contractors; and
 - (b) at what cost?
- (7) Who printed the 1997-98 annual report?
- (8) Who printed the 1996-97 annual report?
- (9) How many copies of the 1997-98 annual report were printed?
- (10) How many copies of the 1996-97 annual report were printed?

Mr PRINCE replied:

POLICE:

It should be noted that at the time of answering these questions, the 1997/98 annual report process had not been finalised. Consequently, the final costings for the 1997/98 Annual Report may vary slightly from the estimates provided.

- (1)-(2) The following costs for producing the 1996/97 and 1997/98 Annual Reports do not include the salary and other internal costs associated with the Police Service officers working on either of the reports.

	1997/98	1996/97
The total cost of producing the annual report is	\$50,981	\$56,453
(a) Artwork, including initial design work, production of artwork, project management and photography	\$14,209	\$17,552
(b) Publication, including preparation of negatives and printing -	\$24,900	\$24,420
(c) Distribution	minimal cost inhouse distribution	
(d) Writing, including editing and proof-reading	\$11,872	\$14,481
(3), (5) No.		
(4), (6) (a)-(b)	1997/98	1996/97
Artwork, including initial design work, production of artwork, project management and photography	\$14,209	\$17,552
Publication, including preparation of negatives and printing	\$24,900	\$24,420
Writing, including editing and proof-reading	\$11,872	\$14,481

- (7) The 1997/98 Annual Report will be printed by Advance Press.
- (8) The 1996/97 Annual Report was printed by Lamb Print.
- (9) There will be 1,500 copies of the 1997/98 Annual Report printed.
- (10) There were 1,500 copies of the 1996/97 Annual Report printed.

Emergency Services

- (1) The total costs of the 1997-98 Annual Reports for the WA Fire Brigades Board and the Bush Fires Board are not yet available, so approximate costings are given.

WA Fire Brigades Board

Total cost \$23 800 approximately.

- (a) Artwork, design, typesetting, negative preparation, maps, scans \$11 460.
- (b) Printing/publication \$6 924.
- (c) Distribution – partly completed in house, cost of external mailout not yet available.
- (d) Editing, writing, supervision - \$5 200.

Bush Fires Board

Total cost not yet available – approximate total \$12 900.

- (a) Artwork, design typesetting, negative preparation, scans) \$9 800 approx.
- (b) Printing/publication)
- (c) Distribution – partly completed in house, cost of external mailout not yet available.
- (d) Editing/supervision - \$3 150 approx.

WA State Emergency Service (WASES) - Final Report

The complete production of the WA State Emergency Service final report for the period 1 July 1997 - 31 December 1997 was completed in house therefore no costings are available. On 1 January 1998, WASES was established as the Department of Fire and Emergency Services.

Department of Fire and Emergency Services (formerly WA State Emergency Service)

Total cost \$1 527.50.

- (a) Artwork, typesetting – completed in house, no separate figure available.
- (b) Printing \$1 527.50.
- (c) Distribution – completed in house, no separate figure available.
- (d) Writing – completed in house, no separate figure available.

- (2) The costs for 1996-97 were:

WA Fire Brigades Board

Total cost \$18 492.

- (a) Artwork, typesetting, assembly, negative preparation, scans: \$12 312.
- (b) Printing/publication: \$6 180.
- (c) Distribution – not available separately – through internal mail system.
- (d) Writing – not available separately – completed in house.

Bush Fires Board

Total cost \$8 012.31.

- (a) Photography, artwork and printing: \$5 512.31.
- (b) See above, no separate cost.
- (c) Distribution – not available separately – through internal mail system.
- (d) Writing – not available separately – completed in house.

WA State Emergency Service

Total cost \$22 781.90.

- (a) Artwork and printing \$16 977.90.
- (b) See above, no separate cost.
- (c) Distribution – not available separately – through internal mail system.
- (d) Writing, including preparation of financial statements - \$5804.00.

- (3) WA Fire Brigades Board – No.
Bush Fires Board – No.
WA State Emergency Service Final Report - Yes.
Department of Fire & Emergency Services – No.

- (4) WA Fire Brigades Board
 - (a) Editing/writing, design, artwork and printing, some of distribution, contracted out.
 - (b)
 - (i) Artwork, design, typesetting, negative preparation, maps, scans \$11 460.
 - (ii) Printing/publication \$6 924.
 - (iii) Distribution – partly completed in house, cost of external mailout not yet available.
 - (iv) Editing, writing, supervision - \$5 200.

Bush Fires Board

- (a) Editing, design, artwork, printing and preparation of financial statements contracted out.

- (b)
 - (i) Artwork, design typesetting, negative preparation, scans) \$9 800 approx
 - (ii) Printing/publication)
 - (iii) Distribution – partly completed in house, cost of external mailout not yet available.
 - (iv) Editing/supervision - \$3 150 approx

Department of Fire and Emergency Services

- (a) Printing and collation.
- (b) \$1 527.50.

- (5) WA Fire Brigades Board – No.
Bush Fires Board – No.
WA State Emergency Service – No.

- (6) WA Fire Brigades Board
 - (a) Design, artwork and printing contracted out.
 - (b) \$18 492.00

Bush Fires Board

- (a) Design, artwork, printing and preparation of financial statements contracted out.
- (b) \$8 012.31.

WA State Emergency Service

- (a) Preparation of financial statements, artwork and printing contracted out.
- (b) \$22 781.90

- (7) WA Fire Brigades Board – Advance Press.
Bush Fires Board - Jam Design Studio.
WA State Emergency Service Final Report - Printed in house.
Department of Fire and Emergency Services – Printed at Park Copy Bureau.

- (8) WA Fire Brigades Board - Advance Press.
Bush Fires Board - Crystal Printing.
WA State Emergency Service – Jam Design Studio.

- (9) WA Fire Brigades Board - 1000.
Bush Fires Board - 800.
WA State Emergency Service Final Report - approximately 100.
Department of Fire and Emergency Services – 250.

- (10) WA Fire Brigades Board – 1 200.
Bush Fires Board – 800.
WA State Emergency Service - 600.

CAPITAL CITY COMMITTEE - MEMBERSHIP

1238. Dr GALLOP to the Premier:

I refer to the Capital City Committee formed in January 1994 -

- (a) what are the names and positions of the members of the Committee;
- (b) what changes to the membership of the Committee have occurred since September 1994;
- (c) how often does the Committee meet;
- (d) what remuneration is paid to each member of the Committee for their work on this committee;
- (e) which officers or agencies are responsible for servicing the work of the Committee;
- (f) which departments or agencies are responsible for meeting the running costs of the Committee; and
- (g) what has been the cost of administering the Committee for each year since its formation?

Mr COURT replied:

- (a) Hon Richard Court MLA, Premier
Hon Peter Foss MLC, Minister for the Arts
Hon Graham Kierath MLA, Minister for Planning; Heritage
Hon Norman Moore MLC, Minister for Tourism
Hon Murray Criddle MLC, Minister for Transport
Dr Peter Nattrass, Lord Mayor City of Perth
- (b) Original CCC: Premier
Hon R Lewis, Minister for Planning
Hon E Charlton, Minister for Transport.

June 1995, Dr Peter Nattrass, Lord Mayor City of Perth joined.
October 1995, Hon P Foss, Minister for the Arts joined.

January 1997, Hon G Kierath replaced Mr Lewis as Minister for Planning.
June 1997, Hon N Moore, Minister for Tourism joined.
July 1998, Hon M Criddle replaced Mr Charlton as Minister for Transport.

- (c) Four times per year.
- (d) None.
- (e) Bill Marmion and Alf Lay, Ministry of the Premier and Cabinet
- (f) The minimal cost of members' attendance at the meetings in terms of their time is absorbed by each member.
- (g) Not applicable.

EASTERN GATEWAY CONCEPT PLAN - IMPLEMENTATION AND COST

1241. Dr GALLOP to the Premier:

I refer to an answer provided in the 1997 Estimates process shown on pages E563 to E566 of the Legislative Assembly *Hansard*, and the Eastern Gateway concept plan -

- (a) what was the total cost of the Eastern Gateway concept plan;
- (b) has this plan been fully implemented;
- (c) if yes to (b) above, what was the total cost of the project; and
- (d) if no to (b) above, what progress has been made against this plan and what will be the total cost and completion date of the project?

Mr COURT replied:

- (a) \$155 765.
- (b) Yes.
- (c) \$3 559 700.
- (d) Not applicable.

NELSON CRESCENT CONCEPT PLAN - IMPLEMENTATION AND COST

1244. Dr GALLOP to the Premier:

I refer to an answer provided in the 1997 Estimates process shown on pages E563 to E566 of the Legislative Assembly *Hansard*, and the Nelson Crescent concept plan -

- (a) what was the total cost of the Nelson Crescent concept plan;
- (b) has this plan been fully implemented;
- (c) if yes to (b) above, what was the total cost of the project; and
- (d) if no to (b) above, what progress has been made against this plan and what will be the total cost and completion date of the project?

Mr COURT replied:

This project is being managed by the City of Perth and I am advised:

- (a) \$1,261.
- (b) No.
- (c) Not applicable.
- (d) The City of Perth plans to upgrade Nelson Crescent where it runs parallel to the Swan River subject to discussions with the East Perth Redevelopment Authority.

"A CITY FOR PEOPLE" BROCHURE - COST AND DISTRIBUTION

1245. Dr GALLOP to the Premier:

I refer to the *A City for People* brochure produced by the State Government and the City of Perth in 1994 -

- (a) how many copies of the brochure were created;

- (b) who were they distributed to;
- (c) which companies/consultants were involved in the artwork, design, printing and distribution of the brochure; and
- (d) what was the total cost of the production and distribution of the brochure?

Mr COURT replied:

- (a) 7 000 Brochures, 40 000 Broadsheets
- (b) The brochures were distributed by the Government to the following:
 - State Premiers
 - Government Departments
 - BOMA members and executive
 - Northbridge Businessmen Association - executive
 - Master Builders Association - executive
 - Housing Industry Association - executive
 - Small Business Development Corporation - board and executive
 - Heritage Council - board and executive
 - National Trust - board and executive
 - City of Perth
 - City Vision
 - Capital City Development Committee
 - Major Architectural and Engineering Firms
 - Institute Architects
 - Institution Engineers
 - Project Management Association
 - Landscape Architects Association
 - Quantity Surveyors Association
 - Chamber Commerce and Industry - executive
 - Universities - Architectural and Engineering Schools
 - Australia Council of Building Design Professionals
- (c) Philip Cox Etherington Coulter and Jones Pty Ltd;
Turner Design and Advance Print
- (d) \$ 95 066 Artwork and Design
\$ 39 625 Printing
\$134 691

BALLAJURA COMMUNITY COLLEGE - BANK ACCOUNT BALANCE

1265. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Ballajura Community College had \$942,624.79 in its accounts at the end of last year -

- (a) what were the reasons for this;
- (b) how much money does the College currently hold in its bank accounts;
- (c) what school grants did the College receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the College receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the College through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the College receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the College in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Ballajura Community College has advised that:

- | | | |
|-----|---|-----------|
| (a) | Reserves | |
| | Photocopy replacement | \$ 50 542 |
| | Computer replacement | \$137 560 |
| | Year 11 and 12 establishment grant | \$448 182 |
| | Stage 2 buildings equipment grant | \$ 69 583 |
| | Trust and suspense accounts | \$ 16 502 |
| | (eg. Vocational Education and Training programs and Police Rangers) | |
| | General Funds | |
| | Budgeted surplus | \$ 34 909 |
| | Committed Funds | \$185 346 |
- (b) \$1 094 805
- (c) (i) \$1 045 394
(ii) \$404 638
- (d) (i) \$221 829
(ii) \$256 149
- (e) (i) \$19 378
(ii) \$2 600
- (f) Yes.
- (g) 1997 Hire of facilities \$12 790
1998 Hire of facilities \$ 8 138
- (h) (i) 1 242
(ii) 1 449

CRAIGIE SENIOR HIGH SCHOOL - BANK ACCOUNT BALANCE

1266. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Craigie Senior High School had \$723,585.86 in its accounts at the end of last year -

- (a) what were the reasons for this;
- (b) how much money does the school currently hold in its bank accounts; and
- (c) what school grants did the school receive in -
- (i) 1997; and
- (ii) 1998;
- (d) what income did the school receive from fees paid by parents in -
- (i) 1997; and
- (ii) 1998;
- (e) how much money has been contributed to the school through fundraising efforts of the Parents and Citizens Association in -
- (i) 1997; and
- (ii) 1998,
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the school in -
- (i) 1997; and
- (ii) 1998?

Mr BARNETT replied:

Craigie Senior High School has advised that:

- | | | |
|-----|-------------------------|-----------|
| (a) | Bus replacement | \$115 852 |
| | Photocopier replacement | \$ 24 102 |
| | Furniture replacement | \$ 19 850 |

Minor works	\$ 83 431
Information technology	\$109 629
School resources and learning areas	\$ 64 786
Equipment replacement	\$113 728
Self funded activities (eg. vocational education, hire of facilities and air cadets)	\$111 872
Trust and suspense accounts (eg. utilities management programs)	\$ 31 509
General operating funds	
Outstanding commitments	\$ 13 840
Carryover to 1998	\$ 34 987

(b) \$804 765

(c) (i) \$265 895
(ii) \$280 000

(d) (i) \$194 190
(ii) \$190 982

(e) (i) \$6 000
(ii) \$6 000

(f) Yes.

(g) Donation \$2 000
Whitfords Lions \$2 000

(h) (i) 770
(ii) 740

GERALDTON COLLEGE - BANK ACCOUNT BALANCE

1267. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Geraldton Secondary College had \$745,525.36 in its accounts at the end of last year -

- (a) what were the reasons for this;
- (b) how much money does the College currently hold in its bank accounts;
- (c) what school grant did the College receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the College receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the school through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998,
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the school in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Geraldton Secondary College has advised that:

(a) Technology	\$116 122
Bus replacement	\$ 81 989
Photocopiers	\$ 61 405
Minor works and improvements	\$ 57 614
School equipment reserve	\$ 82 745

Specific purpose programs (eg. Vocational Education and Training)	\$ 28 168
Other miscellaneous project reserves	\$ 48 122
Aeroplane maintenance	\$ 11 596
Self funded programs	
Student and learning	\$ 17 642
Vocational education program	\$ 29 536
Learning area commitments to be paid in 1998	\$108 586
Unexpended balance carried forward	\$102 000

- (b) \$1 147 000
- (c) (i) \$854 014
(ii) \$938 000
- (d) (i) \$381 344
(ii) \$367 417
- (e) (i) \$17 021
(ii) \$9 934
- (f) Yes.
- (g) Hire of facilities \$9 946
- (h) (i) 1 863
(ii) 1 815

CROSSWALK ATTENDANTS - LONG SERVICE LEAVE

1274. Mr BROWN to the Minister for Public Sector Management:

- (1) Are crosswalk attendants entitled to long service leave?
- (2) If not , why not?
- (3) Have crosswalk attendants previously received long service leave?
- (4) If so when?
- (5) What policy changes has the Government made to dis-entitle cross walk attendants from receiving long service leave?
- (6) When were those policy changes made?
- (7) What was the purpose of the change?

Mr COURT replied:

The Minister for Police has advised :

- (1) No.
- (2) The provisions of the Long Service Leave General Order, Government Wages Employees applies to Traffic Wardens. Specifically, qualifying service for long service leave under the order is deemed not to include any period during which an employee is paid as a casual. As traffic wardens are paid a casual loading in lieu of leave entitlements no entitlement to long service leave exists.
- (3)-(4) For the period 24 January 1997 to 2 September 1998 the provisions of the Long Service Leave Act 1958 were applied in error when the status of traffic wardens was incorrectly interpreted.
- (5)-(7) There has been no Government policy change. The WA Police Service corrected the interpretation on 2 September 1998.

REGIONAL PARKS LEGISLATION

1275. Dr EDWARDS to the Minister for the Environment:

When will legislation regarding regional parks be introduced into Parliament?

Mrs EDWARDES replied:

The Department of Conservation and Land Management (CALM) is currently managing regional parks under an arrangement with the Ministry for Planning. At present this is an "inter-agency understanding", however, will soon be formalised using a CALM Act Section 16 Agreement (The Ministry for Planning and the Crown Solicitor's Office are currently considering a first draft of the Agreement). It is still the intent to vest regional parks under the CALM Act 1984, however prior to this

taking place there are issues which must be resolved. These include ensuring adequate protection of all categories of lands within the parks and determining CALM and Local Government management/vesting boundaries. This process will not result in a lack of protection for regional parks given CALM will be managing the land under the same conditions and legislative controls employed by the Ministry for Planning.

BIKIE GANGS - "DOB IN A BIKIE"

1278. Mrs ROBERTS to the Minister for Police:

- (1) Will the Minister advise if he supports the call by the Police Service in the *Sunday Times* dated 25 October 1998 for members of the community to "dob" in a bikie and be prepared to give evidence in Court during the prosecution of the nominated bikie?
- (2) Is the Government prepared to support the members of the community who supply the facts in regard to bikies who offend against the Road Traffic Act and then are subject to reprisals by bikie groups?
- (3) Will the Police Service guarantee public safety in these circumstances or provide the safety of witness protection?

Mr PRINCE replied:

- (1) Yes.
- (2) The Western Australia Police Service will support any person who gives truthful evidence before any court on any matter whether it be "bikie" related or otherwise. When a witness is assessed to be at risk of reprisal by giving evidence, appropriate witness protection programs are offered. When any witness is subject to an offence by way of reprisal, a comprehensive investigation is undertaken with a view to identifying the perpetrator and bringing the matter before the courts for appropriate justice to be dispensed.
- (3) In so far as it is possible, the Western Australia Police Service will ensure that public safety and security is maintained and where appropriate, provide witness protection programs.

CRIMESTOPPERS - FUNDING

1279. Mrs ROBERTS to the Minister for Police:

- (1) How is Crimestoppers funded?
- (2) What financial support is given by the State Government?
- (3) Did the Police Service send a team of officers under a Superintendent to a number a countries under the guise of Crimestoppers recently?
- (4) If so, what Countries did the police officers visit and was this Crimestoppers team supported in any way by taxpayers funding?
- (5) What was the objective of this police team?
- (6) Was the objective achieved and if so how is this demonstrated?
- (7) How many golfing days were taken by the police Crimestoppers team outside of Australia?
- (8) What were the financial terms relating to the police service members regarding travelling allowances and meal claims?
- (9) Did any members of the police service breach the financial terms of agreement involving the Crimestoppers tour, and on their return have any officers been asked to refund claims submitted?

Mr PRINCE replied:

- (1) Crime Stoppers funding is obtained via a sponsorship arrangement involving Crime Stoppers WA Limited, STW Channel 9 and other major sponsors such as the Burswood Resort Casino, DMS Energy, 3M Scotch Tint and the RAC. Should the member wish to obtain any financial details from Crime Stoppers WA Limited, it would be appropriate to contact the Chief Executive Officer, Mr Noel Semmens on telephone number 9421 4612.
- (2) Despite Crime Stoppers WA Limited being a company, the Western Australia Police Service ("the Police Service"), as a primary partner in the initiative, provides both accommodation and personnel for the Crime Stoppers Unit, the cost of which is met by the Police Service in their annual budget. Accordingly, any financial support given to Crime Stoppers from the Government is done so via the Western Australia Police Service budget.
- (3) No.
- (4)-(9) Not applicable.

POLICE - LACK OF RESPONSE TO DISTRESS CALL

1280. Mrs ROBERTS to the Minister for Police:

- (1) Will the Minister acknowledge the lack of police service and response to an urgent distress call by a female member of the public who was concerned about the safety of her child and herself as reported in the media on 25 October 1998 which resulted in an apology to the complainant by the police service?
- (2) Is it the case that the police service could not respond as two vehicles had been tasked to another matter ?
- (3) Will the Minister advise the circumstances of this other matter and the number of arrests made?
- (4) What was the time this other urgent call was made and the arrival time of both police vehicles ?
- (5) What was the departure time of the first vehicle from this urgent tasking and the time of the second vehicle's departure?
- (6) How many vehicles and police personnel were available in the area under question for tasking at the time and date in question, excluding the two vehicles that responded to the other urgent matter ?
- (7) Is the Minister still of the opinion that the Police Service has never been better financed, equipped, serviced and supported?
- (8) Does the Minister support the previous claims that the Police Service has never had it so good?

Mr PRINCE replied:

- (1) The Western Australia Police Service did apologise to a female member of the public as a result of the lack of immediate response to a call received by the Police Operations Centre on 24 October 1998.
- (2) Due to information received from the complainant, this particular task was assigned a lesser priority. The Police Operations Centre telephoned the complainant approximately nine minutes after her initial call to ascertain the current level of risk at the time. The complainant advised that her son had chased the offenders from the premises. However, she still wanted the police to attend. As there was a higher priority task in Girrawheen, the police vehicles attended this task first. As a result of this incident, the Police Service has reviewed its priority allocation system to avoid further occurrences of this nature.
- (3) The Police Operations Centre was advised by Warwick Police of a high risk task in Girrawheen. The complainant advised that he had been attacked on his premises by a male offender armed with a knife. A detective patrol attended and, due to the circumstances, an additional vehicle attended as backup. No arrests have been made to date.
- (4) The call via radio from Warwick Police to the Police Operations Centre was placed at 12.38 am. Police arrived at the scene at 12.47 am.
- (5) The first vehicle left the premises at 1.32 am. The second vehicle left the premises at 2.19 am.
- (6) Five other vehicles were tasking in the district at the time of the incident.
- (7)-(8) Pleased refer to tabled paper. [See paper No 643.]

POLICE - CODING OF OFFENCES

1281. Mrs ROBERTS to the Minister for Police:

- (1) Will the Minister advise the circumstances relating to the coding for bag snatching as recorded by the Police Service when the offender has not been apprehended?
- (2) What is the coding for robbery with actual violence when the offender has been apprehended?
- (3) Is it a procedure in the Police Service to record bag snatching under a particular code, then change the coding after the successful apprehension of an offender?
- (4) Has the changing of coding under the circumstances described in this question taken place within the Police Service within the past three years?
- (5) If so, what are the details?

Mr PRINCE replied:

- (1)-(2) The Western Australia Police Service Offence Information System offence coding does not alter regardless of whether an offender is apprehended or not.

(3)-(4) No.

(5) Not applicable.

AUSTRALIND SENIOR HIGH SCHOOL - BANK ACCOUNTS, BALANCES

1282. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Australind Senior High School had \$560,108.47 in its accounts at the end of last year -

- (a) what were the reasons for this;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Australind Senior High School has advised that:

- (a) Equipment Replacement Reserves

Manual Arts	\$ 30 000
Home Economics	\$ 30 000
Theatre Arts	\$ 17 500
Computing	\$109 610
Bus Replacement	\$ 30 000

SelfSupporting Activities \$33 089 ie; School Ball, Country Week, Musical Productions, Rock Eisteddfod, various camps and excursions etc.

\$309 909 was carried over to 1998 to meet outstanding accounts, \$120 000 of which related to fitting out a new teaching wing and upgraded facilities, \$20 000 for a special purpose program, with the balance of \$169 909 for general learning expenditure.

- (b) \$699 815
- (c)
 - (i) \$346 086
 - (ii) \$463 998
- (d)
 - (i) \$258 107
 - (ii) \$267 676
- (e)
 - (i) \$9 869
 - (ii) \$9 649
- (f) Yes.
- (g)

1997	Donations	\$1 210
1998	Donations	\$1 215
	Hire of facilities	\$5 674
- (h)
 - (i) 1 091
 - (ii) 1 206

MT LAWLEY SENIOR HIGH SCHOOL - BANK ACCOUNTS, BALANCES

1283. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Mt Lawley Senior High School had \$514,104.19 in its accounts at the end of last year -

- (a) what were the reasons for this;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Mt Lawley Senior High School has advised that:

- (a)

Reserve Accounts	\$103 114
Photocopier replacement and operations	\$ 73 255
Computer replacement	\$ 22 000
School bus	\$ 64 864
Curriculum Projects	

Unexpended funds of \$250 871 were carried forward for maintenance of building and equipment, minor works projects, utilities management and learning area operations.

- (b) \$791 359
- (c)
 - (i) \$307 148
 - (ii) \$388 425
- (d)
 - (i) \$271 160
 - (ii) \$276 359
- (e)
 - (i) \$19 784
 - (ii) \$36 036
- (f) Yes.
- (g) Hire of school facilities
 - (i) \$12 651
 - (ii) \$5 391
- (h)
 - (i) 1 189
 - (ii) 1 264

APPLECROSS SENIOR HIGH SCHOOL - BANK ACCOUNTS, BALANCES

1284. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Applecross Senior High School had \$527,903.22 in its accounts at the end of last year -

- (a) what were the reasons for this;

- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Applecross Senior High School has advised that:

- (a)

Asset reserves	
Bus replacement	\$ 33 563
General equipment replacement	\$ 31 230
Furniture	\$ 20 097
Building projects	\$ 10 000
Information Technology	\$ 20 685
Special projects	\$ 14 633
Learning areas - equipment	\$ 37 751
Self funded activities	\$ 64 944
(eg. Japanese exchange, school magazine and	
moneys contributed by TAFE)	
Trust and suspense accounts	\$ 28 884
(eg. Funds allocated by P&C, funds received	
from insurance claims not yet spent)	
General Funds	
Prepayment of 1998 fees	\$ 8 630
Upgrade	\$103 329
(eg. Furniture, fittings, screening, fibre optics	
and other infrastructure)	
Carry over from individual cost centres	\$154 157
- (b) \$593 597
- (c)
 - (i) \$365 036
 - (ii) \$388 261
- (d)
 - (i) \$367 537
 - (ii) \$395 298
- (e)
 - (i) \$48 922
 - (ii) \$26 202
- (f) Yes.
- (g) 1997 Hire of facilities \$6 848.
1998 Hire of facilities \$10 165
- (h)
 - (i) 1 329
 - (ii) 1 357

KARRATHA SENIOR HIGH SCHOOL - BANK ACCOUNTS, BALANCES

1285. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Karratha Senior High School had \$579,995.80 in its accounts at the end of last year -

- (a) what were the reasons for this;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Karratha Senior High School has advised that:

- (a) \$273 287 was held in reserve accounts to meet future asset replacements and staffing and utilities expenses. \$231 897 was carried forward for specific programs in the post compulsory and vocational education areas as well as an alienated students program. An unexpended surplus of \$74 812 from 1997 was carried forward to meet early commitments in 1998.
- (b) \$616 411
- (c)
 - (i) \$613 020
 - (ii) \$643 148
- (d)
 - (i) \$154 523
 - (ii) \$148 811
- (e)
 - (i) \$5 048
 - (ii) \$14 000
- (f) Yes.
- (g) Shire of Roebourne and Karratha Chamber of Commerce and Industry sponsorship - \$15 000 (over 3 years 1996-98).
- (h)
 - (i) 631
 - (ii) 702

COOKE POINT PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1286. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Cooke Point Primary School had \$228,063.02 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;

- (d) what income did the School receive from fees paid by parents in -
- (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
- (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
- (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Cooke Point Primary School has advised that:

- | | | |
|-----|--|-----------|
| (a) | Specific purpose programs | \$ 7 931 |
| | Equipment replacement reserves | |
| | Photocopiers | \$ 3 102 |
| | Computers | \$ 6 333 |
| | Furniture | \$ 4 958 |
| | Library Automation | \$ 6 000 |
| | Curriculum support and materials | \$ 10 720 |
| | Technology infrastructure | \$150 000 |
| | Student behaviour program | \$ 6 145 |
| | Carry over to meet commitments in 1998 | \$ 32 874 |
| (b) | \$253 000 | |
| (c) | (i) \$285 628 | |
| | (ii) \$171 000 | |
| (d) | (i) \$2 255 | |
| | (ii) \$2 122 | |
| (e) | (i) \$8 000 | |
| | (ii) \$8 000 | |
| (f) | No. | |
| (g) | Not applicable. | |
| (h) | (i) 320 | |
| | (ii) 415 | |

HOSPITALS AND HEALTH SERVICES - FUNDING

1296. Mr McGINTY to the Minister for Health:

- (1) What are the financial allocations made to each health service and hospital for 1998-99?
- (2) What were the comparable financial allocations made to each health service and hospital for the 1997/98 financial year?
- (3) What were the health services who did not initially accept the Health Department funding offer and on what dates did they accept the offer?
- (4) In respect of the metropolitan area, what are the financial allocations made to each hospital for 1998-99 and 1997-98?

