

## Legislative Council

Wednesday, 2 July 1986

**THE PRESIDENT** (Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

### HEALTH ACT (CARAVAN PARKS AND CAMPING GROUNDS) REGULATIONS

*Disallowance: Motion*

**HON. JOHN WILLIAMS** (Metropolitan) [2.36 p.m.]: I move—

That the Health Act (Caravan Parks and Camping Grounds) Amendment Regulations 1986 published in the Government Gazette on January 17 1986 and laid on the Table of this House on June 17 1986 be, and are hereby declared so to be, disallowed.

It has been brought to my attention by the Caravan Park Owners' Association that there is contained within the regulation a clause which it wishes to be reconsidered. It is a reasonable request because regulation No. 8 of the Health Act (Caravan Parks and Camping Grounds) Regulations was published and proclaimed in 1974. Time has caught up with this regulation which is self-explanatory; the distance between caravans shall be 4.5 metres except where local by-laws state differently.

With the fluctuation of time some people have become permanent residents in caravan parks and one of the amenities they have constructed, apparently without breaking the law, are en suite facilities—usually a shower and toilet constructed next to permanent caravans to save the occupants from walking long distances to use public ablution blocks.

I am sure members are aware that some residents in caravan parks have gone to the extent of landscaping their lot. If the present regulation is allowed it will give rise to a succession of problems. The new regulation states that en suites must be 4.5 metres removed from the caravan and the distance between vans shall be 4.5 metres. The previous regulation was not enforced because the general acceptance has been a space of three metres between caravans. That distance was chosen for a specific purpose, but I do not know how the people concerned have escaped the provisions of the previous regulation.

Members will realise that to conform with the proposed regulation brick structures—en suites, involving hard-standings and sewerage

disposal pipes—would have to be torn up. It is for that reason that the Caravan Park Owners' Association would like the regulation reconsidered. It believes that the en suites which have been constructed should remain where they are and that the distance between caravans should be three metres. The association has not taken this course arbitrarily because it is complaining of what would happen during heavy periods of bookings at caravan parks if the distance is 4.5 metres.

I ask members to imagine what could happen. If friends arrive at a caravan park in two vans, and the distance between them is 4.5 metres, there is nothing to stop another of their friends parking a camper van between them for the night or for a weekend. If the distance between caravans is reduced to three metres, taking into account the standard measurements of camper vans, there would be no room for such a vehicle to park in between two vans, and, therefore, we would preserve that type of integrity.

**Hon. J. M. Berinson:** Would the bylaws preserve that integrity at 4.5 metres?

**Hon. JOHN WILLIAMS:** Apparently not. For the Attorney General's information I advise that I have been to three caravan parks, two in the country and one in the metropolitan area. I will not name them because it would be wrong to do so. The country parks at the moment have three metres between sites and the one in North Metropolitan Province has roughly 1.5 metres between vans.

**Hon. Kay Hallahan:** Naughty.

**Hon. JOHN WILLIAMS:** Yes, it is very naughty but the people who frame the regulations always forget that when regulations are framed they must also be policed. This regulation has not been observed since 1974 and abuse has taken place in that period.

Quite rightly the other complaint comes from a number of local councils who say they are at their wits' end because almost 90 per cent of caravan park occupants are permanent residents.

**Hon. D. K. Dans:** In many areas that is also against the law.

**Hon. JOHN WILLIAMS:** Indeed. The other point which would be of interest to the Leader of the House is that tourists travelling around the State are finding it extremely difficult to get into caravan parks and when they are successful they are not welcomed because the permanent residents feel that they have sole right to occupancy.

I am asking the House to disallow this regulation. It has not been enforced since 1974. I ask the relevant committee to have a further look at the regulation, perhaps hold meetings or conferences with interested parties who can put their points of view, and further investigate some of the aspects I have enumerated today.

**HON. C. J. BELL** (Lower West) [2.42 p.m.]: In seconding the motion I reinforce the comments made by Hon. John Williams. Caravan park owners have made strong representation to me indicating that this regulation is undesirable. In fact, they point out that the distance of 4.5 metres is greater than the distance between houses on adjoining residential blocks. Some caravan park owners have spent a great deal of money landscaping their properties, have done all those things one expects in a good caravan park—we all have a vision of what makes a good park—and their businesses will be placed in jeopardy.

They hold the strong opinion that three metres is a much more acceptable distance. That concept generally operates in the Eastern States although I understand that one State operates on a lesser distance. However, comments I have heard on that situation indicate that the distance is too small and it is undesirable to be close to the point at which occupants of one van are practically living in the pockets of those alongside. I suggest that three metres is a reasonable compromise with regard to privacy and the need to consider the economics of an industry in which quite frequently high costs are involved in providing the facilities people expect if they choose to go caravanning or camping.

As Hon. John Williams said—and it has been put to me—4.5 metres allows room for another tent or camper between the sites and this will occur particularly during high demand periods, regardless of the regulations or the by-laws which might be in place.

When all the caravan parks in a resort area are full the caravan park owner may be approached at six o'clock in the evening by somebody who turns up at the gate and tells him it is 100 kilometres to the next park, he has children who need attention, and asks if his vehicle can be fitted in just for the night. The obvious temptation would be for the caravan park owner to squeeze that extra caravan or tent in between the sites. With a distance of 4.5 metres between sites it is possible to fit that extra vehicle in without it being too close to the vans on either side. However, that would not be possible with a three-metre margin because the

occupant would be unable to open the doors of his car. Also complaints would soon be received from people in the adjoining sites as the privacy aspects of the situation would become untenable.

I urge the House to support the motion.

**HON. TOM HELM** (North) [2.46 p.m.]: I rise to support the regulation. I am not well versed in the operation of caravan parks in the metropolitan area, or in fact those south of Geraldton, but I am aware of the situation in my electorate.

At present the Roebourne Shire has a problem and one councillor who owns a caravan park has difficulty moving his caravans to the distance now required. In the north of the State the problem of reducing the 4.5 metre distance to three metres is obviously made worse because of the high temperatures and the risk of fire damage. I am reliably informed that 4.5 metres is a reasonable distance between caravans, particularly from the points of view of health and fire risk.

The argument put up that a caravan park owner may be asked to break the regulations for an overnight stay may be valid. However, the proprietor of the caravan park would be responsible for not obeying the law and allowing someone to stay overnight in an unauthorised site. I do not believe that any person would have to travel 100 kilometres to the next caravan park, or that the country is so small that a person could not find a space to park a caravan or set up a tent overnight.

I support the regulation and I also support the Roebourne Shire in the prosecution now taking place. I ask members to recognise that in the north of the State the distance of 4.5 metres has obvious benefits with regard to avoiding health and fire risks.

Debate adjourned, on motion by Hon. Fred McKenzie.

## LEAVE OF ABSENCE

On motion by Hon. E. J. Charlton, leave of absence for seven consecutive sittings of the House granted to Hon. Tom McNeil (Upper West) due to parliamentary business overseas.

## ARCHITECTS AMENDMENT BILL

### *Introduction and First Reading*

Bill introduced, on motion by Hon. D. K. Dans (Minister for Works and Services), and read a first time.

**ECONOMY: WESTERN AUSTRALIAN***Concern: Motion*

**HON. W. N. STRETCH** (Lower Central)  
[2.50 p.m.]: I move—

That this House:

1. Expresses its concern over the Government of Western Australia's:—

(a) refusal to summon Parliament so that urgent action could be taken to alleviate the problems of rural Western Australia by streamlining the administration of financial relief;

(b) failure to heed the warnings of rural Members of this House throughout the period of the last Parliament that farmers and country businesses were at crisis point;

(c) failure to protect export-producing industries by adjusting its spending priorities;

(d) failure to heed warnings from Members of this House that the economy of Western Australia (and Australia) ultimately depends on the net earnings of the exporting industries;

(e) proposal to add another two Ministers to the Cabinet when the cost of running the present Ministry is already an overwhelming burden on the taxpayers of Western Australia;

(f) wasteful misuse of public funds in promoting concerts and social-engineering programmes, when the State economy is in trouble; and

2. Requests the Premier and Treasurer to take note of and act upon the above matters; and further, that his Government make urgent and strenuous representations to the Federal Labor Government to:—

(a) reduce extravagant Federal spending in non-exporting sectors;

(b) limit all overseas borrowings for non-export-producing purposes and projects at least until it can pay the interest on the present

overseas debt and still balance its budget;

(c) rearrange its taxing and spending priorities to encourage the survival and growth of Australia's export-earners; and

(d) adjust or abolish Australia's centralised wage-fixing system, so that wages and other internal costs reflect the realities of the international market-place, where Australian produce and products have to sell competitively in order for our economy, and thereby the living standards of all Australia, to survive.

This motion has been before the House for some time and it gives members on this side no great pleasure to have to bring forward a motion like it. As members are aware, during the long recess of Parliament, things in the country continued to take a very sad turn. Therefore, we put this motion forward to bring before this State and the people of Western Australia a general outline of where we believe things have gone wrong and how we hope they can be remedied in the future. This motion is not brought forward on a political basis to belt the Government; it is a statement of fact and the problems facing this industry over many years. The wording of the various parts make that clear.

This motion could mean a very long debate but I do not propose to take the time of the House in going through the things I have been warning of over the last four years I have been a member in this place. Parliament was prorogued in a most untimely fashion and at a stage when it was quite clear that the situation in the rural areas was deteriorating rapidly. We did not really have the time at that stage to go into all the problems, although we did see them forming. Therefore, there was a strong feeling in the bush that after the election Parliament should have been recalled in order to bring forward some emergency measures. This happened after the 1983 election. It was no joy then to sit here and consider legislation which ultimately was utterly useless.

There was a strong feeling that the rural situation was drifting from bad to worse. There were mortgagee sales, some failed harvests, and a general feeling of distress. The country people felt bereft of direction from our State Parliament. They did not have a concentration of members to whom they could bring their problems. They felt they were being treated as sec-

ond rate. They should have been able to look to this place, as the leading institution in this State, to help them with their problems and put forward their views. We hope Parliament will always be regarded as such.

For the four years I have been in this place we have continually warned that farmers and rural communities are heading into a crisis. Their terms of trade were declining at an alarming rate. In fact, farmers' costs were increasing at five times the return received; and no business can continue at that rate of decline for long. It was only a matter of time before we came to this present liquidity crisis that all farms are now facing. The farmers were frustrated and we were frustrated.

Despite our warnings, the Government pressed on with what we considered to be most inappropriate policies that were adding to the farmers' worries and costs, and ignoring the major contribution that the rural industries and communities made to the economy of Western Australia and Australia. We believed that the export-orientated industries were not getting a fair go from this Government. They were being pushed aside in favour of the more popular and trendy projects. This added further to the declining terms of trade. There seemed to be total ignorance on the part of the Labor Party to accept that the wealth of the country was built on our export industries. We all know we have to have an integrated economy but we must realise that at the bottom line we look to the export earners to produce the rural wealth that is the cornerstone of the standard of living that we all want to enjoy.

We put this question ad nauseam to those Labor members. It is the basic economic cornerstone which had to be fully understood and appreciated by all. We felt it was not getting through; therefore we had to have this motion. We hope it will have some effect.

I refer to paragraph 1(e) where it mentions the proposal to add two more Ministers to the Cabinet. I was attacked by Hon. Tom Stephens because he construed it as being a personal attack on the two members who are hoping to be elevated to the Ministry. That was quite untrue. It was not a personal attack against the member for Kimberley. I congratulate him on his elevation to that post. I believe he may well have a great contribution to make on behalf of his particular interest. My attack in no way centres on the personalities involved. I am sorry Hon. Tom Stephens took that attitude. The point I am making is the fact that now is not the time to be increasing the size of the

Government. We should be cutting back on expenditure. It is quite absurd that at a time of such stringency we should be looking at putting another two Ministers into Cabinet ranking when it is doubtful that there will be a cost-effective spin-off by that move.

