

Legislative Council

Tuesday, 11 June 1991

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 3.30 pm, and read prayers.

BILLS (2) - ASSENT

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

1. State Energy Commission Amendment Bill
2. State Supply Commission Bill 1989

MOTION - LEGISLATION

Orderly Management of Business Improvement

Debate resumed from 6 June.

HON PETER FOSS (East Metropolitan) [3.37 pm]: Before debate was adjourned on Thursday I was saying that the reason the motion is not in any way related particularly to this Government or this Opposition is that it is a general statement of belief by the House of what is correct in absolute terms. It is also my belief that the reason the spirit of the motion has been offended against so often is that it has become a general belief within those areas of Government administration responsible for putting up legislation that it is acceptable to have an end of session rush of legislation. Not only is it seen as acceptable but also rewards are given for putting up legislation in an end of session rush because it is far more likely to receive a cursory examination as opposed to a proper and thorough examination and, therefore, it is far more likely to be passed without causing any difficulties. This is the impression we have allowed to be created because members in both Houses have consistently allowed the end of session rush to occur, and we have only ourselves to blame for not refusing to deal with legislation in that manner.

We owe it to the people of Western Australia to deal with legislation properly. It is often the case that if one gives rise to an expectation in people they will allow themselves to take advantage of that expectation. If we make it clear to those responsible for bringing legislation into Parliament that such legislation will be dealt with only in a proper and orderly manner, and that it will not be dealt with if it is served up in a rush at the end of session, they will know that the only way to get legislation dealt with is to bring it forward in an orderly manner, as contemplated by this motion.

The purpose of the motion, as much as anything, is to serve notice on those people whose duty it is to prepare legislation for Parliament that they must do that in an orderly manner. They must no longer expect that they will get legislation through this Parliament purely by serving it up in a rush at the end of session. If the motion does no more than that, we will have achieved a considerable amount. I hope it does more than that. It will be an expression of intent by us as members of Parliament, on both sides of the House, that we will abide by the terms of the motion both in the currency of this Government and future Governments, whatever their complexion; that we will take our task as parliamentarians seriously; that we will look at legislation with the proper regard that the public expects us to have when looking at legislation; that we will not indulge in the rubber stamping that tends to occur at the end of sessions; and that we will have better quality legislation and, perhaps, less legislation. It is one of my constant concerns that far too much unnecessary legislation goes through this Parliament; it is unnecessary because it need never have been introduced in the first instance or because had the initial job been done properly we would not have needed consequential amending legislation.

I hope this motion will be taken by the public and by the members of this House as an earnest statement of intent that we will be doing our job properly; that the Government and the Opposition will cooperate to ensure that the best possible circumstances exist to do our job properly; that we will in future insist on those standards; and that those persons bringing legislation before this Parliament have regard for those standards and observe them.

HON MARK NEVILL (Mining and Pastoral - Parliamentary Secretary) [3.41 pm]: The topic before the House is a rather hoary chestnut; in the time I have been a member of this House it has been raised on numerous occasions. The end of session legislation rush is not peculiar to this House; it is common to every Parliament in the Westminster system. Despite our good intentions we never seem to overcome the problem. If, as the motion suggests, we should not introduce any legislation in the last two weeks of a session, that will shift the log jam back one week. An occasional Bill is introduced in the last week of a session, but it does not happen often.

Hon Peter Foss: It does not just refer to that. We will not deal with anything if it has to be introduced as part of the end of session rush.

Hon Garry Kelly: How do you define "rush"?

Hon MARK NEVILL: Hon Garry Kelly has asked the obvious question: What qualifies as a rushed Bill? Even if that problem could be solved we must look at other solutions. Some of the problems we have with this log jam of legislation is not necessarily the fault of this House. The Budget debate in the other House takes priority, and anything up to 10 amendments are moved during that Budget debate, which often causes legislation to build up toward the end of the session. In this House we have the Address-in-Reply debate, which was completed only recently with Hon Tom Stephen's return from the four corners of the United States; that debate started before he left. Hon Tom Stephens probably travelled more miles than Odysseus, yet we were still on the Address-in-Reply debate when he returned. We should be saying, "We have two sitting weeks in which to deal with the Address-in-Reply," then everyone would have to prepare his speech and deliver it within those two weeks instead of letting the debate draw out during the session and delay debate on legislation. I am just as guilty as any other member of this House; if someone said that I had to speak before the end of the next week or I would not speak at all, I would have my speech ready. While we have open ended debate, the agenda is open ended, and speeches get put off until tomorrow. Most members will agree that we are all fairly busy people.

I do not believe that longer sittings will solve the problem. Hon George Cash mentioned that we had sat for seven weeks this session. We do not have as many late sittings as we had in previous years, and that is even better still. Some improvements have been introduced into the House in recent years; one is the time limit on speakers other than the lead speaker for the Government and the Opposition. That has improved the quality of debate in this House. Members must say what they want to say within 45 minutes. We can all remember in previous years suffering in the early hours of the morning, listening to some speakers go on for two and three hours. That did not contribute much to the debate and some of those speakers would have made more impact if they had confined their remarks to a total of 45 minutes.

Longer and later sittings are not the answer. We must manage the business we have within the time we have. Perhaps we can manage our time better by setting a fortnight for the Address-in-Reply debate or allowing a one hour debate on a particular Bill, or more depending on how contentious the Bill is. No-one in this House is suggesting for a moment that the delay is the fault of anyone here. From what I can see, and I am not all that privy to how the business of the House is managed, it is usually arranged behind the President's dais. It would appear to me that the Opposition parties have cooperated fully with the Government and that there is no suggestion that any delays have been caused from lack of cooperation. That cooperation is acknowledged.

The other important point we must consider is the increasing amount of business done off the floor of the House. The Delegated Legislation Committee, which is chaired by Hon Tom Helm, is a joint House committee which does a tremendous amount of useful work to make sure that natural justice is accorded to people, that Ministers do not exceed their powers, and that public servants are not given policy making powers in regulations. In more recent times the Legislation Committee, under the chairmanship of Hon Garry Kelly, has also been doing some very impressive work and that is another method by which debate is removed from the floor of the House into a committee forum. In the House we debate; in the committee system we not only debate but also investigate. Committees can call people before them in order to inquire into matters of contention. A lot more work needs to be moved off the floor of the House and into the committee system where often improvements to a Bill can be achieved

without having a full frontal assault in this House. We should leave to this House those matters which are contentious and that cannot be solved off the floor of the House. They are the type of debates we should have in this House.

The other possible solution to the log jam can be found in the 1985 report of a Council Select Committee which inquired into the committee system. That committee was jointly chaired by Hon Jim Brown and Hon Vic Ferry and discussed the introduction of legislation and the relationship between legislation and the committees of this House. Among the ideas explored in that Select Committee were which Bills should or should not be referred to committees and when Bills should be introduced into each House. It was suggested that we adopt the American system where Bills are deemed to be introduced into both Houses when they are first introduced into either House. Presently, most legislation is introduced in the Assembly. It was proposed that as soon as legislation was introduced in one House it be deemed to have been introduced into both Houses. The Select Committee discussed whether the Bills could be referred to a committee at that stage without their having been introduced into both Houses. However, the members of that Select Committee thought that a Bill should not be referred to a committee of the Council until after its second reading in the Council so that at least the policy behind that Bill was known. That is one mechanism by which we could speed up the consideration of legislation in this House. That would mean that if a Bill were introduced and second read in the Assembly it could be automatically referred to the Legislation Committee of the Council. That would mean the committee would have a full week or, in some cases, three or four weeks to examine the Bill before it was introduced into the Council for consideration. Under that system both Houses would consider the same Bill at the same time and they would both have the opportunity to make amendments. It was also suggested in the report that a joint committee of both Houses be established to consider the Bills as amended in an attempt to reconcile the differences between the Houses and then report the outcomes to each House. That is another method which could be used to accelerate the consideration of Bills in this House. In that way we would not have to wait until Bills were physically introduced and second read in this House.

Hon Peter Foss: Even if you did not draft amendments in this House you could do all the investigations.

Hon MARK NEVILL: Exactly. The committees of this House would have the capacity to carry out those investigations. As I understand the Standing Orders, members are able to sit in on committee meetings and contribute to those meetings, although they do not have voting rights. It would be more appropriate if those Select Committees were conducted in premises which were close to Parliament House because it is a long walk to annexe buildings where those committee meetings take place. Often a member has more idea of what is going on if committee meetings are conducted in Parliament House.

Hon Peter Foss: Members cannot participate in committee deliberations. The Standing Orders do not allow that.

Hon MARK NEVILL: I stand corrected. I am sure a member could chew the ears of committee members outside the committee meetings. Of course, there are ways of getting around those things. I do not see why members cannot participate in any committee's proceedings. Perhaps our Standing Orders should be amended at a later date.