Mr DAY replied:

- (1)-(2) Please see table below outlining the financial allocations to Country Health Services.

Financial Allocations (\$000s)
Country Health Services

Health Service	1997-98	1998-99
Avon	9 031.3	9 754.8
Bunbury	21 901.5	25 282.4
Central Great Southern	7 137.4	7 808.7
Central Wheatbelt	5 250.2	5 376.8
East Pilbara	21 181.9	21 922.8
Eastern Wheatbelt	7 926.9	8 464.4
Gascoyne	12 337.5	13 003.1
**Geraldton	17 424.8	18 218.1
Harvey/Yarloop	2 802.1	2 997.6
Kimberley	40 177.2	41 431.1
Lower Great Southern	23 296.6	25 563.9
Midwest	5 467.3	5 850.9
Murchison	2 596.0	2 828.5
Northern Goldfields	29 627.0	30 749.0
Peel	11 154.9	8 389.9
South East Coastal	7 907.0	8 473.5
Upper Great Southern	13 091.0	13 507.1
Vasse Leeuwin	10 152.1	10 894.5
Warren Blackwood	8 850.1	9 619.7
Wellington	6 378.3	6 743.2
West Pilbara	12 361.7	12 615.3
**Western	5 312.2	5 645.9
Total	281 365.0	295 141.2

Please note that financial allocations are made on a whole of health service basis and not by hospital. For comparative purposes, these allocations include the exceptional episode insurance pool.

- (3) The HDWA allocated an indicative purchasing revenue to health services on 15 June 1998. Health services have since constructed their budgets and have identified issues for discussion with HDWA. These matters will be monitored progressively during the financial year.
- (4) Please see schedule below submitted by MHSB.

Metropolitan Health Service Board
Health Service Allocations
\$(000)

Health Services	Final Budget 1997-98	Initial Budget 1998-99
	(1)	(3)
Fremantle	135 636.0	132.151.0
King Edward and Princess Margaret	138 740.9	138 720.2
Royal Perth	261 191.2	257 823.9
Sir Charles Gairdner	181 762.4	179 703.8
Armadale	26 764.2	30 756.3
Bentley	36 078.2	38 569.6
Kalamunda	8 463.8	9 148.6
North Metropolitan	44 248.3	45 465.4
Rockingham	20 089.4	18 961.7
Swan	32 910.2	33 990.6
Dental	32 576.7	32 294.6
Graylands	47 919.5	49 620.2
MHSB Office	1 200.0	1 536.9
Unallocated	0.0	9 811.4
TOTAL	967 580.8	978 554.2

BUSES - CONCESSIONAL FARES ON FEEDER SERVICES

1299. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) How many passengers on average catch the 8.52am feeder bus from Mundijong to Armadale?
- (2) Why are pensioners on this bus service refused an "all day" concession ticket when they are connecting to an off-peak train and the next bus is not until 11.15am?

- (3) Will the Minister consider amending his predecessor's legislation to allow pensioners on feeder services to purchase "all day" concession tickets prior to 9.00am?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) Based on results over a recent five month period six to seven passengers utilise the Route 230 bus from Jarrahdale to Armadale which picks up at Mundijong at 8.52 am.
- (2) On weekdays, the concession all-day ticket is only valid before 7.15 am and after 9.00 am. An all-day ticket can be purchased before 7.15 am and used on the bus leaving Mundijong at 6.39 am and connecting with the train service reaching Perth Station at 7.38 am.
- (3) Given that Transperth has a common fare structure and an integrated ticketing system, it is neither practical nor equitable to apply different fares to specific components of the system.

CONSULTANTS - REPORT BY CULLEN EGAN DELL

1305. Mr RIPPER to the Premier:

I refer to page 3 of the *Report on Consultants Engaged by Government for the six months ended 30 June 1997* and ask -

- (a) was a report completed by Cullen Egan Dell as part of their \$88,850 "review of senior executive service classifications and pay arrangements";
- (b) will the Premier table a copy of the report; and
- (c) if not, why not?

Mr COURT replied:

- (a)-(c) A Report entitled "Grading, Remuneration and Employment Arrangements for Senior Executives" was presented by Cullen Egan Dell in June 1997. That report, and implementation of associated recommendations, is the subject of ongoing consideration and discussion with relevant parties including the Salaries and Allowances Tribunal. Given that status it is not the intention of Government to table the document at the present time.

CANNING AND WELSHPOOL ROADS - IMPACT OF ROAD TRAINS

1307. Dr EDWARDS to the Minister representing the Minister for Transport:

- (1) Will the Minister confirm that at present trucks delivering grain to the Co-operative Bulk Handling (CBH) terminal in Forrestfield are limited to a load of 64 tons when travelling along Canning Road and Welshpool Road?
- (2) If not, why not?
- (3) Will the Minister confirm that action is currently being taken to allow trucks using Canning and Welshpool roads to carry up to 84 tons which effectively means road trains will be permitted to use these routes?
- (4) If not, why not?
- (5) What investigations into traffic safety have been carried out to determine the potential impact of road trains using Canning and Welshpool roads?
- (6) What community consultation will take place before road trains are permitted to use Canning and Welshpool roads?
- (7) Will the Minister confirm that in order to allow road trains to use Canning and Welshpool roads a truck stopping bay is proposed to be built at the top of Welshpool Road hill opposite Lesmurdie Road?
- (8) If not, why not?
- (9) Will the Minister confirm that land proposed to be used for the truck stopping bay is currently part of the Darling Regional Park?
- (10) If not, why not?
- (11) How much land is required for the proposed truck stopping bay?
- (12) Have negotiations to acquire the land for the truck stopping bay commenced?
- (13) When did these negotiations commence?
- (14) Between which parties have these negotiations taken place?
- (15) If negotiations for acquiring the land for the proposed truck stopping bay have not yet commenced -

- (a) when are they expected to commence; and
- (b) between which parties will they be conducted?
- (16) Has advice been sought from the Department of Conservation and Land Management regarding any proposed acquisition of land from the Darling Regional Park?
- (17) If so, what was the nature of that advice?
- (18) If the answer to (16) above is no, why not?
- (19) Will the Minister assure the public that before any land is acquired from the Darling Regional Park there will be a process of community consultation?
- (20) What form will the community consultation take?
- (21) If the answer to (20) above is no, why not?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1)-(4) Heavy vehicles up to a gross of 64 tonne are currently permitted on Canning Road and Welshpool Road. Work is in progress to allow vehicles up to a gross mass of 84 tonne to use this route. Main Roads classifies these as "long vehicles", not "road trains".
- (5)-(8) The ongoing operations of all heavy vehicles on this route have been and are under regular review to ensure safe, efficient and environmentally responsible traffic management. Senior engineers with operations and road safety experience have reviewed the route and are satisfied with the proposal to upgrade the load limit subject to the introduction of a number of road improvements and operational conditions. Initially these will include:

Applying the same conditions that were introduced on Greenmount Hill for all heavy vehicles over 22.5 tonne gross mass.

Provision of a stopping bay at the top of the hill for drivers to physically check the security of their load and operating condition of the braking systems.

Additional warning signs.

Main Roads will work closely with Kalamunda and Armadale Councils to prepare an upgrade plan for the route which will consider:

Extending the dual carriageway further up the hill.

Provide passing lanes to allow slower vehicles to pull over and thus improve traffic flow.

Examine intersections for possible improvements and a longer term plan for general widening.

I and Main Roads Senior Staff, including the Commissioner have discussed the proposals with the Kalamunda Council. Whilst Council has some reservations, it is recognised that the need exists, and consequently, it becomes a question of how best the situation can be managed. Council's concerns on other issues relating to grain cartage, particularly in relation to use of Berkshire Road, are being addressed as a result of close co-operation between Main Roads, Co-operative Bulk Handling and Council Officers. I am assured that Main Roads can also manage the concerns raised in the question to the general satisfaction of the community. Kalamunda Council is co-operating in the undertaking of the initial road works involved at Main Roads cost.

- (9)-(21) As already indicated Main Roads and Kalamunda Council are closely involved in measures to ameliorate the impact of additional heavy vehicles on Welshpool Road Hill. Three possible sites for a stopping bay were jointly inspected and whilst Lesmurdie Road has benefits, a decision has been made to locate the bay near Pomeroy Road to meet the immediate requirements. Measures to comply with all environmental and land requirements are in hand and will be met. I understand that initially at least, no works are proposed outside the MRS Reservation though this may change depending on final requirements. The best long term location of the stopping bay on safety grounds is being sought and you can be assured that all relevant authorities are being consulted.

NARROGIN PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1308. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Narrogin Primary School had \$137,272.16 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Narrogin Primary School has advised that:

- (a)

Equipment replacement reserve	\$73 314
Specific purpose programs ie; school camps, Bookshop,	
Student Council fundraising, excursions etc	\$19 253
Utilities management	\$12 259
Minor works	\$ 5 560
Internet project carryover	\$ 3 500
Carryover funds	\$23 386
- (b) \$161 026
- (c)
 - (i) \$107 914
 - (ii) \$114 023
- (d)
 - (i) \$7 146
 - (ii) \$6 652
- (e)
 - (i) \$12 000
 - (ii) \$10 000
- (f) No.
- (g) Not applicable.
- (h)
 - (i) 376
 - (ii) 384

BALER PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1309. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Baler Primary School had \$135,670.77 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -

- (i) 1997; and
- (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Baler Primary School has advised that:

- (a) Reserve Accounts

Computer replacement	\$9 926
Photocopiers replacement	\$2 456
Furniture and equipment	\$4 211

\$5 356 was held for self funding activities like excursions, bookshop operation, proceeds of student fundraising etc, and \$16 425 in suspense accounts. The remaining \$97 297 was to meet outstanding commitments made in 1997 (eg. storage shed, literacy and numeracy funding, maintenance, and utilities, etc) and for early payments required in 1998.

- (b) \$123 093.
- (c) (i) \$261 426.
(ii) \$279 391.
- (d) (i) \$6 097.
(ii) \$6 534.
- (e) (i) \$12 477.
(ii) Nil.
- (f) Yes.
- (g) 1997 Commission on photographs \$ 755
Hire of facilities \$3 060
Donations \$ 470
1998 Commission on photographs \$ 400
Hire of facilities \$3 786
Donations \$2 380
- (h) (i) 714.
(ii) 713.

YAKAMIA PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1310. Mr RIPPER to the Minister for Education:

I refer to the report in the *West Australian* of 3 November 1998 that Yakamia Primary School had \$131,175.99 in its accounts at the end of last year-

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;

- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
- (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
- (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Yakamia Primary School has advised that:

- | | | |
|-----|--|----------|
| (a) | Utilities management | \$ 3 206 |
| | Future minor works, upgrading existing demountable classroom and carpeting the new stage and assembly hall | \$ 9 500 |
| | Computer hardware replacement | \$35 417 |
| | Early childhood programs | \$ 2 300 |
| | Cross Curriculum Project | \$ 2 047 |
| | Early Language Project | \$ 2 862 |
| | Replacement Reserve: | |
| | Photocopier | \$ 8 000 |
| | Computer Hardware | \$34 032 |
| | Playground Equipment | \$ 2 471 |
| | Office Equipment | \$ 3 400 |
| | Carryover balance to 1998 | \$27 941 |
| (b) | \$117 937 | |
| (c) | (i) \$191 712 | |
| | (ii) \$150 072 | |
| (d) | (i) \$9 463 | |
| | (ii) \$8 033 | |
| (e) | (i) \$6 162 | |
| | (ii) Nil. | |
| (f) | No. | |
| (g) | Not applicable. | |
| (h) | (i) 696 | |
| | (ii) 714 | |

SEAFORTH PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1311. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Seaforth Primary School had \$143,840.93 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
- (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
- (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -

- (i) 1997; and
- (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Seaforth Primary School has advised that:

- (a) Reserves

Library Automation	\$ 1 000
Photocopier replacement	\$ 6 480
Computer replacement	\$ 6 000
Musical Instruments	\$ 3 000
Furniture replacement	\$ 1 000
Library computers	\$17 854

The majority of the remaining \$108 506 relates mainly to restocking the library which was destroyed by fire.

- (b) \$159 858
- (c) (i) \$69 031
(ii) \$66 397
- (d) (i) \$823
(ii) \$789
- (e) (i) \$2 312
(ii) \$1 230
- (f) No.
- (g) Not applicable.
- (h) (i) 308
(ii) 286

WARNBRO COMMUNITY COLLEGE - BANK ACCOUNTS, BALANCES

1312. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Warnbro Community College had \$685,201.80 in its accounts at the end of last year -

- (a) what were the reasons for this;
- (b) how much money does the College currently hold in its bank accounts;
- (c) what school grants did the College receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the College receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the College through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the College receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the College in -

- (i) 1997; and
- (ii) 1998?

Mr BARNETT replied:

Warnbro Community College has advised that:

- (a) An establishment grant of \$399 850 was received in December 1997 to fit out new teaching facilities and was included in the general funds carryover. \$73 450 relates to uncommitted funds carried forward and moneys held in trust. The balance of \$211 902 was held in reserves as follows:

Photocopier replacement	\$ 20 000
Information technology	\$137 786
School bus	\$ 4 465
Notebook computers	\$ 40 000
Human resources	\$ 9 651

- (b) \$790 201
- (c)
 - (i) \$716 557
 - (ii) \$247 007
- (d)
 - (i) \$121 650
 - (ii) \$153 944
- (e) (i)-(ii) Nil.
- (f) Yes in 1997. No in 1998.
- (g) 1997 - \$5 000 from BHP (Shade House for permaculture).
- (h)
 - (i) 710
 - (ii) 980

NEWMAN PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1313. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Newman Primary School had \$178,430.89 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Newman Primary School has advised that:

(a)	Equipment Reserve	
	Computer	\$17 541
	Photocopier	\$17 790
	Library computer	\$ 6 000
	Laminator	\$ 5 500
	General equipment	\$ 9 000
	Learning Technologies	\$15 063
	Furniture	\$ 4 061

The balance of \$103 474 was carried forward to meet commitments in 1998 including carry overs of \$21 860 for maintenance and minor works, \$5 865 for specific curriculum projects, utilities management \$17 711 and other learning area commitments of \$12 247.

- (b) \$245 889
- (c) (i) \$250 784
(ii) \$242 945
- (d) (i) \$592
(ii) \$1 494
- (e) (i) \$10 629
(ii) \$6 500
- (f) Yes.
- (g) (i) \$1 661(Commission on book purchases and a grant from the Sangora Education Foundation)
(ii) \$427(Commission from School Photos)
- (h) (i) 323
(ii) 402

BALLAJURA PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1314. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Ballajura Primary School had \$149,669.53 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
(i) 1997; and
(ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
(i) 1997; and
(ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
(i) 1997; and
(ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
(i) 1997; and
(ii) 1998?

Mr BARNETT replied:

Ballajura Primary School has advised that:

- (a) Budget as at 31 December 1997
- | | |
|------------------------------------|----------|
| Reserve accounts | |
| Photocopiers/print machines | \$24 251 |
| Computers - library near upgrading | \$31 486 |

Minor equipment	\$15 005
Minor Works	\$ 3 767
Library automation - new software	\$ 2 238
Students specific purpose programs (ie; Interm Swimming, graduation, excursions)	\$ 6 300

The balance of \$66 623 is earmarked for new initiatives such as a satellite dish for Internet in the computer room, recovering and renewal of furniture and ground maintenance.

- (b) \$189 291
- (c) (i) \$149 366
(ii) \$166 489
- (d) (i) \$8 024
(ii) \$8 668
- (e) (i) \$13 441
(ii) \$23 250
- (f) Yes.
- (g) 1997 - Lotteries Commission - \$6 000
- (h) (i) 760
(ii) 761

BOULDER PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1315. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Boulder Primary School had \$153,052.38 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

Boulder Primary School has advised that:

- (a)

Ground Upgrade	\$ 15 000
Computing, perennials, additional networking	\$ 72 000
Technology and Enterprise	\$ 5 000
Technology and Equipment	\$ 3 000
Technology focus	\$ 16 000
Centenary	\$ 2 000
Replacement Reserve (equipment)	\$ 20 000
Library Automation Reserve	\$ 6 500

Equipment Maintenance	\$ 7 000
Cash carried forward	\$ 6 550

Note: Boulder Junior Primary School, Boulder Primary School and Djidjiku Early Childhood Education Centre were amalgamated in 1997 and additional funds were provided as part of the rationalisation process.

- (b) \$175 971
- (c) (i) \$188 144
(ii) \$198 488
- (d) (i) \$1 790
(ii) \$2 874
- (e) (i) \$5 670
(ii) \$6 070
- (f) No.
- (g) Not applicable.
- (h) (i) 403
(ii) 555

NORTH KALGOORLIE PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1316. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that North Kalgoorlie Primary School had \$155,609.91 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
 - (i) 1997; and
 - (ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
 - (i) 1997; and
 - (ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
 - (i) 1997; and
 - (ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
 - (i) 1997; and
 - (ii) 1998?

Mr BARNETT replied:

North Kalgoorlie Primary School has advised that:

- (a)

Administration upgrade reserve	\$ 5 217
Photocopier replacement reserve	\$20 036
Technology reserve	\$10 506
Specific purpose curriculum programs	\$41 481
Truancy program	\$ 4 923
Equipment maintenance	\$ 5 108
Utilities Management	\$34 291
Carry over of funds to 1998	\$34 048
- (b) \$151 417

- (c) (i) \$145 193
(ii) \$181 123
- (d) (i) \$4 756
(ii) \$9 226
- (e) (i) \$11 310
(ii) \$4 864
- (f) Yes.
- (g) Commission from school photographs
1997 \$3 131
1998 \$3 257
- Donations (including local MLA book prize)
1997 \$347
- Hire of premises
1997 \$125
1998 \$325
- (h) (i) 585
(ii) 643

CAREY PARK PRIMARY SCHOOL - BANK ACCOUNTS, BALANCES

1317. Mr RIPPER to the Minister for Education:

I refer to the report in *The West Australian* of 3 November 1998 that Carey Park Primary School had \$167,650.84 in its accounts at the end of last year -

- (a) will the Minister provide a breakdown of the future purposes for which this money has been reserved and the amounts allocated for each purpose;
- (b) how much money does the School currently hold in its bank accounts;
- (c) what school grants did the School receive in -
(i) 1997; and
(ii) 1998;
- (d) what income did the School receive from fees paid by parents in -
(i) 1997; and
(ii) 1998;
- (e) how much money has been contributed to the School through fundraising efforts of the Parents and Citizens Association in -
(i) 1997; and
(ii) 1998;
- (f) did the School receive income from other private sources in 1997 or 1998;
- (g) if the answer to (f) is yes, will the Minister provide details of the sources and the amount of income; and
- (h) what was the enrolment of the School in -
(i) 1997; and
(ii) 1998?

Mr BARNETT replied:

Carey Park Primary School has advised that:

- | | |
|---|----------|
| (a) Carry over of commitments to 1998 | \$37 842 |
| Utilities management | \$ 9 697 |
| Computer replacement | \$12 048 |
| Photocopy reserve | \$19 388 |
| New School Projects reserve | \$33 900 |
| Furniture and Equipment | \$13 461 |
| Library Technology reserve | \$14 000 |
| Specific purpose funds for self funded activities | \$ 4 790 |
| Minor works | \$ 3 785 |
| Uncommitted cash carried forward | \$18 740 |

- (b) \$225 500
- (c) (i) \$148 985
(ii) \$133 895
- (d) (i) \$7 317
(ii) \$9 015
- (e) (i) \$4 400
(ii) \$6 000
- (f) No.
- (g) Not applicable.
- (h) (i) 559
(ii) 587

SNAKES - ASSISTANCE IN RELOCATION

1318. Dr EDWARDS to the Minister for the Environment:

- (1) Do officers from the Department of Conservation and Land Management (CALM) take a direct role in assisting the public to relocate snakes which are considered a possible danger?
- (2) If not, why not?
- (3) If not, to whom are calls for assistance in relocating snakes referred?
- (4) How many calls are received on average from the public seeking assistance with removing snakes during the peak season of November to January?
- (5) How many calls are received on average from the public seeking assistance with removing snakes between February and October?
- (6) Does the Minister acknowledge the invaluable assistance provided by the volunteers who work for Snakebusters?
- (7) Is the Minister aware of the level of discontent and frustration expressed by Snakebusters over their relationship with CALM?
- (8) If not, why not?
- (9) Is the Minister aware of the claims by Snakebusters that volunteers are subject to inappropriate licence conditions requiring significant attention to perceived irrelevant aspects of snake relocation?
- (10) When did CALM last receive correspondence from Snakebusters regarding their concerns over licence conditions?
- (11) When did CALM respond to these concerns?
- (12) Why is it not appropriate that Snakebusters volunteers are assessed for competency then placed on a register for easy access to the public as is the case in other states rather than being subject to control by licence?
- (13) Given that a member of the public can kill a snake that is considered a threat to life or livestock without regulation, why is it considered appropriate that a volunteer snakebuster can be prosecuted for non-compliance with licence conditions when assisting the public to relocate snakes?

Mrs EDWARDES replied:

- (1)-(3) Yes, occasionally, but not as a standard practice. CALM staff normally refer members of the public to licensed volunteer snake removers experienced in snake handling and removal, as well as commercial animal pest operators. CALM staff also advise people on ways of minimising the risks from venomous snakes.
- (4) It is estimated that between November and January between 200 to 300 calls are received from the Perth public seeking assistance to remove snakes. Not all calls are referred to snake removers because in many instances the snake is not confined and returns to nearby bushland of its own accord, before a snake remover can assist.
- (5) Few snake calls are received during the cooler months.
- (6) The service provided by volunteer snake removers is appreciated, also acknowledged are the services provided by professional animal pest management companies.
- (7) I am aware that some persons engaged in volunteer snake removal have sought withdrawal of the licensing system that restricts both the activities and the persons that can legally capture and relocate venomous snakes.

- (8) Not applicable.
- (9) Given the high degree of risk associated with untrained people handling such snakes and the requirements of the Wildlife Conservation Act and regulations, a licensing system is required. Volunteers' licences are subject to very few conditions. The conditions allow for specimens of particular interest to be donated to the WA Museum, they require the release of all other captured reptiles within 72 hours of their capture (relaxed after reassessment of previous requirement for release within 24 hours), and they require keeping records and quarterly reports setting out snake capture and disposal details.
- (10)-(11) A search of CALM files for the past year has not located any formal correspondence from "Snakebusters" in relation to seeking changes to licence conditions. Correspondence has been received from members of the Western Australian Society of Amateur Herpetologists.
- (12) Licensing/permitting of snake removers is standard practice across Australia as there are both legal and duty of care considerations. Snake removal volunteers are assessed for competency when they apply to be licensed for snake removal. As in other States, once persons are so licensed CALM places their names on a snake remover register for easy referral to the public. I am advised that other States also have strict catch and release requirements under their licence/permit systems, limiting how long specimens can be held and where they must be released.
- (13) A notice issued pursuant to the Wildlife Conservation Act is in place to afford legal protection to a person who kills a snake considered to be a threat to personal safety. A person in such circumstances is therefore exempt from prosecution for killing the snake. This is a standard public protection issue across Australia. In all other circumstances the Wildlife Conservation Act and regulations protect snakes from being removed from the wild or killed, except under licence.

POLYCYCLIC AROMATIC HYDROCARBONS - VELA-LUKA PARK, COCKBURN

1320. Dr EDWARDS to the Minister for the Environment:

- (1) In relation to the contamination of Vela-Luka Park in the City of Cockburn with polycyclic aromatic hydrocarbons (PAHs) above levels deemed appropriate for land used for recreational purposes, does the Minister accept that the responsibility for cleaning this contaminated site rests with the Department of Environmental Protection (DEP)?
- (2) If not, why not?
- (3) Does the Minister accept that residents of the nearby subdivision are currently penalised by virtue of the loss of a significant area of public park?
- (4) If not, why not?
- (5) Does the Minister agree that the remediation of the site should be carried out as soon as possible?
- (6) If not, why not?
- (7) What does the Minister consider to be a reasonable time frame for completion of the remediation of Vela-Luka Park?
- (8) When will funding for the remediation be made available to the DEP?
- (9) What does the Minister consider to be a reasonable time frame for consideration of the funding requirements of the DEP in relation to the remediation of Vela-Luka Park?
- (10) Will the Minister confirm that it is the opinion of the DEP that the contaminant material may have risen to the surface during recent years?
- (11) If not, what is the most probable explanation for the location of the contaminated material at the surface?

Mrs EDWARDS replied:

- (1) The DEP is currently preparing for my consideration a preferred position on remediation options for Vela Luka Park which will include assigning responsibility for remediation to the appropriate party. This will be consistent with the Government's position on liability proposed under the position paper "Assessment and management of contaminated land and groundwater in Western Australia" released in May 1997.
- (2) Not applicable.
- (3) As Vela Luka Park is closed, I accept that there is some loss of amenity to the nearby residents.
- (4) Not applicable.

- (5) Yes, however the remediation of the site should only be undertaken once all the necessary information has been assessed and the implications of the various remedial options have been considered in terms of practicality and future site management.
- (6) Not applicable.
- (7)-(9) The DEP is currently preparing for my consideration a preferred position on remediation options for Vela Luka Park including assigning responsibility for remediation. A careful assessment of the implications of the various options will be required before a final decision on remediation can be made.
- (10) It is not the opinion of the DEP that contamination has risen to the surface during recent years as there is no evidence from recent investigations to suggest that natural processes could have led to contaminant migration.
- (11) Investigations at the park have indicated that weathered coal tar or coal product which has been mechanically mixed and redistributed, possibly during gasworks decommissioning, is the source of PAH's in the soil. It is believed that the extent of land affected by this surface tarry coating was most likely greater in the past, however earthworks following site decommissioning would have removed or redistributed most of this material, except where it occurred in proximity to larger trees which may have constrained the access or operation of earthmoving equipment. It is this latter material which is likely to have been detected at the surface.

SCHOOLS - DRUG SEARCHES

1321. Dr CONSTABLE to the Minister for Police:

- (1) Further to that part of your answer to question on notice No 599 of 1998 which refers to the metropolitan region -
 - (a) in each of the last three years, how many random drug searches were conducted, and in which schools in the metropolitan region;
 - (b) regardless of "normal practice" -
 - (i) was the search requested by the school; and
 - (ii) was a search warrant issued; and
 - (c) with respect to parts (d) and (e) of question on notice No 599, why is the question too broad to answer, and why was it possible to answer it in relation to other regions?
- (2) Further to that part of your answer to question on notice No 599 of 1998 which refers to crime support -
 - (a) how does the Drug Squad define, by reference to the number of trafficking offences, and the types and quantities of drugs "substantial trafficking"; and
 - (b) does your answer mean that, for example, one or two instances of trafficking in schools would not warrant Drug Squad involvement?

Mr PRINCE replied:

- (1)-(2) Please refer to answer to question No 946 provided on Thursday, 29 October 1998.

STATE FINANCE - GENERAL REVENUE GRANTS

1381. Dr GALLOP to the Premier:

I refer to table 6 on page 21 of Budget paper 2 of the 1998-99 Budget Papers and ask if the Premier will provide a breakdown of the General Revenue Grants estimates to show -

- (a) financial assistance grants;
- (b) safety net revenues;
- (c) competition reform payments;
- (d) debt redemption assistance; and
- (e) pensioner concessions assistance,

for the years 1998-99 to 2001-02?