We have heard various figures put forward. In another place some members say the cost will be \$500 000 for those two Ministers. I think the cost will be double that figure when one considers that new departments have to be set up, and that cars, drivers, and unlimited travel, etc., have to be provided.

The PRESIDENT: Order! I think the honourable member is transgressing inasmuch as there is debate in another place on a Bill dealing with this matter. If that is the case, then the member is out of order in speaking about it.

Hon. W. N. STRETCH: I bow to your ruling, Sir. Leaving that matter aside, I return to subparagraph (f) which refers to the general misuse of funds.

#### *Point of Order*

Hon. H. W. GAYFER: On a point of order, Sir, you have just indicated that the honourable member should not talk about the matters in subparagraph (e). Do you mean that it should be dropped from the motion?

The PRESIDENT: No. I refer to Standing Order No. 84 which says—

No Member shall allude to any debate of the current Session in the Assembly, or to any measure impending therein.

I simply say that I understand there is debate occurring on a Bill in the Assembly. Therefore, the member is contravening Standing Order No. 84.

Hon. H. W. GAYFER: Would that not necessarily make the total motion before the House ultra vires?

The PRESIDENT: No, it would not.

#### *Debate Resumed*

Hon. W. N. STRETCH: I refer to paragraph 1(f) which relates to the inappropriate use of funds in various programmes that are not alleviating the difficulties of the Western Australian and Australian economies.

There are many things to which we could point. Some of the CEP programmes were very good, but others—some of which, as Hon. A. A. Lewis last night mentioned, were in my electorate—involve such schemes where the young people take on such CEP labour as renovating a

school. In my electorate where CEP labour was used on the school, the cost of the project overran by some \$100 000. Not only did it overrun, but, by employing CEP labour, established local tradesmen were put out of work, as were their apprentices and their other workers. This is what I mean by "social engineering". By giving untrained people work at the expense of qualified, set up and established businessmen in their own towns, great friction was caused in the area. It ended with the Government having to pay for a very expensive and shoddily done job by people working in the CEP scheme.

The PRESIDENT: Order! Members must understand that audible conversation is out of order. Everyone in this Chamber is carrying on an audible conversation at the moment.

Hon. Graham Edwards: Where was that?

Hon. W. N. STRETCH: Manjimup.

Another problem we find is that the Government tends to concentrate more on some of the conservation measures in the Conservation and Land Management portfolio, where the emphasis has gone from production forestry to conservation measures. Conservation in its own right is a very fine thing, which I fully support. However, a balance must be struck and when we start conserving things at the expense of communities and at the expense of jobs for people who live in those communities, I believe we are exceeding the bounds of commonsense.

I urge the Government to look at the cost effectiveness of all of its programmes. Some of them, perhaps, are no doubt very dear to the hearts of Government members, and I suppose we must expect a certain degree of philosophical spin-off in any change of Government. However, when we consider these matters we must look at the bottom line, which must be the welfare of the State and the nation. We must look a little bit further down the track in this respect; we must look further than the next election.

Many of these matters are outside the State Government's sphere of influence and members on this side fully recognise that. However, at the same time we believe that members of Parliament in this State have a very onerous responsibility to ensure that their Federal colleagues are kept abreast of problems in the Western Australian economy. We must bring to the notice of our Federal colleagues changes which we may believe could be made for the better of the State.

Consequently in paragraph 2 of the motion members will note that we have requested that members make serious representations to their Federal Government colleagues. Since this motion has been on the Notice Paper before this House, the Federal Government has indeed taken some worthy steps towards achieving some of these goals. I believe my colleagues would support me in commending this move and wishing that it continues.

The Federal Government has spent extravagantly in some of the non-exporting sectors of our community, and that is something which must be pruned back. We will fully support some of the moves which are being made in that respect now. We believe that some of the overseas borrowings—I know there were interjections from the other side of the House which tended to support our view—were not necessarily in the long-term national interest. We should look not necessarily at limiting this but we should be looking very hard at such overseas borrowings and investments to make sure they are in the national interest and are going to aid our export trade and ultimately cut down our national debt rather than increase it.

Members on this side believe that the taxing and spending priorities in Australia and in Western Australia particularly, are not arranged in such a way that they stimulate our country's export earnings. Members on this side believe that this stimulation has not taken place and we believe there is a long way to go in this respect. That is a matter I will touch on in a little more detail later.

I refer now to such matters as the quarantine of off-farm income which Hon. J. M. Brown mentioned last night. This is a matter which needs some elaboration and I must say I found his explanation somewhat surprising. He called on this House to congratulate Mr Keating for not proceeding with this wretched plan, but that seems to me rather like a gang of bank robbers deciding to raid a bank and on further exploration finding it is very heavily guarded and quite impossible to rob. So the bank robbers go to the bank manager and say, "We just want to tell you, sir, that we were going to rob your bank. We think you should be most grateful to us and kneel down and pay us homage for deciding not to rob your bank." That is exactly what Mr Kerin and Mr Keating are doing, and that is what their tax package threatened to do. Kerin and Keating threatened to make this most onerous imposition on primary producers and at the last minute, after an enormous backlash from the community, decided that they

would not do it, and rightly so. However, for goodness' sake, it is not reasonable to expect one to claim credit for having decided not to do something which one should never have contemplated doing in the first place. I think that needs to be fully explained.

As far as the Federal policies on taxation are concerned, we heard a lot about the accord and what it would do for the economy. We also heard a lot about the trilogy. We know where the accord is now—I think it is probably where it should have been some time ago—and as for the trilogy, we should remember that under the “best Treasurer in the world”, we had a trilogy all right. We had a trilogy of a \$20 billion growth in the tax take over three years, a \$20 billion growth in Government spending over three years, and a \$20 billion growth in Federal borrowings. That is what the man who is reputed to be the world's best Treasurer is responsible for. I hope he hangs his head in shame because he has the worst record of any Treasurer this country has ever had.

Hon. C. J. Bell: He was following the Mexican Treasurer's example.

Hon. W. N. STRETCH: I do not know whom he was following. I thought he was leading. I would ask members to remember these figures—\$20 billion, that is a \$20 000 million growth in tax take; a \$20 000 million growth in the Government spending; and a \$20 000 million growth in Federal borrowings in three years.

In actual fact the Federal Treasurer borrowed in three years what his predecessors borrowed in 83 years. I hope that sinks in. This country has doubled its borrowings in the last three years over the previous 83 years. That is some record. We have now reached a stage where the major part of our primary exports goes to pay our interest on our overseas borrowings—not to pay them back but merely to pay the interest on them. That is the stage this country is at and it is not a pleasant prospect for any Treasurer to face up to.

Finally, in paragraph 2(d) we draw attention to the centralised wage fixing system, which has become so entrenched in our way of life in this country that it is making it very difficult to continue operating, building, or doing anything in this country and show a slight profit. That is the bottom line and that is why this country is in such trouble. We must pay close attention to this in the future and we must change our attitudes and remember that our goal must be to produce our way out of the trouble.

We cannot legislate and give ourselves greater wages because there is simply nothing left in the piggy bank with which to pay these wages. We must work our way out of this problem and it will not be done by management alone; it will not be done by workers going on strike, nor will it be done by the waterside workers tying up 65 ships, as they have threatened to do. *The Australian Financial Review* of 2 July 1986 notes that employers must stand firm and they must not put these things off. I do not intend to emphasise that but the headline in the paper is, “Employers must stand firm”. The article reads in part as follows—

What a sad and silly country we live in. At a time when we need every export dollar we can get, 65 ships are tied up and we are losing almost a million dollars a day in export revenue.

That is not the way to go. Anyone who has run a business knows it is a recipe for disaster. There is an urgent need for someone to come forward and make this State and Australia a united force to overcome these problems. They can only be overcome by cooperation and by breaking down the inflexible attitudes to taxation. We must return to the concept of a fair day's work for a fair day's pay where everyone has an incentive to get somewhere and do a little bit more and earn more. There is no shortage of goodwill or of ability in this country to overcome these problems.

The PRESIDENT: Order! I called honourable members to order a little while ago in regard to the multiplicity of audible conversations. They are out of order.

Hon. W. N. STRETCH: Such an onslaught on the economic problems of the country will not be achieved by one sector on its own. A concerted attempt must be made by management and workers. The programme must be undertaken and believed in by the Government. This Government has a role to play in convincing its Federal colleagues that they must get off the back of small business.

The State Government recently increased charges after it said it would not do so; it gave undertakings to the people as recently as February that there would be no such increase in charges. We now have those increases. The Government hopes that the people will forget and it will increase them again. All this adds to the costs of production. Business cannot stand it and if business cannot stand it there will be no work for employees and we will all continue

running around in this silly little goldfish tank stirring around the same amount of money without earning anything overseas while the Australian dollar falls lower and lower, and some pretty horrific predictions abound in the community about this matter! The Government's major job at this stage is to cut down its own size, get itself out of business as much as it can, and let other businesses run themselves.

I want to conclude my remarks with a 100-year-old quotation by the great Russian literary giant, Leo Tolstoy. *What Then Must We Do?* written in 1886 reads as follows—

I sit on a man's back choking him and making him carry me and yet assure myself and others that I am sorry for him and wish to lighten his load by all possible means—except by getting off his back.

I ask the State and Federal Governments: For goodness sake get off the backs of businesses, get off farmers' backs, and let us get on with the job we do best—earning export dollars to maintain our standard of living.

**HON. C. J. BELL** (Lower West) [3.16 p.m.]: I second the motion. In rising to support this motion I remind the House of the consistent calls by rural members from this side of the Parliament over the last two years in particular to address the problem of rural industry. I make it quite clear that we are talking about rural Australia and rural Western Australia in particular, and not specifically agriculture, although agriculture is of course the backbone of rural Australia. There may well be some argument that some mining industries in certain areas are the backbones of those areas, and I would agree with that; however, the reality is that during this time little has been done to alleviate the problems being faced by rural industry. Much has been said to soothe people's concerns, but little has been done to resolve the problem.

We have heard many statements by Government members indicating that in fact something has been happening; but the reality, of course, is that the rural industry has been slipping further and further into deterioration. A classic case was mentioned last night. Hon. Jim Brown made a point with regard to the wheat industry. When the House adjourned for tea some members watched the news on television and heard that in fact wheat industry problems had deteriorated even further.

In today's newspaper, Mr Kerin indicated that if the Australian Government was to endeavour to support the Australian wheat indus-

try to the same extent that the American industry was supported, it would cost \$5 000 million. That is the extent of the problem in the marketplace. Farmers have very real problems which affect all country people, towns, service industries, and sporting clubs. They affect every facet of life outside the metropolitan area. Of course, not only country people are affected; people in metropolitan areas are also affected; but it is an insidious thing that sneaks up on people and they do not understand that in fact what is happening is causing the deterioration of the rural areas which produce the export income for Australia.

It is no good talking about the previous position and how taxes have affected the rural industry for a long time. They have done so. There have been taxes, tariffs and all sorts of indirect taxes on rural industries. Perhaps there was a time when it was possible to support them, but that time has gone. It is time the Government got its hands out of the pockets of agriculture.

A classic example is the fringe benefits tax. If ever a tax was designed by a bureaucrat for the benefit only of bureaucrats, the fringe benefits tax would have to be it.

I think the mining industry will have the same problem as the rural industry. Anybody who lives in remote areas will experience this problem with the fringe benefits tax. It is the greatest disincentive I have ever seen for people to go to remote areas and earn the dollars that our country so desperately needs.

One of the interesting aspects of the talkfest, if one likes, was the interest rates subsidy. It was interesting to read yesterday that the interest rates subsidy would not be affected by the austerity measures announced last week. The problem is that the subsidy is of little or no value today.

Hon. E. J. Charlton: Not one dollar will go out.