The only other comment I want to make concerns legislation as it focuses on the needs of people. We should ensure that legislation is presented in a form which is easily understood by the people for whom it is intended. However, the problem lies with the Government. The notion that a legislative solution exists for most problems is wrong. Legislation should be the last resort in solving problems. Perhaps we should be looking at introducing less legislation and, therefore, allowing the people who are preparing legislation the time to do a better job.

The sentiments expressed in the motion are admirable. The flow of business through this place can be improved in many ways. However, if that were ever to happen I, like many people, would be amazed. People have been talking about this matter for a long time. If we achieve what is outlined in the motion this House will be the first on the planet to have done so.

HON FRED MCKENZIE (East Metropolitan) [3.56 pm]: I rise to make a contribution to

this debate because I have been on this side of the House longer than any other member. Although I am not father of the House I would certainly be father of this side of the House.

Hon Mark Nevill: Grandfather.

Hon P.G. Pental: If you are father of that lot you have a lot to answer for.

Hon FRED McKENZIE: I understand the spirit of the motion. There is no nastiness intended in the debate and goodwill exists on both sides. I acknowledge the points made by Hon Mark Nevill. He has been a member of this House longer than the three speakers on the other side who have contributed to this debate and therefore has more experience than newer members in this House. I say that with respect and do not mean any disrespect to the three Opposition members - Hon George Cash, Hon John Caldwell and Hon Peter Foss - who have contributed to this debate. They have been here only since the Labor Party has been in Government and not when it was in Opposition.

Hon Peter Foss: Are you suggesting that is a new phenomenon?

Hon FRED McKENZIE: No. Hon Peter Foss knows that I have been critical of him on some matters, but I acknowledge that he has fresh ideas and I wish him the best of luck in the future when I am gone.

Hon J.M. Berinson: But not while he is here.

Hon FRED McKENZIE: When I leave this place I will try to get on someone's *Hansard* mailing list in order to keep an eye on what happens in this House. I have always been a member of the back bench; I have never been a Minister. When I was on the other side of the House and the House was approaching the end of a session, the Liberal Government of the day would make us sit until very late in the evening and I would become very tired. Even though I was a young man I had difficulty getting up the next morning after a late night in the House. Strangely enough the legislation that would be jammed in at the end of the session was legislation in which I was most interested. Often it was important and very controversial legislation dealing with workers' compensation or industrial relations. When the Opposition's turn comes - and history suggests that it will - members opposite will receive a shock. I will be watching to see whether members opposite are successful at changing the system.

Hon Peter Foss: You have a better chance of it actually happening if there is something on the books.

Hon FRED McKENZIE: Yes, because it comes back to haunt a person. I am making a confession of sorts, because what I said many years ago has come back to haunt me. I used to grumble about the then Government holding up the introduction of legislation until the dying hours of Parliament. I had to try to digest the legislation that came from the other place very quickly if I wished to speak on it. It worked well for the Government because I was too damn tired to do any research and I sat here without saying a word.

I will watch with interest what happens in the future. I applaud what the mover of this motion is trying to do because it makes sense - a lot of things make sense, but one cannot put them all into practice.

I have always been a backbencher, but I realise that when a person becomes a Minister his attitude changes. He experiences something which members of the Government backbench and members on both the front and back benches of the Opposition do not experience. The reasons that legislation cannot be presented to the House early in a session are numerous. Often Parliamentary Counsel encounters problems. Often members of the Government anticipate a Bill being presented to the Parliament, but for one reason or another it does not appear. A member may have some inside information about it and he waits for the Bill to be presented because he wants to read it so he can participate in the debate. Ministers do have good intentions, but legislation can be blocked from somewhere else in the system. I do not know how that can be overcome.

I commend the manner in which this motion has been moved. I understand from what has been said that the motion is a reminder that we should be more sensible about the introduction of legislation into the Legislative Council. I hope that when Hon George Cash and Hon Peter Foss are members of Cabinet they remember what they said in this debate. I hope the situation changes; if it does not I suppose they will have to eat humble pie.

Hon Peter Foss: The then Leader of the Opposition will remind us of it.

Hon FRED McKENZIE: If I am around I will remind the new Opposition members, but new members will not want to listen to past members because they are yesterday's men and women. Amendments to Standing Orders have been sensible and have resulted in the more efficient running of the House. When I first came to Parliament I was in Opposition and it had nine members only. That did not matter because members of the then Government were told what I am often told to do; that is, "Line up the speakers or tell them we don't want them." When members are on the Opposition benches and they want to speak it is a different ball game because Opposition members have the opportunity to make their point. I want my contribution to this debate to serve as a reminder to members of my experience. I have not wanted to tell them how they should do things but, for what it is worth, to caution them.

HON J.M. BERINSON (North Metropolitan - Leader of the House) [4.04 pm]: I am not in a position to commend this motion as heartily as Hon Fred McKenzie did, but on the other hand I do not criticise it. The problem with it is, as a number of speakers have now suggested, that it has good intentions and there is hardly any basis on which its proposals could be argued against. To that extent, much of the motion is of a motherhood-type nature. I refer in that context particularly to paragraph (1) of the motion and if members read the separate subparagraphs they will see how difficult it is for anyone to argue against the proposals.

Paragraph (1)(a) requests the Government to seek to introduce legislation into this House in an orderly manner so that there is adequate time for the House to deal properly with each item of legislation. That, of course, is a desirable end. Paragraph (1)(b) requests the Government to, where possible, inform the Opposition of the likely legislative workload. It has been generally agreed that we try to keep each other informed in that respect. Paragraph (1)(c) requests the Government to seek to avoid the end of session rush of legislation. I can only say to that that no-one would be more anxious than I am to achieve that end.

Then we come to paragraph (2): In the first place I acknowledge that it does have the let-out clause; that is, "in exceptional circumstances". That is a wise thing to do given that there are occasions on which matters genuinely have to be put through in a hurry, and very often they are not on a contentious issue. We will have an example of that this week when the third of the Government's money Bills, the Treasurer's Advance Authorization Bill, will be presented to this House and be added to the Supply Bill and the Loan (Financial Agreement) Bill which are already on the Notice Paper. As we have often observed, the debate on any one of those Bills can be well accommodated by any of the others, so there is no real need for the two weeks' notice suggested. Again it is fair to say that it is acknowledged on all sides of the House that the Treasurer's Advance Authorization Bill would be covered by the exception that is suggested in paragraph (2) and, therefore, I am not suggesting that as a problem in these circumstances. There can be other cases of greater urgency where we simply have to apply ourselves to legislation which is presented to the House very late in the session, and the saving clause is obviously there to cover that, and that is okay.

I refer to the general proposition of paragraph (2) of the motion which suggests, in effect, that the House should not deal with legislation unless it is introduced at least two weeks before a significant break.

Hon Peter Foss: Not "deal with" it, but "will not attempt to complete" it.

Hon J.M. BERINSON: I accept that correction, but it is a situation I still query and I do so for two reasons. The first is that it has been a well understood practice in this House, and I think it is a practice which is shared in the Legislative Assembly, that the general rule is that a Bill introduced on any particular day in the House can be brought up for discussion one week later. The week's break is to ensure an ability for party consideration and for any other consultation with other people by individual members. In my experience there have been very few Bills where the Opposition has said that it was not able or not willing to proceed with a Bill after seven days. There are some Bills in that category, of course, and they would mainly involve more complicated issues or those which requires more consultation with community groups than seven days would allow. On the whole, however, I would be pretty safe in saying that at least three-quarters of all the Bills introduced into this House are ready for completion by members on the other side one week after they are introduced.

Hon Peter Foss: That does not mean to say that Bills will not be completed. It is merely that the House will not go out of its way to complete a Bill. The argument, "We are getting near the end of the session, so we must finish it," will not be accepted.

Hon J.M. BERINSON: I accepted Hon Peter Foss' interjection before, but one out of two is all he can get because paragraph (2) refers to the fact that the House will not attempt to complete legislation unless exceptional circumstances arise.

Hon Peter Foss: It if happens to be completed, that is all right. It does not mean a Bill will not be given a third reading.

Hon J.M. BERINSON: The language seems to present a bar. It would be hard to complete a Bill that one was not prepared to attempt to complete.

Hon Peter Foss: It happens all the time here.

Hon J.M. BERINSON: If Hon Peter Foss is suggesting that I am reading too much into the motion, then I am happy to accept his explanation. I think to be fair he will acknowledge that the plain words do indicate that the House is asked to present a view that it should not consider legislation unless it has two weeks' notice. If Hon Peter Foss is saying, "We are prepared to consider it but if some Bills turn out to be too hard you should not expect too much," then that is more of a motherhood statement than I expected and I thank him for that.

Hon Peter Foss: It is to say that we will not go out of our way to complete a Bill. We will carry on with the ordinary business of the House and if during that ordinary business a Bill is completed then it will be completed. However, if not, there will be no attempt to try to complete it.