Mr COURT replied:

A breakdown of the 1998-99 to 2001-02 estimates of General Revenue Grants shown on page 21 of the 1998-99 Budget Paper No 2 is as follows:

	1998-99 Budget Estimate \$m	1999-00 Forward Estimate \$m	2000-01 Forward Estimate \$m	2001-02 Forward Estimate \$m
Financial Assistance Grants	1,591.0*	1,624.0	1,654.0	1,684.0
Safety Net Revenues	805.2	827.5	851.0	875.3
Competition Reform Payments	21.0	44.0	45.0	70.0
Debt Redemption Assistance	2.0	12.0	10.0	3.0
Pensioner Concessions Assistance	13.0	14.0	14.0	15.0
Total	2,432.2	2,521.5	2,574.0	2,647.3
* Net of State Fiscal Contribution.				

BUDGET PROMOTION - COSTS

1383. Dr GALLOP to the Premier:

I refer to page 78 of the 1997/98 Ministry of the Premier and Cabinet Annual Report and ask -

- (a) how much supplementary funding was necessary to meet the cost of Budget promotion;
- (b) what was the total cost of Budget promotion for 1997-98; and
- (c) will the Premier provide the House with a breakdown of the component costs of the Budget promotion?

Mr COURT replied:

- (a) Of the total supplementary funding received by the Ministry of the Premier and Cabinet, \$166,000 was required in respect to Budget promotion.
- (b) The amount paid in 1997/98 was \$168,171.82 with a further \$16,000 paid in July 1998.
- (c) The component costs were as follows:

Preparation and design	\$ 33,125.00
Printing of the Budget papers	\$ 80,260.00
Advertising	\$ 17,243.84
Distribution and postage costs	\$ 53,542.98
	<u>\$184,171.82</u>

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1384. Mr CARPENTER to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

- (1) Will the Premier state how much his ministerial office spent on alcohol purchases in the following financial years -
 - (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr COURT replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the Ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1385. Mr CARPENTER to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) Will the Deputy Premier state how much his ministerial office spent on alcohol purchases in the following financial years -
 - (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?

- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr COWAN replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as neither accounts submitted by suppliers nor the ministry's accounting system necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1386. Mr CARPENTER to the Minister representing the Attorney General:

- (1) Will the Attorney General state how much his ministerial office spent on alcohol purchases in the following financial years -

- (a) 1995-96;
- (b) 1996-97; and
- (c) 1997-98?

- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1) (a)-(c) It is so small that it would cost more to look for the information than we spent.

- (2) We do not have one.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1388. Mr CARPENTER to the Minister for Primary Industry; Fisheries:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years -

- (a) 1995-96;
- (b) 1996-97; and
- (c) 1997-98?

- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr HOUSE replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1392. Mr CARPENTER to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-

- (a) 1995-96;
- (b) 1996-97; and
- (c) 1997-98?

- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr SHAVE replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1393. Mr CARPENTER to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-

- (a) 1995-96;
- (b) 1996-97; and
- (c) 1997-98?

- (2) What is the expected ministerial office alcohol budget for 1998-99?

Dr HAMES replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1394. Mr CARPENTER to the Minister for Local Government; Disability Services:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr OMODEI replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1395. Mr CARPENTER to the Minister for Health:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr DAY replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1396. Mr CARPENTER to the Minister representing the Minister for Finance:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr COURT replied:

The Minister for Finance has provided the following response:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail. However, I can assure the member that I have not consumed any alcohol at my Ministerial Office. Accordingly I am not prepared to allocate departmental officers to devote the time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1397. Mr CARPENTER to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr BOARD replied:

I am advised that:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1398. Mr CARPENTER to the Minister representing the Minister for Racing and Gaming:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail. However, I can assure the member that I have not consumed any alcohol at my Ministerial Office. Accordingly I am not prepared to allocate departmental officers to devote the time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1399. Mr CARPENTER to the Minister representing the Minister for Mines:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr BARNETT replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1400. Mr CARPENTER to the Minister for Police; Emergency Services:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr PRINCE replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1401. Mr CARPENTER to the Minister representing the Minister for the Arts:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply:

- (1)-(2) I refer the member to my answer to Question on Notice 1386.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1403. Mr CARPENTER to the Parliamentary Secretary to the Minister for Tourism:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
 - (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr BRADSHAW replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1404. Mr CARPENTER to the Parliamentary Secretary to the Minister for Justice:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
 - (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1)-(2) I refer the member to my answer to Question on Notice 1386.

MINISTERIAL OFFICES - ALCOHOL PURCHASES

1405. Mr CARPENTER to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Will the Minister state how much his ministerial office spent on alcohol purchases in the following financial years-
 - (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the expected ministerial office alcohol budget for 1998-99?

Mr MARSHALL replied:

- (1)-(2) It is difficult to determine expenditure on alcohol as both accounts submitted by suppliers and the ministry's accounting system do not necessarily break down costs to that level of detail.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1406. Mr CARPENTER to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr COURT replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1407. Mr CARPENTER to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?

- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr COWAN replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1408. Mr CARPENTER to the Minister representing the Attorney General:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr PRINCE replied:

The Attorney General has provided the following reply -

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1410. Mr CARPENTER to the Minister for Primary Industry; Fisheries:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr HOUSE replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, eg: circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1411. Mr CARPENTER to the Minister for the Environment; Labour Relations:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mrs EDWARDES replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1414. Mr CARPENTER to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr SHAVE replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1415. Mr CARPENTER to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Dr HAMES replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1416. Mr CARPENTER to the Minister for Local Government; Disability Services:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr OMODEI replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1417. Mr CARPENTER to the Minister for Health:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr DAY replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1418. Mr CARPENTER to the Minister representing the Minister for Finance:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr COURT replied:

The Minister for Finance has provided the following response:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather. Accordingly I am not prepared to allocate departmental officers to devote the time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1419. Mr CARPENTER to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr BOARD replied:

I am advised that:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1420. Mr CARPENTER to the Minister representing the Minister for Racing and Gaming:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather. Accordingly I am not prepared to allocate departmental officers to devote the time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1421. Mr CARPENTER to the Minister representing the Minister for Mines:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr BARNETT replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1422. Mr CARPENTER to the Minister for Police; Emergency Services:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?

- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr PRINCE replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1423. Mr CARPENTER to the Minister representing the Minister for the Arts:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply -

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1425. Mr CARPENTER to the Parliamentary Secretary to the Minister for Tourism:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr BRADSHAW replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1426. Mr CARPENTER to the Parliamentary Secretary to the Minister for Justice:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply -

- (1)-(2) I refer the member to my answer to question on notice 1408.

GOVERNMENT DEPARTMENTS AND AGENCIES - USE OF PERSONAL CREDIT CARDS

1427. Mr CARPENTER to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) Have there been any instances where public sector employees within your portfolio area have used personal credit cards for Government related expenses and then claimed reimbursement at a later date?
- (2) If yes, on how many occasions has this occurred and how many employees have been involved?

Mr MARSHALL replied:

- (1)-(2) From time to time employees may have found it necessary to use personal credit cards for Government related

expenses, e.g. circumstances where an officer has not been issued with a corporate credit card, in unanticipated instances requiring expenditure, or where a particular type of corporate credit card was not accepted. Reimbursement is made on production of all appropriate documentation, including receipts and authorisation. Such instances may have occurred over many years, and the information sought would be extremely difficult to gather.

COMMITTEES AND BOARDS - GOVERNMENT CREDIT CARDS

1431. Mr CARPENTER to the Minister for Resources Development; Energy; Education:

In relation to the members of Boards and Committees operating within the Minister's portfolio responsibility -

- (a) do any of the members of these Boards and Committees have access to Government credit cards; and
- (b) if the answer to (a) above is yes, what are the names of the members who have use of the credit card?

Mr BARNETT replied:

Department of Resources Development

- (a) No.
- (b) Not applicable.

Office of Energy

- (a) No members of Boards and Committees operating within the Office of Energy, other than Office of Energy staff, have access to Office of Energy Government credit cards
- (b) Not applicable.

AlintaGas

- (a)-(b) No Non-Executive member of the AlintaGas Board has access to Government Credit Cards. The Chief Executive Officer, in his capacity as an Executive Officer of AlintaGas, has an AlintaGas Corporate Credit Card.

Western Power

- (a) Yes.
- (b) Mr M H Macpherson, Chairman of Western Power.

Curriculum Council

- (a) No, people are not issued Government credit cards by virtue of their membership on Boards or Committees. It is possible that Board or Committee members may hold Government credit cards because of their regular employment as senior officers in Government departments.
- (b) Not applicable.

Department of Education Services

- (a) No, people are not issued Government credit cards by virtue of their membership on Boards or Committees. It is possible that Board or Committee members may hold Government credit cards because of their regular employment as senior officers in Government departments.
- (b) Not applicable.

Education Department of Western Australia

- (a) No, people are not issued Government credit cards by virtue of their membership on Boards or Committees. It is possible that Board or Committee members may hold Government credit cards because of their regular employment as senior officers in Government departments.
- (b) Not applicable.

COMMITTEES AND BOARDS - GOVERNMENT CREDIT CARDS

1447. Mr CARPENTER to the Parliamentary Secretary to the Minister for Tourism:

In relation to the members of Boards and Committees operating within the Attorney General's portfolio responsibility -

- (a) do any of the members of these Boards and Committees have access to Government credit cards; and
- (b) if the answer to (a) above is yes, what are the names of the members who have use of the credit card?

Mr BRADSHAW replied:

WESTERN AUSTRALIAN TOURISM COMMISSION

- (a) Yes.
- (b) Kevin Carton.

ROTTNEST ISLAND AUTHORITY

- (a) Members of the Rottnest Island Authority (Board) do not have access to Government credit cards.
- (b) Not applicable.

CONSULTANTS - GOVERNMENT CREDIT CARDS

1461. Mr CARPENTER to the Minister for Health:

In relation to consultants, or contractors, employed by the Minister and/or by a Government agency under the Minister's jurisdiction -

- (a) do any of these consultants, or contractors, have access to Government credit cards; and
- (b) if the answer to (a) above is yes, what are the names of the consultants, or contractors who have use of the credit card?

Mr DAY replied:

Healthway

- (a) No.
- (b) Not applicable.

Office of Health Review

- (a) No.
- (b) Not applicable.

Health Department

- (a) No.
- (b) Not applicable.

CONSULTANTS - GOVERNMENT CREDIT CARDS

1465. Mr CARPENTER to the Minister representing the Minister for Mines:

In relation to consultants, or contractors, employed by the Minister and/or by a Government agency under the Minister's jurisdiction -

- (a) do any of these consultants, or contractors, have access to Government credit cards; and
- (b) if the answer to (a) above is yes, what are the names of the consultants, or contractors who have use of the credit card?

Mr BARNETT replied:

For the Department of Minerals and Energy

- (a) Yes.
- (b) Julian Coker - Fee for Service Contract (ICIS Remote Sensing). Requires corporate credit card for purchases of fuel, food, supplies etc. for staff under his control while in the field.

CONSULTANTS - GOVERNMENT CREDIT CARDS

1468. Mr CARPENTER to the Minister representing the Minister for Transport:

In relation to consultants, or contractors, employed by the Minister and/or by a Government agency under the Minister's jurisdiction -

- (a) do any of these consultants, or contractors, have access to Government credit cards; and
- (b) if the answer to (a) above is yes, what are the names of the consultants, or contractors who have use of the credit card?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (a)-(b) No.

CONSULTANTS - GOVERNMENT CREDIT CARDS

1469. Mr CARPENTER to the Parliamentary Secretary to the Minister for Tourism:

In relation to consultants, or contractors, employed by the Minister and/or by a Government agency under the Minister's jurisdiction -

- (a) do any of these consultants, or contractors, have access to Government credit cards; and
- (b) if the answer to (a) above is yes, what are the names of the consultants, or contractors who have use of the credit card?

Mr BRADSHAW replied:

WESTERN AUSTRALIAN TOURISM COMMISSION

- (a)-(b) I advise that the Western Australian Tourism Commission has not issued American Express Government Corporate Cards to any Consultant or Contractor employed by the WATC.

ROTTNEST ISLAND AUTHORITY

- (a) Consultants and contractors engaged by the Rottne Island Authority do not have access to Government credit cards.
- (b) Not applicable.

CONSULTANTS - GOVERNMENT CREDIT CARDS

1471. Mr CARPENTER to the Parliamentary Secretary to the Minister for Sport and Recreation:

In relation to consultants, or contractors, employed by the Minister and/or by a Government agency under the Minister's jurisdiction -

- (a) do any of these consultants, or contractors, have access to Government credit cards; and
- (b) if the answer to (a) above is yes, what are the names of the consultants, or contractors who have use of the credit card?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

- (a) No.
- (b) Not applicable.

FORESTS AND FORESTRY - ROYALTIES

1473. Dr CONSTABLE to the Minister for the Environment:

Further to your answer to question on notice No. 752 of 1998, regardless of the specific royalties paid in respect of karri and jarrah sawlogs, and plantation saw logs, why are royalties for plantation pine logs higher than for other sawlogs?

Mrs EDWARDES replied:

Royalties for plantation logs are not necessarily higher than for other sawlogs. The documents tabled in answer to the member's question 752 show that the royalty for the highest quality pine logs is \$64.64 per tonne if measured manually or \$65.31 per tonne if measured by log scanner. The royalties for the highest quality premium jarrah sawlogs is \$83.25 per tonne and for premium karri sawlogs is \$83.73 per tonne. Royalties vary according to the grade of log and the price which can be received for the timber produced from logs of varying quality. For example, the royalty for small pine logs used to manufacture panel products is less than the equivalent royalty for hardwood logs used for the manufacture of pulp and paper.

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT - BUSH RANGERS PROGRAM

1483. Dr EDWARDS to the Minister for the Environment:

- (1) In relation to the Department of Conservation and Land Management (CALM) Bush Rangers program -

- (a) who initiated it;
- (b) who authorised it; and
- (c) who was consulted about the program among -
 - (i) Government ministers;
 - (ii) Government departments;
 - (iii) parents and parents' organisations;

- (iv) teachers and teachers' organisations;
 - (v) youth groups;
 - (vi) public relations consultants; and
 - (vii) other (give names of the person/s and organisation/s consulted)?
- (2) Given that the 'Vision Statement' is to "develop the CALM Bush Rangers into the State's pre-eminent, nature conservation youth organisation", were any of the following organisations consulted -
 - (a) Scouts Australia;
 - (b) Guilds Western Australia; and
 - (c) the Gould League?
- (3) If the answer to (2) (a), (b) and (c) above is yes, what was their response?
- (4) If the answer to (2) above is no, why not?
- (5) What is the total amount allocated to the program for the current financial year and from what source(s)?
- (6) How much can be allocated to each school -
 - (a) per year; and
 - (b) in total?
- (7) How much can be allocated for each student -
 - (a) per year; and
 - (b) in total?
- (8) How much has already been -
 - (a) paid; and
 - (b) committed in total?
- (9) Which schools are participating?
- (10) How much has been -
 - (a) paid; and
 - (b) committed to each school?
- (11) What body or group oversees the program in each school?
- (12) How will the recipients account for the money received?
- (13) Will the Minister table a copy of the manual provided to schools and teachers setting out the program of activities to be undertaken by Bush rangers?
- (14) How much time is it anticipated will be allocated to the teaching and practice of drill, marching and saluting?
- (15) Will Bush Rangers; and their teachers be required to wear their CALM uniform at all times at school and on outings?
- (16) If the answer to (15) above is no, when will they be required to do so?
- (17) Will Bush Rangers be available to attend Government, Ministerial and/or CALM functions?
- (18) If the answer to (17) above is yes, what are the guidelines for the availability of Bush Rangers to attend such functions?
- (19) Does any other government department or agency have a similar scheme?
- (20) If the answer to (19) above is yes, which one(s)?
- (21) Will views on nature conservation and environmental management other than CALM's be provided to Bush Rangers and their teachers?
- (22) If the answer to (21) above is yes, by whom?
- (23) If the answer to (21) above is no, why not?
- (24) How will the program be evaluated?

Mrs EDWARDES replied:

- (1)
 - (a) Office of Youth Affairs and Department of Conservation and Land Management.
 - (b) Minister for Youth and Minister for the Environment.

- (c) No formal consultations.
- (2) (a)-(c) No.
- (3) Not applicable.
- (4) Not necessary or appropriate for the successful development of the program.
- (5) CALM has allocated \$71,750 in its 1998/99 budget for the development and coordination of the Bush Rangers. Bush Rangers is a component of a broader program known as Cadets WA, administered by the Office of Youth Affairs, and all other funding related to Bush Rangers is administered by the Office of Youth Affairs.
- (6)-(7) Under the Cadets WA program, \$450 per student per year.
- (8) (a)-(b) This question should be directed to the Minister responsible for the Office of Youth Affairs and the Cadets WA program.
- (9) Duncraig Senior High School, Rossmoyne Senior High School, John Forrest Senior High School, Mt Lawley Senior High School, Gingin District High School, John Septimus Roe Catholic College, Ursula Frayne Catholic College, Mazenod College, Esperance Senior High School and Como Senior High School.
- (10) (a)-(b) This question should be directed to the Minister responsible for the Office of Youth Affairs and the Cadets WA program.
- (11) In each school there will be a CALM Bush Ranger Management Committee comprising the School Principal, Unit Leader, a Community Representative and others as required.
- (12) As per the Cadets WA program. This question should be directed to the Minister responsible for the Office of Youth Affairs and the Cadets WA program.
- (13) Yes.
- (14) Four hours of initial training. Practice for official ceremonies and at official functions.
- (15) No.
- (16) On outings and official days at the school and at the discretion of the Management Committee.
- (17) Yes, at the discretion of the Management Committee in each school.
- (18) At the discretion of the Management Committee in each school.
- (19) Yes.
- (20) Emergency Service Cadets and Police Rangers.
- (21) Yes.
- (22) Schools are encouraged to seek a wide range of information on nature conservation and environmental management, and the manual for Level 1 Bush Rangers contains a list of groups and contacts schools may find useful. The list includes, but is not limited to, the Australian Association for Environmental Education, the Environment Centre of WA, Greening Western Australia, Men of the Trees, Swan River Trust, WA Gould League and the World Wide Fund for Nature.
- (23) Not applicable.
- (24) By the Management Committee in each participating school, by CALM and by the Office of Youth Affairs.

BUS SERVICES - PENSIONER CONCESSIONS

1489. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Why is a pensioner not allowed to use a concession ticket on the 8.37am feeder bus from Jarrahdale to Armadale?
- (2) Does the Minister realise that the next bus not until 2.40pm?
- (3) Will the Minister consider amending his predecessor's legislation to allow pensioners on feeder services to purchase all day concession tickets prior to 9.00am?

Mr OMODEI replied:

The Minister for Transport has provided the following response -

- (1) A pensioner is able to purchase a concession zonal ticket at any time without restriction.

- (2) Yes.
- (3) Given that Transperth has a common fare structure and an integrated ticketing system, it is neither practical nor equitable to apply different fares to specific components of the system.

GOVERNMENT DEPARTMENTS AND AGENCIES - CREDIT CARD EXPENDITURE

1501. Mr CARPENTER to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

- (1) Will the Minister state the total expenditure on Government credit cards in the Minister's office for the following financial years -
- (a) 1996-97; and
(b) 1997-98?
- (2) For each individual credit card holder in the Minister's office, will the Minister advise -
- (a) the name and position of the card-holder;
(b) the credit limit on the card; and
(c) the total expenditure on that card in -
- (i) 1996-97; and
(ii) 1997-98?

Mr SHAVE replied:

- (1) (a) \$2,583.52.
(b) \$50,497.33.
- (2) (a)-(c)

Name	Position	Credit Limit	Expenditure 1996/97	Expenditure 1997/98
Doug Shave	Minister	\$10,000 - 96/97 \$20,000 - 97/98	\$511.78	\$732.70
Jim Thom	Chief of Staff	\$5,000 - 96/97 \$20,000 - 97/98	\$2,071.74	\$24,088.44
Bill Mitchell	Fair Trading Policy Advisor	\$5,000		\$5.00
Simon Proud	Lands Policy Advisor	\$5,000		\$9,410.80
Jeremy Buxton	Parliamentary and Electoral Affairs Policy Advisor	\$5,000		\$149.25
Anabel Gomez	Media Advisor	\$5,000		\$9,368.40
Dr Glen Power	Executive Officer	\$5,000		\$593.25
Patricia Waghorn	Communications and Liaison Officer	\$5,000		\$235.44
Kate Crosbie	Administrative Assistant	\$5,000		\$904.02
Nijole Baskerville	Administrative Assistant	\$5,000		\$3081.10
Mark Woods	Administrative Assistant	\$5,000		\$1,928.93
Andrew Fink	Administrative Assistant	\$5,000		\$0.00

GOVERNMENT DEPARTMENTS AND AGENCIES - CREDIT CARD EXPENDITURE

1502. Mr CARPENTER to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) Will the Minister state the total expenditure on Government credit cards in the Minister's office for the following financial years -
- (a) 1996-97; and
(b) 1997-98?

- (2) For each individual credit card holder in the Minister's office, will the Minister advise -
- (a) the name and position of the card-holder;
 - (b) the credit limit on the card; and
 - (c) the total expenditure on that card in -
 - (i) 1996-97; and
 - (ii) 1997-98?

Dr HAMES replied:

- (1) (a) Nil.
- (b) \$42,184.48.
- (2) (a)-(c) See paper No 642.

GOVERNMENT DEPARTMENTS AND AGENCIES - CREDIT CARD EXPENDITURE

1505. Mr CARPENTER to the Minister representing the Minister for Finance:

- (1) Will the Minister state the total expenditure on Government credit cards in the Minister's office for the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) For each individual credit card holder in the Minister's office, will the Minister advise -
 - (a) the name and position of the card-holder;
 - (b) the credit limit on the card; and
 - (c) the total expenditure on that card in -
 - (i) 1996-97; and
 - (ii) 1997-98?

Mr COURT replied:

The Minister for Finance; Racing and Gaming has provided the following response:

- (1) (a) \$20,078.04.
- (b) \$37,393.96.
- (2) (a) Mrs R. Smith, Personal Assistant.
Hon G M Evans, Minister for Finance; Racing and Gaming.
- (b) Mrs R Smith
Westpac Mastercard - \$5,000

Mrs R Smith
American Express - \$10,000

Mrs R Smith -
ANZ Visa Card - \$5,000

Hon G M Evans, MLC
Westpac Mastercard - \$20,000

Hon G M Evans, MLC
American Express - \$20,000
- (c) (i) Westpac Mastercard Mrs R Smith \$ 7,925.38
Westpac Mastercard Hon G M Evans \$12,152.66 \$20,078.04
- (ii) American Express Mrs R Smith \$ 7,015.25
ANZ Visa Mrs R Smith \$ 7,129.02
Westpac Mastercard Hon G M Evans \$ 3.75
American Express Hon G M Evans \$23,245.94 \$37,393.96

GOVERNMENT DEPARTMENTS AND AGENCIES - CREDIT CARD EXPENDITURE

1507. Mr CARPENTER to the Minister representing the Minister for Racing and Gaming:

- (1) Will the Minister state the total expenditure on Government credit cards in the Minister's office for the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?

- (2) For each individual credit card holder in the Minister's office, will the Minister advise -
- (a) the name and position of the card-holder;
 - (b) the credit limit on the card; and
 - (c) the total expenditure on that card in -
 - (i) 1996-97; and
 - (ii) 1997-98?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

Please refer to Question 1505.

OPERATION GALLIPOLI

1521. Mr GRAHAM to the Minister for Police:

- (1) On what date did Operation Gallipoli commence?
- (2) What is the budget for Operation Gallipoli?
- (3) How many officers are on full time attachment to Operation Gallipoli?

Mr PRINCE replied:

- (1) 20 July 1998.
- (2) Operation Gallipoli is being funded on a needs basis, determined by operational necessity, which are accountable to and reviewed by management on a weekly basis. At the end of November, approximately \$312,000 had been expended on additional costs, such as overtime, shifts, consumables, etc. This figure does not include salaries and other agency costs that would have been met in any event regardless of whether Operation Gallipoli occurred or not.
- (3) Due to operational sensitivity, staffing levels cannot be released at this time. The Western Australia Police Service will, however, be happy to provide this information at the conclusion of the operation.

KARIJINI NATIONAL PARK - TOURIST DEVELOPMENT APPLICATIONS

1523. Mr GRAHAM to the Minister for the Environment:

- (1) Has the Government received any applications for tourist developments in the Karijini National Park?
- (2) If the answer to (1) above is yes -
 - (a) which applications have been approved;
 - (b) what Government assistance has been provided for any development; and
 - (c) what Government assistance has been promised for any development?

Mrs EDWARDES replied:

- (1) The Department of Conservation and Land Management (CALM) called for Expressions of Interest for the development of tourist accommodation in Karijini National Park in May 1996. Two applications were received.
- (2)
 - (a) Auster Investments Pty Ltd a fully owned subsidiary of Hancock Prospecting Pty Ltd was successful in that process and has been selected to develop appropriate tourist accommodation in Karijini National Park.
 - (b) CALM has assisted Auster Investments in the site selection, appropriate Aboriginal liaison, community liaison and planning components of the project. CALM has completed a draft concept design and costings for the new campground and safari camp. No financial assistance has been provided.
 - (c) Ongoing support for all aspects of the project. CALM will consider applications from the developer for phased development, rent relief and contributions to the infrastructure development. The developer has been made aware of Headworks Development Grant Scheme funded through the Department of Commerce and Trade.

WITTENOOM - GOVERNMENT'S POLICY

1524. Mr GRAHAM to the Minister for the Environment:

- (1) What is the Government policy on Wittenoom?
- (2) Does the Government policy on Wittenoom allow for the expansion of the existing tourist industry in the town?
- (3) Does the Government policy on Wittenoom allow for the residents of Wittenoom to advertise for tourists to visit the town?

Mrs EDWARDES replied:

- (1) The Government policy on Wittenoom was determined in a Cabinet Decision dated 17 October 1994 and was based on the acceptance of the bulk of the recommendations contained in the report of the Select Committee on Wittenoom (known as the Graham Report). On 1 November 1994, as the Minister responsible for Wittenoom, I made a statement to the Parliament announcing the Government's response to the recommendations contained in the Graham Report. The statement outlined the continued phasing down of activity in Wittenoom.
- (2) No.
- (3) The Government policy is not specific about whether Wittenoom residents may or may not advertise for tourists to visit the town. Health warnings on the hazards of asbestos exposure at Wittenoom have been issued in publications, information brochures and maps of the area. An updated information pamphlet on these hazards was distributed to tourist information centres and tourist bureaux during 1995. Tour bus operators throughout Australia were also provided with the advice.

SPEED LIMIT TRIALS - NORTH WEST

1527. Mr GRAHAM to the Premier:

Has the Premier, his staff or any department for which he has a portfolio responsibility received any correspondence from Senator Alan Eggleston regarding the proposed speed limit trials for the North West of the State?

Mr COURT replied:

Not to the best of my knowledge.

SPEED LIMIT TRIALS - NORTH WEST

1528. Mr GRAHAM to the Minister representing the Minister for Transport:

- (1) Has the Minister, his staff or any department for which he has a portfolio responsibility received any correspondence from Senator Alan Eggleston regarding the proposed speed limit trials for the North West of the State?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

No.

POLICE - THEFT OF TOOLS

1529. Mrs ROBERTS to the Minister for Police:

- (1) With reference to Police Report No 22099809059223 why did it take two hours for a policeman to arrive at the crime scene?
- (2) Why didn't the policeman enter the workshop from where the goods were stolen?
- (3) Why weren't any fingerprints taken?
- (4) Does the Police Service consider the theft of \$80,000 worth of tools of trade significant?
- (5) Was this theft considered to be part of an organised scam?
- (6) If not, what conclusion did Police come to about the theft?
- (7) Do Police hold any hope of recovering the stolen goods?
- (8) Did the Minister receive a letter concerning this matter from Mrs Betty Tullet?
- (9) Has the Minister responded to that letter?