Hon. C. J. BELL: That is right, but the money is there. Why can it not be converted to a term-interest-only loan instead of being applied to capital payments? Why can it not be lent to agriculture where it is so desperately needed? That \$40 million is sitting there doing nothing. It will not be used while we continue to worry and operate as we do.

Hon. E. J. Charlton: It is only earning interest for the Government.

Hon. C. J. BELL: There is no doubt that costs in agriculture are continuing to rise. Last night I pointed to the situation that exists in

the dairy industry. There has been a 24 per cent rise in costs and a lesser rise in prices. In the last two weeks I have seen announcements in the Press that barley prices for next year will be substantially lower than those which prevailed last year. Wheat prices will also be substantially lower than they were last year. As I said earlier, the same applies to dairy products. Meat prices have declined from the levels which prevailed early in the year and continue to go down. Where will agriculture finish up if we continue to tax it the way we are? Governments must get their hands out of agriculture's pocket.

We are currently experiencing a balance of payments problem at the Federal level. Obviously, if we have a Budget which is running at a deficit, there are only two things we can do. We can either increase income or decrease expenditure. The obvious intent of the Federal Government has been to increase income by increasing taxes. Last week we saw a 12 per cent increase in electricity charges, and a 92 per cent increase in fuel tax charges imposed by the State Government. Yet, we hear talk of constraint. Of course, the reality is different. The reality is that taxes are increasing to match expenditure. Instead of attempting to match expenditure with income we should be considering the problem in reverse. We are looking at what is possible, not at what is ideal. Agriculture is the final recipient of what is left over after the community has devoured what it needs.

The industry is in dire straits. Unless our Governments have a good, hard look at where we are going we cannot see that the balance of payments figures will have any chance of being turned around.

Mr Stretch mentioned some of the classic cases of expenditure extravagances. I cannot argue with endeavours to carry out some desirable social programmes. They are obviously necessary. We would all like to see many of the things we are attempting to do carried out. However, we first must judge whether we can afford them. It is no use our increasing the expenditure on these sorts of programmes without the necessary income because we inevitably fall into the trap of increasing the deficit.

It is now time we looked at giving some positive incentives to the export industry. It is time we sorted out where we should go. I support the endeavours by the Federal Minister for Primary Industry to draw to the attention of the Europeans and the Americans the effects their subsidies are having on the agricultural world.

Hon. S. M. Piantadosi: Manipulation.

Hon. C. J. BELL: It is manipulation. However, if one considers their points of view, one realises they have to look after their national interests. It seems that we, with New Zealand, are left standing trying to maintain a free market situation and that is causing us problems. Unless we can get around that problem it will not be possible for us to try to match those countries in subsidies.

It is also crazy that we have to protect our manufacturing industries in Australia. We have placed tariffs on very vital imports to be used in the agricultural industry. Our machinery attracts high levels of tariffs. It seems to me that if our country wants a manufacturing industry, we should not ask the export industries to support it; the whole of the community should pay for it because the Government has made a judgement in the best interest of the community that the manufacturing industries should be subsidised. They should be supported by bounties such as the bounty on the tractor industry.

Another problem for the agricultural industry is the fact that we have no chemical industry to speak of in Australia. We do have a chemical mixing industry where we buy the raw products from overseas and mix them and sell them here. That industry, however, is massively protected to the tune of a tariff of 37 per cent—I think that was the last figure I saw. That does not protect jobs in Australia. All it does is tax the industry and make it more difficult for the rural communities of this country.

In recent discussions that I have had with people around town, I have been told that something like 25 per cent of farmers in this State are at risk of failing within the next 12 months. If we do not do something that figure will increase to 30 per cent next year and to 35 per cent the year after. I urge the Government to take note of the motion, to support it, and to bring to the attention of the Federal Government the serious concerns of this House on the matters outlined in the motion.

Debate adjourned, on motion by Hon. Fred McKenzie.

#### ADDRESS-IN-REPLY: ELEVENTH DAY

*Motion, as Amended*

Debate resumed from 1 July.

HON. NEIL OLIVER (West) [3.30 p.m.]: The Premier took an interesting initiative last week in challenging Western Australians with an economic statement, although so many



people had over many years indicated the state of our economy. I also recall Hon. H. W. Gayfer made comments in that regard. Suddenly the Prime Minister of Australia, R. J. L. Hawke, decided that Australia was in a crisis situation. Almost within a few days, the Premier of Western Australia decided to take the same initiative. We should all collectively support that view with respect to having a starting point, but what can we say? It is good to say that a lot of hard work and willingness to accept that we need a change in direction will work. I very much appreciate what the Premier has said because I have said the same thing so often in this House.

It will take a lot of hard work and willingness to accept that we all need a change in direction. Many people in the community may even regard us as fascists if we seek this change in direction. We will be regarded as a group of union bashers. There are many outward manifestations of what has become a crisis in the national confidence about our future and where we are headed. Such a statement was made by the Premier to this State last week and by the Prime Minister to the people of Australia prior to that.

I am sorry that the Leader of the House is not present. I know that parliamentary duties would account for his absence. I realise that the Attorney General is here. Never before has the cry as to where we are heading been so acute. I have often heard members on both sides of the House question what is happening to our young people and why all institutions seem to have failed them. I have heard questions as to why society seems more corrupt and why the drug problem cannot be corrected. We heard about that only yesterday. There have been queries about why we are potentially so rich, yet have failed somewhere. We have failed dramatically to conserve that from the past which merits conserving.

Why is a slow disintegration seemingly at work? Why is it that excellence, wealth, achievement, discipline and hard work are spoken of in a derogatory sense? I can only touch tangentially on these issues, but these questions need to be answered. I have heard so many people in this House speak on these matters.

One of the problems we face is that at a governmental level the example that has been set by Governments—some Liberal, some Labor—has hardly inspired the confidence of the people of this great country, which has an ability to achieve such excellence. It surely is

impossible to ask young people in the community to be aggressive, achieving and productive when their very best productive instincts are penalised.

We need look for evidence no further than in the taxation system itself. Members should consider the major current attack on the very function of the taxation system. I refer to the fringe benefits tax. I challenge the Government to make a move with respect to that tax. In so doing, I know that I will get few answers. I may not get any answers. I ask the Government about the future of the young people of Australia. As a Government, the Government has a responsibility. I challenge it to tell me its plan for the future of the young people of Australia.

Where do they stand? Where do they go? If it actually stands for that purpose, the Government is supposed to protect young people. The Government stands for the protection of underprivileged people in Australia. That is its platform. The Government should tell us where it stands on that principle. Where does it stand in respect of the future of the young people of Australia?

It may have a plan. I am not aware of it. Mr McKenzie may laugh, but it is not a joke for those young people.

I would like to turn to a functional thing, and that is the taxation system in Australia today. The current issue has already been outlined by Hon. Bill Stretch in his motion on the rural industry. That covers the fringe benefits tax. Where does this country go?

Those who work hardest, those who do best, those who achieve most and invest most, are penalised. They pay for those whose disposition is the opposite of all the above.

At the centre of this motion is concern for those who have done well. But the Government is clouded with suspicion. Contemporary Australia is made not for the lightweights but for the heavyweights. Those who would like to succeed, to go ahead on the basis of results, on the basis of educational achievements—where do they stand in the Labor Party platform? Where do they go? Where can they go?

Make a million in the United States and one is commended. Make a million in Australia and one is called a developer, or even a shonky drug dealer. That is how one makes a million in Australia. One is criticised for it. People are reluctant to shoot for the top.

*Sitting suspended from 3.45 to 4.00 p.m.*

Hon. NEIL OLIVER: In the short time left to me I would like to refer to the matter of this country's overseas debt.

The picture is increasingly emerging that our export revenue is being swallowed to pay our national overseas debt. I know the Attorney General will understand that the figure is now over 40 per cent of our export income. To put it another way: In a country with a population of 15 million, the gross debt is \$500 for every man, woman and child. Many of these people of course will not be contributing to the national income.

The interest alone on this country's overseas debt has climbed higher than the Government deficit. When we talk about economic growth, we should remember that large slices have been taken out of our national income and put onto our overseas debt because we have failed to work our way out of trouble and we are being caught up by present economic conditions.

Consequently the rural and mining industries have had to put their prices up merely to stay afloat, and this country has become uncompetitive on overseas markets. The deficit is simply the balance between our exports and our imports for the calendar year, and this year I understand it will be almost \$14.5 billion.

This comes at a time when Japan, for example, posted a trade surplus; and I know Hon. Des Dans, with his great experience of trade with the Japanese, will know what this means, and how exactly the Japanese trade. However this is followed by a record \$5.2 billion deficit, yet not a word has been uttered about how this country can work its way out of trouble.

I appreciate very much the statement made by the Premier last week in respect of the economy; but what is this all about? Is it to pay for the Public Service, or to pay for a whole range of grandiose schemes? The schemes must be paid by higher taxes and Government expenditure. I wonder how far down the road we are going to have to go? We are now the only country in the industrialised world which has full indexation built into an already uncompetitive economy.

This situation is worse than that. There is a clear understanding that these defects will be financed by a Budget deficit, a trade deficit and an overseas debt. There is one thing for sure: This country needs to be financed and it needs capital to finance its debts. In reference to the Budget, there will be an added tax on our expenditure. In reference to trade we need to be-

come more competitive or impose tariffs or other imposts. In respect of borrowing on the international scene, we cannot go on ignoring the seriousness of this matter. We could inflate our way out of trouble. One must ask how this compares with world economic growth, for surely this is a prescription for a resurgence in inflation.

To prove that this is no longer the "lucky country", I point out that we are now ranked second-last among the Asian nations in market competitiveness. With respect, Mr President, there is a hell of a Budget deficit and an inexhaustible slide in the value of the Australian dollar, which we have seen almost within this week. The Federal Government must ask itself whether it can afford to wait another year while our foreign indebtedness grows. It is doubtful, however, whether anyone was even listening to the question, let alone answering it.

**HON. ROBERT HETHERINGTON** (South-East Metropolitan) [4.08 p.m.]: I wish to support the motion. Before I begin the main tenor of my remarks I would just like to make reference to some people who are no longer here and whom I will miss.

First, I want to make some reference to Mr Clive Hughes, who was the member for Cockburn, who died earlier this year. He was one of those quiet people whom I did not know very well but liked. It was only after he died that I discovered what kind of work he was doing for people in his electorate and what kind of a caring person he was.

I found out that he and I had been working on the same projects but I did not know about his working on them and I do not know whether he knew about me. However, we had been working on similar kinds of things. He was one of those people who would have developed into a first-class member of Parliament, the kind of electoral member that is needed in Parliament and the kind of caring member who is needed in Parliament. I wish to place on the record my appreciation for the work he did in the short time he was here and to note that when I went to his funeral there were literally hundreds of people there to mourn him and to pay tribute to his life's work.

I want to refer to my friend and colleague, Lyla Elliott, who was in this House when I arrived, and with whom I have worked over many years on the executive of the State Parliamentary Labor Party, first when she was chairperson and I was Deputy Leader of the Opposition and sitting next to her where Hon.

Phillip Pandal now sits, and later as secretary of the party. We in the Labor Party will miss Lyla Elliott. Socrates was called the gadfly of Athens because he stung and worried people about principles, and Lyla Elliott was very much the gadfly of the State Parliamentary Labor Party, always prepared to defend the principles she believed in with deep sincerity.

I first knew her when she quite intimidated me as Joe Chamberlain's secretary; she sat there taking notes at State executive meetings and looking very superior and elegant, and I wondered who this woman was. Once I got to know her in the House I realised she did a great deal of good work for all kinds of people. She believed in the principles of equality and justice, and that we should help the underdog. She was one of those people Hon. Graham MacKinnon used to refer to as "old-fashioned Labor people". He said Hon. Fred McKenzie, Lyla, and I were some of the few who were left. I do not know that that is true, but it applied to Lyla and Hon. Fred McKenzie, and we have some new members in the House now to whom I will refer later.