Hon J.M. BERINSON: I am happy to take that as the intention.

Hon George Cash: I confirm that.

Hon J.M. BERINSON: As Hon George Cash is prepared to confirm that, I am happier still.

Hon Peter Foss: It means there is to be no expectation that a Bill will be completed in the last two weeks of a session.

Hon J.M. BERINSON: Hon Peter Foss did not have to add that. I do not wish to interrupt his speech, but would like to reach my second point. It would not be unique for a proposal to be presented in this House that goes further than the Opposition now indicates this motion is intended to go. A practice is now followed in the Senate of declining to deal with matters introduced after a cut off point before a recess. The important difference is that the Senate sits for longer than the House of Representatives. That is a consideration we should bear in mind. In previous years, and certainly in previous Parliaments, it has never been suggested that this House should not sit for longer than the Legislative Assembly. There have been a number of occasions in my experience where we have sat for an extra week or so. There was a good reason in those years for doing that. I suggest there is a good reason in most years for doing that. That need arises from the fact that by far the majority of Bills are introduced in the Legislative Assembly, either because of a constitutional requirement or because the responsible Minister is in that House. The inevitable result is that by the time the Assembly finishes we cannot be expected to have dealt with the same legislation, some of which may well have come to this House on the very last day the Assembly sits. The question is whether it would be unreasonable in those circumstances for the Legislative Council to sit for a week longer than the Legislative Assembly in the same way as the Senate sits for longer than the House of Representatives. I do not think it would be. However, resistance to that happening has been expressed on at least one occasion when we were facing that happening.

Hon Peter Foss: There is a motion of the House to the contrary.

Hon J.M. BERINSON: That was only a sessional motion, was it not? I do not think it is part of Standing Orders.

Hon Peter Foss: No.

Hon J.M. BERINSON: Nonetheless, it is part of our understanding and I proceeded in this session on the basis that we expected to finish at the same time as the Assembly. It is appropriate, all the same, to use this motion and debate to again raise the possibility of members of this House considering the reasonableness of the Council sitting for a week

longer than the Assembly if necessary. It will not always be necessary and will not be necessary this session. However, there can be circumstances where the flow of business in the Assembly is such that it cannot finish all or transfer all business to this House in time for us to give it the minimum of one week's consideration. I therefore introduce that thought, not with the view to implementing something of that sort this session, or to introduce it as a regular requirement of the Council, but simply to invite members to approach the question perhaps more flexibly than they have done on other occasions and to consider, perhaps halfway or two-thirds of the way through a session, whether it would be reasonable for us to sit for longer than the Assembly. I have no objection to the motion. I have even less objection, given the elaboration on the motion by way of comment from Hon Peter Foss and Hon George Cash. I therefore support the motion.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [4.17 pm]: I thank Hon Peter Foss, Hon Mark Nevill, Hon Fred McKenzie and Hon Joe Berinson for their support of the motion. I confirm again, as did the Leader of the House, that this motion sets a benchmark for the Council. It is, in fact, a statement of intent, so to speak, by the Parliament. It is couched in specific terms for that very reason. I said when introducing the motion last week that it was not my intention for it to be a controversial one causing great argument but merely to set down some guidelines that should be observed in this House. As stated during the debate, the business of the House and its sitting times will be determined by the House irrespective of this motion, and that is the way the House should continue to operate. Clearly the House will be master of its own destiny, and so it should be. I think that towards the end of his speech the Leader of the House acknowledged that he was perhaps being a little too pedantic in his comments about paragraph (2)

Hon J.M. Berinson: Literal rather than pedantic.

Hon GEORGE CASH: Also, that he was relying on semantics to justify or substantiate some of his comments. I am pleased that he was prepared to accept the assurances given by Hon Peter Foss and me regarding the intention of the motion. The Leader of the House raised an important issue as to whether the Legislative Council should consider sitting for a period, say one week, after the Legislative Assembly rises. He said that that will not be necessary this session. All members of this House are aware of that understanding. I do not represent my party's policy at this stage because that proposition has not been considered by the party, but as an individual member I would have no objection to that. The point I make is that there must be an understanding by members in this place of the times the House will sit and the day on which it intends to rise. We rely on a timetable which has been published by the Government and which is good for both the Legislative Assembly and the Legislative Council. If the Government sees a need for the Legislative Council to sit, say, a week longer than the Legislative Assembly, that is a matter which the Government will have to arrange when it sets its timetable. As I understand it, all members of this House are asking for is a very clear indication of the days on which we might sit and when we will rise. The only arguments are about the uncertainty of when we will rise. Members who have relied on an earlier published timetable have made commitments, and at times they find it difficult to break those commitments.

Hon J.M. Berinson: I put a practical problem to you. The Human Reproductive Technology Bill in the Assembly is simply going on forever.

Hon GEORGE CASH: That is right.

Hon J.M. Berinson: That has thrown the whole legislative program out of its original frame. One cannot anticipate that at the beginning of the session. One can anticipate some Bills will take longer than others, but not that some will take forever. Would you accept it as reasonable that members of this House should put aside an extra week when making their post-session plans rather than formally putting out a longer timetable from the outset?

Hon GEORGE CASH: No, I cannot accept that. I believe that members of the House are entitled to rely on a published timetable. If it is the Government's belief that Bills such as the Human Reproductive Technology Bill and other substantial matters of legislation may take longer than might have been anticipated earlier, that can be taken into account when the Government publishes its timetable.

Hon J.M. Berinson: But we then do not know. In fact we have had the experience of very small Bills expected to go through on the nod taking up to a week.

Hon GEORGE CASH: One way to solve the problem is for the Government, when publishing the timetable, to make allowance for that extra week in the Legislative Council. If it is not used, it is not used, but at least members will have a clear indication from the Government of its intention. It may be that the Legislative Council will not necessarily commence its sittings in the early stages of the session on the days that the Legislative Assembly might be sitting in order to take into account the fact that the Legislative Council is often waiting for legislation from the Legislative Assembly. I am not proposing that the Legislative Council sit a week longer than the Legislative Assembly; I am saying that as an individual member I can see some justification for that, so long as members know where they stand. That is all members ever ask. After all, as members of Parliament, we have a duty to attend the Parliament as required.

Hon J.M. Berinson: One of the other possibilities I intend to examine is introducing more Bills in this House when there is no constitutional requirement for them to go into the Legislative Assembly, even if the responsible Minister is in the Legislative Assembly.

Hon GEORGE CASH: That is certainly worth considering. I thank those members who have spoken for their support of the motion; I believe it is a responsible one. It sets a benchmark, and from the interjections and comments made during the debate there is clearly room for further negotiation between the Opposition and the Government to ensure an orderly flow of business through the Legislative Council.

Question put and passed.

MOTION - JUVENILE CRIME, SOUTH HEDLAND

Reduction Achievement

HON TOM HELM (Mining and Pastoral) [4.24 pm]: I move -

That this House recognise the outstanding achievement made by the South Hedland Community in reducing the juvenile crime levels by 40 per cent over the past 12 months which was achieved by developing community based initiatives, a close relationship with the police who in turn developed a flexible approach to law enforcement and the introduction of the Youth Involvement Council.

I shall go into some detail about why I put this motion on the Notice Paper and make it clear to both sides of the House that I am neither planning to bang the Government's drum nor denigrate the Opposition. I shall highlight the differences in approach between the two, explain in some detail the problems we had in South Hedland, and how they relate to problems in other towns in the bush, and the City of Perth. I shall explain things which were put into place by members of the community with Government assistance to address those problems as they were seen, and I shall examine the way those initiatives and directions can follow through into other communities in the State so that we can address the issue of juvenile crime. I do not refer just to juvenile crime; perhaps this debate will have some impact on crimes against the person, against property, and against the community; the kinds of crimes which are perpetrated not just by juveniles but by older sections of our community. South Hedland's experience demonstrates that if we can address problems associated with the juveniles in our community we might have some success in addressing problems related to the older sections of the community, such as their views on society and how society views them.

During the course of my contribution I shall demonstrate to the House how the crime rate and the appearance of juveniles before the juvenile court was reduced by at least 40 per cent, and how to identify and make a distinction between breaking and entering, stealing cars, vandalism, larrikinism, and the sorts of things which put young people behind bars or into detention centres. Basically, in Port Hedland, not just one section of the youth but youth generally across the board seemed to be on a collision course with society; and not just society in that country town. When they came to Perth detention centres they had difficulty living with the discipline imposed on them. I hope to demonstrate how the community responded to some initiatives; how the Police Department changed track somewhat; how the area of community policing was best served; and how individual policemen whom I shall name made their contributions to our town. They were able to address some of the young people involved in crime, acts of vandalism and antisocial behaviour on a one to one basis,

and that led to the young people doing some form of community service or detention. I shall demonstrate to the House the work of the Police Department, which was of vital importance because the police are at the front line; they must apprehend those who are being criticised for doing or not doing their jobs. I hope to demonstrate how the Police and Citizens' Youth Club worked hand in hand alongside the Youth Involvement Council, which consisted of people from all walks of life in Port Hedland. They identified the problems and addressed them to such a degree that we were able to reduce the crime rate by at least 40 per cent and in some cases by a lot more than that. As well, we brought out the contribution people could make on various committees to deal with some of the community problems our town was facing.