(10) Will the Minister provide me with a copy of the response?

Mr PRINCE replied:

- (1) The Cockburn Police Station is a 22 hour station working between 8am-6am daily. The attending officers commenced duty at 8am and immediately attended at the scene of the reported burglary.
- (2)-(3) The police officer who attended is the designated Scenes of Crime Officer for the Cockburn sub-area, trained in the forensic examination of crime scenes. Following information obtained from the complainant, the point of entry was examined whereby it was considered that no fingerprints were available due to the surface area being wet with rain at the time. Following a description of the property stolen from the building, it was considered a full examination of the premises was not required. The recovery of the truck will provide the best source of forensic evidence in this case.
- (4) Yes.
- (5) There is no evidence to suggest that this theft was part of an organised group.
- (6) The theft is currently being investigated involving several lines of enquiry.
- (7) Yes. The investigation is ongoing. Local media outlets are assisting by publicising the offence and description of the missing truck.
- (8) Yes.
- (9) The Minister is in the process of gathering information from the Western Australia Police Service to enable a full response to be made to Mrs Betty Tullet.
- (10) Yes.

CRIME - BASSENDEAN

1542. Mr BROWN to the Minister for Police:

- (1) Since 1 October 1997, how many houses have been broken into in Bassendean?
- (2) Are there any streets that have had more than two break-ins since that date?
- (3) If the answer to (2) above is yes, what streets?
- (4) How many break-ins were recorded in each street that has had more than two break-ins?
- (5) What streets have recorded over that period of time more than -
 - (a) two break-ins;
 - (b) four break-ins; and
 - (c) six break-ins?

Mr PRINCE replied:

- (1) 341.
- (2) Yes.
- (3)-(5) The Offence Information System has identified the following streets in the Bassendean locality:

Street	No of Break-ins
Ivanhoe Street	18
Walter East Road	14
Anzac Terrace	13
Seventh Avenue	13
Broadway	12
North Road	12
Iolanthe Street	11
Whitfield Street	10
Lord Street	9
Scanddan Street	9
Chesterton Road	8
Railway Parade	8
Third Avenue	8
Wilson Street	8
Hamilton Street	7
Shackleton Street	7
Cumberland Way	6
Cyril Street	6
Penzance Street	6

Rugby Street	6
Surrey Street	6
West Road	6
Fourth Avenue	6
Kathleen Street	5
Bassendean Parade	4
Chapman Street	4
Clarke Way	4
Eileen Street	4
James Street	4
Kenny Street	4
Lukin Way	4
Old Perth Road	4
River Street	4
Best Street	3
First Avenue	3
Geraldine Street	3
Ida Street	3
Lamb Street	3
Nurstead Avenue	3
Watson Street	3

Note: Figures provided are inclusive as at 1 October 1997 to 30 November 1998.

LEEWIN NATURALISTE NATIONAL PARK

1546. Dr EDWARDS to the Minister for the Environment:

- (1) Given that the Leeuwin Naturaliste National Park Taskforce report of 1994 noted that the configuration of the Park and the range of access points meant that collection costs for visitor fees would be a minimum of 18 per cent and in many cases would rise to 50 per cent, will the Minister give a guarantee that the number of access points to the Leeuwin Naturaliste National Park (LNNP) will not be reduced?
- (2) If not, why not?
- (3) Will the Minister also give an assurance that toll gates will not be used on any of the entry roads into the park?
- (4) If not, why not?
- (5) In introducing visitor fees for the LNNP, what consideration has been given to the impact of people using local roads and areas bordering the National Park to park their cars and enter by foot to avoid the vehicle charge?
- (6) Will the Minister confirm that Western Australia, with the advent of the new visitor fees, will have the highest proportion of National Parks that require entry payment of any State in Australia?
- (7) If not, how does Western Australia compare to other states in relation to the proportion of National Parks that require entry payment?
- (8) Within what time frame would fishermen and surfers who access presently undeveloped sites such as Gallows and Guillotines in the Leeuwin Naturaliste National Park expect to see such facilities as rubbish bins and a graded track provided by the additional resources from visitor entry fees?
- (9) How will future increases to the visitor entry fee system be determined?

Mrs EDWARDES replied:

- (1)-(2) The number of entry points to the park will not be determined by the collection of fees. Entry points to the park will be determined by factors such as historic usage and environmental considerations consistent with the management plan.
- (3)-(4) There is no proposal to use toll gates at any entry into the park.
- (5) The issue of entry into the park by foot has been mitigated by the fact that 80 per cent of the safe swimming beaches on the Leeuwin Naturaliste Ridge will be exclusive of entry fees and by the provision of prepaid annual local park passes to all ratepayers in the Shires of Busselton and Augusta-Margaret River.
- (6) No.
- (7) Entry is charged to 100 per cent of national parks in Tasmania and all those managed by the Commonwealth on mainland Australia. South Australia charges entry to 53 per cent of its national parks, Victoria 21 per cent and New South Wales 10 per cent. Queensland and the Northern Territory charge for camping only. In Western Australia entry fees apply to 40 per cent of national parks.

- (8) Improvements in the park are already underway. The Canal Rocks footbridge is nearing completion at a cost of \$90 000. Funding has been allocated to improving roads to Ellenbrook, Cosy Corner and Moses Rock. The access road to Gallows and Guillotine, that is Juniper Road, had work undertaken on it during the last week of November.
- (9) Fee increases require the approval of the Minister for the Environment, and there are no planned increases.

FIREARMS SECURITY CABINETS, POLICE OFFICERS

1550. Mrs ROBERTS to the Minister for Police:

- (1) Will the Minister advise the number of secure firearms cabinets supplied to the private residences of police officers to ensure firearms safety for police issue firearms?
- (2) What type of firearms security cabinets are supplied?
- (3) What is the cost to the public for a secure firearms cabinet to be installed in a police officer's private residence?
- (4) Which company supplied these secure firearms cabinets?
- (5) How is the company chosen to supply the secure firearms cabinets to police officers private homes?
- (6) Who installs the secure firearms cabinets to police officers private homes?
- (7) Are there pending changes to security of police firearms while in private premises and if so, what are these changes?

Mr PRINCE replied:

- (1) 12.
- (2) Cabinets which comply with provisions set out in the Firearms Act and Regulations.
- (3) The cost of cabinets varies between \$250.00 and \$440.00.
- (4) Different manufacturers, depending on when and where the cabinets were installed.
- (5) Any company selected to provide a good or service to any government agency is subject to the usual procurement procedures as outlined in the Financial and Administration and Audit Act (FAAA). With regard to firearm cabinets, a company is selected after the tender process is complete and it is established that the company is able to manufacture and supply cabinets which meet the provisions outlined in the Firearms Act and Regulations.
- (6) The cabinets are installed by the relevant manufacturer or by the police officer concerned, in accordance with provisions set out in the Firearms Act and Regulations.
- (7) No.

POLICE, OPERATION SYNERGY

1552. Mrs ROBERTS to the Minister for Police:

- (1) With regard to operation Synergy, how many vehicles were actually searched during this operation?
- (2) How many actual crime reports in the metropolitan area were received by police while operation Synergy was in progress?
- (3) What was the most serious crime reported by the public during operation Synergy and what was the time response to the call?
- (4) How many police officers were involved in operation Synergy?
- (5) What was the commencement date and time of operation Synergy and what time commitment did this operation conclude?
- (6) Is it correct that Commissioner Falconer recently stated that the public may expect greater crime reduction as police training courses in the main have now been completed?
- (7) If so, what is the basis for that statement?

Mr PRINCE replied:

- (1) In the course of Operation Synergy, no vehicles were searched but:
 437 vehicles stopped for Random Breath Testing,
 407 negative
 30 positive
 11 drivers charged with drink driving offences

35 speeding infringements issued.
 8 traffic summons issued.
 86 Motor Vehicle Driver Licence checks carried out
 56 vehicles were inspected for defects
 29 cautions were issued
 2 work orders were issued.

- (2)-(3) Operation Synergy was tailored specifically to meet local policing issues and requirements, to target a combination of criminal movement and traffic management and to reduce road trauma and death. No officers from metropolitan police stations participated in Operation Synergy and there was no impact to metropolitan area policing.
- (4) 74.
- (5) Commenced 10 October 1998 at 2130 hours and concluded 11 October 1998 at 0230 hours.
- (6) The Commissioner has discussed the number of staff being provided with in-service training being relative to the clearance of crime, part of which still impacts from the ten year hole in training identified. This was resultant from a previous regime which regarded training as a luxury rather than a necessity. As part of the ongoing change process associated with the Delta Program, increased training and development is being provided which will contribute to more effective policing.
- (7) This statement was based upon the 3,130 officers who were provided with in-service training and development courses from 1 July 1994 to 30 June 1998. In addition, Training Officers have been allocated to each District to provide local level guidance on procedures and practices. Verbal Judo training courses, designed to better prepare officers in conflict management, have been undertaken by a total of 2,427 members.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1555. Mr BROWN to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Deputy Premier's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr COWAN replied:

Department of Commerce and Trade

- (1) Two.
- (2) (a) \$98 900.
 (b) Up to \$130 000.
- (3) (a) BSD Consultants.
 (b) Amos Aked Swift Pty Limited.
- (4) (a) Preparation of a Regional prices Index.
 (b) Provision of expert telecommunications advice leading to the design and development of a Request for Proposal tender document.
- (5) (a) December 1999.
 (b) February 1999. The contract provides for extending the scope, at agreed rates, for advice on later phases of the Statewide Telecommunications Enhancement Program.

Peel Development Commission

- (1) One.
- (2) \$400 000.
- (3) Dow Digital Global Pty Limited.
- (4) Peel Online Electronic Commerce Project.
- (5) 31 July 1999.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1556. Mr BROWN to the Minister representing the Attorney General:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Attorney General's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1) The Ministry of Justice has entered into two contracts in October 1998.
- (2) \$50,000; \$150,000 (includes a one year option).
- (3) Excom Consulting and Computing People Express; Geraldton Regional Aboriginal Medical Services.
- (4) Application Support and Development Mini Panel; Medical and Related Services to Greenough Regional Prison.
- (5) 18 October 1999; 30 September 1999 (option to 30 September 2000).

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1563. Mr BROWN to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Dr HAMES replied:

Aboriginal Affairs Department:

- (1) None.
- (2)-(5) Not applicable.

Country Housing Authority:

- (1) None.
- (2) Not applicable.

Government Employees Housing Authority:

- (1) None.
- (2) Not applicable.

Homeswest:

- (1) Eleven, which excludes contracts for sale and purchase of land or house and land.
- (2) Two printing firms were appointed on a panel to carry out Homeswest's project printing. A third printing firm has been contracted to carry out business printing. The amount of each contract will depend on the volume of printing carried out. Details of the remaining contracts are as follows:

\$684,000.
\$325,085.
\$132,000.
\$463,210.
\$458,300.
\$584,000.

\$271,288.
\$ 52,750.

- (3) Prince Pty Ltd.
Franmor Contructions Pty Ltd.
Bert Meuzelaar Homes.
James Construction (WA) Pty Ltd.
JM & ED Moore.
BGC Contructions a division of Homestyle Pty Ltd.
Plunkett Homes.
M Craven & J Vagg
Presspower.
Advance Press.
Scott Four Colour.
- (4) Housing construction for seven contracts. The other contract (Craven & Vagg) was for the reconstruction of a property damaged by fire.
- (5) 5 March 1999.
19 April 1999.
16 April 1999.
20 May 1999.
17 May 1999.
24 May 1999.
7 April 1999.
27 November 1998.

The contracts with Advance Press, Presspower and Scott Four Colour commenced in October 1998 and are for 12 months with a 12 month option to extend.

Office of Water Regulation:

- (1) None.
- (2)-(5) Not applicable.

Swan River Trust:

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

Water and Rivers Commission:

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

Water Corporation:

- (1) 14.
- (2) Commercial and in confidence.
- (3) Prestige Civil Contractors Pty Ltd.
Premium Corporation Pty Ltd.
Mary Donald Nominees Pty Ltd trading as DJ & MB MacCormick
Progressive Civil Engineering Contractors.
DMW Contructions Pty Ltd.
Waterquip Pty Ltd.
Genpower Group Pty Ltd.
Unidata Group Holdings Pty Ltd.
US Filter (Australia) Pty Ltd.
Pegler Hattersley Pty Ltd; Pipeline Supplies of Australia; John Valves Pty Ltd.
Westpac Banking Corporation.
Telstra Corporation.
Northcoast Holdings Pty Ltd
Westrac.
- (4) Construction and supply of goods and services.
- (5) 24 February 1999.
24 October 1999.
15 March 1999.
4 January 1999.
4 June 1999.
29 December 1998.
1 January 1999.
27 November 1998.
18 December 1998.
26 October 2001.

30 November 1999.
 30 November 1999.
 30 June 1999.
 19 November 1998.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1564. Mr BROWN to the Minister for Local Government; Disability Services:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr OMODEI replied:

Disability Services Commission:

- (1) One.
- (2) \$66,386.
- (3) Interlink Commercial Interiors WA.
- (4) Supply and installation of screens to offices at the Disability Services Commission's Regional Centres in Fremantle, Cannington, Gosnells and Henderson.
- (5) 7 December 1998.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1566. Mr BROWN to the Minister representing the Minister for Finance:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr COURT replied:

The Minister for Finance has provided the following response:

State Revenue Department
 Valuer General's Office
 Insurance Commission of W A
 Government Employees Superannuation Board

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

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1567. Mr BROWN to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr BOARD replied:

This information was correct as at 18 December 1998:

CONTRACT AND MANAGEMENT SERVICES

- (1) Contract and Management Services awarded sixty three contracts in the month of October 1998.
(2)-(5) The answer is tabled. [See paper No 644.]

STATE SUPPLY COMMISSION

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

OFFICE OF CITIZENSHIP AND MULTICULTURAL INTERESTS

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

OFFICE OF YOUTH AFFAIRS

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

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1568. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
(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 the contract requirements?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:

LOTTERIES COMMISSION

- (1) (a) The Lotteries Commission has entered into one contract during the month of October 1998.
(b) The Lotteries Commission has entered into one purchase via tender in excess of \$50,000 during the month of October 1998.
(2) (a) Contract - \$232,375.00.
(b) Purchase - \$865,997.37.
(3) (a) Contract - TVW Enterprises Ltd (t/a TVW Channel 7).
(b) Purchase - Alpha West Pty Ltd.
(4) (a) Contract - metropolitan broadcast of the Lotteries Commission's new game Cash 3.
(b) Purchase - provision of Sun unix servers and peripherals.
(5) (a) Contract - 31 October 2000 (or 31 October 2001 if one year option is realised).
(b) Purchase - Goods to be supplied within six weeks of 1 October 1998.

OFFICE OF RACING, GAMING AND LIQUOR

- (1) One.
(2) Charge for 1998/99 = \$ 98,332.00
Charge for 1999/2000 = \$115,000
(3) Contract is between the Office of Racing, Gaming and Liquor and the Lotteries Commission of Western Australia.
(4) Lotto verification by officers of the Gaming Commission for the Lotteries Commission.
(5) 30 June 2000.

TOTALISATOR BOARD

- (1) One.
- (2) \$69,910.
- (3) SPL World Group (Australia) Pty Ltd.
- (4) Software Service Fee.
- (5) 31 October 1999.

BURSWOOD PARK BOARD

- (1) One.
- (2) \$112,938.
- (3) Charnley-Brice Pty Ltd.
- (4) Golf Clubhouse Cafe windbreak screen and Function Centre terrace roof glazing.
- (5) 22 January 1999.

WA GREYHOUND RACING ASSOCIATION

- (1) None.
- (2)-(5) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1569. Mr BROWN to the Minister representing the Minister for Mines:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr BARNETT replied:

- (1) One (1).
- (2) \$240,000.
- (3) Ipex Information Technology Group.
- (4) Provision of Maintenance and Servicing of Non-Mainframe Computer Equipment.
- (5) 30 June 2000.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1570. Mr BROWN to the Minister for Police; Emergency Services:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr PRINCE replied:

Western Australia Police Service

- (1) One (tender 60298).

- (2) Over \$100,000. As this is a period contract and is based on demand, we are unable to provide the total contract amount. Contract was called by CAMS on behalf of the Western Australia Police Service.
- (3) Mr R K Smith, Product Manager Commercial Radio; Standard Communications Pty Ltd.
- (4) Delivery of portable high frequency radio receiver-transmitters and accessories.
- (5) One year period as from 22 October 1998 with two further twelve month options to extend.

Emergency Services

- (1) Three.

(2)-(5)

2	Amount of each contract	\$253,563.65	\$128,070.12	\$219,109.50
3	Name of person/entity with whom contract is entered into	Sands & MacDougall	Sands & MacDougall	Angus Fire Armour
4	Nature of the work or services required by contract	Printing Services	Domestic Stores	Foam Concentrate
5	Completion date of the contract requirement	21/10/2003 (includes option to extend)	27/10/2001 (includes option to extend)	23/10/2001 (includes option to extend)

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1571. Mr BROWN to the Minister representing the Minister for the Arts:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply:

Library and Information Service of Western Australia

- (1) A contract was let on behalf of the Library Board in October 1998.
- (2) \$292,705.
- (3) Dawn Express Partitioning.
- (4) The relocation of the Public Records Office to the ground floor of the Alexander Library Building.
- (5) 22 December 1998.

Art Gallery of Western Australia

- (1) One contract.
- (2) \$561,912 per annum.
- (3) Corps of Commissionaires.
- (4) The provision of security and attendant services at the Art Gallery of Western Australia.
- (5) One year with effect from 5 October 1998, with three one-year options to renew.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1573. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr BRADSHAW replied:

WESTERN AUSTRALIAN TOURISM COMMISSION

- (1) API Rally Australia entered into three sponsorship agreements in October valued in excess of \$50,000.
- (2) The value of these agreements are as follows:
 - (a) \$68,100
 - (b) \$121,750
 - (c) \$52,000 (estimated income)
\$69,000 (estimated expenditure)
- (3) The contracted parties are as follows:
 - (a) City of Perth
 - (b) Canon (Australia) Pty Ltd
 - (c) Spotless Services Australia Ltd (trading as Mustard Catering)
- (4) The nature of the contract are as follows:
 - (a) Ground Hire (contra) Langley Park
 - (b) Equipment Hire (contra) Faxes, Photocopiers, Printers
 - (c) Catering Rights
- (5) The completion date was as follows:
 - (a) 23 November 1998
 - (b) 10 November 1998
 - (c) 30 November 1998

ROTTNEST ISLAND AUTHORITY

- (1) The Rottne Island Authority has not entered into any contracts more than \$50,000 in the month of October 1998.
- (2)-(5) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1574. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (1)-(5) I refer the member to my answer to Question on Notice 1556.

GOVERNMENT DEPARTMENTS AND AGENCIES, CONTRACTS

1575. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) How many contracts (other than employment contracts and contracts less than \$50,000) has each department and agency under the Minister's control entered into in the month of October 1998?
- (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 the contract requirements?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

(1) Nil.

(2)-(5) Not applicable.

PREMIER'S AWARDS FOR EXCELLENCE

1578. Mr RIPPER to the Premier:

(1) What was the cost of the function held to announce the Premier's Awards for Excellence?

(2) How many agencies prepared submissions?

(3) What was the total cost of the preparation of submissions by agencies including staff time dedicated to the task?

Mr COURT replied:

(1) The projected net cost to the Ministry of the Premier and Cabinet of the 1998 Premier's Awards function after deducting attendance fees and sponsorships secured is estimated to be \$17,400.

(2) Sixty four agencies submitted 118 nominations.

(3) The specific information sought in this question is not recorded centrally.

PRESCHOOL CENTRES

1580. Mr RIPPER to the Minister for Education:

(1) Which pre-school centres have received permission from the Minister to operate part-time pre-primary programs in 1999?

(2) In which electorates are these centres located?

(3) Which centres have met the guidelines but have been refused permission to operate such programs?

(4) In which electorates are these centres located?

Mr BARNETT replied:

(1) Community Pre-schools are permitted to operate part-time pre-primary programs provided they meet specified Education Department guidelines. Four community based pre-schools have been granted permission to operate part-time programs for five year old children in 1999. They are:

Seaview Pre-school;
Lockyer Pre-school;
Kalamunda Pre-school; and
Forrestdale Pre-school.

(2) Seaview Pre-school is located in the Cottesloe electorate.
Lockyer Pre-school is located in the Albany electorate.
Kalamunda Pre-school is located in the Darling Range electorate.
Forrestdale Pre-school is located in the Southern River electorate.

(3) None.

(4) Kindaimanna Pre-school is located in the Armadale electorate.
Maniana Pre-school is located in the Belmont electorate.
Hazel Orme Pre-school is located in the Fremantle electorate.

CARLISLE LANGUAGE LEARNING DEVELOPMENT CENTRE

1581. Mr RIPPER to the Minister for Education:

(1) How many applicants were there for places in 1999 at the Carlisle Language Learning Development Centre?

(2) How many were successful?

(3) How does the Education Department of Western Australia intend to provide for the learning development needs of the unsuccessful applicants?

Mr BARNETT replied:

- (1) Applications were received from an additional 89 students. This figure does not include those students already attending the Centre in 1998 who will continue there in 1999.
- (2) Thirty-nine of the 89 students who applied have been enrolled at the Centre, which is being extended by two classes through the provision of an additional Year 1 class at the Centre itself, and a satellite class at Kingsley Primary School in Armadale. The Centre is expected to have a total enrolment of 91 students: 81 at the Centre itself and 10 in the satellite class. This is an increase of 41 students over 1998.
- (3) The staff of Carlisle Language Development Centre also provide an advisory service to principals and teachers in the Cannington Education District to assist them with addressing the educational needs of children with a language disability who are not enrolled at the Centre. As a result of the consultancy advice, several schools have gained additional funding through the Students at Educational Risk program to assist students with language difficulties.

COMMISSIONER FOR POLICE, TRAVEL

1587. Mr GRAHAM to the Minister for Police:

- (1) On what date was the Commissioner for Police appointed to his position?
- (2) On how many occasions between the date referred to in (1) above and 20 November 1998 has the Commissioner left the State?
- (3) On each occasion that the Commissioner has left the State -
 - (a) where did the Commissioner go;
 - (b) what was the purpose of the trip;
 - (c) what was the duration of the trip;
 - (d) who paid for the trip;
 - (e) what was the cost of the trip; and
 - (f) if any members of the Commissioners' family travelled with him on any trip -
 - (i) what was the cost of the trip; and
 - (ii) who paid for the trip?

Mr PRINCE replied:

- (1) 20 June 1994.
- (2) I refer the member to the quarterly return tabled by the Government. The Commissioner of Police left the State six times from 1 July 1998 to 20 November 1998.
- (3) (a)-(e) By virtue of the Commissioner's position, he is required to attend at least five (5) national police forums at which attendance is mandatory. These are two gatherings of the Senior Officers Group (SOG) which occur approximately six (6) weeks ahead of the Australian Police Ministers' Council (APMC) meetings which occur twice a year. In addition, once a year there is a Conference of Australasian and South West Pacific Region Commissioners of Police. The SOG/APMC meetings take place in one jurisdiction each year on an invitational basis, for example this years round of meetings were held in New Zealand. Naturally, when these meetings occur in that country four departures from Australia are required in that year. The Commissioners' Annual Conference works on the same system and in addition to the Australian jurisdictions includes Papua New Guinea, Fiji and New Zealand. As fate would have it on the cyclical process, twice since the Commissioner's appointment these conferences have occurred outside of Australia, ie, Fiji and New Zealand. Each year, the Australian Federal Police Commissioner attends the Interpol Conference, wherever it may occur in the world. That Commissioner is accompanied each year by two of the State and Territory Commissioners which also occurs on a cyclical basis. Once again during the Commissioner's tenure there have been two such overseas conferences, one to China (1995), the other to Egypt (1998). It should be noted that attendance costs associated with these conferences are paid for by the Federal Government. Also, it should be noted that the Commissioner has been invited to a number of additional international conferences for Chiefs of Police, and has not attended albeit this State has been represented at this level previously. In addition, a number of conferences held in the eastern States and the Australian Capital Territory, which would be attended by other Commissioners are not attended due to the time he would be absent from the State, and the associated cost.

Responses to previous Questions on Notice regarding the Commissioner's travel have been provided. These being Question 2148 page 194 of *Hansard* of Tuesday March 10, 1998 and Question 22 page 1860 of *Hansard* on Tuesday October 13, 1998. I would refer the member to the quarterly travel reports that have been tabled in the House for specific details of travel by the Commissioner.

- (3) (f) The current practice within Western Australia has been that once a year there is authorisation provided for the spouse of the Commissioner to accompany him at Government expense. Traditionally this was done in regard to the Commissioners' Conference, wherever it was held, and that practice has been maintained. Therefore, over the past four (4) years Mrs Falconer has accompanied the Commissioner, at Government expense to each of the Police Commissioner's Conferences which have been held respectively in the following locations, Fiji, New Zealand, Tasmania and Victoria. Two of those have been overseas, ie, Fiji and New Zealand. Mrs Falconer also accompanied the Commissioner to Singapore, Hong Kong and Beijing when he attended the Interpol Conference in 1995 and at his own private expense in relation to airfares and related issues. The only benefit gained being that the normally provided double room accommodation was provided, in effect, without private cost. The same arrangement occurred last year, when the Commissioner attended the United Kingdom examining police training establishments. It should also be noted that in regard to the Commissioner's travel, entitlements are not claimed on the costs involved. For example, whilst in the United Kingdom in 1997, a weeks accommodation was provided free of charge at the Scottish Police College, therefore no claim was made in relation to any entitlements during that period. In the Commissioner's most recent trip overseas, he was not accompanied by Mrs Falconer because of her health problems. In accord with government policy on all occasions when the Commissioner travelled outside the State it has been with the approval of the Minister for Police.

If there is any suggestion that the Commissioner has acted fraudulently in regard to any entitlements or has attempted improperly to utilise Police Service or Government funds for travel or accommodation, those complaints should be made to the Anti-Corruption Commission which can thoroughly investigate the matter and then clear the Commissioner's name.

REGIONAL FOREST AGREEMENT, PUBLIC RELATIONS CAMPAIGN

1651. Dr EDWARDS to the Minister for the Environment:

- (1) Does the government intend to undertake a public relations campaign to communicate or promote the Western Australian Regional Forest Agreement to the general public?
- (2) If the answer to (1) above is yes -
- (a) when will this campaign commence and for how long will it run;
 - (b) if the Minister cannot provide a date, when will this campaign commence in relation to the signing of the Regional Forest Agreement;
 - (b) exactly what media will be employed in this campaign, including the time, type, frequency and location of advertisements;
 - (d) will the Minister table the campaign strategy and associated advertisements or draft advertisements;
 - (e) what organisations have been employed to provide the services associated with this campaign and what are the costs of contracts with these organisations; and
 - (f) what will be the total cost of this campaign?

Mrs EDWARDES replied:

- (1) Nothing is planned at this time.
- (2) (a)-(f) Not applicable.

COMMITTEES AND BOARDS, DATABASE

1666. Mr RIEBELING to the Premier:

In the Auditor General's Report No 9 of November 1998 regarding Public Sector Boards, the Auditor General makes reference to a database maintained by the Ministry of Premier and Cabinet which lists 640 boards and committees with nearly 6000 members -

- (a) will the Premier table either an electronic or hard copy of the database; and
- (b) if not, why not?

Mr COURT replied:

The document was tabled in the Legislative Assembly on 24 November 1998. [See paper No 461.]