Hon. H. W. Gayfer interjected.

Hon. ROBERT HETHERINGTON: I would like to include myself with Hon. Fred McKenzie. Having worked with him for six years in the same electorate I can certainly speak of him as a person who believes in the principles of the Labor Party, as did Lyla. So I will miss her greatly in the House.

I am glad to see we have one other woman to replace her, and I will refer to her in a moment. I would like to refer to two members of the Opposition who are no longer here. I cannot entirely regret the departure of one because he has been replaced by a good Labor man, but I will miss him. I refer to Hon. Graham MacKinnon. He would understand the statement I just made. When I first came to this House he was Leader of the House and he taught me hard lessons. I came into this House when he was on the Government front bench and I was on the Opposition front bench, and I had to learn fast to survive. I did so, and with all due respect to the present Leader of the Opposition, I find it easier to survive with him.

Hon. E. J. Charlton: He is a gentleman.

Hon. ROBERT HETHERINGTON: Hon. Graham MacKinnon believed fiercely in the Parliament and the parliamentary system. As I mentioned in my speech the other night, when he was Leader of the Government, he postponed a debate so that people who wanted

to come in and hate the Government could fill the gallery and listen to the debate. My leader, Hon. Des Dans, said to me about Hon. Graham MacKinnon in relation to something I claimed he had said, "Did he really say it, because if he did you can accept his word every time? If he did not really say it, watch him!" That is very true; he was in many ways a very good parliamentarian.

The other person I will miss is Hon. Ian Medcalf. I recall the time when I led for the Opposition in the debate on the offices of profit under the Crown Bill; I have never enjoyed a debate so much, although I am not sure that other people in the House did. He and I got something out of it. I will miss his quiet wisdom and decency and his understanding of the proprieties of the Westminster system which need to be remembered. I will also be grateful to him because when that Bill did not go through I went across and said to him, "What we have at present in the Constitution is a Quaker affirmation where you have to utter nonsense if you do not want to take an oath. Is it not time we had a sensible affirmation such as there is in the courts?" Lo and behold, he brought in a Bill and said, "I have done this for you", and it put the present affirmation into the Constitution.

I wondered then if the age rule in the Labor Party would allow me to sit here long enough to make that affirmation, and after two Quaker affirmations I have made a proper affirmation, and I can retire content.

Hon. G. E. Masters: And we are pleased to see you back.

Hon. ROBERT HETHERINGTON: I did not know that I would be here to hear all the maiden speeches of the new members, but I want to congratulate them and welcome them. Hon. Max Evans delivered a thoughtful and careful speech; Hon. John Caldwell delivered a highly sincere speech which I listened to with great interest. I also want to welcome with great joy the people who have come in on my side because they have added to our numbers in this House and also because of the contributions they have made and will make.

I will begin—not because I believe in ladies before gentlemen; I believe in equality—with Hon. Beryl Jones whom I have known for some years as a very good councillor of the City of Armadale. It quite delighted me when she won her seat both because she added to our numbers in the House and because I knew she would be a good member. I am looking forward

to working with her as a colleague in this Parliament. Her maiden speech was proper and decent because it observed the proprieties and she delivered it quietly and competently.

I also want to welcome to this side of the House my good friend who I thought was going to stand for East Metropolitan Province in 1977—and had he done so I would not be here—Hon. Tom Butler. I have known him for many years, and he is one of those honest, decent trade unionists of whom we need more. His is a voice of moderation and principle, and has been throughout my experience in the Labor Party. He has been a good President of the Labor Party and will make a good contribution to this House.

We need more unionists on this side of the House—the people who understand some aspects of the problems of an industrial society that some people on the other side, particularly one who has spoken quite recently, do not always fully grasp. I am glad to see the three trade unionists we had already now increased to five. Hon. Des Dans has always been a source of wisdom and a tower of strength; I mentioned Hon. Fred McKenzie before; Hon. Sam Piantadosi has worked as a union secretary and knows the problems. He is one of the people who were born in Italy and came here to become a good Australian. Now we have two more trade unionists in Hon. Tom Butler, and a person who I think is a natural and will be a marvellous politician judging from his maiden speech—Hon. Tom Helm.

Hon. G. E. Masters: I will act as his interpreter.

Hon. ROBERT HETHERINGTON: I can understand him, but perhaps that is Hetherington's Northumbrian. Perhaps it is in the blood.

Although he is not one of the trade unionists, let me not forget the member who sits on my left, Hon. John Halden, who I think will make a great contribution to the business of this House and to the affairs of the party to which I am proud to belong.

I would also like to congratulate Hon. Kay Hallahan on her elevation to the Ministry. I point out to the House that I have the near perfect province, because in my province there are six members—four lower House and two upper House members. Of these, three are male and three are female; two of them are Ministers, one male and one female. I hope the other provinces in this Council will emulate the South-East Metropolitan Province in due

course. At present I can only find one weakness; that is one of the members is Mr Barry MacKinnon, who happens to be a Liberal member. One cannot have everything, but I have had quite a bit to do with him and he is not a bad electorate man despite his aberrations in politics.

I also would like to congratulate my friend and colleague, Hon. Mark Nevill, on being appointed Chairman of the Standing Committee on Government Agencies. This is a committee of which I was a founding member and I was a member of the committee from the outset until for various reasons I resigned last year. In some ways I am sorry I will not be on that committee, but I have other things which will keep me busy—many things are preoccupying me and I was pleased to hand over my position to the person who has now been elected; that is, Hon. Mark Nevill. I am sure he will serve on that committee with great distinction and will receive a great deal of support from the present members—Hon. Norman Moore and Hon. Colin Bell.

Although I have mentioned him once already, I would like to again mention Hon. Doug Wenn, who has already impressed members in this House and I think he will be another tower of strength. I think that we on this side of the House—I know them more intimately than I do members on the other side of the House and am in a position to make judgment—are very fortunate in this year's intake of members. The calibre of members has improved and it bodes well for the future. If we keep on with the present system I am looking forward to having 18 members after the next election.

Talking about electorates and the possibilities of electoral reform, I want to make some reference to what was said by a member opposite in this debate. I am not sure whether it was the Leader of the Opposition or another member of the Opposition's front bench who referred to some of the remarks made by Hon. Arthur Tonkin and alleged that the Labor Party had run away from its principles of electoral reform. All I can say is that I have been a member of the State Parliamentary Labor Party committee on electoral reform under both Hon. Arthur Tonkin and Hon. Mal Bryce. I am also a member of the State executive electoral reform committee. In other words, I have been a member of the committee which has been looking at this legislation for some time, and I can assure the honourable member that the principles in the Bill which will be

presented to this House after it has been presented to another place are the principles which were decided upon when Arthur Tonkin was the Minister for Parliamentary and Electoral Reform.

Hon. P. G. Pendal: His resignation was not necessary!

Hon. ROBERT HETHERINGTON: I am not privy to what goes on in Cabinet. I have been told, and certainly remarks were made in Cabinet, but there have not been remarks made to me by Cabinet—no official remarks from Cabinet or the leadership—which suggests that we were anything but serious in our desire to bring about one-person-one-vote-one-value in another place and to improve the representation in this House.

Hon. P. G. Pendal: Why did he resign? Will that ever be explained?

Hon. ROBERT HETHERINGTON: I am certainly not going to explain it.

Hon. P. G. Pendal: He did in his letter.

Hon. Kay Hallahan: That is his problem.

Hon. ROBERT HETHERINGTON: That is the problem of Hon. Arthur Tonkin; it is not mine. All I can say is that I take electoral reform seriously; the members of the State Parliamentary Labor Party take electoral reform seriously; and I believe that if we had a Minister who did not take electoral reform seriously we might find we did not have that Minister for very long. I do not know what the problems were.

Electoral reform is something in which I passionately believe. I believed in it when I first became a member of the Labor Party. I believed in it in South Australia and I believe in it here. I have been a member of the Labor Party since 1959 and I joined it when it was depressed about one problem after another after the great split in the 1950s. I have seen it recover and get in power. I believed then and I still believe in electoral reform, and we will bring it in.

I want to look back over some of the achievements of this Government which interest me in particular. We all have our own particular interests and there are some things which are not trumpeted terribly loudly, but are worth rehearsing. Some of the things that this Government has done are good things and there are others, but I am not going to give an exhaustive list. Some of them have given me pleasure.

The first is an introduction of a policy of integrating handicapped children into our schools. The special education section of the Education Department has become the education support section. I was privileged to visit one school which is not in my electorate—I went there because I had heard about it—which has an education support section with handicapped children who are being integrated into the main school in a whole range of ways. Hon. Norman Moore would be interested in this because a computer was available in the education support section and not in the main school and, as a result, the main school was being integrated into the support section. It was regarded as a privilege to go to the support section. It seems to me that if we can do this sort of thing many of the problems of handicapped people will be got rid of. If we can integrate children into the schools, so-called normal children—the non-handicapped—may grow up with handicapped children of all kinds and not be embarrassed when they see handicapped people.

What is happening in our schools now is highly desirable and very worthwhile. It is slowly taking shape and is working in various areas in a number of schools, and it will gradually be extended to cover the whole of the education system. The interesting thing about it is that we have at last turned our back, I hope permanently—I am not criticising previous Governments because they did a great deal for the handicapped—on earlier attitudes.

They did a great deal in line with the then State of the art, something that people believed in. We have now taken another step forward. With the growth of our scientific liberal democracy we have tended to categorise people and then treat them according to their category. In the policy of the Labor Party, which I helped to write at one stage, we said that we would set up diagnostic centres which categorised people according to their handicap. I was also the convenor of the committee where we changed that and said that we would have diagnostic centres that would look at children's educational needs; and this is what we are trying to do. It does not follow that a person with cerebral palsy has the same educational needs as another such person. Each person differs and we have to try to meet the educational needs of each child, whatever his or her degree of handicap or problem, and most of them have some problems. That this policy is now actively coming into place, although it has a long way to go, is an entirely good thing. It is a basic new

step in attitudes towards the integration of handicapped people into our schools and our society.

Perhaps because a new Government came in, although the committee had been thinking of it for a long time, it accelerated this process, which may have happened in the long run anyway. We now have a policy as far as the integration of handicapped children is concerned that is second to none in the world, once we get the training, staff, and money to carry it out completely.

The key point is that it assumes that there is a continuum and one pushes people as far as possible into integration but also allows them if mistakes are made to be pulled back if necessary. They are not just chopped off, put into boxes, and treated in a specific way. People are treated according to their needs and as their needs change they can be treated better. I point out to Hon. Phil Pandal that this is one area in which we have increased the rights of children and I am sure he will applaud that because we should increase rights, however we may do it in practice.

Another area in which we have taken the rights of individuals seriously is that we have now decided in Government policy, and I think it might be accepted by the Opposition, that women are equally people. We have tried to extend the legislation for equal opportunity. There is a long way to go here but we have tried.

Hon. P. G. Pandal: Of course, we have never said anything to the contrary.

Hon. Kay Hallahan: Your actions speak louder than words.

Hon. P. G. Pandal: All the chatter will change nothing.

Hon. ROBERT HETHERINGTON: Many of our people at various times have said things to the contrary. Our acceptance of equality is comparatively new and I am glad to see we have at least accepted it in theory and in principle although I think all males in our society find it sometimes difficult to accept in practice. It seems that some of the implications of the statements by some members opposite and members of the Liberal Party suggest that not all of them accept it fully.

Hon. P. G. Pandal: We had the first lady Cabinet Minister and the first lady member of Parliament, and that was 40 years before all this stuff.

Hon. ROBERT HETHERINGTON: It is one thing to have had the first lady this and that and, after all, the ladies of the British aristocracy were liberated before anybody else but it did not go down to the common people. We have yet in this society—and the Government has yet to face, because it has not done so yet—to carry equal opportunity right down through the whole class structure. If the honourable gentleman says we do not have classes in our society, I suggest he go into the industrial world and have a look. There are problems out there and many women, not ladies, do not have equal opportunity in any sense at all. There is much to be done.