[Debate adjourned, pursuant to Standing Order No 195.]

SHARK BAY MARINE PARK

Disallowance of Order

Debate resumed from 6 June.

HON KAY HALLAHAN (East Metropolitan - Minister for Education) [4.31 pm]: This issue is a very important one. The Opposition's position seems to be predicated upon the point that there has not been enough public consultation, but the debate we are engaged in today is whether there should be a marine park at Shark Bay, and that is the point we must consider. It is quite extraordinary that in 1991, 17 years after the protection of this outstanding marine environment was first proposed by a Government appointed body, the Conservation Through Reserves Committee, anyone in the community, let alone the Opposition spokesperson on the environment, would actually oppose the creation of this marine park at Shark Bay.

Hon P.G. Pental: You have missed the point. We support the marine park.

Hon KAY HALLAHAN: So members opposite support the marine park but want to disallow the park's actually existing. Is that the case?

Hon P.G. Pental: It is the only way that fishermen whose livelihoods depend on it will be heard by you.

Hon KAY HALLAHAN: That is not true. I will continue with the point I was making. The Opposition must face the fact that it does not want a marine park at Shark Bay if it disallows this order.

Several members interjected.

The PRESIDENT: Order!

Hon KAY HALLAHAN: It seems to me that the Opposition is becoming excited.

The PRESIDENT: Order! The Minister is perfectly right in saying that she will disregard what other members are saying, because that is what she should do. However, members should allow her to proceed with her comments. I ask the Minister to direct those comments to the Chair, please.

Hon KAY HALLAHAN: We all feel strongly about this matter. Certainly the Government cannot understand the position that has been taken by the Opposition, allegedly for a matter of public interest and allegedly because not enough public consultation has taken place. I can say with confidence that an inordinate amount of discussion has taken place. The matter has been canvassed extensively, probably more than any other issue in recent times; maybe that is because of the politicising activity of the Opposition, which has led to an extraordinary amount of debate and consultation. However, despite all of that debate, the Opposition still claims that the matter has not been sufficiently canvassed in the public arena and therefore it will move to disallow this order and to stand in the way of, and actually wipe out, a marine park that has existed for some months.

Hon P.H. Lockyer: You could fix it in a flash by answering five points.

Hon KAY HALLAHAN: I want to make it clear during the course of my comments - and I must make some comments about this because it is a very serious matter indeed - that there is a legislative requirement behind the whole process that has led to this marine park. There

have been very well followed processes, and public consultation, and it is a mystery to the Government why the Opposition should be taking the line that it is. It is very clear that public consultation is required by the Statute, on two occasions. It is required, firstly, prior to the marine park's being gazetted - in other words, when the marine park is created - and secondly, when a management plan for the marine park is prepared. The legislation is very clear about those two things: First, create the park, then determine the future use through a public planning process. Those processes are being followed and I cannot see any reason to interrupt them.

Members will appreciate that the marine park at Shark Bay was created after proper consultation, which I will specify so that all members know of it, and the responsible authority, the National Parks and Nature Conservation Authority, will now commence the preparation of a management plan. It will be seen that the public consultation to which Hon Phillip Pandal refers is not legally required until the management planning process, when the future uses of the marine park are commenced. The facts of this matter are fairly simple but we need to have them on the record. After 17 years of discussion this marine park has been created and the processes which exist to protect the public interest, including the interests of the fishing industry, have been taken into account. I will list reasons why the Shark Bay Marine Park, which was created on 30 November 1990, protects one of the world's richest marine areas, because the area has many remarkable attributes and they should be on the record. It is the home of the internationally famous Monkey Mia dolphins which are dependent on the good health of this ecosystem. It has the second largest dugong population in the world, estimated at 10 000 animals. It is the only place in the world where a previously undescribed mating ritual of the dugong has been observed, which is of major significance for the behavioural science of these mammals. It contains the largest reported seagrass meadows in the world. These are the source of primary production on which the incredibly rich bay ecosystem is built and upon which the bay's fisheries depend. The bay provides a habitat for the State's most southerly resident populations of green and loggerhead turtles. A type of pearl oyster abundant in the seagrass meadows provided a wealthy resource for pearl fishermen in the early days. The shallow waters of the bay lend themselves to the culture of pearl oysters today, and other forms of aquaculture in the future. Extensive intertidal sand flats and shallow banks built on calcareous fragments are another characteristic feature of Shark Bay. They support a rich assemblage of burrowing invertebrates. It is for those reasons that the Government moved to protect that area and create a marine park, which the Opposition is now seeking to disallow.

Hon N.F. Moore: That is not true at all.

Hon KAY HALLAHAN: I reiterate that the decision to create a marine park at Shark Bay comes at the end of an historically unparalleled public participation and consultation phase.

Hon P.G. Pandal interjected.

The DEPUTY PRESIDENT (Hon Doug Wenn): Order!

Hon KAY HALLAHAN: I will deal with that interjection.

The DEPUTY PRESIDENT: Order! I ask the Minister not to take notice of the interjections. When taking the Chair from the President, he made it clear to me that he did not want any interjections, and that circumstance remains.

Hon KAY HALLAHAN: I outline the background because we seem to have a disagreement about the processes which have applied regarding the very significant, and, indeed, unique marine park. In 1974 the Government's Conservation Through Reserves Committee first proposed a reserve to protect the waters and flora and fauna of Shark Bay. Following the CTRC report, the Environmental Protection Authority's System 9 report also recommended the reservation of marine areas, including the Wooramel seagrass bank. In 1987 the draft Shark Bay region plan, which further proposed the marine park, was released for five months of public comment and 167 submissions were received. In June 1988 the Shark Bay region plan reaffirmed the EPA's System 9 recommendation for marine reserves and recommended the establishment of a multiple use marine park. This recommendation was in accord with public submissions. In the latter part of 1988, amendments to the Conservation and Land Management Act were enacted to make possible the creation of a multiple use marine park. Of particular importance in this amendment was the specific accommodation of commercial fishing operations when considering marine parks.

From September 1989 until 30 November 1990 an extensive consultation process occurred with the two local shires and industry groups. In November 1989 a notice of intent was published, pursuant to section 14 of the Conservation and Land Management Act, which set out the boundaries of the park and invited public submissions on the proposal. At that time two documents were published, and these were widely disseminated. At the end of my comments I will seek leave to table these documents. The first document is titled "Proposed Shark Bay Marine Park and Hamelin Pool Marine Nature Reserve", and the second document is titled "Why Have Marine Parks and Marine Nature Reserves?" Both documents were published by the Department of Conservation and Land Management, and were issued, along with a notice of intent, in November 1989. On 30 November 1990 the Government put into effect the recommendations of the CTCRC report, the EPA System 9 report and the Shark Bay regional plan, by gazetting the then current, generally agreed, set of boundaries. The order declaring the marine park was then tabled in accordance with section 13 of the CALM Act; this occurred in the Legislative Council during the parliamentary recess, and thus the motion to disallow the creation of the marine park is now before the House. It is now seven months since the marine park was created. Central to the member's motion on this matter is a claim that community consultations were inadequate.

Hon P.G. Pandal: Hear, hear!

Hon KAY HALLAHAN: Therefore, I need to set out for members the process which occurred: In September 1989 CALM officers gave presentations to interest groups in Denham, and held a well publicised and attended open meeting to explain the principles of conservation and to ascertain local opinion on the extent of the proposed notice of intent boundaries. In November 1989 the notice of intent was published with two associated documents, to which I have referred. The publications contained information about what marine reserves are, where they are proposed, why we need them and how to contribute by making a submission to a notice of intent. Copies of these documents were presented to the shire councils and made available for public comment within the shires. Public submissions on the notice of intent were received in March 1990 and these were summarised. In April 1990 a document titled "Strategies for Marine Conservation in Shark Bay" was prepared and presented to the shire and fishing organisations in response to the concerns raised in the submissions on the notice of intent. All the issues raised were addressed in this document, and members of the National Parks and Nature Conservation Authority attended meetings in Carnarvon and Denham to present and discuss this document and explain the planning process, which is outlined in appendix C of the "Strategies for Marine Conservation in Shark Bay" document. This document was presented after the analysis of the public submissions, and I shall seek leave to table it at the end of my remarks.