CARLISLE PRIMARY SCHOOL

1674. Mr RIPPER to the Minister for Education:

- (1) Is the Education Department examining the future of Carlisle Primary School?

- (2) If the answer to (1) above is yes, is closing the school and selling the site one of the options being considered?
- (3) Will the Education Department consult with local residents and businesses before deciding on the future of the school site?

Mr BARNETT replied:

- (1) The Education department will be considering the future of Carlisle Primary School as part of the Local Area Education Planning process being applied to all primary schools during 1999.
- (2) A Drafting Committee comprising staff, parents and Education Department representatives will be established during 1999 to collect and analyse information and generate options for improved educational opportunities. It is possible that the committee may develop an option to close the school and sell the site, among other alternatives.
- (3) The Principal of Carlisle Primary School, staff and parents will be invited to participate on the Drafting Committee that will be established during 1999. This committee may also have members from other school communities once the group of schools to work together has been defined. Once the Drafting Committee has developed a number of options, extensive consultation with the wider community will take place. This will involve consulting with local residents and relevant businesses. A consultative report will be forwarded with the final Local Area Education Plan to the Director General to make a recommendation to the Minister. I will then decide to approve the Plan or refer it for further consultation.

NUFARM LTD, KWINANA, WASTE MATERIAL

1682. Dr EDWARDS to the Minister representing the Minister for Mines:

With respect to the reports of 1300 drums of waste material on Nufarm's Kwinana site -

- (a) has the Department of Minerals and Energy been involved in determining the contents of these drums;
- (b) what are the likely chemicals and other materials in these drums;
- (c) have they leaked;
- (d) if to answer to (c) above is yes, has contamination of ground, surface or groundwater occurred and what is the extent of contamination;
- (e) when will the drums be removed from the site;
- (f) is any site clean up anticipated; and
- (g) if the answer to (f) above is yes, when will it commence?

Mr BARNETT replied:

- (a) No.
- (b)-(g) I refer the member to the answers given by the Minister for the Environment to question 1681 parts (b)-(g).

FISHERIES, ABROLHOS MANAGEMENT

1686. Dr EDWARDS to the Minister for Fisheries:

- (1) In calls for public comment on the *Draft Management of the Houtman Abrolhos System* (Fisheries Management Paper 104), released in December 1997, was comment sought on "alternative approaches" and "alternative strategies" to those presented in the draft?
- (2) Did the Minister, in his forward to the *Draft Management of the Houtman Abrolhos System* document, indicate that all comments received during the public consultation process "will be carefully considered in preparation of a final draft"?
- (3) Following the public consultation period for the *Draft Management of the Houtman Abrolhos System*, and after consideration of those submissions, did the Minister inform the Abrolhos Management Advisory Committee through its Chairman, that he expected the committee to limit its advice to him with respect to aspects of the content of some submissions?
- (4) In the process of public consultation regarding the *Draft Management of the Houtman Abrolhos System* was the public informed that the Minister would expect the Abrolhos Management Advisory Committee to not consider some alternative suggestions, potentially arising from public comment on the draft, for subsequent incorporation into the final plan?

- (5) Do the specified functions of the Advisory Committee include any limitations on the advice which that committee can provide the Minister on proper conservation and management of the Abrolhos area, and its fish and fisheries?

Mr HOUSE replied:

- (1)-(2) Yes.
- (3)-(4) Following a request from the Chairman, I advised the Committee that the vesting for the Abrolhos Islands would remain with the Minister of Fisheries and the waters surrounding the Islands would be subject to a Fish Habitat Protection Area, under the Fish Resources Management Act, 1994.
- (5) The functions of the Committee are specified within an instrument establishing the Committee under the provisions of the FRMA.

FISHERIES, ABROLHOS MANAGEMENT ADVISORY COMMITTEE

1687. Dr EDWARDS to the Minister for Fisheries:

- (1) Are the terms of appointment of all sector representatives on the Abrolhos Management Advisory Committee the same?
- (2) If not, why not?
- (3) Do the commercial fishing, planning and business marketing representatives of the Advisory Committee have fixed term appointments?
- (4) If so, what are the terms and their expiry date?
- (5) Why did the extension of membership of the previous conservation sector representative to the Advisory Committee differ from that of others whose membership of the that committee has been extended?
- (6) What criteria determine re-appointment of sector representatives to the Advisory Committee?
- (7) Why was the previous conservation sector representative to the Advisory Committee not re-appointed?

Mr HOUSE replied:

- (1) No.
- (2) The Committee has a revolving membership because it would be undesirable to have the terms of all members of the Committee expire at the same time.
- (3) Yes.
- (4) 4 years, 28 March 2000 (Fishing Industry representative);
3 years, 1 month, 31 December 1999 (Fishing Industry representative);
3 years, 28 March 1999 (business marketing); and
4 years, 28 March 2000 (planning).
- (5) The term of the previous conservation representative was extended for one month to enable him to participate in the meeting of AIMAC which completed the Committee's final advice relating to the management plan and the Fish Habitat protection area management plan. The terms of the Tourism and Recreational fishing representatives were extended, at their request, to enable them to have an input to the final version of the tourism plan which was yet to be completed.
- (6) A mix of people with expertise and experience in relevant fields.
- (7) When the term of the incumbent expired the position was advertised and Dr Jane Prince was selected for appointment.

NORTHBRIDGE TUNNEL, STEEL REINFORCEMENT

1688. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Are Main Roads Department engineers aware of any problems being experienced with the South African "Bestbar" steel reinforcement being used in the construction of the Northbridge Tunnel?
- (2) If yes, what are the nature of those problems?
- (3) Did the contract awarded to Balderstone Clough Joint Venture specify the quality of steel reinforcement to be used in construction of the walls, floor and roof of the tunnel?

- (4) If yes, were those specifications put forward by the contractor as part of the design element of the tender or were they specified by Main Roads Department in the Request for Proposal documents?
- (5) Was Main Roads Department approval sought and/or obtained for the purchase of this steel?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1)-(2) Main Roads is not aware of any problems with the quality of the steel reinforcement being used in the construction of the Northbridge Tunnel. All steel has been demonstrated, by extensive testing, as meeting the appropriate standards.
- (3) Yes.
- (4) The quality of steel was specified by Main Roads in the Request for Proposal document.
- (5) The contractor sought approval for Bestbar to supply steel reinforcement. Approval was granted as the materials purchased satisfied Main Roads' specific performance requirements.

NORTHBRIDGE TUNNEL, FLOODING

1689. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) What was the cause of the flooding of the Northbridge Tunnel last week?
- (2) When the water was pumped out of the tunnel, did it then leak back into the tunnel?
- (3) If so, what was the cause of this secondary leaking?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) Heavy rain overnight on Tuesday, 17 November exacerbated water seepage through the ground at the excavation front in the tunnel. Water lay to a depth of between 50 to 100 mm in the area where the steel fixers were scheduled to work. Work in this area was temporarily suspended until the water was pumped away.
- (2) No.
- (3) Not applicable.

GOVERNMENT EMPLOYEES SUPERANNUATION FUND, MARKET LINKED OPTIONS

1693. Dr GALLOP to the Premier and Treasurer:

With reference to the Government Employees Superannuation Fund Report to members 1997-98, I ask -

- (a) who is investigating the possibility of Market Linked Options;
- (b) what sort of system is being considered;
- (c) has legislation been drawn up;
- (d) if yes, when will it be presented to Parliament; and
- (e) if so, when is it expected to be ready?

Mr COURT replied:

- (a) The Government Employees Superannuation Board.
- (b) A move away from the defined rate of CPI+2 per cent of the 1993 scheme, where the level of funding of employer contributions permits.
- (c) No.
- (d)-(e) Not applicable.

MINISTRY OF JUSTICE, COMMISSIONER FOR PUBLIC SECTOR STANDARDS INVESTIGATION

1699. Mr BROWN to the Parliamentary Secretary to the Minister for Justice:

Further to question on notice No 514 of 1997, will the Minister -

- (a) make available a copy of the report/s provided by Mr Les Smith;
 - (b) outline the -
 - (i) terms of reference of the inquiry/ies;
 - (ii) the findings; and
 - (iii) the outcome of the report's findings,
 of the inquiry/ies conducted by Mr Smith; and
 - (c) advise why the scope of the inquiry/ies was limited in relation to the inquiry/ies conducted by Mrs Marli Wallace?
- Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (a) See tabled paper No 630.
- (b) (i)-(iii) The report sets out the matters about which Mr Byron requested Mr Smith to gather information. The report also details the answers given to the nine officers who lodged complaints with Mr Byron.
- (c) Mrs Marli Wallace was engaged under the Public Sector Management Act 1994, by the then Commissioner for Public Sector Standards, Mr Digby Blight, to undertake a review of the public sector human resource standards relating to recruitment, selection and appointment, transfer, secondment, performance management, redeployment, termination and discipline. That review was separate from the work undertaken by Mr Smith for Mr Byron.

TEACHERS, PAYMENT FOR RELIEF WORK

1702. Mr PENDAL to the Minister for Education:

I refer to the department's employment of relief or casual teaching staff and ask -

- (a) is there a maximum period by which payment for relief teaching must be paid;
- (b) if the answer to (a) above is yes, what is that maximum;
- (c) if the answer to (a) above is no, why is no such limit imposed; and
- (d) does the Minister regard it as satisfactory for teachers to wait for up to nine weeks for payment for their services?

Mr BARNETT replied:

- (a) No. However, the Staffing Directorate's target for the payment of casual relief employees is the next pay after the paper work has been received from the school. Pays are drawn on a weekly basis for relief employees.
- (b) Not applicable.
- (c) Payment can only be processed upon receipt of all relevant documentation. This documentation is required to be forwarded by the relevant school to Central Office as soon as possible after the relief work is undertaken.
- (d) No. I am aware of some delays that did arise from the recent implementation of a new payroll system and from delays in schools forwarding the relevant documentation. I am advised that all processing is now up-to-date. Every endeavour was made for payments to be arranged within 24 hours of any delays coming to the attention of the Department. The introduction of the Peoplesoft system into the majority of schools in 1999 will mean that those schools can automatically process pay requests. As a result, the longest delay for relief teachers to receive their pay should be seven days.

KALGOORLIE REGIONAL HOSPITAL, ALCOHOL AND DRUG DETOXIFICATION UNIT

1708. Ms ANWYL to the Minister for Health:

- (1) Will the Minister advise how many patient bed days for each of the years 1996, 1997 and 1998 at Kalgoorlie Regional Hospital were taken up by patients with
 - (a) alcohol;
 - (b) tobacco; and
 - (c) other drug-related illnesses or diseases?
- (2) Will the Minister advise what were the drugs involved in question (1) (c) above?
- (3) What steps are being taken to provide a separate drug detoxification and alcohol unit within the hospital?
- (4) Are any admissions received for solvent or petrol sniffing-related illnesses?

- (5) If the answer to (4) above is yes, will the Minister advise, for each of the years 1996, 1997 and 1998, the number of bed days taken up?
- (6) Is data available about the number of referrals that previously occurred to the alcohol rehabilitation facility *Yamatji Ngurra*?
- (7) If the answer to (6) above is yes, will the Minister please provide the details?
- (8) Did the Health Department or Alcohol and Drug Authority provide funds to the said facility?
- (9) If the answer to (8) above is yes, will the Minister advise the amount for each of the financial years that apply?
- (10) Have any members of Kalgoorlie Regional Hospital staff been injured by patients undergoing drug or alcohol rehabilitation?
- (11) If the answer to (10) above is yes, what are the -
 (a) dates; and
 (b) nature,
 of such injuries?
- (12) When patients are admitted for heroin or amphetamine detoxification, which ward or wards are they placed in?
- (13) Is it common for such patients to disrupt or disturb other patients or staff?

Mr DAY replied:

- (1) (a) 1996 1997 1998
 304 257 344
- (b) Tobacco - cannot be determined from available information.
- (c) 1996 1997 1998
 24 18 12
- (2) Information not available.
- (3) Alcohol detoxification is a well established medical procedure and KRH and other similar hospitals, where medical services are available, have been providing the service for a long time. There is no intention to provide separate drug detoxification and alcohol unit within the hospital.
- (4) Yes.
- (5) Information not available.
- (6) Yes.
- (7) The data available is as follows:
- | | |
|-------------|----------------------|
| 1988 - 1989 | 170 clients referred |
| 1991 - 1992 | 157 clients referred |
- (8) The Alcohol and Drug Authority provided funds.
- (9) 1986-87 \$ 7,200
 1988-89 \$ 220
 1990-91 \$25,000
 1992-93 \$ 500
- (10) KRH does not provide any formal Drug and/or Alcohol rehabilitation programs.
- (11) Not applicable.
- (12) Could be any Ward - depends on bed availability.
- (13) This does happen, but then patients with any illness or disability can be disruptive from time to time.

FIRE AND RESCUE SERVICES LEVY

1709. Mr McGOWAN to the Minister for Emergency Services:

I refer to the Government's new Fire and Rescue Services Levy and ask -

- (a) what assurances can the Government give that people who have already paid their insurance premiums and existing fire levy at the time the new council rate fire levy is introduced will not have to pay twice;

- (b) what mechanism is in place to prevent the levy being paid twice by insured householders; and
- (c) does the Government have any guarantees that insurance companies will re-imburse people who subsequently pay their rates with the fire levy included?

Mr PRINCE replied:

- (a)-(c) Until the necessary amendment legislation is passed by the Parliament, insurance companies will need to continue to raise the current levy. However, on behalf of the insurance industry, the Insurance Council of Australia has entered into an Agreement with the Fire & Rescue Service, for all pre-paid Fire Service Levies, that relate to periods beyond 1 July 1999, to be refunded in July and August 1999. On the basis of the above, no double payment of the levy will occur.

MAIN ROADS WA, BGC CONTRACTING PTY LTD'S CONTRACT

1711. Ms MacTIERNAN to the Minister representing the Minister for Transport:

With regards to contract 120/95 awarded by Main Roads to BGC Contracting Pty Ltd for term maintenance in the South-West, Wheatbelt South and Great Southern regions for a three year period -

- (a) what was the budgeted cost of this contract in -
 - (i) 1996-97; and
 - (ii) 1997-98;
- (b) what was the actual cost of this contract in -
 - (i) 1996-97; and
 - (ii) 1997-98;
- (c) what has been the total cost of this contract to 20 November 1998; and
- (d) when does the contract expire?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (a) The contract award price for the respective years was:
 - (i) \$7 165 515.
 - (ii) \$6 768 726.
- (b) The actual expenditure for the respective years was:
 - (i) \$4 434 643.
 - (ii) \$7 720 217.
- (c) \$13 401 885.
- (d) 8 July 1999.

MENTAL HEALTH SERVICES, POLICY PAPER

1712. Mr CARPENTER to the Minister for Health:

- (1) Will the Minister advise whether the Consumer/Carer Participation in Planning, Implementation and Evaluation of Mental Health Services policy has been released?
- (2) If the answer to (1) above is no, will the Minister advise when this policy paper will be released?

Mr DAY replied:

- (1) This policy is in draft form and has not been released.
- (2) Some of the issues in this policy reflect on the whole of health sector and once these have been reviewed for compliance, and if necessary amendment, it will be released.

JOONDALUP HOSPITAL, FUNDING

1713. Mr McGINTY to the Minister for Health:

- (1) In the 1997-98 financial year what payments were made to Joondalup Hospital and for what purposes were those payments made?

- (2) Particularly, will the Minister identify why a \$14 million adjustment was made to fulfil the contractual commitment to enable the Joondalup Development to commence operations?

Mr DAY replied:

- (1) In 1997/98 payments totalling \$24,733,463 were made to Joondalup Hospital for services to public patients. All payments to Joondalup were made monthly in arrears based upon actual activity for the following services for public patients:
- 1997/98 Services (July 1997 to May 1998)
 6,945 weighted inpatient medical and surgical cases
 1,745 adult inpatient acute mental health beddays
 2,140 aged care restorative beddays
 200 palliative care inpatient beddays
 13 nursing home type patient beddays
 26,930 Emergency Medicine Department occasions of service
 16,854 outpatient occasions of service including oncology, physiotherapy and antenatal services
 468 aged care day hospital attendances
- (2) The additional allocation was to meet recurrent expenditure commitments related to the purchase of additional activity and the availability charge at the new Joondalup Health Campus. The new hospital was commissioned on 12 January 1998 and transformed the old 90 bed Wanneroo Hospital into a 335 bed hospital with 265 public beds and 70 private beds.

GERALDTON PORT AUTHORITY, LEGAL REPRESENTATION

1715. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) What legal firm have the Geraldton Port Authority engaged to defend the Trades Practices action against them currently before the Federal Court?
- (2) How was that firm selected?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) The Geraldton Port Authority is not defending a Trades Practices Action in the Federal Court. The Geraldton Port Authority and others, however, are respondents to litigation in the Federal Court by applicants, the Maritime Union of Australia and others on other matters. Freehill, Hollingdale & Page are acting as solicitors for the Geraldton Port Authority in these matters.
- (2) The Geraldton Port Authority has had a long standing arrangement with Parker and Parker for provision of services. Parker and Parker merged with Freehill, Hollingdale & Page in 1997.

GERALDTON PORT AUTHORITY, MR TONY FINUCANE

1716. Ms MacTIERNAN to the Minister representing the Minister for Transport:

- (1) Has Tony Finucane acted directly or indirectly as a consultant to the Geraldton Port Authority?
- (2) When was Mr Finucane appointed to the Fremantle Port Authority?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) Mr Tony Finucane is currently engaged as a consultant to the Geraldton Port Authority.
- (2) 2 June 1998.

TIDAL POWER STATION, DERBY

1717. Dr EDWARDS to the Minister for the Environment:

When is it anticipated that the Environmental Protection Authority will release its section 16 (e) advice on the Derby tidal power station proposal?

Mrs EDWARDES replied:

The Section 16(e) report will be released at the same time as the EPA's formal assessment report for the project, prepared under Section 44 of the Environmental Protection Act. The EPA has not yet completed its formal assessment of the project.

ROCKINGHAM WOMEN'S HEALTH SERVICE, FUNDING

1719. Mr McGOWAN to the Minister for Health:

- (1) What is the current funding situation for the Rockingham Women's Health Service?
- (2) How much money is currently allocated to the Rockingham Women's Health Service for this financial year?
- (3) Have there been any requests for further funding?
- (4) What funding is available for post natal depression services?
- (5) Have there been any requests for further funding for post natal depression services?
- (6) Will the government be granting any further funding to the Rockingham Women's Health Service?

Mr DAY replied:

- (1)-(2) Rockingham Women's Information Health Centre base allocation for 1998/99 was \$140,530 which included a 2% escalation factor. They also receive \$51,300 to provide post natal depression services. It is anticipated that this funding will be continued in the next financial year.
- (3) Rockingham Women's Health Information Centre have requested an extra \$5,000 in August 1998 to support the Post Natal Depression project. This was not approved.
- (4) Funds allocated to special Post Natal Depression services purchased by the Mental Health Division from three Womens Health Centres in 1998-99 totals \$153,900. The Rockingham Women's Information Centre has received \$51,300 in 1998/99.
- (5) See (3).
- (6) It is envisaged that in the 1999-2000 financial year Rockingham Women's Health Information Centre will be contracted to provide similar services at the same funding level as in 1998-99. Purchase of additional services would result only if they were identified in HDWA purchasing plans as a priority.

ROCKINGHAM SENIOR HIGH SCHOOL

1720. Mr McGOWAN to the Minister for Education:

- (1) What upgrades are currently being conducted or planned to be conducted in the future in relation to Rockingham Senior High School?
- (2) What is the cost of such current or proposed improvements?
- (3) When will these improvements be completed?

Mr BARNETT replied:

- (1) Rockingham Senior High School is currently having its administration area upgraded. The Education Department has completed a feasibility study for upgrading the Education Support Unit to an Education Support Centre at Rockingham Senior High School.
- (2) The cost estimate for the administration area upgrade is \$920 964. The preliminary cost estimate for the upgrade of the Education Support Unit to an Education Support Centre is \$550 000.
- (3) The administration area upgrade is scheduled for completion in March 1999. The program for the Education Support Centre is still to be determined.

COCKBURN SOUND, MANAGEMENT AUTHORITY

1721. Dr EDWARDS to the Minister for the Environment:

- (1) In view of the significant water quality problems currently existing in Cockburn Sound, and in light of Environmental Protection Authority (EPA) advice that the environmental implications of the numerous potential developments cannot be considered in isolation from each other or existing pressures on Cockburn Sound, what priority action will the Minister be taking to implement the process of developing a Cockburn Sound management authority, with community, industry, environmental and Government participation?
- (2) Will the Minister acknowledge, in view of EPA advice that further information is needed to estimate the magnitude of changes on Cockburn Sound arising from cumulative developments, that an improved science-based understanding of the consequences of these developments on the environment of Cockburn Sound requires additional resourcing?

- (3) If not, why not?
- (4) Will the Minister heed the EPA's advice that unless further detailed studies to provide more quantitative information to assess the cumulative environmental impacts of development proposals is not addressed, the management of the Sound as a whole will be compromised?
- (5) If not, why not?
- (6) Does the Minister acknowledge the importance of maintaining Cockburn Sound as a recreational asset to the Cockburn community?
- (7) If not, why not?
- (8) Given the significance of the marine toxicant Tributyltin (TBT) in Cockburn Sound -
 - (a) what action will the Government take to reduce the leaching rates of TBT; and
 - (b) what action will the Government take to support the proposal before the International Maritime Organisation that TBT be banned on all shipping by the year 2006?
- (9) Will the Minister assure the residents of Cockburn that any continued loss of water quality in Cockburn Sound will not be accepted as a *quid pro quo* for environmental benefits outside of Cockburn?
- (10) If not, why not?
- (11) Will the Minister assure the residents of Cockburn, for whom the Sound is an important recreational asset, that there will be no 'compensation-in-kind' for any further decline in marine water quality that does not address water quality objectives within Cockburn Sound?
- (12) If not, why not?
- (13) Will the Minister assure the residents of Cockburn that EPA objectives in relation to seagrass will be a management priority for the approval of any development in Cockburn Sound?
- (14) If not, why not?
- (15) Will the Minister assure the residents of Cockburn that the only 'compensation-in-kind' that would be considered for the loss of seagrass or potential seagrass habitat in Cockburn Sound as a result of the impact of infrastructure developments, is the regeneration or conservation of an ecologically equitable area of seagrass in Cockburn Sound?
- (16) If not, why not?

Mrs EDWARDES replied:

- (1)-(16) The Environmental Protection Authority (EPA) has recently provided me with two reports in relation to Cockburn Sound. These are Bulletin 907, which provides strategic environmental advice on the cumulative impact of infrastructure proposals on Cockburn Sound generally, and Bulletin 908, which is the EPA's specific advice on the Department of Commerce and Trade proposal to develop industrial infrastructure and a Southern Harbour in Jervoise Bay. I have received a number of appeals on the Southern Harbour report (Bulletin 908). I am considering the EPA's advice, together with the appeals, and after discussion with relevant ministerial colleagues will make an announcement in due course.

CEMETERIES, FAMILY ROSE BUSH

1725. Ms McHALE to the Minister for Local Government:

Can the Minister justify how the Metropolitan Cemeteries Board charges \$1,060 for a family rose bush at a metropolitan cemetery?

Mr OMODEI replied:

The Metropolitan Cemeteries Board is fully self funded, operating on the user pays principle. The only source of funding is through the fees paid for services. The fee for the purchase of a family rose bush incorporates the following components:

- * Materials - Bronze Plaque; plaque pedestal; rose bush.
- * Component for development of garden bed - Reticulation; landscaping; signage.
- * Services included - Option for the family to select a location with staff assistance if required; placement of the plaque and ashes at the selected location; any staff assistance required by the client to facilitate arrangements.
- * Component for Administration - Maintenance of records; ordering of plaques from supplier and processing accounts; provision of brochures/information.
- * Maintenance - Rose bush and surrounding area maintained for a minimum period of 25 years.

CEMETERIES, GRAVE PLOT LEASE AGREEMENTS

1726. Ms McHALE to the Minister for Local Government:

- (1) For what period is a grave plot leased at -
 - (a) Karrakatta; and
 - (b) Fremantle?
- (2) Are families notified when the lease is due for renewal?
- (3) If a lease expires and renewal payments are not received, what happens to the plot?
- (4) How long has the present lease agreement been in operation?
- (5) What is the cost of a grave plot at -
 - (a) Karrakatta; and
 - (b) Fremantle?
- (6) Is there is a difference in the cost of a grave plot at metropolitan and rural cemeteries?

Mr OMODEI replied:

In relation to the Metropolitan Cemeteries Board (Karrakatta Cemetery):

- (1) (a) The Cemeteries Act 1986 states that "A Board may grant to a person for a term of 25 years, the right of burial in a specified area of a cemetery and the right to place a memorial on that area". The original Grant is renewable for a further term of 25 years and may be extended for a further 25 years beyond that.
- (2) Families are not currently notified at the time of expiry of a Grant, but will be advised if enquiries are made regarding the use of the grave. Information on tenure is provided at the time of purchase of a Grant. The current Cemetery Records System will be upgraded during 1999 and the facility to identify Grants that are expiring to enable notification to families will be a part of that upgrade.
- (3) When a Grant expires, control of the grave plot reverts to the Metropolitan Cemeteries Board. The grave may remain in its existing state, or could be subject to a redevelopment scheme as outlined in the Cemeteries Act 1986. The Board has a right to remove monuments in disrepair.
- (4) The present lease agreement came into effect when the Cemeteries Act 1986 was proclaimed.
- (5) (a) \$715.00 at the time of need and allocated by the Board
\$715.00 for the renewal of an expired Grant
\$855.00 for a personal selection of a grave
\$855.00 for the pre-purchase of a grave
\$1075.00 for the extension of a Grant prior to expiry of the Grant
- (6) Not known. Rural cemeteries are the responsibility of the Local Shire in which they are located and fees are determined by the Shire.

In relation to the Fremantle Cemetery Board (Fremantle Cemetery):

- (1) (b) 25 years with the right to renew for a further 25 years as required under the Cemeteries Act 1986 Part V Management of Cemeteries Division 2 Rights of Burial Grants of Right of Burial Clause 25 (1)(2).
- (2) Yes to the Owner on the Grant at the address on the document.
- (3) The ownership of the grave reverts to the Fremantle Cemetery Board.
- (4) 1st July 1987 which is the date of commencement of the Cemeteries Act 1986. Published in Government Gazette No.56 on 12 June 1987.
- (5) (a) Not applicable.
(b) Monumental Grave Section \$610, PreNeed or Selected Grave \$770; Lawn Grave Section \$765; PreNeed or Selected Grave \$925.
- (6) Not applicable.

ST JOHN OF GOD HOSPITAL

1736. Mr CARPENTER to the Minister for Health:

Will the Minister detail the financial contribution by the State Government to the St John of God Hospital development in Wembley?

Mr DAY replied:

St John of God Subiaco is a designated public teaching hospital. The Health Department of WA provides an annual grant of \$879,800 towards the cost of running the medical and surgical teaching units and the admission of public patients for inpatient treatment as part of the teaching program at the hospital. The Health Department of WA has made no contribution to the new building developments at St John of God Subiaco.

TRIBUNALS REVIEW, REPORT

1737. Mr RIPPER to the Minister representing the Attorney General:

I refer to the Report of the Tribunals Review prepared by Commissioner J. Gotjamanos and Mr Graeme Merton and released for public comment in October 1997 and ask -

- (a) when did the period for receiving public submissions on this Report close;
- (b) how many public submissions were received;
- (c) has the Attorney-General considered the Report and the public submissions it received; and
- (d) if the answer to (c) above is yes -
 - (i) has a formal response to the Report and the submissions been prepared;
 - (ii) what is the substance of the response; and
 - (iii) when will this response be made publicly available;
- (e) if the answer to (c) above is no, why not;
- (f) does the Government intend to introduce legislation to give effect to the Report's recommendations that there be a single administrative appeals jurisdiction in Western Australia;
- (g) if the answer to (f) above is yes, when will the legislation be introduced; and
- (h) if the answer to (f) above is no, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (a) 30 April 1998.
- (b) 32.
- (c) Yes.
- (d) (i) No.
(ii)-(iii) Not applicable.
- (e) Not applicable.
- (f) No.
- (g) Not applicable.
- (h) There is no overwhelming justification for introducing legislation to implement the recommendations of the Review. However, I am currently looking at ways of streamlining the existing processes of administrative review, for example, by transferring some of those functions to the Courts.