However, I am glad to note that the bastion of conservatism, the University of Western Australia, has now appointed an equal opportunities officer who happens to be a woman. At least it is coming into the modern world at last.

Hon. H. W. Gayfer interjected.

Hon. ROBERT HETHERINGTON: I point out to Hon. H. W. Gayfer that some women are physically stronger than some men and it does not always follow. Some men are physically stronger than some women and some men are physically stronger than other men. I would not have liked to hump wheat bags as it was done when I was a boy because I would have fallen flat on my face. Strength varies and we must treat people according to their talents and abilities; that is what we are trying to do.

Hon. E. J. Charlton: That is why we do not want equal rights.

Hon. ROBERT HETHERINGTON: I suggest to the honourable member that he has something to learn. When I was his age I was moderately unenlightened, but I grew in knowledge and understanding as I got older.

Another point has given me special pleasure and I have spoken of it for a long time. Ever since I went to the Hobart conference on rape in 1980, I have spoken about sexual assault and I was pleased that in the last Parliament we managed to update to some extent sexual assault legislation. It is good legislation and we now have to watch and monitor it to see how it is working. In a few months' time I hope to talk to a prosecuting lawyer who deals in cases of rape to see how, in fact, the legislation is working in practice. I do not assume that because we introduced the legislation with good intent it will necessarily work the way we want it to in practice. I want to find out how it is working and if we need to improve and change it.

The other point I should mention, because it is most important, is that we are now looking at the rights of children. We have begun to grasp the nettle of the rights of children as far as child abuse and incest are concerned. Of course, we have set up a committee of inquiry under Dr Carmen Lawrence to investigate this matter. I am not claiming that this is something that sprang fully armed from the head of the Labor Party like Athene from the head of Zeus, but I am saying that the whole of Western Australia is becoming aware of the problems of child abuse and incest. Of course, at one stage we used to call child abuse "discipline" but we now find it needs investigation.

I am sure that some people might say that we are just looking for things and multiplying what we find. It always was there: There is plenty of evidence if one reads the authors who have written about Victorian England and child abuse during that time. There is plenty of evidence in the records of our law courts of child abuse in early Western Australia. When a book on the history of children in Western Australia, which is now in the final draft form, is published, people will be able to read that evidence for themselves.

So we are gradually—and this of course is something that has come over the centuries—extending rights and giving rights to people whom we recognise fully as people. It has taken a long time. Our theorising about rights in Britain and Australia started off, if I am not to be regarded as too academic, in 1688 or thereabouts with John Locke's *Treatise on Government* which was there to justify a revolution of the property-owning bourgeoisie against the King. He created a theory of the natural rights of the individual, but to Locke the individual was the property-owning male who was an aristocrat and had servants. He was the only fully-developed individual.

Gradually, over the centuries, we have extended the notion of the individual from the property-owning male to all males, from all males to all adults, and now from all adults to all people, including children. When we do that, building on our notion of individuality which is the basis of our liberal democratic philosophy, we have gradually extended rights and are now extending them to children. Although I sometimes despair of our society I want to point to those things that are happening in our society that I regard as an improvement, and I think that this Government can take some pride in the fact that it has done some of the things that have happened.

I will now make reference to a couple of things more. One is the statement by Hon. Norman Moore which was printed in the *Sunday Times* of 22 June 1986. He talked about an announcement by the Minister for Education, Hon. Robert Pearce, that he was going to change the structure of the Education Department. The honourable gentleman said it could be just a smokescreen to get people to shut up, and suggested, *inter alia*, that the Director General of Education had retired because he was not getting on with the Minister, and that the Minister has announced his changes in order to shut people up.

Again, I am in a position to assure the honourable gentleman and the House that that is not in fact the case. As a matter of fact, I was only talking to Dr Vickery today. I do not want to say anything except that the reasons he gave me for his resignation were, I thought, good reasons and ones which I would respect, and they have nothing much to do with the kind of problems in the department that people keep talking about.

However, one of the things I do know is that the resignation of the Director General, which was not greeted with any joy at all by the Minister, was sudden and unexpected. The Minister was then placed in a position where the Director General would retire, and he wondered what he should then do. One of the things that he and I have discussed is the restructuring of the Education Department. I had said to him on a number of occasions that, had we been elected in 1980, and had I been Minister for Education—which I would have been, had we been elected then—it was my intention to restructure the Education Department because I thought it was a great monolithic structure of the sort Hon. Norman Moore seems to deplore, and it should be changed.

I had not thought it through, because this was a long time ago and I am not saying that this is what should happen now. But my intention was to set up a department under the Minister, and an Under Secretary—a good old-fashioned term, because in some things I am quite a traditionalist. Under those I would have had the Department of Education which would be a department of schools, a TAFE authority, WAPSEC overseeing the tertiary section, and an early childhood section.

This is probably no longer appropriate. It may have suited the times but the Minister said to me that, having been faced with what had happened with the resignation of the Director General, he thought it might be time to take my

ideas and develop them in a different, and perhaps better, way and restructure the department now. It is not part of any long plan, in the sense that he did not intend to do it as far as I can see while the present Director General was there; but with the resignation of the Director General, he had time to do so.

I will be quite interested to see what comes out of this because I do think it is time the department was restructured on a less centralised model. What the Minister is proposing when it is fully worked out—and of course, it is only a notional idea at present—could be something entirely laudable and it may even be something that Hon. Norman Moore would applaud. I hold that up as a possibility, and I think it could be the case.

The other thing I wish to talk about is a problem in my electorate. Unfortunately I do not have the cutting from the newspaper which I saw the other day where the Minister for Planning has announced that the attempt to get the Watts Road wetlands declared and separated out has been rejected. So it is now possible for a private developer to fill in that rather lovely little lake which is full of wildlife, and build on it. That would be quite deplorable. I have some notion of the matter because when I first became a member of this House and decided that I would move into my electorate, I looked at a block in Watts Road by the Watts Road lake. I learnt—that was in 1977—that it was the intention to fill it in and build on it, so what was a pleasant wetland would become an ordinary, run-of-the-mill, dreary suburb. So I bought a house somewhere else and I think I was wise to do so.

This matter has grown up at the same time as we have another problem in my electorate—and that of Hon. Barry MacKinnon, and I have brought it to his attention. In Adenia Road in Riverton there is a lagoon near a rubbish tip, which has now ceased to be a rubbish tip and is going to be developed. What is happening is that the council is developing a football oval. It put before the Planning Commission that it wanted to develop two junior ovals, and then found they would not quite fit, so it is developing a major oval which will do a number of things. It will put footballs across a residential street, which might be a matter of danger unless it is fenced off, in which case it will be aesthetically disastrous. It will mean that the football club will want to develop other facilities; and the rather fragile wetland will be destroyed.

The Metropolitan Region Planning Authority and the new Planning Commission have outlined certain areas of the wetlands which should be kept—the islands in the river. But the lagoon at Adenia Road and the Watts Road lake are both bordering on the edge of the islands in the Canning River and they are a buffer which protect it.

The Adenia Road lagoon in particular is a place that should be developed to be another Star Swamp, where school children can go to observe wildlife as part of their education. It should be developed into an area of passive recreation.

Therefore I would join with the new member for Welshpool who has his electorate on the other side of my own and suggest that we should examine a proposition to make the area from Nicholson Road to the Riverton Bridge a national park. I think that would be highly desirable. We also need to examine the proposed Spencer-Chapman Road link which I have opposed consistently since I have been the member for the South-East Metropolitan Province, although I supported it when I was the member for the East Metropolitan Province.

Hon. T. G. Butler: One changes one's views.

Hon. ROBERT HETHERINGTON: One gets a new understanding of these things. When I became the member for the South-East Metropolitan Province I went to live in Corfield Street in Gosnells. If the Spencer-Chapman Road link is made, apart from what it would do to the wetlands—which is concerning a large number of people—a street which is at present is in a reasonably quiet residential area would be turned into a less quiet residential area, and eventually another Albany Highway. I believe that the people in Corfield Street and along Spencer Road deserve something better than this. At the same time I hope we can preserve the Canning River wetlands, which are some of the last left in this region.

I would also point out to my colleague from North-East Metropolitan Province in response to his interjection—

Hon. T. G. Butler: A friendly interjection.

Hon. ROBERT HETHERINGTON: Yes, a friendly interjection but I would use his remark to point out that I, too, used to regard swamps as something which should be filled in. I have changed my mind.

The DEPUTY PRESIDENT (Hon. John Williams): Order! As a courtesy I would remind the member that he has only two minutes in which to finish his speech.



*Extension of Time*

By leave, the member's time was extended.

*Debate Resumed*

Hon. ROBERT HETHERINGTON: I think it is important that we examine very carefully the wetlands which we have left and preserve them. We must also examine—and I can see Hon. Phil Pendal nodding his head and I would expect to see it nod even more furiously—the need to get power boats out of the Canning River, where they are destroying the sides of the river and the whole environment.

We need to preserve those things which make Perth unique and it is time we all got together and did this.

Hon. P. G. Pendal: Especially that bit of river across which we want to put the Spencer Road bridge.

Hon. ROBERT HETHERINGTON: I would not argue about that; I think it is before the planning commission now, and what will happen remains to be seen. I hope that great care is taken.

The last matter to which I would refer is that Hon. Norman Moore and I attended today—and I think he shared my pleasure in this—the opening of the twelfth Australian Reading Association Conference.

Hon. N. F. Moore: We heard an excellent speech by the Governor and the director general.

Hon. ROBERT HETHERINGTON: Yes, we heard an excellent speech by the Governor and an even better speech by the director general.

Hon. D. K. Dans: I'll tell the Governor about that.

Hon. ROBERT HETHERINGTON: They both gave very good speeches which pointed out the need for literacy. I do not want to dwell on that, except that it is something which we are taking seriously. I think we should take the whole business of getting people to read seriously. Although now and again people throw the accusation across this Chamber that all I do is read, having learnt to read has done me a great deal of good, and my reading has done me good. I also think that the speaking ability of Hon. Mick Gayfer was not attained from practising on ears of wheat. He too has learnt from his reading.

Hon. H. W. Gayfer: I do not know whether that is a compliment or not!

Hon. ROBERT HETHERINGTON: It was not meant as an insult to the honourable gentleman.

The last point I would develop is that one of the things I hope we can do before this parliamentary session is over is try to bring greater equality to some of our migrant people in this country. If we are to have a multicultural society, we must have a decent translation service and that costs money. It is something which the Government wants to introduce and I hope it can find the money in due course. I do not expect it to happen immediately under the present economic restraints, but it must be planned for so that it may be put in place.

Some people say rather casually, "Oh, there is no problem. If someone goes to hospital we can get the cook up to translate and if someone goes somewhere else we can get another person to translate." This is not good because people might translate words but, as anyone who knows anything about languages would know, one cannot translate concepts easily.

Hon. D. J. Wordsworth: The cook might be better at it.

Hon. ROBERT HETHERINGTON: She or he might or might not. If one is to translate a scientific treatise, one needs a person who can handle scientific concepts. If one wishes to translate a transcript from the Federal Court, one needs a person who can translate legal concepts as well as ordinary, everyday language. One needs adequate and sufficient translations. I hope that eventually we will see the day when all of our schools are bilingual.

Hon. D. J. Wordsworth: What other language?

Hon. ROBERT HETHERINGTON: It would depend on the school. There are problems in this area but I believe—

Hon. H. W. Gayfer: Most likely English.

Hon. ROBERT HETHERINGTON: That might be a good idea too. In a school where the predominant group was Italian, they could talk Italian and the Italian kids could help the Australian kids to learn a second language. In a school in which over half the children are Aboriginal, and there are such schools, the particular Aboriginal language or dialect could be taught with English. If we equate multiculturalism and ethnicity with wearing things and doing dances, wearing costumes and eating nice food—this is perhaps part of it—we overlook the fact that the main thing is to get people to help each other and to speak each other's language. Australia would be better off if every-

one in this country were bilingual, irrespective of whether the other language was Thai, or Chinese or Japanese or Italian, or whatever.