Even at that point, comments were encouraged and received on that document. In June and July, several meetings were held with representatives of the Carnarvon Shire, Norwest Seafoods, the Shark Bay Shire and the Denham Professional Fishermen's Association. In line with community aspirations, and particularly the trawling industry, the notice of intended boundaries was amended to exclude trawling grounds. Other amendments to the notice of intended boundaries were agreed to for the exclusion from the park of waters around Denham, Useless Loop and Nanga. In November 1990, the Shark Bay Marine Park was gazetted with the boundaries which had been generally agreed to during the extensive public consultation phase. The gazetted boundaries were adjusted in response to expressions of concern resulting from the consultation phase. I hold the gazettal map which reflects the changes to the boundaries - as applied in November 1990 - and I shall also seek leave to table this map at the conclusion of my speech. When noting the extensive consultation which took place, members would be aware that this related only to the creation of the marine park. As I have stated, this is only the first statutory phase of the public consultation. The second phase relates to the future use of the marine park, and this is dealt with under the management plan provisions of the CALM Act. Therefore, I move on to the question of preparation of the management plan for the marine park because it is in the management plan process that the fine tuning of the various future uses of the reserve areas takes place. It is about this process that perhaps a degree of misunderstanding has led to this proposed action before the House today.

Firstly, all marine parks and national parks and nature reserves are vested in the National Parks and Nature Conservation Authority. The CALM Act makes it mandatory for the

NPNCA to have management plans prepared for reserves vested in it. Procedures are specified which require public participation in the planning process. Local authorities, organisations and users with particular interests in the area are consulted during the early planning phase. When the NPNCA is satisfied that all opinions have been canvassed, and that the plan meets the purposes for which the area was reserved, a draft plan is published for public comment. The draft management plan must be available to the public for consideration for at least two months, and advertisements are placed calling for public submissions. When the public comment period is completed, all submissions are collated and a summary is published. Amendments to the draft plan may then be made by the NPNCA. When this process is completed, and the NPNCA is satisfied that the final draft plan is appropriate, it is sent to the Minister responsible for the Department of Conservation and Land Management for approval.

In the case of marine parks, the draft plan must also be referred to the Minister for Fisheries, who must be satisfied with those aspects of the plan which affect any form of fishing. Once the plan is approved it is binding on the management agencies until it is next reviewed. Reviews must be conducted at intervals of no longer than 10 years and must pass through the same procedures as the original. Because of the misapprehensions within the local community about the effects which the marine park would have, the Minister for the Environment went to extraordinary lengths by requesting the preparation of a preliminary draft management plan to demonstrate the way in which issues would be dealt in the draft management plan. The document contained a cover note to explain its status and to reiterate that a full management planning process would still be followed. Unfortunately, Hon Phil Pental has misrepresented that document and said that it and the covering note had been leaked. That is quite ridiculous because it was presented to the Shires of Carnarvon and Shark Bay for their information and consideration. Hon Phil Pental seized on a sentence in that plan, and by way of interjection drew the House's attention to it earlier when I opened my comments. The point about which he is concerned needs explaining because it may lead to other people misunderstanding the processes. The section in the preliminary - I emphasise that it is a preliminary - draft management plan is as follows -

The Preliminary Draft Management Plan aims to present management concepts for the Shark Bay Marine Park in a format that reflects a complete Draft Management Plan. The issues addressed and management strategies proposed have been collated by a Department of Conservation and Land Management team after limited consultation with individual community members and organisations. The normal and desirable process of having an Advisory Committee for consultation on issues was not available to the planning team in this case.

As a result there are recommendations in the document that have been developed without the extensive community consultation which normally occurs in the evolution of a Management Plan. Accordingly the wording of such recommendations simply reflects the issues of note and some possible approaches to the issues.

That must be put in its proper context because it can be seen that the statement merely underlines the process which the legislation requires the National Parks and Nature Conservation Authority to follow. The words Hon Phil Pental has seized upon, which refer to "limited consultation", relate specifically to the fact that the full legislative planning process has yet to be carried out and that consultations have only been with local interests; namely, the shires and the fishing industry, rather than the broader community which is legally required. I remind members that the consultation which has taken place relates only to the preliminary - I again emphasise preliminary - draft management plan prepared to show local interests the processes involved in preparing a management plan. That, unfortunately, has been taken out of context. I hope having that matter on the record will clarify for people following this debate where some of the misunderstanding occurred.

The stage has now been reached where a management plan is required and the proper legislative process must be followed in the preparation of that plan. If the marine park were disallowed today, the management planning process could not be followed; members must be very clear about that. The Opposition motion calls for clarification of "certain matters that remain a concern to local residents". I reiterate that all those matters will be fully addressed in the management planning process. However, some preliminarily comment on some of the matters which have been raised regarding the preliminary draft management plan

is probably a good idea. In its letter to CALM of 2 May 1991, the Shire of Shark Bay raised 10 specific points. I am advised that eight of those points can generally be accommodated and that productive discussions on most of those issues has already occurred.

Point four, which relates to the shire's retaining control of Little Lagoon, is more problematical. The matter relates to the boundary of the park, and the present gazettal notice would need to be amended. The shire does not at present have control over the waters of Little Lagoon. Also, the shire did not make that comment when it responded to the public notice of intent which detailed the proposed boundaries, and it did not respond during any of the subsequent discussions, until now. In any case, the shire's objectives for the future use of Little Lagoon will be addressed in the context of the management plan. The difficulty exists when people cannot see that a process is available where those concerns can be dealt with.

Point five, which relates to the channels at Wooramel being excluded from the sanctuary zone, also has practical difficulties. The Department of Conservation and Land Management is quite sympathetic to the intent of that request, but has very real legal difficulty in describing the area to protect the seagrass, excluding the channels. With further discussion and investigation of legal options, that matter can also be resolved along with the other matters on the way to resolution.

The Denham Fishermen's Association has requested that the sanctuary zone boundaries be gazetted at the same time as the marine park outer boundaries are gazetted. That is not possible. The development of sanctuary zone boundaries is part of a draft management plan and public participation process and must receive input from the wider community before any fixing of recommended boundaries. Nevertheless, the Government is committed to protecting fishing interests in the area, and the Minister for the Environment, Bob Pearce, has been mindful of the needs of the fishing industry in the area.

Hon Norman Moore: He couldn't care less.

Hon KAY HALLAHAN: He has wanted to accommodate them, and has been mindful of the viability of that industry. Hon Norman Moore's interjection is outrageous, because the Minister has spent a great deal of time and energy trying to resolve the matter in a way satisfactory to all parties with different views and conflicting interests.

Another comment Hon Phil Pental made alluded to an alleged commitment that no more than five per cent of the park was being gazetted as a sanctuary zone. Department of Conservation and Land Management officers have been asked about that and they cannot recall any such commitment being given. Indeed, it is very unlikely that such a commitment would have been given because it is a rigid prescriptive requirement. Sanctuary zone boundaries will be determined in the public participation process of the management plan preparation. The Shire of Carnarvon and the trawling industry want a provision to allow for trawling within the gazetted boundaries of the park. In response to vigorous representations on behalf of the trawling industry during the notice of intent stages of planning it was agreed that the boundaries would be set so that the trawling boundaries would be excluded from the park and the seagrass banks would be included. The boundaries of the park as gazetted achieve that principle. The only departures relate to the difficulty of matching non-linear seagrass bed boundaries with describable - and, hence, legal - management boundaries. This has led to three areas being disputed by the industry as locations that they trawl but which are inside the park. These areas would be less than one per cent of the total trawl ground. I do not know from where Hon Phillip Pental got his five per cent.

[Questions without notice taken.]

Hon KAY HALLAHAN: The Department of Conservation and Land Management has always agreed that it is feasible under the Conservation and Land Management Act to have commercial trawling operations within the marine park, but the Carnarvon trawling industry was adamant that it did not wish that to be the case. Consequently, and in accordance with the fishermen's view, the boundaries were amended from those shown in the published notice of intent to exclude the trawling grounds. A huge effort has been made to consult fishermen and the two shire councils on this matter and to accommodate their perceived problems with the proposal. Nevertheless, and again in a spirit of conciliation, if these concerns are raised during the draft management planning process it may be possible to zone sections of the reduced marine park for further access by the trawling industry.

There have also been representations about accommodation of recreational fishing in the northern areas of the Wooramel seagrass bank. Clearly this is a matter which will be accommodated in the draft management plan. If recreational use can occur such that the seagrass banks are not damaged in the long term there will be no difficulty in allowing such use to proceed.

The Shire of Carnarvon has also expressed concern about the Gladstone dugong mating area being closed to recreational fishing during the summer. The shire has acknowledged that this is a complex issue which will require considerable discussion before it is resolved. Again, the concerns are well taken but will be extensively aired when the wider community is consulted during the management planning process. In this regard it should be noted that both shires will be meeting with the National Parks and Nature Conservation Authority on Friday of this week to allow their comments to be put to the vesting body so that the draft management plan can address their concerns.