PUBLIC INTEREST DISCLOSURE BILL, INTRODUCTION

1741. Mr RIPPER to the Minister for Public Sector Management:

- (1) Is the Minister intending to introduce a Public Interest Disclosure Bill?
- (2) If so, when will the Bill be introduced into Parliament?

Mr COURT replied:

- (1)-(2) Cabinet has approved the drafting of a Public Interest Disclosure Bill, however, there remains a number of important issues as to the relationship of the legislation to existing legislation. These issues will need to be resolved before the Bill can be finalised. The timing of introduction will depend on the resolution of these issues and the Government's legislative programme.

SOUTH GREENMOUNT LOCAL AREA EDUCATION PLANNING COMMITTEE

1744. Mr RIPPER to the Minister for Education:

- (1) When did the South Greenmount Local Area Education Planning Committee lodge their submission with the Education Department (EDWA)?
- (2) What was the time frame in which EDWA agreed to make a decision?
- (3) Why has a decision still not been made?
- (4) Why has a school that would not participate in the process been granted a Learning Resource Centre?
- (5) When will Bellevue Primary School receive funding for a Learning Resource Centre?

Mr BARNETT replied:

- (1) 28 May 1998.
- (2) There was no agreed time frame in which a decision would be made.
- (3) A decision has not been made as the Draft Local Area Education Plan is still in the Consultation stage of the planning process. As part of this process representatives of the Education Department's Central Office have consulted with the school community, and agreement has been reached on three options worthy of further consideration. Additional information on issues related to these options (e.g. heritage issues, costings, land availability, etc) has been sought by the Department, and a final plan for broad community consultation will be available in first term 1999. I expect to receive the Department's recommendation resulting from this consultation in April 1999.
- (4) While Helena Valley Primary School was not involved in Local Area Education Planning (LAEP) with this group of schools, it will participate in the process in 1999. The school's existing library resource facilities are substandard, being housed in an old garage on the school site. The Swan District Education Office ranked it as the first priority in the district for new library facilities. As the Education Department considers a school will be needed on that site for the foreseeable future, a new library resource centre will be funded from the 1998/99 budget, even though the school has yet to participate in Local Area Education Planning.
- (5) As the options being considered under LAEP include merging Bellevue and Koongamia Primary Schools, it would not have been appropriate to fund a library resource centre at Bellevue before the LAEP process was completed. The school will continue to receive consideration in relation to the needs of other schools when the details of future capital works programs are being prepared.

PROSTITUTION, OPERATION ROXANNE

1745. Ms WARNOCK to the Minister for Police:

- (1) Will the Minister confirm that Operation Roxanne undertaken by the Vice Squad in Northbridge during March 1998 resulted in 36 convictions under Section 59 of the Police Act 1892 for loitering for the purposes of prostitution?
- (2) Will the Minister give the details of the convictions arising from Operation Roxanne for charges related specifically to prostitution?
- (3) Does the Minister acknowledge that Operation Roxanne resulted in a significant reduction in activity related to street prostitution in Northbridge for at least two months?
- (4) If not why not?
- (5) Will the Minister confirm claims by residents of Northbridge that incidents of street prostitution related activity have increased since the impact of Operation Roxanne has subsided?
- (6) If not, why not?
- (7) Of the charges laid regarding loitering for prostitution, how many convictions resulted from guilty pleas?
- (8) Of the charges laid regarding loitering for prostitution how many not guilty pleas were entered?
- (9) What was the verdict, and explanation of the verdict, of the court in relation to the charges of loitering for prostitution where a not guilty plea was made?
- (10) Will the Minister accept that obtaining audio and/or visual evidence of crimes relating to street soliciting is the only sure way to provide a conviction for these crimes unless more than one undercover police officer is involved in each undercover action?

- (11) If not, why not?
- (12) Has the Police Force considered the use of concealed audio and or visual equipment in the use of future undercover police operations in Northbridge?
- (13) If so, what was the evaluation of such procedures?
- (14) Given the success of Operation Roxanne in removing the problems associated with street soliciting in Northbridge for a period of time after the undercover operation, will the Minister be pursuing further undercover operations?
- (15) If not, why not?
- (16) If the answer to (14) above is yes, does the Minister accept that significant undercover operations are required on a regular basis?
- (17) If not, why not?
- (18) Will the Minister support the implementation of significant undercover operations at least three times per year for Northbridge?
- (19) If not, why not?

Mr PRINCE replied:

- (1) Operation "ROXANNE" was carried out by the Vice Squad in March 1998 to target street prostitution in Northbridge. A total of 36 arrests were made during the operation resulting in 55 charges being preferred. Of these 55 charges, 31 related to Loitering for Prostitution pursuant to Section 59 of the Police Act 1892 ("the Act").
- (2) Of the 31 charges preferred pursuant to Section 59 of the Act:
 25 resulted in Guilty pleas and convictions;
 6 resulted in Not Guilty pleas.
 Of the 6 charges defended:
 3 were withdrawn;
 1 charged went to trial in the Perth Children's Court, resulting in an acquittal;
 1 charge is listed for trial in January 1999; and
 1 charge resulted in a bench warrant being issued.
 A further 2 of the 55 charges related to Living off the Earnings of Prostitution. Both these charges resulted in Guilty pleas and convictions.
- (3) Operation "ROXANNE" did indeed result in a significant decrease in street prostitution for a period of two to three months after the Operation. It is normal for a large scale Operation such as "ROXANNE" to have this effect.
- (4) Not applicable.
- (5) It is the case that the street prostitute activity has escalated since the effect of Operation "ROXANNE" has subsided. The activity is now probably at its highest level for 1998.
- (6) Not applicable.
- (7)-(8) Refer to Question 2.
- (9) Refer to Question 2. Regarding the charge heard in the Children's Court, I am advised the defendant was acquitted due to lack of corroboration.
- (10)-(11) The obtaining of audio and/or visual evidence to corroborate the work of undercover police officers is a valid investigative tool. Vice Squad procedures have been reviewed to reflect this, however, the actual means now being employed when working undercover duties is a confidential operational matter. The methods now being employed, whilst not the ideal choice, are certainly the best available within the resources available to the Vice Squad.
- (12)-(13) This is an operational matter and as such, the Police Service offers no comment.
- (14) Yes, subject to resources and operation priorities.
- (15) Not applicable.
- (16) The Vice Squad acknowledges that another significant undercover operation is required to again target street prostitution, and that, in fact, such operations should be conducted three to four times per year in order to minimise

the activity of street prostitutes. The Vice Squad did draft another Operation to be conducted in September 1998, in cooperation with the Perth District, however, operational needs at that time dictated resources be prioritised elsewhere. Both human and financial resources were diverted to Operation "HIGHWAY" which centred around the murder of a known prostitute. Since that time, there have been no resources available to consider running another Operation.

- (17) Not applicable.
- (18) No. The Police Service will not guarantee this number of operations will be run each year.
- (19) The operational priorities of the Police Service will always dictate the use of police resources.

PATIENTS ASSISTED TRAVEL SCHEME, REVIEW

1746. Mr GRAHAM to the Minister for Health:

- (1) When was the last review of the Patients' Assisted Travel Scheme carried out by the Government?
- (2) Who carried out the review?
- (3) How was the public able to make submissions to the review?
- (4) What was the purpose of the review?
- (5) What was the reason for the review?
- (6) Who initiated the review?
- (7) Will the Minister provide a copy of the results of the review?
- (8) What was/were the outcome/s of the review?
- (9) What changes have been effected as a result of the review?
- (10) If the review resulted in any changes to Government Policy/ies will the Minister provide a copy of the new Policy/ies?

Mr DAY replied:

- (1) 1995.
- (2) Rural Health Development, Health Department of WA.
- (3) Consultation process was undertaken with rural stakeholders prior to recommendations being made to the Minister for Health. Consultation occurred with -

Rural Health Reference Group with representation from groups including Regional Development Commissions, Health Consumers Council, Country Women's Association, Country Hospital and Health Boards Council, Country Shires Association and the Rural Doctor's Association (WA).

Consultation with Members of Parliament including the Deputy Premier, Minister for Regional Development and the Ministerial Health Committee, including Hon. Bruce Donaldson MLC, Hon. Murray Nixon MLC, Hon. Murray Criddle MLA, Hon. Kim Chance MLC.
- (4) The purpose of the review was to devolve PATS policy and funding to rural health service districts in line with wider health reforms. This process included the development of broad PATS policy in line with similar programs in other states.
- (5) The reason for the review was to ensure that PATS decision making power on policy interpretation was at the local level, ensuring the ability to determine PATS applications based on individual and local circumstances. This incorporated a review of PATS policy to ensure consistency and to provide guidance for local decisions. The then Minister for Health, Mr Peter Foss, agreed that increased provision of specialist services in local areas was more preferable to country residents having to travel to access specialist medical services, and all savings arising from the PATS review were allocated to the provision of medical specialist services to rural areas.
- (6) Health Department of WA
- (7) Yes, the results were made available in December 1995.
- (8) Changes to PATS policy approved by the Minister for Health on 16 March 1995, and were implemented on 1 July 1995. These changes included -
 - (a) Establish core PATS policy under health service contracts and devolve the remaining policy and

management decisions, including the power to waive applicant contributions in cases of need, to General Managers of each health service district.

- (b) Implement PATS criteria changes consistent with criteria in other states, from 1 July 1995.
 - (i) Extend the distance criteria from 50 kms to 100 kms to the nearest specialist.
 - (ii) Reduce kilometre reimbursement from 15 cents/ km to 10 cents/km.
 - (iii) Set the contribution rate of \$50 for PATS claimants with a 50% discount for health card holders
- (c) Isolate the savings from those changes for 1995/6, with savings to be used exclusively to increase delivery of rural specialist medical services.

In November 1995, an analysis of the implementation of these changes was conducted including the key factors of -

comparison of Western Australia to other States
usage in individual health service districts
analysis of the calls to a freecall phone line for PATS

As a result, in February 1996, further changes to PATS were announced by the then Minister for Health that included -

removal of the \$25 contribution for health card holders
reduction of the requirement for non health card holders to contribute \$50 for a maximum of four trips in any one financial year, rather than seven.

- (9) Policy changes as above. In addition \$1.1 million of additional specialist medical services were available in rural communities.
- (10) Changes were noted in document made available in December 1995.

PATIENTS ASSISTED TRAVEL SCHEME, COST

1747. Mr GRAHAM to the Minister for Health:

- (1) What was the actual cost of operation of the Patients' Assisted Travel Scheme (PATS) for the following years -
 - (a) 1991-92;
 - (b) 1992-93;
 - (c) 1993-94;
 - (d) 1994-95;
 - (e) 1995-96;
 - (f) 1996-97; and
 - (g) 1997-98?
- (2) What was the source of the funds expended?
- (3) What is the forward estimate for the cost of operation of PATS for the following years -
 - (a) 1998-99;
 - (b) 1999-2000; and
 - (c) 2000-2001?

Mr DAY replied:

- (1)
 - (a) \$7.2 million
 - (b) \$7.3 million
 - (c) \$7.4 million
 - (d) \$6.8 million
 - (e) \$5.9 million
 - (f) \$6.8 million
 - (g) \$7.2 million (to be confirmed)
- (2) Health Department of Western Australia.
- (3)
 - (a) \$7.5 million
 - (b) \$7.7 million
 - (c) \$7.9 million

PATIENTS ASSISTED TRAVEL SCHEME, TUSCANY KING

1749. Mr GRAHAM to the Minister for Health:

- (1) When the parents of Tuscany King recently applied for assistance under the PATS scheme, was/were -
 - (a) specialist service to which they were referred to available in Newman;

- (b) specialist service to which they were referred to available in Port Hedland;
- (c) the child undergoing treatment for a rare disorder called Leigh's Disease;
- (d) the full range of tests needed available in Newman; and
- (e) the full range of tests needed available in Port Hedland?

- (2) Where was the condition first diagnosed?
- (3) For what reason/s was the claim rejected?
- (4) Who made the decision to reject the claim?
- (5) What is the appeal process for rejected claims under PATS?
- (6) Were the King family advised of their rights of appeal?
- (7) If the answer to (6) above is no, why not?

Mr DAY replied:

- (1) (a)-(b) Yes.
(c) No.
(d)-(e) The tests required had not yet been determined by the Paediatrician.
- (2) Perth.
- (3) A paediatrician visited Newman and was available in Port Hedland.
- (4) The Health Service Manager.
- (5) The PATS Clerk explains why a claim is rejected and advises the client of the appeal process. The client can then discuss the case with the Health Service Manager direct. Health Service Manager reviews the case and advises client of outcome. If outcome is still no, the Health Service Manager advises the client they can appeal to the General Manager. The General Manager then reviews the case.
- (6) Yes.
- (7) Not applicable.

RIPON HILLS ROAD

1751. Mr GRAHAM to the Minister representing the Minister for Transport:

- (1) What is the budget for the Ripon Hills road?
- (2) Is construction of the road expected to be completed within that budget?
- (3) If the answer to (2) above is no -
 - (a) what are the reasons for the budget being overrun;
 - (b) by how much is it anticipated that the budget will be exceeded; and
 - (c) from where will the budget surplus be sourced?
- (4) When is the road scheduled for completion?
- (5) Which mining companies have made a contribution to the road?
- (6) How much has each company contributed?
- (7) What further contributions are anticipated from mining companies?
- (8) From which mining companies are further contributions anticipated?
- (9) If the construction is not on schedule, what is/are the reason/s for the delay/s?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (1) \$49 million to complete to gravel stage (excludes overheads).
- (2) Yes.
- (3) Not applicable.
- (4) September 1999.
- (5) None.
- (6) Not applicable.

- (7) Mining companies will be required to contribute if the companies wish to proceed to seal the road.
- (8) Not known at this stage.
- (9) Construction is currently ahead of schedule.

CRIME RATES

1753. Mr GRAHAM to the Minister for Police:

For each month from 1 May 98 to 30 November 98 inclusive, what was the number of -

- (a) house break-ins/burglaries;
 (b) clearances of those crimes; and
 (c) vehicle theft,

reported in the following areas -

- (i) South Hedland;
 (ii) Port Hedland;
 (iii) Marble Bar;
 (iv) Nullagine;
 (v) Hall's Creek;
 (vi) Wiluna;
 (vii) Karratha;
 (viii) Wickham;
 (ix) Roebourne;
 (xi) Tom Price;
 (xii) Paraburdoo;
 (xiii) Newman;
 (xiv) Carnarvon; and
 (xv) Geraldton?

Mr PRINCE replied:

- (a) Number of house break-ins/burglaries from 1 May to 30 November 1998.

STATION	May	June	July	August	September	October	November
South Hedland	48	39	55	42	56	29	22
Port Hedland	5	1	1	2	4	10	13
Marble Bar	0	0	0	0	1	1	0
Nullagine	0	0	0	0	0	0	0
Halls Creek	1	2	3	3	3	13	3
Wiluna	1	1	3	0	0	1	1
Karratha	20	11	7	16	14	9	13
Wickham	3	4	2	3	4	1	3
Roebourne	3	3	0	9	2	7	3
Tom Price	0	0	1	4	6	0	2
Paraburdoo	1	1	1	0	0	0	2
Newman	5	1	5	3	3	2	2
Carnarvon	20	31	7	10	33	28	13
Geraldton	105	120	74	58	52	55	69

- (b) Clearances of those crimes

STATION	May	June	July	August	September	October	November
South Hedland	6	19	12	15	31	4	11
Port Hedland	2	0	1	0	1	3	2
Marble Bar	0	0	0	0	0	0	0
Nullagine	0	0	0	0	0	0	0

Halls Creek	1	1	2	1	0	5	0
Wiluna	0	0	1	1	0	0	1
Karratha	8	1	2	3	1	4	3
Wickham	1	1	0	0	0	0	0
Roebourne	1	2	1	2	3	2	0
Tom Price	0	0	0	0	0	0	0
Paraburdoo	0	0	0	0	0	0	0
Newman	2	1	0	1	0	0	1
Carnarvon	2	11	2	5	7	4	4
Geraldton	15	26	23	9	16	2	6

(c) Motor vehicle theft

STATION	May	June	July	August	September	October	November
South Hedland	6	9	6	7	7	9	8
Port Hedland	1	0	2	1	3	2	3
Marble Bar	1	1	0	0	0	0	0
Nullagine	0	0	0	2	0	0	0
Halls Creek	1	0	2	1	4	2	4
Wiluna	0	0	0	0	0	1	1
Karratha	4	3	7	1	3	4	3
Wickham	0	1	0	0	1	3	3
Roebourne	1	1	1	1	2	1	0
Tom Price	1	1	0	0	2	1	0
Paraburdoo	0	0	0	0	0	0	0
Newman	0	1	1	0	3	2	2
Carnarvon	2	3	3	3	2	1	1
Geraldton	9	12	14	10	10	8	8

PAKALA PATROL, PORT HEDLAND

1754. Mr GRAHAM to the Minister for Aboriginal Affairs:

- (1) What was the budget for the Pakala Patrol in Port Hedland for the following years -
- (a) 1995-96;
 - (b) 1996-97; and
 - (c) 1997-98?
- (2) What is the forward budget estimate for the Pakala Patrol in Port Hedland for the following years -
- (a) 1998-99;
 - (b) 1999-2000; and
 - (c) 2000-01?

Dr HAMES replied:

- (1) (a) \$50,000 was released for the establishment of the Pakala Patrol in 1995/96 of which \$42,937 remained unexpended and was carried forward to 1996/97.
- (b) \$50,000 was released to the Pakala Patrol in 1996/97. This together with the carry forward amount made a total of \$92,937 available in 1996/97. \$25,004 remained unexpended and was carried forward to 1997/98.

- (c) \$36,000 was released to the Pakala Patrol in 1997/98. This together with the carry forward amount made a total of \$61,004 available in 1997/98.
- (2) (a) \$30,000 was allocated for 1998/99, however, an application for these funds has not been received to date. It is expected there will be a carry forward, the final amount of which will be determined when the 1997/98 grant is acquitted. Once all grants for Patrols are acquitted, and carry forward amounts determined, a second round of budget allocations is planned to be held in February 1999.
- (b)-(c) To be determined through the budget process.

BLOOD DONORS, NORTH WEST

1756. Mr GRAHAM to the Minister for Health:

- (1) At which locations in the North West of the State can people donate blood?
- (2) Why is this facility not available in every hospital in the North West?
- (3) What action will the Minister take to ensure that people can donate blood without having to travel great distances to do so?

Mr DAY replied:

- (1) People in the North West can donate blood at the following locations -

Kununurra Centre open - Wednesday and Friday
Wyndham Centre open - periodically as required
Port Hedland Centre open - Tuesday and Wednesday

Australian Red Cross Blood Service (ARCBS) transfusion facilities are available in Derby and Broome, however, the ARCBS is experiencing difficulties in securing staff to fill the positions. Currently the Red Cross blood bank facilities in Broome and Derby are used as stock holding facilities only with stocks of blood and blood products coming from other collection sites as required.

- (2) It is a matter of -

The high cost of meeting the relevant Therapeutic Goods Association (TGA) standards re the collection, processing and storage of blood and blood products.

Guaranteeing the safety of the products to prospective blood product recipients in the absence of TGA approved sites and facilities.

Difficulty of the ARCBS in recruiting and keeping the required staffing levels. Hospitals in the Pilbara and Kimberley regions do not provide the services that the ARCBS do because of the above reasons.

- (3) The ARCBS is a charitable organisation which is provided with funding from State and Commonwealth Government to manage and provide the collection, testing, packaging and distribution of blood for human transfusion throughout the State. It is planned to recommence blood product collection services in Karratha as of January 1999. An additional staff member has been recruited (to be based in Port Hedland). Two staff will now travel to Karratha for two days every two months commencing January 1999. The lack of donor services in Derby and Broome have been a matter of discussion with the ARCBS with a view to staffing a service in Broome and Derby. The Health Services in the North West will continue to liaise with the ARCBS in respect of achieving the best outcome for the local population and their need for access to a relevant and responsive blood service.

CONVENTION AND EXHIBITION CENTRE TASK FORCE

1759. Dr GALLOP to the Premier:

- (1) Has a Dedicated Convention and Exhibition Centre task force been formed?
- (2) If the answer to (1) above is yes, when was the taskforce formed?
- (3) Who has been appointed to the taskforce?
- (4) What is the remuneration paid to the members of the taskforce?

Mr COURT replied:

- (1) Yes
- (2) The Minister for Tourism wrote to the Premier, Minister for the Arts, Minister for Planning, and the Minister for Transport on April 30th 1998 requesting nominees to the Taskforce. The first meeting of the Taskforce took place

on Thursday July 9th 1998. Subsequently, the Taskforce has requested the services of the Government Property Office, and the Crown Solicitor's Office

(3) Chairman: Hon Norman Moore MLC

Members:

Shane Crockett	WA Tourism Commission
Gary Prattley	Ministry for Planning
Ricky Burges	Ministry for Culture & the Arts
Greg Martin	Department of Transport, Metropolitan Transport Division
Tim Sharp	Crown Solicitor's Office
Ian Johnston	Government Property Office
John Langoulant	Treasury
Bill Marmion	Premier's Office
Industry Representative:	
Anne-Maree Ferguson	Perth Convention Bureau
Executive Officer:	
Bart Boelen	WA Tourism Commission

(4) With the exception of Ms Ferguson, all members of the Taskforce are full time employees of the Government and are undertaking their work on the Taskforce as part of the core business of Government. Ms Ferguson is a full time employee of the Perth Convention Bureau and is undertaking work on the Taskforce as part of her duties as Executive Director of that organisation. No member of the Taskforce is remunerated directly as a result of appointment to the Taskforce.

FISHERIES DEPARTMENT, AUDIT SERVICES

1760. Dr GALLOP to the Minister for Fisheries:

I refer to contract No. RFT77597 awarded on the 1 October 1997 for the provision of internal audit services to the Fisheries Department -

- (a) what was the total payment for the contracted out audit services in 1997-98;
- (b) what is the expected payment for the contracted out audit services in 1998-99;
- (c) were the internal audit services conducted in-house prior to 1 October 1997;
- (d) if the answer to (c) above is yes, how many officers were involved in providing the services and what were their classifications; and
- (e) if the answer to (c) above is yes, what was the estimated cost of providing the services in-house.

Mr HOUSE replied:

- (a) \$73,350.
- (b) \$75,000.
- (c) Yes.
- (d) One Level 5 officer.
- (e) Total estimated cost in 1996/97 was \$85,000.

GOVERNMENT EMPLOYEES SUPERANNUATION BOARD, AUDIT SERVICES

1761. Dr GALLOP to the Minister representing the Minister for Finance:

I refer to contract No. RFT73498 awarded on 22 October 1998 for the provision of internal audit services to the Government Employee Superannuation Board -

- (a) what is the expected payment for the contracted out audit services in 1998-99;
- (b) were the internal audit services conducted in-house prior to 22 October 1998;
- (c) if the answer to (b) above is yes, how many officers were involved in providing the services and what were their classifications; and
- (d) if the answer to (b) above is yes, what was the estimated annual cost of providing the services in-house?

Mr COURT replied:

- (a) \$110,000.

- (b)-(c) Until the end of June 1997 the Internal Audit function was generally conducted by two officers (Levels 5 and 3) and supported by external contract auditors where necessary. Following a review by Deloitte Touche Tohmatsu in May 1997, the Internal Audit function was restructured to comprise a senior internal officer (Level 7) and supported by external contractors.
- (d) The estimated full year cost was \$81,090 for in-house officers (excluding on-costs) and \$9,976 for external contractors.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1766. Dr GALLOP to the Minister for Primary Industry; Fisheries:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
- (b) the source and level of funding for both recurrent and capital expenditure; and
- (c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Mr HOUSE replied:

- (a)-(c) This information is available in each of the departments or agencies annual report.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1770. Dr GALLOP to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
- (b) the source and level of funding for both recurrent and capital expenditure; and
- (c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Mr SHAVE replied:

- (a)-(c) This information is available in each of the departments or agencies annual reports.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1771. Dr GALLOP to the Minister for Housing; Aboriginal Affairs; Water Resources:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
- (b) the source and level of funding for both recurrent and capital expenditure; and
- (c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Dr HAMES replied:

- (a)-(c) This information is available in each of the departments or agencies annual reports.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1773. Dr GALLOP to the Minister for Health:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
- (b) the source and level of funding for both recurrent and capital expenditure; and

- (c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Mr DAY replied:

- (a)-(c) This information is available in each of the departments or agencies annual reports.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1774. Dr GALLOP to the Minister representing the Minister for Finance:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
(b) the source and level of funding for both recurrent and capital expenditure; and
(c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Mr COURT replied:

The Minister for Finance has provided the following response:-

- (a)-(c) This information is available in each of the departments or agencies annual reports.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1775. Dr GALLOP to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
(b) the source and level of funding for both recurrent and capital expenditure; and
(c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Mr BOARD replied:

I am advised that:

- (a)-(c) The information sought by the member is available in the agencies' annual reports. If, however, he raises specific concerns with me, I will have them investigated.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1776. Dr GALLOP to the Minister representing the Minister for Racing and Gaming:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
(b) the source and level of funding for both recurrent and capital expenditure; and
(c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Mr COWAN replied:

The Minister for Finance has provided the following response:-

- (a)-(c) This information is available in each of the departments or agencies annual reports.

GOVERNMENT DEPARTMENTS AND AGENCIES, EXPENDITURE

1778. Dr GALLOP to the Minister for Police; Emergency Services:

Will the Minister please provide for each year from 1992-93 to 1998-99 for all departments and agencies currently within his/her portfolio -

- (a) the total level of expenditure, both recurrent and capital;
- (b) the source and level of funding for both recurrent and capital expenditure; and
- (c) details of any structural or organisational changes to the agency/department and the impact of these changes on departmental/ agency expenditure?

Mr PRINCE replied:

- (a)-(c) This information is available in each of the departments or agencies annual reports.

DEPARTMENT OF COMMERCE AND TRADE, INTERNAL AUDIT SERVICES

1785. Dr GALLOP to the Minister for Commerce and Trade:

I refer to contract No. RFT102097 awarded on 15 October 1997 for the provision of internal audit services to the Department of Commerce and Trade -

- (a) what was the total payment for the contracted out internal audit services in 1997-98;
- (b) what is the expected payment for the contracted out internal audit services in 1998-99;
- (c) were the internal audit services conducted in-house prior to 15 October 1997;
- (d) if the answer to (c) above is yes, how many officers were involved in providing the services and what were their classifications; and
- (e) if the answer to (c) above is yes, what was the estimated annual cost of providing the services in-house?

Mr COWAN replied:

- (a) For the financial year 1997-98 total payments made were \$38 593.70. This includes payments made for internal audit services provided before the commencement of contract No. 102097.
- (b) Contract No. RFT 102097 is for the period commencing 1 October 1997 to 30 September 1998 with two successive options exercisable by the Department of Commerce and Trade to extend for a further two annual periods.
- (c) No.
- (d)-(e) Not applicable.