Hon. H. W. Gayfer: I thought that was an aristocratic idea.

Hon. ROBERT HETHERINGTON: It is not. It is a very practical idea, and a non-aristocratic one. If one starts children off in primary school, they can learn two languages easily.

I suggest to members that some of the things the bourgeoisie did were good. They were the people who developed our society and developed our industrial society; they were the people who increased our techniques and our technologies. Nobody can say that I do not appreciate the good things that our industrial society has created. However, I am, perhaps more than some others, aware of the bad things which have been done and I want to help everybody share equally in the benefits. I suggest that although we are on that path at present, we still have a long way to go.

As I said the other night about human rights, we might be 93 per cent towards giving those rights but we still have seven per cent to go. Although we have come a long way towards bringing equality of opportunity to a whole range of people, we still have a long way to go. I will not be satisfied until we get there although I do not expect I will see it because I have only got about another 35 years to go.

I support the motion.

Debate adjourned, on motion by Hon. D. J. Wordsworth.

## CONSTITUTION AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. D. K. Dans (Leader of the House), read a first time.

### *Second Reading*

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.00 p.m.]: I move—

That the Bill be now read a second time.

This legislation is designed to increase the size of the Ministry to 17 people. As most honourable members know, section 43 of the Constitution Acts Amendment Act now limits the size of the Ministry to 15 people. There is nothing magical in this figure.

On four previous occasions under conservative Administrations the size of the Ministry has been increased. On only one occasion has the Ministry been increased under Labor.

As our State has developed there has been a growing awareness that its people are entitled to know that their concerns are being given the full attention they deserve. So, earlier this year the Government appointed two Honorary Ministers to assist Cabinet in the execution of its duties and functions. This was not a revolutionary procedure.

The previous Administration, both in 1975 and again in 1980, acknowledged the need for a Ministry of a size which would adequately serve the needs of the people.

The demands placed on Government by today's society are becoming increasingly diverse. It is not possible to turn back the clock to the days when Government told the community what to do without question.

We live in an age where electors demand—and should receive—a far greater degree of accountability from their elected representatives than was the case when the State Constitution was framed.

This Government has attempted, with only limited success, to provide for that change in the public perception. We have introduced pecuniary interest legislation, and will do so again. We have taken the accounting procedures of the Public Service from the practices of the 1900's to those perceived to be needed, going into the twenty-first century. We have striven also to ensure that public instrumentalities become far more accountable.

The expansion of the Ministry can be seen also as a response to those increasingly diverse demands placed on Government. It is also a recognition that the needs of remote areas should not be subsumed under the ever-increasing demands of the more populated regions.

Honourable members would know from their own experience that the demands and the tasks and responsibilities expected of Government are likely to increase rather than diminish. The change of Administration in 1983 resulted in Executive Government taking on a range of responsibilities which had been ignored largely by previous Administrations.

The new portfolios created since February 1983 represent a change in emphasis and reflect the Government's concern for the well-being of all Western Australians. An example is the portfolio dealing specifically with the issues and problems confronting people conducting small businesses.

There is, as well, a whole range of existing portfolios, some of which are new, and others which in the past were included under the umbrella of wider portfolio areas but which now warrant the more detailed and individual attention of a responsible Minister.

This is true of the whole range of new portfolios, whether they are in the economic or social sphere. We have formed portfolios of Defence Liaison, The South West, Women's Interests, Parliamentary and Electoral Reform, Aboriginal Affairs, Communications, The Family, Budget Management, The Aged, Employment and Training, Youth, and Technology. Because of fortuitous circumstance the Government has found it necessary to provide senior ministerial assistance to assist those concerned with the defence of the America's Cup.

Our State Constitution of nearly a century ago provided for a responsible Ministry of only six, but this serviced a population of only 184 000. The size of the Ministry has been changed six times since then: to eight in 1927, to 10 in 1950, to 12 in 1965, to 13 in 1975, and to 15 in 1980.

Today's Western Australian population is 1.4 million. Only 14 years from now it is expected to reach 1.9 million. The State is growing at a faster rate than all other States in the nation.

The first three years of this Government have produced an increase in economic activity, population and employment. There is no doubt, as any elected member can demonstrate, that as population grows demands on Government increase.

There is obviously a cost in increasing the Ministry, but that cost is not as significant as the higher financial burden placed on the community at large by increasing the size of the Parliament.

During the last nine years of Liberal-Country Party Administration, not only was the Ministry increased by three—or by one-quarter—but also the number of parliamentarians was increased by 10—a far more costly decision than the modest expansion of the Ministry proposed by this Bill.

Under these circumstances, the reported attitude of some members of the Opposition is, to say the least, inconsistent with past actions. Proposals by the Government to reduce the number of parliamentarians have been attacked strongly by the Opposition.

If there is an argument which says that because our population is thinly spread throughout this largest State of the Commonwealth there should be unequal representation in Parliament, how much more valid is the argument that there should be an adequate number of Ministers to service their needs?

Ministers are required often to spend many hours travelling to the far-flung centres of population, industry or agriculture to carry out their ministerial duties and responsibilities. The Government has recognised the needs of rural Western Australia with three of the six new Ministers representing electorates in which rural and mining activities are carried out.

A reference to the paper that I seek leave to table at the end of my remarks shows that it has been necessary to provide for increases in the size of the Executive in all States from time to time.

The paper shows also that neither the proposed increase in the size of the Western Australian Ministry nor the resultant total of Ministers is disproportionately large compared with other States.

The decision to provide the community with more Ministers was taken after much serious thought and consideration and against the background of three years in Government. It is the Government's view that the appointment of two more Ministers will place the Government in a better position to respond to the growing, changing and unique needs of the community, both today and in the years ahead.

In summary, the purpose of this Bill is to amend section 43 of the Constitution Acts Amendment Act to increase the size of the Ministry from 15 people to 17 for the reasons I have outlined.

I commend the Bill to the House and seek leave to table the paper I referred to a moment ago.

*(See paper No. 236.)*

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

## VALUATION OF LAND AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

*Second Reading*

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [5.08 p.m.]: I move—

That the Bill be now read a second time.

As a result of amendments proposed to the Local Government Act in respect of rating, it has been found necessary to make a minor consequential amendment to the Valuation of Land Act.

The change proposed to the rating provisions of the Local Government Act is to include provision for the phasing-in of interim valuations where a council has decided to use phasing-in powers for the adoption of new valuations in its district. This will require the Valuer General to provide these councils with appropriate notional values for those properties issued with new interim values.

It is therefore proposed that a new section 31A be added to give the Valuer General the power to provide these values where they have been requested by councils.

The Valuer General has indicated his support for the amendments in this Bill.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. V. J. Ferry.

## STATE ENERGY COMMISSION AMENDMENT BILL

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

*Second Reading*

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [5.10 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before the House contains amendments to the State Energy Commission Act 1979 which came into force on 1 February 1980. This Act confirmed the constitution of the State Energy Commission which had come into existence on 1 July 1975 as a result of the amalgamation of the Fuel and Power Commission with the State Electricity Commission and contains the powers and functions under which it is able to deal with the complexity of its operations as the chief supplier of energy in the form of electricity and gas throughout the State. Since 1979, only minor amendments have been made to the 1979 Act.

In its election policy statements, the Government undertook to examine the operations of the Energy Commission, particularly in the areas of energy policy, planning, and research, and establish a new body to take over those functions. In accordance with that undertaking, a review of the organisation and functional details has now been undertaken. As a result, the Government has decided to establish an office within the Public Service and independent of the Energy Commission to advise the Government on all matters relating to energy policy and planning.

A review of the Solar Energy Research Institute has also been included in the process but it is not proposed to deal with the question of energy research or the part that the Solar Energy Research Institute will play in such function at this time.

The Government also intends that, in future, the commission will function as a utility charged with responsibility for producing electricity and for the marketing and supply of both electricity and gas.

The Energy Advisory Council, which is also constituted under the 1979 Act, will be disbanded and its functions taken over by the new organisation. It is also the Government's intention that, in future, strategic and non-statutory committees will be established to examine particular issues relating to energy matters as and when they arise. It is believed that such finite committees, which will be removed from the auspices of the commission, will be more flexible and can be used to much better practical advantage. However, the commission will still retain the ability to form, of its own volition, advisory committees under the existing provisions of the 1979 Act.

In order to implement the Government's requirements, it is clear that amendments have to be made to the 1979 Act. It is considered that this Bill will achieve those objectives and also overcome other operational and technical difficulties which have arisen in the implementation by the Energy Commission of the provisions of the 1979 Act since it came into force.

I will now deal with the main features of the Bill which are as follows. It is considered that the existing power of the Minister to give directions to the commission under section 10 of the Act is limited and is restricted to giving directions as to matters of policy in a general sense. It is therefore proposed to amend this section so that the Minister will in future be able to give directions in writing to the commission to

carry out any function in relation to which a power is conferred on the commission. It is considered essential that the Minister has the ability to give such directions in order that he can better perform his ministerial duties and be able to control an organisation for which he is accountable in the Legislative Assembly.

With regard to the operation of the Energy Commission itself and in the interests of increased efficiency, it is proposed that the board of commissioners be restructured. Members will observe that the proposed new board will be chaired by an independent person who will be appointed by the Governor for a period not exceeding three years but who will be eligible for reappointment. The other board members will comprise the commissioner, who remains the chief executive officer, not less than four associate commissioners, and the deputy commissioners, of whom there shall not be not more than three. Additional associate commissioners are to be appointed in order to introduce expanded expertise in matters dealt with by the commission; and to relieve the heavy burden now placed upon the commissioner and present deputy commissioner, it is proposed to appoint not more than two new deputy commissioners. Furthermore, the existing limit on the number of assistant commissioners who can be appointed is to be removed so that a further assistant commissioner can be appointed to head the very important department of personnel and industrial relations within the commission.

Sections 20 to 25 inclusive of the 1979 Act relating to the constitution and functions of the Energy Advisory Council are to be repealed as these provisions will be redundant. Consequential amendment will also be necessary as a result.

Section 67 of the 1979 Act, which relates to the circumventing of the commission's meters, is to be considerably revised in order to overcome problems which have arisen for the commission when prosecuting persons who have allegedly interfered or tampered with the commission's meters or service apparatus. The commission has found that an increasing number of alleged offenders are availing themselves of legal loopholes which exist in the provisions of section 67 as it now stands to avoid punishment. I am sure that members will agree that such a situation cannot be allowed to continue as the substantial loss of revenue to the commission and the costs involved in such cases have to be borne by the honest members of the

community. Therefore amendments are contained in the Bill which it is considered will overcome the existing problems.

The State Energy Commission Act does not contain any restriction on the unauthorised recording or release of confidential information by the commission's officers, servants, or agents other than those relating to information provided to the commission under section 70 of that Act. The provisions of the Public Service Act and regulations were examined but were not considered to be appropriate to a commercial concern like the State Energy Commission. The Bill therefore contains provisions based upon the secrecy requirements set out in the Companies Code which are more relevant.

There is also a need to protect the commission from the obligation to provide confidential commercial or other information to judicial or quasi-judicial proceedings in which the commission is not directly involved, following the service of a subpoena or court order upon the commission or its officers. The Bill therefore includes a provision making it an offence to release such information, except in the circumstances set out in the Bill.

The financial penalties that can be imposed under the various provisions of the 1979 Act have been revised and updated to bring them into line with present day standards.

Members will observe that the remaining amendments contained in the Bill relate to technical or operational matters and it has been considered necessary to include these to enable the commission to operate in a more effective manner and also to remove legal doubts which exist at the present time as to the interpretation or effect of the existing provision.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. N. F. Moore.