In closing what has been necessarily rather lengthy comment on this matter, I think that after I have laid before the House today the documents involved it will be clear that the creation of the Shark Bay marine park has not been undertaken lightly, nor without due consultation. Members must appreciate that the processes to be followed for the setting of the boundaries and now to be adhered to for the preparation of the management plan are set out in legislation. Those processes should be allowed to run their course so that the full consultation that is necessary can occur on the future use of the marine park. The Shark Bay marine park is one of the world's greatest marine treasures, and it deserves the recognition of this Parliament. It would be a sad day indeed if that park were now to be removed from the protection and management of the State Government. I do not need to remind members that this area has been nominated by the Federal Government for inclusion on the World Heritage list. If by today's actions the Opposition were to indicate that it would not allow the marine environment of Shark Bay to be responsibly protected and managed, the Commonwealth might well be obligated by its international responsibilities to assume that role.

Hon N.F. Moore: Here we go again!

Hon KAY HALLAHAN: That needs to be said. We have worked hard to have a plan to protect this area which is locally driven and acceptable, and that is what is proposed. Hon Norman Moore cannot justify his action if he moves to disallow the order before the House, so I ask members of the Government to vote against the proposal put forward by Hon Phil Pandal.

I seek leave to table the four documents to which I have referred.

Leave granted. [See papers Nos 418-421.]

Debate adjourned, on motion by Hon Margaret McAleer.

MOTION - WORKERS' COMPENSATION AND ASSISTANCE AMENDMENT REGULATIONS 1991

Disallowance

Order of the Day read for the resumption of debate from 6 June.

Debate adjourned, on motion by Hon Doug Wenn.

SUPPLY BILL

Second Reading

Debate resumed from 6 June.

HON R.G. PIKE (North Metropolitan) [5.30 pm]: In speaking to the Supply Bill I wish to touch on Commonwealth/State relations which bear on Supply in regard to the finance provided by the Commonwealth Government. I wish to deal with public morality and responsibility. Sir Peter Abeles and Mr Bill Kelty, men of supposed honesty, moral integrity, propriety, and holders of high positions, showed they did not have those attributes for the following reasons: First, prior to the 1990 Federal election, and without the knowledge of Cabinet or the Labor Caucus or the Australian people, they agreed to witness and then

witnessed the now infamous secret Keating/Hawke compact. This caused the electorate to make its judgment in ignorance of the truth. Second, when Prime Minister Hawke welshed on the compact by saying publicly he would serve the full term, they took no action. That reminds me of the Greek play "Hippolytus" by Euripides, and of the famous quote: My tongue it was that swore, my mind remained unsworn. In this matter credibility and public integrity were not displayed by Prime Minister Hawke, and those words suit exactly what he did on that occasion.

Third, and more importantly, by their silence those men placed themselves in a position of undoubted advantage over the Prime Minister and the Deputy Prime Minister of the Commonwealth by being holders of knowledge which could be used by either of them to improperly influence Hawke and Keating; and many say they did use it. Both men should have refused to be witnesses since they knew what it was about before they witnessed, and as well they should have publicly disclosed the compact when Prime Minister Hawke welshed on it.

Hon Tom Stephens: You don't know what you are talking about.

Hon R.G. PIKE: It is a matter of record. The member should listen; he will hear more about it.

Deputy Prime Minister Brian Howe, a Christian Minister, made a public statement that "public statements are more important than private deals in politics". So, the most interesting point there is that the new Labor Deputy Prime Minister, by those precise words, agreed with the principle that I am now espousing. Curiously, to the best of my knowledge, the role of Sir Peter Abeles and Bill Kelty in this infamous compact has never been questioned; certainly, their improper participation in it has not been questioned. Their public moral responsibility in this matter transcended their private commitment. Members should think about that. The two men did have a prior commitment which should have been transcended by their public responsibility - if members like, pro bono publico. It was an obscene deal; a secret conclave; it was four people - the highest in the land - in a secret compact not to tell the truth to the Australian people. When journalists said to Mr Hawke, prior to the 1990 campaign, that it had been reported that Senator Button had heard that there was a secret deal, Prime Minister Hawke categorically denied it.

It is curious that the Labor defence - which is the same defence given for WA Inc - is that "if what has been done is not illegal, it is proper". That is the thread running through WA Inc, and now it is manifest in the Federal Government. Of course, this is not so, and I will give some examples: Conventional wisdom about corruption implies some sort of bribery - people think they are the same, but they are not. Bribery is defined as a favour given for a favour received. Corruption is quite different; it is failure by, for example, a Prime Minister, a Premier, a Minister, or a member of Parliament to properly fill a public office according to the duties of the office. The holder of the office is always required to render a fair, honest action in regard to the authority received. Public office carries with it a moral dimension because the actions one takes are actions or powers delegated to a person, the holder, by the people; and they are delegated in good faith. The tragedy for Western Australia and for the Commonwealth which is unfortunately illustrated by the Hawke/Keating deal and the participation in that deal by Sir Peter Abeles and Bill Kelty is that the State and Federal Labor Parties are increasingly revealing that they are above almost any consideration which might hinder the attainment of their objectives. This whole matter should be a warning to us all as members of Parliament; that is to say, we cannot operate unless we acknowledge that there are higher levels of truth, decency, fairness and honesty which must govern us in what we do, otherwise as members of Parliament we will derail society. We must contemplate that.

The participation by Sir Peter Abeles and Bill Kelty in this ignominious and improper deal to mislead the Australian people is set out for all time and illustrated in the three points I have made. It must be emphasised again that their public moral responsibility transcended or superseded their private commitment, and they put themselves in an undoubted position of advantage in regard to the influence that they could have over the two highest officers in the land - the Prime Minister and the deputy Prime Minister. It is proper for the Parliament of Western Australia to take note of this because it is this type of behaviour that needs to be deplored, as does the participation in it by those two gentlemen.

HON P.G. PENDAL (South Metropolitan) [5.39 pm]: I want to devote my contribution to the 1991 Supply debate to an issue that was discussed by John McGlue in *The West Australian* last Saturday, an issue that has become arguably the pre-eminent one in Western Australian politics in the 1980s and the 1990s: The funding of political parties, and what is and what is not acceptable conduct.

Hon Tom Stephens: Don't you like the idea of a \$60 a month levy?

Hon P.G. PENDAL: I want to examine - I might say a bit more deeply than did John McGlue - some of the principles at stake. The general thrust of his remarks on Saturday was that the Liberal Party is strapped for cash; that is a secret to no-one. However, he went on to make at least two quite odd remarks about Liberal Party funding. He said, firstly, "The Liberal Party has failed to bring back the business support wrested by Labor in the early 1980s." Secondly, he said, "The ALP might be in the red and have to sell off some of its property assets, but it has been able to retain its core operations." I must say that, along with a few other people, Mr McGlue appears to have learned nothing and forgotten everything about the scandals and corruption of the 1980s. The first matter displays a curious set of values. I should think that the sort of business support that Labor attracted in the 1980s would have been arguably the worst sort. To the extent that the Liberal Party ever had them, we are well rid of them; and to the extent that Labor has won them, I would have thought that Mr McGlue might have brought down a harsher judgment on Labor since those new breed donors have been the virtual death of Labor's reputation. It also seems to have escaped Mr McGlue's notice that in most cases it was money from a source that the Liberals are grateful to have avoided, and it was money from people who clearly had conditions attached to its donation. In short, it is not a case at all of the Liberal Party failing to bring back those donors. It is a case of those donors becoming special friends of Labor because they saw Labor as the opportunity for them to be placed in an advantageous position.

I want to concentrate on the wider question of donations and ask a few questions. Why did senior Labor leaders set out to circumvent the very laws that they, with such piety, were advocating? Why did no Labor member of Parliament, senior or junior, ever query the source of the financial bonanza that kept coming the party's way? That is a failure that makes them no better than the German soldiers who guarded the Jewish death camps and later claimed they did not know what was going on.

Hon Fred McKenzie: Did you ever query where your donations came from?

Hon Tom Stephens: You would have complained if we didn't know where the money was coming from; you can't have it both ways.

Hon P.G. PENDAL: Why did the current Premier fail to order an inquiry into an instance brought to her attention where a business man was allegedly asked for \$3 000 for an appointment with a Minister? Did members opposite ask why this Parliament is continually refused requests for information that, if supplied, could prove that \$500 000 was extracted from a major Western Australian company after it won a Government contract for which it did not offer the lowest price?

Hon Mark Nevill: What if it had been yours?

Hon P.G. PENDAL: This is a matter which I will go into in more detail later and which today I have referred to the Royal Commission.

Members will recall that on five different occasions during the terms of the Burke and Dowding Governments, Bills were introduced to ensure the disclosure of parliamentarians' financial interests.

Hon Mark Nevill: You knocked them back.

Hon P.G. PENDAL: Hon Mark Nevill has come in on cue. I want him, in particular, to listen to what I have to say.

Hon Mark Nevill: You have been opposed to disclosure legislation all the way through.