PUBLIC TRUSTEE, INTERNAL AUDIT SERVICES

1786. Dr GALLOP to the Parliamentary Secretary to the Minister for Justice:

I refer to contract No. RFT109997 awarded on 12 November 1997 for the provision of internal audit services to the Public Trustee -

- (a) what was the total payment for internal audit services in 1997-98;
- (b) what is the expected payment for internal audit services in 1998-99;
- (c) were the internal audit services conducted in-house prior to 12 November 1997;
- (d) if the answer to (c) above is yes, how many officers were involved in providing the services and what were their classifications; and
- (e) if the answer to (c) above is yes, what was the estimated annual cost of providing the services in-house?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (a) \$55,815
- (b) \$20,380
- (c) Yes.
- (d) 1 x level 5.
- (e) \$58,948

TREASURY CORPORATION WA, INTERNAL AUDIT SERVICES

1787. Dr GALLOP to the Treasurer:

I refer to contract No. RFT124597 awarded on 3 December 1997 for the provision of internal audit services for the Western Australian Treasury Corporation -

- (a) what was the total payment for the contracted out internal audit services in 1997-98;
- (b) what is the expected payment for the contracted out internal audit services in 1998-99;
- (c) were the internal audit services conducted in-house prior to 3 December 1997;
- (d) if the answer to (c) above is yes, how many officers were involved in providing the services and what were their classifications; and
- (e) if the answer to (c) above is yes, what was the estimated annual cost of providing the services in-house?

Mr COURT replied:

- (a) \$34 990.78 (part year cost)
- (b) \$63 750.00
- (c) The Corporation's internal audit function up to 30 June 1997 was carried out by Treasury's internal audit section. However, in view of the increasing sophistication of its financial operations and transactions, it was necessary for the Corporation to review its audit requirements. As the role requires specialised expertise covering a number of disciplines, the review concluded that it would be more efficient to outsource this function to an accounting firm which could call upon a wide range of resources and personnel with the appropriate expertise. This approach follows the rationale adopted by the Auditor General in outsourcing the Corporation's external audit three years ago.
- (d) The Corporation recouped Treasury for the cost of one Level 5 officer.
- (e) The current salary of a Level 5 officer, excluding superannuation and other related costs, is approximately \$50 000.

MINISTRY OF JUSTICE, INTERNAL AUDIT SERVICES

1789. Dr GALLOP to the Parliamentary Secretary to the Minister for Justice:

I refer to contract No. RFT61098 awarded on 22 September 1998 for the provision of internal audit services for the Ministry of Justice -

- (a) what is the expected payment for the contracted out internal audit services in 1998-99;
- (b) were the internal audit services conducted in-house prior to 22 September 1998;
- (c) if the answer to (b) above is yes, how many officers were involved in providing the services and what were their classifications; and
- (d) if the answer to (b) above is yes, what was the estimated annual cost of providing the services in-house?

Mrs van de KLASHORST replied:

The Minister for Justice has provided the following reply:

- (a) \$230, 450.
- (b) No. The services being contracted in 1998/99 were also contracted in 1997/98.
- (c)-(d) Not applicable.

ABORTION COUNSELLING

1790. Ms WARNOCK to the Minister for Health:

- (1) Is the Minister aware that the number of women seeking counselling regarding abortion has increased since counselling provisions were included in the State's abortion laws?
- (2) Is the Minister aware that the Family Planning Association (FPA) is currently providing professional counselling for unplanned pregnancy at the rate of about 800 clients a year?
- (3) Is the Minister aware that the cost to FPA of this work is \$45,160?
- (4) What steps has the Minister taken to provide funding for the extra counselling sessions now required since the passing of the laws governing abortion?

Mr DAY replied:

- (1) Yes.

- (2) This has been reported by FPA to the Minister.
- (3) This has been reported by FPA to the Minister.
- (4) The Health Department of WA has allocated some funding for counselling for women with an unplanned pregnancy and is in the process of requesting submissions from relevant agencies for this funding.

FREEDOM OF INFORMATION ACT, AMENDMENT

1793. Mr KOBELKE to the Minister representing the Attorney General:

- (1) Does the Attorney General consider that any amendments to the Freedom of Information Act 1992 (FOI Act) are necessary?
- (2) If so, will the Attorney General list the required amendments to the FOI Act?
- (3) When will these amendments be introduced into Parliament?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1) Yes.
- (2) Amendments to the FOI Act, their scope and drafting are being considered (in consultation with the Information Commissioner) in accordance with the normal procedures, including Cabinet consideration and the preparation of drafting instructions.
- (3) When the matters in (2) have been carried out, a Bill will be introduced into Parliament.

FREEDOM OF INFORMATION ACT, ELECTRONIC RECORDS

1794. Mr KOBELKE to the Minister representing the Attorney General:

I refer to the concern expressed by the Information Commissioner in her 1998 Annual Report regarding electronic records and that such records "do not sit comfortably with current FOI legislation"-

- (a) does the Attorney General share the concern expressed by the Information Commissioner;
- (b) if the answer to (a) above is yes, how will the Attorney General ensure that these concerns are properly addressed by Government; and
- (c) if answer to (a) above is no, why not?

Mr PRINCE replied:

The Attorney General has provided the following reply:

The Information Commissioner's annual report has only recently been released. Any action required to address the Commissioner's concerns will be considered in due course, after consultation with the Information Commissioner.

UNIFORM PRIVACY LEGISLATION

1796. Mr KOBELKE to the Minister representing the Attorney General:

- (1) Has the issue of uniform privacy legislation been on the agenda for meetings of the Standing Committee of Attorneys Generals during 1997 and 1998?
- (2) If the answer to (1) above is yes -
 - (a) at which meetings was the issue discussed;
 - (b) what was the outcome of these meetings; and
 - (c) what was the contribution of the Western Australian State Government in relation to this issue?
- (3) Is the issue of uniform privacy legislation still on the agenda of the Standing Committee of Attorneys Generals?

Mr PRINCE replied:

The Attorney General has provided the following reply:

- (1) No. However, although the issue of uniform privacy legislation per se is not on the Standing Committee of Attorneys General (SCAG) agenda, SCAG has established a Working Party on Privacy to exchange information

and monitor developments in privacy protection (including national principles for the fair handling of personal information) between jurisdictions. In addition, SCAG is considering issues related to common law and statutory torts of privacy.

(2)-(3) Not applicable.

GOVERNMENT CONTRACTS, ACCESS TO RECORDS

1797. Mr KOBELKE to the Minister for Services:

I refer to the Attorney General's Report dated 31 October 1997 based on the Statutory Review of the Freedom of Information Act 1992 and the examination by the State Supply Commission of the issue of access to records where government services have been contracted out, and ask -

- (a) when did the State Supply Commission complete its examination of this issue;
- (b) if the examination is not complete, when will it be completed;
- (c) what was the outcome of this examination; and
- (d) will the Minister table a copy of the Commission's report and recommendations?

Mr BOARD replied:

This information was correct as at 3 December 1998:

- (a) December 1997.
- (b) Not applicable.
- (c) The State Supply Commission examined the issue raised in the review of the Freedom of Information Act that relates to access to records where government services have been contracted out. Current policy provisions under Policy 1.13, Managing Purchasing Conducted By Private Sector Providers, indicates that conditions of contract must allow access to records and information associated with a contract. This provision enables officers and agents of the Commission and the Auditor General to monitor the efficiency of the supply process and compliance with supply policies. The Commission formed the view that existing policy provisions provided sufficient access to records and information and no changes were deemed to be necessary.
- (d) No formal report was prepared. The Commission examined the issue and provided the advice outlined in (c) above to the office of the Attorney General.

MAIN ROADS WA, CONTRACTS

1802. Ms MacTIERNAN to the Minister representing the Minister for Transport:

With regards to contract 118/95 awarded by Main Roads to Boral Contracting Pty Ltd for term maintenance in the Pilbara and Mid West regions -

- (a) what was the budgeted cost of this contract in -
 - (i) 1996-97; and
 - (ii) 1997-98,
- (b) what was the actual cost of this contract in -
 - (i) 1996-97; and
 - (ii) 1997-98;
- (c) what has been the total cost of this contract to 20 November 1998; and
- (d) when does the contract expire?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (a) The contract award price for the respective years was:
 - (i) \$3 669 465.
 - (ii) \$3 263 465.
- (b) The actual expenditure for the respective years was:
 - (i) \$3 240 593.
 - (ii) \$3 442 967.

- (c) \$7 605 990.
- (d) 29 April 1999.

MAIN ROADS WA, CONTRACTS

1803. Ms MacTIERNAN to the Minister representing the Minister for Transport -

With regards to contract 117/95 awarded by Main Roads to MacMahon Contractors (WA) Pty Ltd for term maintenance in the Wheatbelt North, Mid West and Metro regions -

- (a) what was the budgeted cost of this contract in -
 - (i) 1996-97; and
 - (ii) 1997-98;
- (b) what was the actual cost of this contract in -
 - (i) 1996-97; and
 - (ii) 1997-98,
- (c) what has been the total cost of this contract to 20 November 1998; and
- (d) when does the contract expire?

Mr OMODEI replied:

The Minister for Transport has provided the following response:

- (a) The contract award price for the respective years was:
 - (i) \$8 363 073.
 - (ii) \$7 749 073.
- (b) Actual expenditure for the respective years was:
 - (i) \$8 015 812.
 - (ii) \$8 020 762.
- (c) \$18 497 762.
- (d) 29 April 1999.

ART GALLERY OF WA AND WA MUSEUM, FUNDING

1804. Ms McHALE to the Minister representing the Minister for the Arts:

- (1) How much money was credited to the Art Gallery of Western Australia Fund as at 30 November 1998?
- (2) How much money was credited to the Western Australian Museum Account as at 30 November 1998?

Mrs EDWARDES replied:

- (1) Since 1 July 1998, \$3,107,558 has been credited to the Art Gallery of Western Australia Fund held at Treasury, leaving a closing balance at 30 November 1998 of \$5,940,599.
- (2) Since 1 July 1998, \$2,857,558 has been credited to the Western Australian Museum Account held at Treasury, leaving a closing balance at 30 November 1998 of \$4,712,774.

SHOOTING COMPLEX, JARRAHDAL

1805. Ms McHALE to the Minister for the Environment:

What is the current status of an application by the Western Australian Sporting Shooters Association to establish a shooting complex in Jarrahdale?

Mrs EDWARDES replied:

A lease has been finalised for a shooting complex covering 216.7 hectares.

SWANBOURNE PRIMARY SCHOOL, RELOCATION

1807. Mr RIPPER to the Minister for Education:

- (1) With reference to the relocation of Swanbourne Primary School, what consultation took place with the local community?
- (2) Was Claremont Council consulted?

- (3) If not, why not?
- (4) What facilities will be available at the new school?
- (5) What facilities would be available if the current school were upgraded?
- (6) Is the proposed site a listed Aboriginal heritage site?
- (7) If yes, how long has the Minister been aware of this?
- (8) Did the Minister consult with the Aboriginal community before deciding on the location of the school?
- (9) If not, why not?

Mr BARNETT replied:

- (1) The consultation process included:
public meetings between the Minister and parent groups;
meetings between the Minister and staff from Swanbourne Primary School; and
a survey of all parents of students at Swanbourne Primary School conducted by the P&C Association.
- (2) It is not usual to involve local government authorities in decisions to build or relocate schools. However, officers at the Education Department and the architectural consultants, Parry and Rosenthal Architects, consulted with the Town of Claremont and the City of Nedlands on a number of planning matters following the decision to relocate the school.
- (3) Not applicable.
- (4) The new school will be provided with the following facilities:
10 General classrooms
3 Early Childhood classrooms
Education Support Centre
Library/Resources Centre
Art/Craft room
Music room
Covered Assembly Area and Canteen
Administration Block
Hard Courts for Tennis, Netball and Basketball
Automatically Reticulated Oval
- (5) The existing school site is 1.45 hectares in area, significantly smaller than a standard primary school site of 4 hectares. The limited size of the site would make it very difficult to provide facilities such as an Education Support Centre, a third Early Childhood classroom, hard courts and a full size oval. Additionally, the provision of a covered assembly area and facilities for art/craft and music would encroach further onto the very limited play space available to the students. A building program would cause major disruption to the school's operations for several months.
- (6) Yes.
- (7) In the early phase of the design of the new school the consultant architects and the Education Department became aware that the proposed site, in the grounds of the existing Swanbourne Senior High School, may have some significance in terms of Aboriginal heritage. Following an enquiry from the Education Department, the Department of Aboriginal Affairs indicated in June 1998 that there was a listed Aboriginal site in the area, and recommended that suitably qualified consultants be engaged to conduct ethnographic and archaeological surveys of the area. This recommendation was acted on and consulting anthropologists MacIntyre Dobson and Associates were subsequently engaged. The site investigation continued and the process culminated in meetings with the Aboriginal interest groups in November.
- (8)-(9) No. It was not until work had commenced on the design of the new school that the site's Aboriginal heritage significance became known. Since that time the Education Department has held three meetings with representatives of the Aboriginal community. As part of this consultation process I will also meet with Aboriginal community representatives to discuss their concerns relating to the future use of the site. This meeting is planned for December 1998.

MINISTRY OF ART AND CULTURE, MS BAXTER'S APPOINTMENT

1808. Ms McHALE to the Minister representing the Minister for the Arts:

With reference to question on notice No. 1487 of 1998, why was Ms Baxter's name not included in the Ministry of Arts and Culture Annual Report if she was appointed as at 30 June 1998?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply:

Ms Lindsay Baxter replaced the previous representative of the Ministry for Planning, Mr Ray Stokes. This was overlooked at the time the Annual Report was compiled.

NATIONAL POLICY BODIES

1811. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

Further to question on notice No. 3163 of 1997-98, will the Minister advise what issues are being considered by each of the named national policy bodies?

Mr MARSHALL replied:

Ministry of Sport and Recreation

The Sport and Recreation Ministers' Council (SRMC) is considering the following issues:

- Facilities provision and funding;
- Water safety;
- Drugs in sport;
- Regulation of combat sports and involvement of juniors; and
- Framework for the future of sport and recreation: addressing the industry's challenges of the new millennium.

The Standing Committee on Recreation and Sport (SCORS) is considering the following issues:

Items for the SRMC as above:

- Facilities funding;
- Water safety;
- Drugs in sport;
- Regulation of combat sports; and
- Framework for the future of sport and recreation
- and
- Women in Sport and Recreation;
- Child protection;
- Active Australia: a participation initiative; and
- Aboriginal Sport and Recreation.

Western Australian Institute of Sport

Major issues being considered by the National Elite Sports Council (NESC) are:

- Funding levels to the 33 Olympic sports for the period 1998-2000 through the Olympic Athlete Program;
- Funding to elite sport in Australia post-2000;
- Recognition for WAIS as an Olympic Training Centre by the Australian Olympic Committee;
- The implications of recent Australian Tax Office rulings on Institute grants to athletes;
- The implications of a GST for elite sport; and
- The development of a strategic plan for the NESC.

NATIONAL POLICY BODIES

1814. Mr BROWN to the Minister for Police; Emergency Services:

Further to question on notice No 3157 of 1997-98, will the Minister advise what issues are being considered by each of the named national policy bodies?

Mr PRINCE replied:

Australasian Police Ministers' Council

The Australasian Police Ministers' Council (APMC) is a consultative body of Police Ministers established in 1980 to promote a coordinated national response to law enforcement issues and to maximise the efficient use of police resources. The APMC oversees the establishment, development and management of the common police services in such areas as criminal intelligence, police research, exchange of information, forensic science and training facilities for the benefit of all Australasian police services. In November 1998, the APMC adopted the following objectives:

- further advancement of the professionalism of policing;
- identification of major policy issues and the provision of a forum for their debate;
- establishment of agreed positions on critical issues on the national law enforcement agenda, and
- appropriate participation in debates in the community on major law enforcement issues.

The Australasian Police Ministers' Council - Senior Officers' Group

The Senior Officers' Group facilitates matters or issues for consideration by the Australasian Police Ministers Council (APMC). The Group comprises Police Commissioners of each Australian State and Territory, New Zealand and the Australian Federal Police as well as senior executive officers of other law enforcement agencies.

Inter-Government Committee of the National Crime Authority

The role of the Inter-Government Committee of the National Crime Authority is set out in Section 9 of the National Crime Authority Act 1984 as being:

- to consult with the Commonwealth Minister where the Commonwealth proposes to refer a matter for investigation;
- to consider whether to approve the referral of a matter by a State Minister or Ministers to the National Crime Authority (NCA) for investigation;
- to monitor the work of the NCA; and
- to receive reports from the NCA and to transmit them to their respective Governments.

The Committee comprises the Commonwealth Minister for Justice, as permanent Chair, and Ministers representing each Australian State and Territory.

Standing Committee on Organised Crime and Criminal Intelligence

The Standing Committee on Organised Crime and Criminal Intelligence was established in 1995 to:

- advise the Inter-Governmental Committee of the National Crime Authority (IGC-NCA) on the priorities and resources to be applied to national projects, particularly those of the NCA;
- advise the IGC-NCA on NCA joint task force operations, including post operational analyses;
- advise the IGC-NCA on the coordination of the criminal intelligence system to ensure the full exchange of intelligence projects of current or potential interest, and
- support the Australian Bureau of Criminal Intelligence to ensure a capacity to respond to requests from the IGC-NCA.

The Committee consists of all Commissioners of Police from each Australian State and Territory as well as senior members of other law enforcement agencies.

Ministerial Council on Drug Strategy

The Ministerial Council on Drug Strategy provides overall policy direction to the National Drug Strategy. The Council comprises health and law enforcement Ministers from each Australian State and Territory.

Lead Ministers Meeting - National Anti-Crime Strategy

Premiers and Chief Ministers from Australian States/Territories established the National Anti-Crime Strategy in November 1994. As a sphere of Government with prime responsibility for crime prevention, States and Territories recognised the value of cross jurisdictional cooperation. Lead Ministers, both Attorney-General and Police Ministers from each State/Territory pursue objectives of identifying principles for crime prevention, developing strategic approaches, identifying best practices, exchanging information and undertaking joint projects.

Australasia and South West Pacific Region Police Commissioners' Conference

The Police Commissioners' Conference was established to promote cooperation between Police agencies in Australia and the South West Pacific Region and enhance police administration, training and operational arrangements within the Region. The Conference considers matters of professional concern to police and where appropriate presents its views to individual Governments.

Standing Advisory Committee on Commonwealth/State Cooperation for Protection Against Violence

The Committee proposes to Heads of Government steps to ensure nationwide readiness and cooperation between relevant Commonwealth, State and Territory Government agencies, for the protection of Australia from terrorism. Emergency Services agencies are not currently participating on any national policy bodies.

NATIONAL POLICY BODIES

1818. Mr BROWN to the Minister representing the Minister for the Arts:

Further to question on notice No. 3158 of 1997-98, will the Minister advise what issues are being considered by each of the named national policy bodies?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following reply:

Ministry for Culture & the Arts

The Cultural Ministers' Council

The following are standing or special working groups of the Cultural Ministers' Council:

Cultural Ministers' Council Standing Committee

Coordinates the work of the Ministers' Council including reporting on all standing committees and working groups as listed below.

- *Heritage Collections Council (and its constituent working groups)*
The Heritage Collections Council is a sub-committee of the Cultural Ministers' Council and is jointly funded by the Commonwealth Government, State Governments and major museums in Australia. It has two principal policy aims - to devise policies and strategies to ensure the presentation of Australia's moveable cultural heritage including scientific heritage (ie museum collections) and to improve access to it. There are two sub-committees (or working groups) whose work reflects these two major policy areas.
- *The Statistics Working Group*
Coordinates a collaborative program to develop information on cultural issues in conjunction with the Australian Bureau of Statistics.
- *The Major Organisations Working Group*
Established to generate ideas and cross jurisdictional strategies regarding the major performing arts companies.
- *New Technologies Working Group*
Established to develop strategies to encourage the use of new technologies across the cultural sector.
- *The Indigenous Cultural Policy Issues Working Group*
Issues of copyright, intellectual property and labels of authenticity.

In addition to these working groups, the Cultural Ministers' Council discusses the range of arts and cultural issues relevant to the various jurisdictions, examples include orchestras, intellectual property, cultural enterprise development, Commonwealth support for the film industry and education and training issues in the arts and culture.

Library and Information Service of Western Australia

- *The Council of Australian State Libraries (CASL)* is the peak body representing State and Territory libraries in Australia. These libraries have responsibilities for collecting the documentary heritage of each state/territory, as well as varying degrees of responsibility for public library services throughout Australia. The Director General of the National Library of Australia attends as an observer.

CASL is currently considering the following issues:

- Digitisation of collections
- Copyright issues relating to libraries and archives
- Developing performance indicators for public libraries throughout Australia
- Developing performance indicators for state libraries
- Developing partnerships between the education and library sectors
- Improving access to Australia's documentary heritage
- National Plan for Australia's Newspapers.
- *The Council of Federal, State and Territory Archives*
- Cultural Ministers' Council - Archives Working Group
- Ministerial records
- Reference and public access
- Records and Indigenous People
- Native title discovery process
- Legislation in Commonwealth, State and Territory jurisdictions
- Access restrictions - South Australia.
- *The Australian Council of Archives*
- National Inquiry into the Separation of Aboriginal and Torres Strait Islanders Children From Their Families
- Australian archival statistics
- Privacy
- Archives support program
- Education and training
- Standards and guidelines on electronic records
- User pays principle
- Copyright

Western Australian Museum

- *Meetings of the State Delegates to the Minister responsible for the Historic Shipwrecks Act*
Coordination of State and National policies regarding the identification and management of shipwrecks.
- *Council of the National Centre of Excellence in Maritime Archaeology at the Western Australian Museum*
The first triennium is nearing completion and a submission has been made for the continuation of a further triennium for the period 1999-2002.

- *National Committee of Threatened and Endangered Fishes*
Concerned with bringing the Australian categories of classification of threatened and endangered fish species into line with those used by the IUCN. Also reviews and updates the species on the current list.
- *National Committee for Animal and Veterinary Sciences, Australian Academy of Science*
Deals with fauna quarantine and biodiversity issues and advises the Australian Academy of Science on them.
- *National Cultural Heritage Committee*
Deals with issues relating to export of moveable cultural heritage under the Moveable Cultural Heritage Act. This includes prevention of illegal export of fossils, which has been an issue as a result of a recent court case. Other current issues include proposals to export minerals and meteorites. The Committee is also refining new Regulations. One working group has devised a National Preservation Policy and Strategy; the other has established Australian Museum On Line (AMOL), an on-line access system to Australian museum collections.
- *National Museum of Australia*
The National Museum of Australia is established in Canberra to develop three national themes relating to Australian science and society. They are:
 - Peoples's interaction with the environment
 - Aboriginal and Torres Strait Islander heritage and cultures
 - Australian society and history

Part of the brief of the National Museum is to collaborate with the existing state museums while also representing Australia in an international context. The National Museum of Australia is one component of the new cultural complex being built in Acton, Canberra.
- *National Portrait Gallery*
The National Portrait Gallery manages the national collection of Australian portraits. The collection is relatively small at present, but has an active acquisition policy and a commissioning policy. In the past year the Gallery has established a collecting policy. Essentially the National Portrait Gallery determined to acquire portraits of Australians who had made a significant contribution to Australian life. Contributions across all facets of politics, the economy and cultural life will be considered over time. The National Portrait Gallery is housed in Old Parliament House, Canberra.

ScreenWest

The issues that are being considered by each of the national policy bodies named in Question on Notice 3158 of 1997-98 are national screen industry policies.

NATIONAL POLICY BODIES

1821. Mr BROWN to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

Further to question on notice No 3143 of 1997-98, will the Minister advise what issues are being considered by each of the named national policy bodies?

Mr COWAN replied:

DEPARTMENT OF COMMERCE AND TRADE

Online Council: The Online Council of Commonwealth and State Ministers is currently considering -

- A National Strategy for the Information Economy
- Regional/remote telecommunications access
- Year 2000 Date problem
- Seamless access to Government information
- OECD Ministerial Conference on Electronic Commerce
- Trade National Authentication and Uniform Legislation

Ministerial Council on Industry, Technology and Regional Development: While it was intended that the Ministerial Council on Industry, Technology and Regional Development would hold meetings on a regular basis, frequent changes to portfolios resulted in the Council being an inappropriate forum to address all the issues for which it was originally intended. To overcome this problem, Ministers have met separately to discuss regional development and industry and technology issues. The last full meeting of the Ministerial Council on Industry, Technology and Regional Development was in March 1995. Meetings of Ministers with responsibility for industry and technology and regional development have been held since that date. The intention was for Ministers to meet informally on an occasional "as needs" basis. The emergence of other forums for Ministerial discussions, such as the Online Council, has led to infrequent meetings.

Ministerial meetings of the National Trade Consultations: Among the issues considered at the last meeting of the National Trade Consultations in Darwin in June 1998 were -

Major national priorities for international trade and investment;
 The challenges and opportunities for Australia in the light of the financial and economic instability in East Asia;
 The increasing globalization of business;
 The development of electronic commerce;
 Mechanisms for better State/Commonwealth cooperation on trade promotional activities; and
 Measures to increase domestic understanding of the benefits of international trade and investment to the Australian economy, job creation and standards of living.

National Association of Testing Authorities: The National Association of Testing Authorities is the nationally recognised agency for the accreditation of laboratories in the acoustic and vibration, biological, chemical construction materials, electrical, forensic, environmental, mechanical, medical testing, metrology, non-destructive testing, optics and radiometry and veterinary fields. It also operates through an independent company, NCS International, to provide certification programs in quality management, environmental management and food safety management systems with particular application to small businesses. NATA therefore plays a key role in the verification standards of the State purchasing program and the international recognition and conformity of Australian exports through its relationships with similar organisations in Europe, the Americas and Asia. Through an MOU with the Federal Government, NATA represents Australia on the International Laboratory Accreditation Cooperation panel (ILAC), the Asia Pacific Laboratory Accreditation Cooperation panel (APLAC), and the OECD panel on Good Laboratory Practice.

Putting Cables Underground Working Group: The Putting Cables Underground Working Group was formed by the Commonwealth Government to identify the benefits and costs of putting underground all electricity and telecommunications cables throughout Australia. Its final report is expected to be tabled in the Commonwealth Parliament in December 1998.

Year 2000 National Industry Awareness Strategy: The Year 2000 National Industry Awareness Program is an Australian Government funded program established to promote understanding of the Year 2000 computer date change problem. The national awareness campaign is aimed mainly at Small to Medium Enterprises (SMEs) motivating them to deal urgently with the issue. In September 1997 the Federal Government allocated approximately \$5.3m to the program through the Department of Industry, Science and Tourism. The funding was provided on the understanding that States and Territories and industry would provide dollar for dollar funding to continue or establish supporting programs and activities. The objectives of the Strategy are to:

Increase business awareness and understanding of the Millennium Bug (particularly among SMEs) through national, state and local government and business communication programs;

To cause Australian business to urgently and proactively prepare for the Year 2000 computer date change phenomenon;

To encourage Australian business to capitalise on opportunities which arise from being 'Year 2000 ready'; and

To encourage Australian business to develop a contingency strategy in readiness for 1 January 2000.

Government Technology and Telecommunications Committee: The Government Technology and Telecommunications Committee no longer exists. It was merged into the Online Council in April 1998.

Ministerial Working Group on Regional Affairs: The Ministerial Working Group on Regional Affairs comprises only Commonwealth Ministers. The Group was incorrectly included in the response to Parliamentary Question 3143.

SMALL BUSINESS DEVELOPMENT CORPORATION

Commonwealth/State Working Group on Quasi-Regulation and Performance Indicators: Following the Government's small business statement *More Time for Business* in March 1997, the Prime Minister announced the formation of a Working Group of Commonwealth, State and Territory officials to examine the following issues -

Quasi-regulations - consideration of the extent of quasi-regulations in Commonwealth, State and Territory jurisdictions, the potential advantages and disadvantages of business quasi-regulation, the circumstances in which it may be an appropriate regulatory option and the likely cost impact on business.

Regulatory performance indicators - consideration of mechanisms to measure and compare regulatory performance.

National Executive of Small Business Agencies: NESBA meets to exchange information on existing small business programs, provide input on proposed national programs and canvass a range of small business topics from time to time which may have national implications, for example e-commerce.