## **BUILDERS' REGISTRATION AMENDMENT BILL**

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. Kay Hallahan (Minister for Community Services), read a first time.

*Second Reading*

**HON. KAY HALLAHAN** (South-East Metropolitan—Minister for Community Services) [5.16 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is substantially to effect amendments to the Builders' Registration Act to enable the jurisdiction of the Builders' Registration Board to extend into six country districts. The extension of the jurisdiction of the board will provide protection for new home buyers and builders in the regions to be covered.

The role of the Builders' Registration Board in registering builders and in ensuring and promoting a high standard of building work is a significant one and enjoys the full support of the building industry and consumer groups. It is only natural that the jurisdiction of the board and the protections offered to metropolitan consumers should be extended into country regions and provide a means of creating stability within the building industry in those areas and ensuring the competence of builders. It will also ensure that consumers are properly protected against faulty and unsatisfactory building work by reason of the powers vested in the Builders' Registration Board to order rectification of faulty or unsatisfactory work.

This Bill extends the geographical region of the Builders' Registration Board to the City of Bunbury and the Shires of Busselton, Collie, Dardanup, Harvey, and Murray and, as a result, will require the registration of builders carrying on the business of a builder within those shires' geographical limitations.

As a result of a decision made to extend the jurisdiction of the board into those areas, the inquiries of the board itself have brought to light a number of difficulties perceived in this extension. It has become apparent that while it is the Government's intention not to prohibit bona fide builders now currently operating within the area, certain difficulties in relation to qualifications for registration may arise. This may occur particularly where persons seek registration, not by reason of formal qualifications having passed the prescribed examination which is now the most current method for registration in the Perth metropolitan region, but seeking to rely upon experience gained outside the board's jurisdiction as the basis for qualification.

In examining this proposed extension, it is important to preserve the integrity of registration and to maintain high standards of com-

petence for builders. At the same time, the Government does not wish to fetter unduly the registration of builders in country areas. As well, it does not wish to impose unreasonable restraints on competition. Accordingly, it is proposed, therefore, that when a person seeks to gain registration based upon experience, which was obtained in an area outside the board's jurisdiction, the board will be able to impose conditions to that grant of registration.

It is currently proposed that the nature of these conditions could extend to imposing geographical limits on registration, the type of building construction that may be engaged in, the number of building projects which might be engaged in at any one time, with the power of the board to monitor these conditions by the provision of returns. It is envisaged that where conditions are imposed, progress of the builder will be monitored to ensure that the standard required for registration is achieved and maintained with such conditions being ultimately removed.

It has also become apparent that the requirements contained in section 10 which relate to the residential qualifications for a person applying for registration upon the grounds of experience gained outside the board's jurisdiction are totally inappropriate.

They would require a person to certify that on 2 February 1962 he was not a resident of the Perth metropolitan area as it was at that time and to which the board's jurisdiction then applied. Given that persons seeking qualification may not have been born at that stage or that persons then resident in Perth may have moved into the south-west region to which this legislation is proposed to apply, it is considered that this provision should be removed. This provision is now outmoded.

The Government is also cognisant of the fact that special circumstances may apply to building within country areas and as a result proposes that the board should be expanded to include a person who is qualified to represent the interests of registered builders trading in areas other than the metropolitan area. This will ensure that the interests of country builders are preserved in the operation of the legislation relating to registration and in connection with orders for rectification.

The Act will only apply to building work commenced after the commencement of the legislation and the board's powers will be limited to making orders in respect of building

work that commenced after the Act was proclaimed.

A further administrative amendment is also proposed to section 4A to enable delegation of authority under that section to the Commissioner for Consumer Affairs. This section deals with dispensations relating to owner/builders. This amendment is proposed because of the increasingly high volume of applications which have been made since the section came into force and is seen as a means of speeding up the administrative process involved in considering such applications.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. N. F. Moore.

### **METROPOLITAN REGION TOWN PLANNING SCHEME AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. Kay Hallahan (Minister for Community Services), read a first time.

#### *Second Reading*

**HON. KAY HALLAHAN** (South-East Metropolitan—Minister for Community Services) [5.24 p.m.]: I move—

That the Bill be now read a second time.

The matters provided for in this Bill do not constitute major changes to the present metropolitan region scheme legislation but they are part of the Government's comprehensive package of initiatives for speeding up and improving the statutory planning process. Whereas it is intended to complete a review of the three present planning Acts as soon as possible, these are changes which warrant earlier implementation.

The principal proposal is to enable the State Planning Commission to take early action to terminate an amendment to the metropolitan region scheme if, after considering the public submissions relating to that amendment, the commission believes the amendment should not be proceeded with. At present there is no provision in the Act whereby an amendment to the scheme, once commenced, can be terminated before it reaches the Governor. Clearly this situation can result in much wasted time and possible anxiety to owners when public participation has already shown that a proposal does not warrant further consideration.

The second proposal is to amend the procedures relating to amendments which are minor or do not constitute a substantial alteration to the metropolitan region scheme so as to make them more rational and more responsive to public submissions. At present a minor amendment to the scheme becomes effective as soon as the *Government Gazette* notice of it, public submission period is published. There is then a 60-day period when aggrieved parties may appeal; and after the Minister's determination of such appeals, the amendment may be cancelled, modified or continue to be in force.

Under the new provisions, persons who are directly affected by the amendment are notified of it in writing. There is a minimum two-month period in which submissions may be made and the amendment only becomes effective if, after consideration of submissions, if any, the Minister decides to approve it or approve it subject to modifications. In addition, provision is made for the Minister's appeal committee to examine and report to him on the submissions, whereas at present the commission itself has responsibility.

Next it is proposed to amend the Act in relation to the payment of compensation for land which has been reserved under the metropolitan region scheme so that it is clear that compensation for injurious affection is paid only once to the person who is the owner at the date of reservation when the land is first sold following the date of reservation; or the person who is the owner at the time when the responsible authority refuses an application for development on the land or grants permission subject to conditions which are unacceptable to the owner. At present there is uncertainty about claims being able to be paid more than once in respect of the same portion of land.

Finally, it is proposed to allow the Governor in setting the scale of fees for remuneration of the Board of Valuers to adopt the scale set by the Land Valuers' Licensing Board. The Board of Valuers is the body which provides independent valuations for land affected by the metropolitan region scheme and it is appropriate that the remuneration of its members be consistent with the fee structure set by the governing body which licenses land valuers.

The Bill makes some needed changes in the Act and I commend it to the House.

Debate adjourned, on motion by Hon. V. J. Ferry.

## FUTURES INDUSTRY (APPLICATION OF LAWS) BILL

### *Second Reading*

Debate resumed from 17 June.

**HON. V. J. FERRY** (South-West) [5.27 p.m.]: This Bill validates and makes State law the respective Commonwealth Statutes and regulations governing the futures industry. These have been approved by the Ministerial Council which is composed of the Attorneys General of the States and the Federal Attorney General. That is a system which Hon. Ian Medcalf, a former member of this House, was instrumental in establishing. I am sure that if Hon. Ian Medcalf were here tonight he would enlighten us with a great deal of background to the study and negotiations that obviously went on for a long period pending the agreement to legislate throughout Australia in this regard.

The futures industry is not one for the faint-hearted; the risks are high. It is on record that unscrupulous futures dealers have left a train of destruction on some occasions. The Bill itself does not contain any material provisions about the futures industry, or anything else for that matter. It merely validates and makes State law the respective Commonwealth Statutes and regulations. It amends the Commonwealth Statutes, but only with respect to how they can be cited and/or applied to Western Australian conditions.

Some of those amendments appear on the schedules. There are five different Commonwealth Acts dealing with and connected to the companies and securities industries. These are: The National Companies and Securities Commission (State Provisions) Act 1980; the Futures Industry Act 1986; the Futures Industry (Fees) Act 1986; the Companies and Securities (Interpretation and Miscellaneous Provisions) Act; and the Companies and Securities (Interpretation) (Miscellaneous Provisions) (Application of Laws) Act.

The Bill contains provisions which are really complementary to the laws throughout Australia, either State or Commonwealth. One can argue about provisions, as those in clause 3 of the Bill, which enable future Acts or regulations of the Commonwealth to be automatically part of the State laws. Indeed one provision, clause 3 (2), appears to go further and declare that any future Commonwealth Act might be brought down in substitution of an existing Commonwealth Act. That applies in Western Australia. The Commonwealth Act be-

comes also automatically Western Australian law.

However, there is another side to this story. The counterargument could be that the Commonwealth has constitutional power over these subjects and could legislate unilaterally without even consultation. That legislation would prevail over any other State Acts in Western Australia.

According to the Federal Acts, the Commonwealth is entitled only to initiate amendments, new legislation or regulations after the Ministerial Council agrees, which means that at least three States must be in accord. Until that happens, as I understand it, there can be no changes.

This Bill covers a number of areas which are very important to the business of dealing with futures throughout the Commonwealth. This is an area which requires complementary legislation throughout the States. Without that there would be loopholes.

In respect of futures, I am reminded that if one wants to double or treble one's money quickly, one can try investing in futures. But there are risks in that.

Hon. H. W. Gayfer: It could work the other way too.

Hon. V. J. FERRY: It has been suggested that the futures market offers potentially the highest return of any investment. It has also one of the highest risk factors.

Australia has two futures exchanges—in Sydney the Futures Exchange Ltd, and the Australian Financial Futures Market run by the Melbourne Stock Exchange. Advice is given from time to time that investors should not put more than 10 per cent of their net assets into high-risk ventures such as futures. I think it is sound advice. It is nice to have a flutter at the races, but one should keep a dollar for the next day.

Hon. A. A. Lewis: See me on your way out!

Hon. V. J. FERRY: I want to touch a little on what futures actually are. For the record, a futures contract is simply the purchase or sale of a commodity for future receipt or delivery. More specifically, it is an agreement to deliver or take delivery of a specified amount of a certain commodity of a given grade or quality at an agreed time, the price being agreed to in an open market. We all know what open markets can do. They can be fairly hazardous at times.



Traditionally, the purpose of the futures market is to give traders and sellers of goods protection against changing prices, and this is still the case. A futures contract provides a tool which can be used to reduce the risks of fluctuating prices, interest rates, or exchange rates by shifting the major portion of risk from one sector of the community to another.

The risks are shifted from those who normally bear them—producers, processors, borrowers and lenders, importers and exporters—to those who are prepared to accept them, known as speculators.

Users of the futures market enter into contracts to buy or sell commodities for future delivery through their brokers, who transmit their clients' orders to a trading floor by telephone. A futures contract can be thought of as a piece of paper which represents a certain amount of a commodity. The paper, not the commodity, is then bought and sold in the marketplace.

There are two types of traders in the futures market, the hedger and the speculator. The hedger trades in the market as a means of managing price risks, interest rate risks, and exchange rate risks. Speculators trade with the primary aim of profiting from market movements, buying futures when they believe the price is about to rise and selling when they expect it to fall.

That brief summary, if one could term it thus, shows how dealing in futures can be hazardous. It must be acknowledged that some shrewd operators obviously make profits. Where there is a profit taker there is sure to be a loser. That is how the world goes round.

It was interesting to turn up the *Australian Law News*, and find an article under the heading of, "Futures Industry Bill runs Counter to Deregulation". The article reads—

The Business Law Section of the Law Council has told the Federal Government that the Futures Industry Bill 1985 reveals an approach to the industry which sits ill with the general trend towards business deregulation.

The article also says the Bill shows that insufficient attention has been given to the distinctive aspects of the futures industry and so on. Obviously there are areas of concern in legal circles, even now with the legislation in place in Australia. That is the nature of it.

I want to indicate to the Attorney that the Opposition does support this Bill and what it intends to do. I have no doubt that as time goes

by in Australia, not only in Western Australia, there will be adjustments and amendments to meet the needs as deficiencies become apparent in changing times. This is a complex matter, but there is agreement throughout Australia, and for that reason we support the Bill.