Hon P.G. PENDAL: In light of the allegations made about the infamous Australian Labor Party leader's account, the way in which Labor lost interest in those Bills, including the Members of Parliament (Financial Interests) Bill, at crucial times is highly illuminating.

Hon Tom Stephens: It has been before the House four times.

Hon Mark Nevill: If we introduce it now, what will you do with it?

Hon Tom Stephens: Have you changed your view?

Hon P.G. PENDAL: In considering all this, members must bear in mind what we now know; namely -

Hon Mark Nevill: You are a phony.

Hon P.G. PENDAL: - that unprecedented sums of money were beginning to flow into Labor coffers, particularly the leader's account, which, unbeknown to us at the time, might well have become subject to the provisions of the Bill Labor was pretending to promote.

Hon Tom Helm: Whose speech are you reading?

Hon P.G. PENDAL: I say "pretend", because an examination of the facts now suggests that, in certain years at least, Labor never intended the Bills to pass.

Hon Tom Helm: Tell us who is the author of your speech?

Hon P.G. PENDAL: It is a matter of record, stated over and over again by Labor, that the Opposition blocked such legislation on two occasions. But what has never been said, or understood, is that the Labor Government on five separate occasions passed up the chance to put such laws on the Statute books.

Hon Mark Nevill: Were you going to pass them?

Hon P.G. PENDAL: On no fewer than three separate occasions, the Labor Government introduced such Bills but then made its own curious decision to let them quietly fall off the Notice Paper. Those occasions were in late 1985, March 1987 and August 1989.

Hon Tom Helm: Would you have supported them?

Hon Peter Foss: That is not the point, Mr Helm.

Hon Tom Stephens: You would not support them, so there was not much point in our persevering with them.

Hon P.G. PENDAL: Why did Labor Governments introduce Bills that were never advanced?

Hon Mark Nevill: Because you wouldn't have a change of heart; you wanted to protect your mates.

Hon P.G. PENDAL: Did the Labor Governments of Messrs Burke and Dowding deliberately fail to proceed with the Bills because this coincided with periods when their own leader's accounts were receiving huge sums of money? Members must recall that clause 9 of the Members of Parliament (Financial Interests) Bill (No 2) 1985 contained a provision for every member to disclose a description of each gift received by the member during the return period. I emphasise the word "gift". The clause also required the member to supply the name and address of the person who made such a gift. Many of these donations were going to the leader's account controlled by Messrs Burke and Dowding personally and not to the ALP. Does this explain why their Governments decided not to proceed with laws that would have compelled them personally to make such disclosures?

Hon Mark Nevill: Normally, if an Opposition will not support a Bill it introduces amending legislation.

Hon P.G. PENDAL: Is the reason we never saw such a Bill in 1988 that it would have required returns for the year 1987?

Hon Mark Nevill: Will you support the Bill this year? No answer!

Hon P.G. PENDAL: Large sums were received by Labor during the gold tax debate in 1987.

Hon Tom Stephens: Will you support the Bill?

Hon Mark Nevill: Silence!

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! I would like silence from members in the Chamber so that the member on his feet can continue.

Hon P.G. PENDAL: I will repeat what I have said: We saw no such Bill in 1988 because it would have required returns for the year 1987, a year in which Labor received large sums during the gold tax debate.

Hon Mark Nevill: You are smarting because you missed your opportunity.

Hon P.G. PENDAL: Most of these speech notes were assembled at the weekend, but it is interesting that Monday's Royal Commission hearing learnt of the huge donations made by Messrs Roberts and Dempster in 1985. Is it sheer coincidence that Labor did not proceed with its Bill that year because it would have compelled Mr Burke to disclose those donations?

Hon Tom Stephens: What is the reason for your not going ahead with the Bill now?

Hon P.G. PENDAL: What would Labor Caucus records reveal on the decision not to proceed? Is the reason we saw a Bill introduced in March 1987 by Mr Burke, but never proceed with beyond the first reading stage - very unusual for any Government Bill - that that would have required returns for the previous year, 1986? That was a State election year and the leader's account received large donations.

Hon Mark Nevill: We will keep introducing it until you pass it.

Hon Tom Stephens: Will you pass the Bill if it comes up this year?

Hon P.G. PENDAL: The Government today is as cunning as it was in those years and I would no more trust today's Government led by the current Premier than the Governments led by the previous two discredited Premiers.

Hon Kay Hallahan: We would not trust you either, Mr Pendal. The feeling of mistrust is mutual.

Hon P.G. PENDAL: Before I was interrupted I was referring to the requirement for returns to be lodged for 1986. Of course, a State election was held that year and the Labor Party may well have received a tidy sum for its leader's account. Did the Dowding Government fail to take its 1989 Bill to a vote in the Legislative Assembly because the law would have required disclosure of all gifts in the previous year, 1988? That was the year in which so many of Labor's dubious friends donated money for the "Dowding's working" campaign. What does all of this mean?

Hon Mark Nevill: That you do not support it.

Hon P.G. PENDAL: It means that the Labor Party must have twigged that it was running the awful risk of being trapped in its own web. It was using the parliamentary process to advocate disclosure laws and picking up the political kudos while making absolutely certain that its proposals never actually became law. In that way the two Premiers had the best of both worlds: Public and Press acclaim for trying, and protection against real disclosure by not trying too hard. What other explanation is there, bearing in mind that Mr Dowding told the Assembly that no matter what, the Government was determined to proceed with disclosure legislation? Mr Dowding also said that there should be disclosure to demonstrate to the electorate that members of Parliament have not been, nor will be, influenced in their official business by considerations of private gain. Mr Dowding said these very fine words in the same year he received a heap of money for the Labor Party. That money was not disclosed according to the spirit of what Labor had preached, but it would have been disclosed if clause 9 of the Mr Dowding's Bill had been advanced and become law. That leads me to the second point: That any mildly curious Labor member of Parliament -

Point of Order

Hon TOM HELM: Mr Deputy President, I draw your attention to Standing Order No 83 which says that speeches should not be read.

The DEPUTY PRESIDENT (Hon J.M. Brown): The member can refer that Standing Order to the House, but there is no point of order.

Debate Resumed

Hon P.G. PENDAL: Mildly curious Labor members of Parliament must have wondered just how it was that their party was able to out-spend its opponents by six or eight to one in campaigns. We have grown up in a generation which has heard the spineless excuse of the lower ranks of Hitler's army trying to explain their complicity in the deaths of Jews by saying, "We didn't know." How many members of the Australian Labor Party in this House have used that excuse? Even the ones who have said that they are staggered to hear about

what was going on without their knowledge must have smelt a rat somewhere. Hon Tom Butler must have at least raised his eyebrows a few times. He was, after all, the President of the Labor Party at that time. Steven Smith, a close confidant of the present Attorney General, was at one time the State Treasurer of the Labor Party and must have known what was going on. Dr Geoff Gallop was prominent in Labor's Administration at the time and Hon John Halden was on the rise as one of Labor's stars. Are we to believe that all of these intelligent, aware people never asked questions about the source of those Labor bonanzas? If they did not ask questions, is it not reasonable for us to now ask of them why they did not?

I turn to a more recent allegation which should have been addressed by the Premier but about which she has been as inactive as the backbenchers to whom I have just referred. Members will recall that in June last year one of the few independent minded journalists in the city came by some information which revealed that a businessman had to pay \$3 000 for an appointment with a Minister of the Crown.

Hon Tom Stephens: That was only an allegation. At least get it right.

Hon P.G. PENDAL: That matter was debated in this House and was subsequently referred by the Parliament to the Official Corruption Commission because it seemed to be a prima facie case involving officials of the State. On 21 June the commission advised this House of its inability to investigate the matter because a public officer alleged to have arranged such an appointment could not be identified. That point was well taken. Later we called on the Premier to initiate a full scale inquiry into the matter. The fact that the commission had correctly ruled the way it had in no way precluded the Premier from acting. What did we receive from this paragon of public virtue who has often expressed publicly her desire to see high parliamentary standards? We got absolutely nothing. What action did other Ministers, who could have been expected to take an interest in such unprecedented behaviour, take? Once again, nothing. What should the public deduce from that? Perhaps they should deduce that this Government and its Premier, Ministers and members see nothing wrong with exacting a \$3 000 fee from a businessman so he can do business with a Minister of the Crown. A year after that disclosure this dubious form of donation has still not been investigated. I am not sure if this businessman is one of those people whom Mr McGlue refers to as people whom the Liberal Party has not retrieved from Labor. If this is the way Labor has conducted its operations I, for one, am glad not to have such businessmen backing the Liberal Party.