Business Information Services Committee: The Business Information Services (BIS) Committee was established to facilitate the development of a comprehensive national Business Information Service which will improve access to, expand the reach of and improve the quality of information for Australian businesses. As part of its role the BIS Committee is progressing the implementation of a number of Small Business Deregulation Task Force initiatives, including development of a single entry point to government and a business regulation help line.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1828. Mr BROWN to the Minister for Primary Industry; Fisheries:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Mr HOUSE replied:

- (1)-(3) Information sought by the member may be obtained by perusal of relevant annual reports. I am not prepared to instruct departmental officers to devote the considerable time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1832. Mr BROWN to the Minister for Lands; Fair Trading; Parliamentary and Electoral Affairs:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Mr SHAVE replied:

- (1)-(3) The information sought by the member may be obtained by perusal of the relevant Annual Reports. I am not prepared to instruct departmental officers to devote the considerable time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1833. Mr BROWN to the Minister for Housing; Aboriginal Affairs; Water Resources:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Dr HAMES replied:

- (1)-(3) The information sought by the member may be obtained by perusal of the relevant annual reports. I am not prepared to instruct departmental officers to devote the considerable time and resources necessary to respond to the question in its current form. However, if the member has a specific concern, it may be raised with me and I will have it investigated.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1835. Mr BROWN to the Minister for Health:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Mr DAY replied:

- (1)-(3) The information sought by the member may be obtained by perusal of the relevant Annual Reports. I am not prepared to instruct departmental officers to devote the considerable time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1836. Mr BROWN to the Minister representing the Minister for Finance:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Mr COURT replied:

The Minister for Finance has provided the following response:-

- (1)-(3) The information sought by the member may be obtained by perusal of the relevant Annual Reports. I am not prepared to instruct departmental officers to devote the considerable time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1837. Mr BROWN to the Minister for Works; Services; Youth; Citizenship and Multicultural Interests:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Mr BOARD replied:

I am advised that:

- (1)-(3) The information sought by the member is available in the agencies' annual reports. If, however, he raises specific concerns with me, I will have them investigated.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1838. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response:-

- (1)-(3) The information sought by the member may be obtained by perusal of the relevant Annual Reports. I am not prepared to instruct departmental officers to devote the considerable time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

DEPARTMENTS AND AGENCIES, SALE OF ASSETS OVER \$200 000

1840. Mr BROWN to the Minister for Police; Emergency Services:

- (1) What assets over \$200,000 were sold by the departments and agencies under the Minister's control in the following financial years -
 - (a) 1996-97; and
 - (b) 1997-98?
- (2) What amount of money raised from asset sales has been used to reduce debt?
- (3) What was the debt level of each department and agency as at -
 - (a) 30 June 1997; and
 - (b) 30 June 1998?

Mr PRINCE replied:

- (1)-(3) The information sought by the member may be obtained by perusal of the relevant Annual Reports. I am not prepared to instruct departmental officers to devote the considerable time and resources necessary to respond to the member's question. However, if he has any specific concerns and raises them with me, I will have them investigated.

HOMESWEST, ALMOND PLACE, SHOALWATER

1847. Mr McGOWAN to the Minister for Housing:

I refer to Homeswest's decision to consider purchasing a block of land at Almond Place, Shoalwater and ask -

- (a) why did the Minister refuse permission to purchase that block by Homeswest;
- (b) what was Homeswest's intended use of the block;
- (c) why did Homeswest and/or the Minister delay for 13 days (from 23 October 1998) notifying the owner of Almond Place of the decision not to purchase;
- (d) does Homeswest have in place rules or policies for informing potential vendors of their decision not to purchase; and
- (e) if not, why not?

Dr HAMES replied:

- (a) The Minister did not refuse permission to purchase the block. The Minister was not aware of the proposal.
- (b) Family or seniors units.

- (c) The offer was declined by Homeswest because of budgetary constraints. Any delay in advice is regretted.
- (d) It is part of Homeswest's customer service policy to advise the vendor as soon as possible.
- (e) Not applicable.

CRIMES, BAG SNATCHING

1849. Dr CONSTABLE to the Minister for Police:

How many 'bag snatching' incidents were reported in -

- (a) 1996;
- (b) 1997; and
- (c) 1998?

Mr PRINCE replied:

Prior to September 1997, the Western Australia Police Service Offence Information System (OIS) did not have a separate offence category in which to record "bag snatch" offences. Accordingly, the following information is a month by month breakdown of all recorded "bag snatch" incidents between September 1997 and November 1998. Statistics for December 1998 will not be available until mid January 1999.

1997	September	53
	October	52
	November	42
	December	40
	Total	187
1998	January	27
	February	32
	March	61
	April	39
	May	38
	June	59
	July	53
	August	51
	September	29
	October	38
	November	43
	Total	470

ST JUDE'S CATHOLIC SCHOOL, LANGFORD

1862. Ms McHALE to the Minister for Police:

- (1) Can the Minister confirm that he received a letter dated 11 November 1998 from St Jude's Catholic School, Langford?
- (2) Can the Minister explain why police were unable to attend the school on 4 September 1998 when thieves went through several classrooms?
- (3) Does the Minister still insist the Cannington Police Station is adequately resourced?
- (4) If so, how many police officers are stationed at Cannington?
- (5) What will it take for the Minister to accept that the police numbers are inadequate at Cannington Police Station?

Mr PRINCE replied:

- (1) Yes.

- (2) All tasking vehicles in the Cannington District were engaged in higher priority tasks allocated from the Police Operations Centre. Agreement was made at the time that if police had not attended by 4.00 pm the teacher involved would report the theft of his wallet to the Police Station on his way home.
- (3) Yes.
- (4) Cannington Police Station is resourced as follows:

General Duties/Traffic	39
Crash Officers	5
Aboriginal Liaison Officers	4
Unsworn Officers	6
Total	54

- (5) Not applicable.

QUESTIONS WITHOUT NOTICE

ELECTRICITY, UNIFORM TARIFF

551. Dr GALLOP to the Minister for Energy:

When will the minister table the regulations that compromise the uniform electricity tariff in regional Western Australia?

Mr BARNETT replied:

These are important regulations because they allow for new power infrastructure throughout regional Western Australia. The regulations are yet to go through Executive Council. I am prepared to make a draft copy available to the Opposition, but they will be tabled prior to the end of this year.

BELMONT RACECOURSE, CHEMICAL SPILL

552. Mr MASTERS to the Minister for Fisheries:

Some notice of this question has been given. I refer to the incident last year when a chemical spill at Belmont Park Racecourse killed some 3 600 fish in the Swan River. Can the minister please advise -

- (1) If sold at a retail outlet, what commercial value, if any, would these 3 600 fish have had?
- (2) If caught by recreational fishers, what fishing effort and hence what expenditure on equipment and bait would have been likely?
- (3) What assistance has the Western Australian Turf Club given towards restocking the Swan River as compensation for its chemical spill?

Mr HOUSE replied:

- (1)-(3) If one were to value the 3 600 fish at about \$10 per kilogram, the value is obviously about \$36 000. I am not sure what expenditure on bait and equipment would be involved. As most members are aware, the Turf Club has contributed \$10 500 to a restocking program. Some of the fish bred as part of that program were released into the river last Monday morning. In the past couple of days, I have also given a grant of \$20 000 to RecFish West to propagate another 150 000 juvenile fish. At the appropriate time they will also be released into the river to help restock it. Of course, they will take time to grow, and I do not expect that recreational and professional fishers will see catches return to the level they were before the chemical spill for the next couple of years.

NEW WOMEN'S PRISON, PYRTON SITE

553. Mr BROWN to the Minister for Planning:

Some notice of this question has been given.

- (1) Has the Western Australian Planning Commission received a submission from the Ministry of Justice seeking approval to use the Pyrtton site in Eden Hill as a women's prison?

- (2) If yes, will the WAPC be seeking comments from the Bassendean Council and the local community as part of its deliberations?
- (3) If not, why not?
- (4) When does the minister expect a decision will be made by the WAPC on this issue?

Mr KIERATH replied:

I thank the member for some notice of this question.

- (1) No development application has been received by the Western Australian Planning Commission for approval to use the Pyrton site as a women's prison. Consultants are preparing a land use structure plan for Pyrton for consideration by the WAPC. The consultants have received a draft submission from the Ministry of Justice for consideration in developing the land use options.
- (2) Community consultation on land use options will be sought by consultants on behalf of the WAPC in January 1999.
- (3) Not applicable.
- (4) It is anticipated that the WAPC will consider the consultants' study in late January 1999.

NATIVE TITLE LEGISLATION, AUSTRALIAN LABOR PARTY'S AMENDMENTS

554. Mr SWEETMAN to the Premier:

Can the Premier inform the House of the effect of the Labor Party's amendments to the Native Title (State Provisions) Bill and the Titles Validation Amendment Bill on the workability and certainty of native title processes in Western Australia?

Mr COURT replied:

I thank the member for some notice of this question. During the afternoon no doubt we will have some debate on both Bills. I described the amendments moved by the Labor Party to both Bills as one of the worst acts of political bastardry ever seen in this place. When the Labor Party was in Government it sent this State broke. Now it is in opposition it seems determined to choke development in this State.

The Leader of the Opposition has forgotten two fundamental rules of politics: Firstly, one listens to the people of Western Australia; and, secondly, one listens to one's own members. In August last year, the Leader of the Opposition told us he travelled around the State to do what he called an audit of regional Western Australia. He said he was in listening mode; he would be listening to the people. I wonder how much listening he did and how much consultation he has undertaken with the people of Kalgoorlie. He did not go there for 12 months. His party has moved an amendment to the Titles Validation Amendment Bill that will create second-class citizens in that town. This House should know that the Labor Party has removed residential and commercial leases from the schedule of that Bill. One of its own members gave the example of a pensioner who has lived in a house for many years and who has a native title claim on her backyard. Members of the Labor Party have removed those leases from that Bill.

The amendments made to the Native Title (State Provisions) Bill - there are more to come - have made it very clear that the State would be better off working under the current federal regime than it would under this legislation as the Labor Party has amended it. Members opposite will have to live with what they are doing to those Bills.

YOUNG PEOPLE AT RISK, CASE MANAGEMENT

555. Ms ANWYL to the Minister for Family and Children's Services:

I refer to the report of the evaluation of the Young Offenders Act recently tabled by the Minister for Justice in the other House.

- (1) Is the minister aware of the comments on page 68 of the report that it is difficult to get Family and Children's Services officers involved in cases unless that child is already a ward of the State, even when serious welfare concerns are involved?
- (2) Will the minister explain why the department is reluctant to get involved in these cases, and what criticisms the department's officers have of the approach of the Ministry of Justice to case management?
- (3) What assurances will the minister give the House that these young people will receive appropriate support from Family and Children's Services in future?

Mrs PARKER replied:

- (1)-(3) The problems of teenagers and teenagers at risk are difficult for parents and also for agencies in the community, both government and non-government. A particular consideration is given and effort made by government agencies

to develop cooperation between agencies, such as the Ministry of Justice, the Health Department, the Police Service and Family and Children's Services, to ensure that the best possible outcome for these young people at risk is achieved. There is no quick and easy answer to the problems of troubled youth and teenagers at risk. However, a determination is evident across government, and in government in partnership with the non-government sector, to improve responses to the issues which present to many parents of teenagers throughout the State.

PERTH-CURRAMBINE RAIL LINE, ADDITIONAL CARRIAGES

556. Mr BAKER to the minister representing the Minister for Transport:

I refer to the recent Joondalup region demographic study which yet again confirmed the high rate of population growth in the north west metropolitan region. In view of the ever-increasing demand for efficient transport services, particularly with the greater use of the northern suburbs railway line, are there any plans to include additional rail carriages on trains travelling to and from Currambine station during peak hour periods?

Mr OMODEI replied:

The Minister for Transport has provided the following response: Due to the higher than expected patronage levels on the Perth-Currambine rail line, particularly during the peak period, Westrail has acquired an additional five two-car trains which have been introduced into the service during December 1998. Members would have seen the trains on television recently. The trains feature disabled access, comfort and the provision of extra services. The new trains will predominantly be used on the shuttle service between Whitford and Perth, which will significantly reduce pressure on trains to and from Currambine.

CRIME SUPPORT PORTFOLIO, CHANGES

557. Mrs ROBERTS to the Minister for Police:

Over three weeks ago the minister refused to tell the House whether there were any plans to break up centralised units, such as the sexual assault unit, the vehicle crime unit and the Asian squad, saying that the portfolio structure of crime support would not be known for three weeks.

- (1) Given that the three weeks is now up, will the minister now be accountable to this House and the public by outlining changes currently taking place in the crime support portfolio, and the changes proposed for the new year?
- (2) Can the minister give the House a commitment that the sexual assault squad will not be broken up with detectives being sent to the suburbs?

Mr PRINCE replied:

- (1)-(2) Consideration of the way in which the squads are organised and the way in which they are reorganised out into the districts has been ongoing for some time. The member for Midland knows, as she was part of a select committee chaired by the member for Mandurah which visited jurisdictions around the world, that in comparable western world democracies the trend is to place resources as near as possible to the problem, particularly at the district level. That is an open process and is the philosophy driving the current reorganisation. It is not appropriate to make those changes with some of the specialist squads, as they are small in nature and contain a level of expertise. It was, and still is, appropriate to make changes to areas like the armed robbery squad - only one officer has moved so far - with movement out to the district offices. Some officers will be retained as a core.

Whether that will happen with other squads, and when it will happen, is a matter for the commissioner and his executive team to determine. It is a matter over which they properly have control - after all, they are the experts. They should make the decisions. Although the member denies it to herself, she knows that this represents the best way to police a modern society. The member has seen it done elsewhere. The member should know that we are leading many other places in this regard. As the member will not have much to do for the next 10 days, I table a copy of the report "The Year That Was - 1998", which highlights some happenings with and achievements of the Police Service. Did the member know, for example, that in this calendar year, over 550 000 calls for assistance were received by police operations, which represent a 10 per cent increase on the previous year? Also, 300 000 tasks were a direct result of those calls, and that does not include an enormous amount of other work undertaken by police. The professional standards have improved significantly, as have legal representation, personnel management, capital works, and the Delta transformation program. I table the report for the member's information.

[See paper No 641.]

CRIME SUPPORT PORTFOLIO, CHANGES

558. Mrs ROBERTS to the Minister for Police:

As a supplementary question, does the minister not know what is happening in the Police Service in Western Australia, or is he again refusing to be accountable?

The SPEAKER: Order! That is a very broad supplementary question!

Mr PRINCE replied:

I do not know everything that happens in the Police Service, and neither does the member for Midland. The two or three officers who keep feeding the member information do not know either. I am accountable.

Mrs Roberts: Do you not mean the 200 or 300 police officers who are in constant contact with me?

Mr PRINCE: No; unless the member takes her shoes off, she cannot count more than 10 - so it cannot be more than that!

Mrs Roberts: You need not be rude. What is happening?

Mr PRINCE: We are getting the best organised Police Service in Australia. We have won awards.

Mrs Roberts: When I told you that the Asian squad was being broken up, you said you did not know. You found out afterwards. You don't know what is going on.

Mr PRINCE: Is the member finished?

Mrs Roberts: When are you going to take responsibility and earn your money?

Mr PRINCE: I do. I take responsibility and I am accountable. I am here and I explain. I know a great deal more about what is going on in the Police Service than does the member for Midland. The way in which the Police Service is structured will be determined by the people who know best, not by the member for Midland.

COLLIE POWER STATION, COMMISSIONING

559. Dr TURNBULL to the Minister for Energy:

I refer to the fact that the new Collie coal-fired power station produced electricity for the first time last weekend, when a small amount of electricity was fed into the south-west interconnected grid by Western Power. What is the next stage of commissioning for the Collie power station, and when is it expected to become fully operational?

Mr BARNETT replied:

I know the member for Collie has long awaited the day when the Collie power station would produce electricity. The damage caused by the fire on the site earlier this year has been fully repaired. All the environmental operating licences have been issued. The first coal was delivered to the site on 13 November; the first steam was generated by the power station on 3 December; and the first power generated was fed into the grid on 19 December. The station is currently operating at about a 60 megawatt level. It will be stepped up earlier in the new year as another plant is commissioned to reach its 300 megawatt capacity. That will be followed by periods of start up and stop. The project is on track for practical completion and full operating performance at 300 megawatts by 11 May 1999, and I congratulate both the contractors and Western Power for retrieving what was a very expensive and damaging fire situation. I know that the member for Collie is delighted that under this Government, Collie Power Station is producing electricity.

REMOTE AND COUNTRY SCHOOLS, TEACHER VACANCIES

560. Mr RIPPER to the Minister for Education:

I refer to the answer that the minister provided in the Legislative Council yesterday with regard to teacher vacancies in remote country schools, where his representative refused to provide a list of schools with unfilled vacancies, and ask -

- (1) Does the minister recognise that his inability to fill these positions from within Western Australia is a reflection of the teachers' rejection of the country incentives package that he has offered them?
- (2) What other action will be taken if the recruitment efforts in the eastern States fail to attract a sufficient number of appropriate teachers?
- (3) Will the minister give a guarantee that all country schools will be fully and appropriately staffed from the beginning of the 1999 school year?

Mr BARNETT replied:

- (1)-(3) The country incentives package, which followed the remote area package, has won enormous support among teachers. I find it somewhat ironic that the teachers' union, which had argued passionately, and with good reason, for a country incentives package, was at the time it came out indifferent about it. I thought that was one of its more significant achievements. Since that package has been released, if my memory serves me correctly, about 500 teachers have contacted the department to have their priority or preference for schools changed in response to that allocation.

Mr Ripper: You still cannot staff schools.

Mr BARNETT: There are schools in this State that have always been difficult to staff. However, the department advises me that in recent years, and going back perhaps a decade or more, the staffing of country schools has been more advanced and is in better shape than it has been for years, which is directly attributable to the country incentives package. No matter what the union and the ALP say, teachers are saying this is a good deal, and they are signing up in their hundreds. Yes, we will run all schools in this State and run them well.

Mr Ripper: What will you do to fill the vacancies?

Mr BARNETT: I will not engage in a debate with the Opposition about the current staff appointment process. Many people are applying for various schools and options. When that process has been completed at the beginning of next year, if the member for Belmont is interested in knowing in which schools we still have staffing problems, I will be happy to tell him. That is no secret. I believe all schools will be properly and appropriately staffed at the beginning of next year - probably for the first time in the past 10 years.

BUSHPLAN, EFFECT ON LANDOWNERS

561. Mr JOHNSON to the Minister for Planning:

While I and many others congratulate the Government on Bushplan, some concern has been expressed about how this great initiative will affect private landowners. How many landowners will be affected, and what are the proposals to ensure that private landowners will not be disadvantaged by Bushplan?

Mr KIERATH replied:

The Government is aware of the delicate balance between, on the one hand, preserving the natural environment, and, on the other hand, protecting the rights of individual landowners. Bushplan has identified 285 sites, or about 52 000 hectares, of bushland to be marked for protection. An estimated 19 000 ha of this bushland will be protected for conservation purposes under Bushplan. Only a small proportion of this bushland - some 7 800 ha - is privately-owned land. The remaining 33 200 ha of land already has some protection and is primarily government-owned. Bushplan will be achieved in two ways: Firstly, by government acquisition; and, secondly, by government and landowner agreements. The Government, through the Western Australian Planning Commission's metropolitan region improvement fund, will spend \$100m over the next 10 years to acquire and reserve Bushplan sites with the highest conservation priority. There may be some areas of bush that we cannot buy, and a range of options will be negotiated between the Government and the landowners to enable them to not only retain ownership of that land but also manage that bushland for conservation purposes. In rural areas, individually tailored land management agreements and covenants will be formed between landowners and the Government to ensure that bush on private land is protected. All landowners will be individually notified if their land is affected by Bushplan. Each Bushplan site will be different, so detailed negotiations will probably be the best solution. This is another example of how the Government has the worthy goal of planning for environmental protection in its sights, and the Government is well on the way to achieving that goal and ensuring that all interests are protected, even in those areas where there is major conflict. That demonstrates the credentials of this Government in that it can govern in difficult situations and in a very good and sensible manner.

BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND AND LEVY COLLECTION AMENDMENT BILL, PROCLAMATION

562. Mr KOBELKE to the Minister for Employment and Training:

I refer to the Building and Construction Industry Training Fund and Levy Collection Amendment Bill 1997, which was passed by the Parliament in April this year, with an understanding that changes would be implemented promptly because of the inclusion in the Act of a sunset clause. Can the minister explain why more than eight months later, the legislation has not been proclaimed and the changes implemented; or is this a further example of the Court Government's incompetent management?

Mr KIERATH replied:

It is quite the reverse. When I became the Minister for Employment and Training, I took the time and opportunity to review and look seriously at a number of issues associated with the BCITF. I have been looking at a couple of strategies, and in about February I will be ready to move.

MANDURAH BYPASS AND MURDOCH DRIVE TRAFFIC LIGHTS

563. Mr NICHOLLS to the minister representing the Minister for Transport:

The intersection of the Mandurah bypass and Murdoch Drive has been a source of traffic conflict for some time. Can the minister indicate when traffic lights will be installed at that intersection?

Mr OMODEI replied:

I have a very short response from the Minister for Transport. The member for Mandurah, along with the member for Swan Hills, has really pursued traffic issues. It is expected that traffic signals at the intersection of the Mandurah bypass and Murdoch Drive will be installed during the second quarter of 1999 and will be operational by June 1999.

EDUCATION DEPARTMENT, ENGLISH AS A SECOND LANGUAGE SUPPORT

564. Mr RIPPER to the Minister for Education:

Can the minister explain why the number of staff in the Education Department's central office exclusively involved in English as a second language advisory or consultancy support has dropped from seven in 1993 to none in 1998? In the light of the Minister's supposed commitment to improve literacy, how can the minister justify such a reduction in resources to the education of this group of students at educational risk? Does not this prejudice the literacy of all children from non-English speaking backgrounds, including Aboriginal students, whose literacy standards are of such concern to the minister?

Mr BARNETT replied:

I thank the member for the question. Before I read out the specific response, I make the general observation that in the literacy assessments for year 3, while Aboriginal children did not perform as well as anyone would hope, what was very significant was that other children learning English as a second language performed extremely well, and their literacy standard, even at the young age of eight, was only marginally below that of the population at large.

In 1998, five officers in the central office are involved with English as a second language. Included in this number is a curriculum consultant with responsibility for English as a second language policy, as well as other inclusive issues. Resources for the English as a second language program are being maintained. In addition, resources through the students at educational risk program and the Aboriginal literacy initiatives will target these students. The Education Department will also continue to provide special assistance to ESL students through its intensive language centres, as well as the support that is given to these students through regular school programs. I reject the notion that there is a lack of commitment to literacy. Some two years ago, all federal, state and territory Education ministers adopted literacy as the No 1 objective in education. There is some way to go. We have set a high standard for assessment. I do not accept in any way that this Government or the Federal Government is neglecting literacy. I doubt that there has ever been in Australia's history such a concerted effort to improve literacy standards. I do not deny for a moment that many children need a great deal of assistance. Often that assistance will be almost one-to-one, which will be very expensive. However, the Opposition would do better to support what is trying to be done in schools about literacy. It is our biggest educational challenge.

Mr Ripper: We highlight those areas where the Government is not performing well, like reading clinics and English as a second language.

Mr BARNETT: The Opposition always picks a particular program or clinic. If there are changes, Opposition members run around talking about cutbacks. They need to recognise that more of these programs and services are being delivered into all schools so that children can study in their classroom or special assistance is given to the teachers concerned. A broad, across-the-plain process is being undertaken. All the small clinics and all sorts of little programs will not necessarily survive, but overall the impact on literacy for every single boy and girl in this State is being enhanced.

GREAT NORTHERN HIGHWAY RECONSTRUCTION

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

Will the minister please advise what work is now being carried out on the Great Northern Highway in Swan Valley and what are the expected dates for completion?

Mr OMODEI replied:

The Minister for Transport has provided the following response: The work to reconstruct the Great Northern Highway from Roe Highway and Lennard Street in Herne Hill includes replacing the existing road surface and widening the highway from seven metres to 14 metres. Turning pockets are also being installed to improve access and safety for local residents and motorists. A median will also be constructed to provide a safe refuge for pedestrians and right-turning vehicles. Access to Swan Christian High School and Riverlands Montessori Primary School will be improved as part of the project. In addition, landscaping will be improved to provide a buffer between the properties and the highway. As the member will know - she has been agitating for this work for quite some time - the work commenced in October and is scheduled to be completed in May 1999.

HERITAGE FUNDING

566. Mr BLOFFWITCH to the Minister for Heritage:

The Leader of the Opposition has stated on radio that this Government has no commitment to maintaining old buildings,

particularly those where the Government has an interest. Will the minister inform the House of the overall heritage funding, and of some of the buildings which are benefiting from the heritage program, particularly government buildings?

Dr Gallop: Funny you did not mention the Geraldton railway station in that question.

Mr BLOFFWITCH: I was tempted!

The SPEAKER: Order!

Mr KIERATH replied:

I thank the member for Geraldton for the question and for his interest in heritage matters in the mid-west region. Yet again the Leader of the Opposition in a throw-away line has tried to denigrate the Government. His comments are further from the truth than he is from government. State government funding for heritage has been \$1.145m and \$920 000 in 1997-98 and 1998-99 respectively. The heritage grants program has been funded at \$4m over four years; that is, \$1m a year on average.

Dr Gallop interjected.

Mr KIERATH: I am happy to answer a question on Castledare any time. Some of the better known government buildings that have received government funding are Heathcote, the former Hale School, which is now the constitution centre, Hackett Hall, and the old Treasury building. For the first time places in the Kimberley are receiving conservation funding, including the wool shed in the Derby tramway precinct, the old Halls Creek post office, the Sacred Heart church in Beagle Bay, Streeter Jetty and the Sun Picture Gardens in Broome. In fact, nearly 80 per cent of all funding this year has gone to regional Western Australia, and it is a trend that has continued from the previous year. The Leader of the Opposition is either woefully ill-informed or deliberately misleading the people yet again. If he is interested, and if he wishes to read them, I have copies of the press releases for the past 12 months which detail all the buildings in Western Australia that have received heritage funding. I ask him to take the time and trouble to read them, so at least he will not leave himself open to accusations of dishonesty on this issue. I know that he squeals when it happens, but if the truth hurts, he must have a low threshold of pain.

ILLEGAL FISHING

567. Mr GRILL to the Minister for Fisheries:

- (1) Is the Minister for Fisheries aware that page 63 of the Auditor General's twelfth report refers to instances of illegal fishing which are recorded in data held by Fisheries WA Catch and Effort Statistics System but which have never been corrected nor used as a basis for prosecution by the department?
- (2) If so, will the minister explain what action he has taken to ensure that the indicated breaches of the law are properly investigated by the appropriate agency?

Mr HOUSE replied:

- (1)-(2) I am aware of the Auditor General's report. I have given a detailed answer to a question on notice on this issue. I think the question originated in the upper House from the member's colleague. I have asked the chief executive officer of Fisheries WA to fully investigate this matter and to give me a comprehensive report. The outline in the Auditor General's report does not go into any in-depth detail, so it is difficult to ascertain what he is trying to get at. Having looked at the report, I understand that there is not a great deal of concern. However, as I have said, I have asked the CEO to look at the issue and to report back to me about what ramifications it might have for Fisheries WA.

ILLEGAL FISHING

568. Mr GRILL to the Minister for Fisheries:

When might the report and further information that the minister has requested become available?

Mr HOUSE replied:

Has the member read the Auditor General's report?

Mr Grill: Yes.

Mr HOUSE: I thought he might not have! I know that Hon Kim Chance gave the member the question; I was just testing to see whether he had read the report. As soon as the information is available, I am quite happy to give the member a full briefing on whatever information I have.