**HON. H. W. GAYFER (Central) [5.37 p.m.]:** I rise to say that the National Party supports the Bill. In fact we welcome the legislation before the House. I would like to compliment the Minister on the copious notes given to us in conjunction with the Bill. They explain this rather complex legislation a little more fully.

Many of us are laymen on the subject of futures. Some of us have had our fingers burnt in the process of finding out a little more about the subject. It is well known that in the 1960s futures became an established practice in the wool markets for hedging to equalise one's income. That was the idea of those canny operators. However, at one period several people in my electorate were very financially embarrassed.

In the last two or three years the Australian Wheat Board has been using the futures market internationally for the very same reason that the people in Australia use it—to try to keep a tolerance between high interest rates and low prices at the one end and high prices and low interest rates at the other. It is an equalising type of venture. However, it is fraught with difficulties.

Protective legislation was in existence in New South Wales, but regrettably not in other States, hence the terminology used throughout the second reading speech of the Minister. In fact the explanatory notes comment on the fact that it is cooperative type of legislation. Cooperative means where the States cooperatively have joined together in an endeavour to bring about common legislation. I have always been taught that "cooperatively" means the unity of many minds towards a common ideal. That is the way in which the word was used in 1978. I think Mr Ferry quoted this when he started his speech. This has been done with the object of bringing about some security so that people will use the futures market.

The legislation will require futures brokers and advisers to be licensed. It will establish a system for the approval of futures exchanges and clearing houses. It will require futures exchanges and futures associations to establish a fidelity fund for the protection of clients. It will provide criminal sanctions for manipulative and fraudulent practices. It will also require

futures brokers to maintain adequate records and separate clients' funds from their own funds.

It is all-encompassing legislation inasmuch as it will include anything that is considered to be a futures contract. This legislation is a start and no doubt as time goes on it will be necessary to amend it in order that greater protection is provided.

On examination of the Bill the National Party has come to the view that it welcomes it and wishes it well. The legislation will provide protection for people who play the futures market, which is a somewhat risky practice and requires caution on the part of those who indulge in it.

We support the Bill.

**HON. A. A. LEWIS** (Lower Central) [5.42 p.m.]: I have indicated to the Attorney General that I think about as much of this legislation as I thought about the companies laws introduced by his predecessor, which are costing the State and business dearly. A departmental officer estimated that the introduction of those companies laws cost approximately \$52 million in this State. This is another casino-type operation in which the Government thinks it can do better than business. I will not quote the reference in *Hansard* and the year that I first started to oppose this type of legislation. However, I want the Attorney to know that I for one do not go along with Government interference in private enterprise, which this Bill will bring about.

We spent millions of dollars introducing the companies laws and, when the BHP takeover bid was made, despite all that money being spent throughout Australia, no-one knew the correct legal position. It would have been far better not to introduce all that expensive legislation and to let people deal with those matters as they have in the past.

I shall make my comments now, rather than in Committee. I am fascinated when I read the notes on clause 8, which relates to amendments to Commonwealth regulations or fee regulations being applied in Western Australia. It appears that, if the Commonwealth regulations are delayed for more than six months, are disallowed, or are subject to disallowance after six months, the Governor may make the proposed amendments for the purpose of application in Western Australia.

It seems to me that if the regulations are under threat of being disallowed federally, it would be a very silly Minister who, after six months, allowed them to be put into operation

in this State. It seems that it is a case of the Ministerial Council gone mad. With due deference to the Minister, I do not believe that the Ministerial Council is the be-all and end-all on this subject. This Parliament ought to be making the decision rather than giving away its powers to regulate this State. The whole tendency seems to be towards centralisation on Canberra or Ministerial Council without putting the best interests of this State to the forefront.

I will oppose the legislation, but I have spoken for the last time on it.

**HON. D. J. WORDSWORTH** (South) [5.45 p.m.]: I do not wish to speak so much on the Bill itself, but rather on the practice of the use of futures. As Mr Ferry has pointed out, it was intended that futures would be of benefit to the producer in that he could hedge with the speculator and thereby know ahead the price he would get for his product. That is the theory, but in the beef industry in which I am involved the futures market is centred in Sydney and there is no way I can physically deliver my cattle there, which is a requirement of this market.

A beef futures market in Perth would be quite different from that in Sydney. Personally I do not look forward to having a beef futures market in Perth, mainly because the market here is so small that we could well find that the speculators would start to run the industry. I point out to members an article in the latest copy of the Australian Meat Corporation's bulletin which says that a petition is being circulated currently in 18 states of the United States by meat producers who are trying to curtail beef futures in their country, because the speculators are starting to wag the price of beef and, by merely buying and selling, they can often greatly affect the commodity price.

If we had a beef futures market here, I can imagine that some of the meat companies could force down the price of beef by playing that market. I have never participated in the futures market, although many of my co-producers have. Some have made money and quite a few have lost money. I hope we do not find it necessary in this State to petition against the use of futures.

Question put and passed.

Bill read a second time.

*In Committee*

The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. J. M.

Berinson (Attorney General) in charge of the Bill.

**Clauses 1 to 14 put and passed.**

**Schedule 1 put and passed.**

**Schedule 2—**

Hon. J. M. BERINSON: I move an amendment—

Clause 7, page 14, line 6—To delete “another State or a Territory” and substitute the following—

a State other than Western Australia or in a Territory

I have moved the amendment purely as a matter of drafting accuracy.

Hon. V. J. FERRY: The Opposition agrees with this amendment. As the Attorney explained, it is a matter of drafting only. The intent of the provision is still the same; the amendment expresses it more accurately.

**Amendment put and passed.**

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

**Schedules 3 to 6 put and passed.**

**Title put and passed.**

#### *Report*

Bill reported, with an amendment, and the report adopted.

#### *As to Third Reading*

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.50 p.m.]: I seek your guidance, Mr President, on procedure. I believe I have the agreement of the House to allow this Bill to go through its re-

maining stages. Can I seek leave for that purpose?

The PRESIDENT: It is unusual. Standing Order No. 270 says that if a Bill is amended, the third reading should be made an order of the day for the next Sitting of the House. I would have thought it was quite dangerous to do otherwise. However, leave of the House would give the Minister leave to do what he wants to do.

Hon. J. M. BERINSON: I seek leave to pass this Bill through its remaining stages at this sitting.

Leave granted.

#### *Third Reading*

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and transmitted to the Assembly.

#### **ADJOURNMENT OF THE HOUSE: SPECIAL**

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.52 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 8 July at 3.30 p.m.

Question put and passed.

*House adjourned at 5.52 p.m.*

## QUESTIONS ON NOTICE

### GOVERNMENT BUILDING

#### *Bunbury Tower: Opening*

120. Hon. V. J. FERRY, to the Leader of the House representing the Minister for The South West:

With regard to the Bunbury office tower now under construction—

- (1) When will it be officially opened?
- (2) What provision has been made for vehicle parking facilities—
  - (a) on the tower property;
  - (b) on adjacent land and/or public roads?

Hon. D. K. DANS replied:

- (1) No firm date for any official opening has yet been fixed.
- (2) (a) The Government will utilise 82 on-site car parking bays.
- (b) This is a matter for either the developer or the local authority.

### WATER AUTHORITY

#### *Information Segment: Channel 7*

195. Hon. P. G. PENDAL, to the Minister for Water Resources:

- (1) How much does the WA Water Authority pay each year for its information segment on Channel 7?
- (2) Can this be justified in the light of recent tariff increases?

Hon. D. K. DANS replied:

- (1) \$85 504. In light of the Premier's recent economic statement, all paid media segments by the Water Authority are under review.
- (2) The Water Authority's television "water update" segments were decided on as the most cost-effective way of providing the public with information about water resources and the authority's services, charges, and policies. The annual cost per customer of the authority's Statewide information programme is less than \$1, a sum considered acceptable by respondents to a public survey conducted prior to this programme. The same survey showed that a large majority of respondents felt the Water Authority could communicate better with them.

### WA LIVESTOCK HOLDINGS PTY LTD

#### *Cattle: Feedlots*

215. Hon. W. N. STRETCH, to the Leader of the House representing the Minister for Agriculture:

- (1) How many red-tagged cattle off the WA Livestock Holdings stations have been sent to feedlots in the agricultural and south-west areas?
- (2) Have these cattle been in close contact with tuberculosis-infected cattle prior to trucking them south?
- (3) How many days prior to trucking were the red-tag cattle isolated from the other cattle?
- (4) Is there any risk of a TB carrier animal being moved to the South-West Land Division?
- (5) Were the cattle unloaded or rested during the trip south?
- (6) If so, where and for how long?
- (7) Does the introduction of these contact cattle affect adversely the TB-free status of the south-west and the stud and commercial animals presently produced there?
- (8) Is this movement of cattle—
  - (a) a once-only operation;
  - (b) an experimental consignment; or
  - (c) the first of an extensive operation to fatten Kimberly cattle in the south-west?
- (9) What body or person made the decision to apply for permission to move these cattle to TB-free areas?
- (10) Which Ministers of the Crown were consulted on this matter, and who gave ministerial permission for the application to proceed?
- (11) In whose name was the permit issued?
- (12) Were the following bodies consulted by the Minister prior to the approval being given—
  - (a) Pastoralists and Graziers Association;
  - (b) Primary Industry Association;
  - (c) United Beef Breeders; and
  - (d) Country Shire Councils Association?
- (13) If not, why not?
- (14) What is the estimated financial gain in this whole operation to—

(a) the owners of the cattle, WA Land Holdings; and

(b) the feedlot owners?

Hon. D. K. DANS replied:

- (1) 606.
- (2) Two animals from 900 tested gave positive reactions to the tuberculin test prior to movement. At autopsy one animal showed lesions of tuberculosis.
- (3) 15 days prior to trucking from the Kimberleys.
- (4) The risk is limited to the level of accuracy of the tuberculin test.
- (5) Yes.
- (6) At the Broome dip yards to be dipped and inspected for cattle tick. Approximately 48 hours.
- (7) There are no areas of Western Australia declared to be of tuberculosis-free status. The south-west forms part of the southern tuberculosis provisionally-free area. The introduction of these cattle does not affect the provisionally-free area status.
- (8) The movement was experimental to test an alternative method of turn-off from the Kimberleys.
- (9) Western Australian Livestock Holdings.
- (10) Ministerial approval is not required. Approval was given by the chief veterinary officer.
- (11) Cherrabun Station.
- (12) No.
- (13) It was considered that the conditions and restrictions applying to the movement were adequate to protect the status of the area of destination.
- (14) This information is not available and would be subject to commercial confidentiality.

## SPORT AND RECREATION

### *Chess: Recognition*

243. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Sport and Recreation:

- (1) Is chess recognised or regarded as a sport in Western Australia?
- (2) Is disc flying recognized or regarded as a sport in Western Australia?
- (3) What is the criteria for recognition?
- (4) Do bodies associated with these sport/activities qualify for Instant Lottery funding?

Hon. KAY HALLAHAN replied:

- (1) Yes.
- (2) Yes.
- (3) The definition of "sport" determined by the Western Australian Sports Council states "sport is a human activity requiring physical exertion and/or physical skill through competition. It should also be an activity historically and/or publicly accepted as a sport".
- (4) Yes.

## HOUSING UNITS

### *Construction Programme*

248. Hon. G. E. MASTERS, to the Minister for Community Services representing the Minister for Housing:

How many Homeswest units are presently under construction in the following areas—

- (a) Heathridge;
- (b) Beldon; and
- (c) Rostrata Heights?

Hon. KAY HALLAHAN replied:

- (a) Nil;
- (b) nil;
- (c) the area quoted as Rostrata Heights is within the suburb of Willetton. Homeswest presently has 11 one-bedroom aged persons units under construction in Willetton, but these units are outside the Rostrata Heights estate.