While I am on the matter of the Official Corruption Commission and the response to its work by parts of the media I should mention that one reporter at *The West Australian* fell over himself in his hurry to report on 2 February 1990 that the police had dismissed the allegations that had been put together with the aid of a 6KY radio reporter over the Rottnest Island leases. The police did nothing of the kind. In fact, they reported back to me that one of the key players in the allegations - a police officer - had declined to cooperate with the inquiry. This refusal on the part of a police officer to be interviewed by officers acting for the Official Corruption Commission did not seem to be in any way significant to *The West Australian*. That part of the story was never published.

Sitting suspended from 6.00 to 7.30 pm

Hon P.G. PENDAL: It is significant that some months later, when the Official Corruption Commission reopened its investigations into the Rottnest Island leases, it advised me of this but requested confidentiality, which is something that I observed. Later, another reporter from *The West Australian* got hold of this fact from a source other than me and, I might add, took a greater professional interest in the matter than did the reporter I mentioned earlier, who was ever so eager to accept the official Government version in February of that year.

Hon Mark Nevill: Are you saying that the Official Corruption Commission leaks information?

Hon P.G. PENDAL: No, I am not.

Hon Mark Nevill: That is the inference one can draw.

Hon P.G. PENDAL: It is not, because other people who have access to information are capable of conveying information to the media in an unauthorised fashion.

I now turn to the fourth issue which touches on the question of donations and I will now pass

the information I have to the Royal Commission. Some time ago I was approached by a constituent, a business proprietor who was not involved in the matter I will now outline, who alerted me to a most serious set of circumstances. The suggestion was put to me that in the mid-1980s at least two large Western Australian companies tendered for a major Government project which ran to millions of dollars. My information was that the lowest tender was not accepted. That, of course, does not necessarily mean anything, since it is often made clear that the lowest tender may not be accepted.

Hon T.G. Butler: Why are you making an issue of it?

Hon P.G. PENDAL: The reason I am making an issue of it is that the Parliament was denied access to information that was asked for validly. This matter of denial of information has been raised in this House on more than one occasion and, therefore, I have no other option, as members will see from what I have done so far, than to raise the matter of the tender in the open Parliament. It is claimed that the company which won the Government tender with the higher figure was then required to pass a large sum of money to the State Labor Party. The figure mentioned to me was \$500 000. If this is correct it would be far more serious than other donations to the Labor Party because it would be a clear case in which the Treasury Department's money has, in effect, gone into the coffers of the Labor Party.

Several members interjected.

The PRESIDENT: Order!

Hon P.G. PENDAL: I attempted in early May to ascertain the details of the transaction. The Parliamentary Library was unable to trace any Government Press releases or Press clippings. I then placed a question on the Notice Paper which was in five parts and was No 421 of 14 May.

Several members interjected.

The PRESIDENT: Order! I will not keep on asking members to come to order. I remind members what I have told them many times; that is, they do not have to like what a member is saying in this place and they do not have to believe him, but they do have to listen to him. I ask members to let the honourable member make his comments.

Hon P.G. PENDAL: The question reads -

- (1) In or about 1985 or 1986 was a major re-equipment program undertaken by Transperth?
- (2) If yes, what was the total value of the contract?
- (3) How many tenders were received?
- (4) Was the lowest tender accepted?
- (5) If not, why not?

The answer which was provided by the Minister for Transport reads as follows -

- (1) There has been no major re-equipment program in Transperth.

I interpolate here to say that on the surface this would put the matter to rest. According to this answer there had been no re-equipment program. However, in the next sentence of the answer an apparent contradiction occurs -

During 1984-85 - 1986-87, Transperth increased its bus replacement program by approximately 30 per cent to reduce the average age of the fleet and contain running costs. Articulated buses were introduced as replacements for some rigid buses to improve labour productivity.

The Minister then dealt with the other parts of my question about the value of the contract, the number of tenders and so on with the extraordinary words, "Not applicable". In other words, those parts of the question were not answered. I was not to be told any details of that major re-equipment program; I was not to be told any details of costs; and I was not to be told any details of tender prices or anything else that might allow me to discount the possibility that a company had to cough up \$500 000 in return for getting a lucrative Government contract. In short, I was to be told nothing and this Parliament was to be told nothing.

Having gone back to my source and having had the basic information confirmed, I then arranged for my electorate officer to telephone the parliamentary liaison officer at Transperth on Friday last, 7 June, for answers to parts (2) to (5) of my question. The woman at Transperth said she would telephone back. At 2.45 pm on Friday the office of Minister Beggs telephoned my electorate officer to say that I would have to ask further questions in Parliament. How extraordinary! Having asked perfectly valid questions in the Parliament I was rebuffed. I then asked the same questions out of Parliament and the Minister's office told me to ask the questions in Parliament! Rather than be given more of the runaround I have decided to see whether the Royal Commission has more luck, clout or whatever it takes. The smart alec response from the Minister for Transport means the allegation - and this comes to the point made by Hon Tom Butler - had to be made in the Parliament since that seemed to be the only way to get an answer. It is not the first time the Parliament has been treated with that sort of contempt. Barely a few hours ago the Leader of the Opposition in this place was induced to move a motion requiring the Government to give greater attention to the answering of questions - the very matter at the heart of my complaint tonight. I leave all those points about political donations to the Labor Party for the House to consider. I hope that John McGlue from *The West Australian* will see my point about why I hope the Liberal Party never wins the sort of business donors who apparently keep Labor going.

I turn now to a matter I have become involved with as shadow Minister for the Environment; that is, control of ozone depleting substances in Western Australia, which is, in turn, a matter concerning much of the industry whose task it is to comply with and conform to the laws in this State relating to the control of those substances. For those unfamiliar with those laws - as I was until required to investigate this matter - they are aimed at preventing the release of CFCs into the atmosphere. CFCs are released principally, I am told, from refrigeration units when they are serviced. Those preventable releases at which the legislation is directed are in contrast to unpreventable releases which are not caught up by the legislation and which might be brought about, for instance, by a head on collision between two motor vehicles resulting in the refrigeration system of a damaged vehicle releasing those substances into the atmosphere.

The core of the problem in Western Australia is that the law introduced by the present Government is not being enforced. As a result of that lack of enforcement many businesses in Western Australia which were put to the added expense of introducing new and expensive equipment so that they could comply with the law have discovered that others who handle these substances have not bought that equipment and are not complying with the law. These people claim the Government is doing nothing about that. This is clearly a case where the law is being applied in an uneven fashion and is discriminating against those mainly small businessmen who have done the right thing and invested huge sums of money in that equipment only to find that enforcement of its use is something of a joke. Earlier this year I asked question on notice 386 in a number of parts. It was directed to the Minister for the Environment as follows -

- (1) Has the Government enforced the Environmental Protection (Ozone Depleting Substances) Policy which has now been operative since January 1 1990?

The answer to that question was an unequivocal yes. I asked later -

- (3) Is it correct that only a small number of automotive businesses fitting, servicing or repairing car air conditioners have been inspected by the Environmental Protection Authority?

I was asked to ask that question by the Motor Trade Association of Western Australia because its members are the people who are angry at being forced to spend a lot of money re-equipping to obey a new law only to find that no-one in Government is enforcing the law across the board, leaving them in a disadvantaged position. The Minister responded -

- (3) A random sample of about 80 establishments was surveyed soon after gazettal of the policy. Since then inspectors have visited numerous premises as the opportunity arises or when a suspicion of non-compliance is raised.

I asked later -

- (5) Why has the Minister sought to have the MTA provide the names of operators not complying with the law, rather than have his own officers enforce the law?

The MTA was then advised that if it had a difficulty with that policy the most appropriate thing for it to do was do b in people by phoning the Government and saying, "We have the names and addresses of people in business and we want to do b them in so you people can go around and ensure they are complying with the law." The association took the view that it was not its job to do b anybody in. That is a reasonable attitude on its part. It is not in the business of wanting to see people in its industry penalised. It wants to see all people in the industry complying equally with the law.

Hon Mark Nevill: Does this analogy apply to the gas chambers as well?

Hon P.G. PENDAL: If Hon Mark Nevill wishes, I will come back to the gas chambers. I am not sure whether that will produce more answers from the Government than my question did. The MTA was being asked to do the Government's job. In answer to part (5) of my question the Minister answered -

- (5) As with any other law, enforcement of the policy relies on a combination of random inspection and action on information provided. Since the MTA asserted that operators are not complying with the law, the Minister offered to act on any information provided by them.

I repeat that they take the view, which I share, that it is not for them to be in charge of policing and enforcing Government laws. That is why we have Government departments. If the law cannot be applied equally, perhaps there is a case for some sort of moratorium to be imposed so that some people are not placed in a disadvantaged position. These are matters the Government has a responsibility to act upon. As late as 17 April this year the Motor Trade Association wrote to the Premier, believing it had got nowhere with the Minister. That does not come as a surprise to anyone dealing in this area of the environment as the Minister for the Environment is often seen to be one of the more prickly Ministers in this Government from whom one often cannot get direct answers. That caused the MTA to write to the Premier to raise with her a number of matters. I will read part of that letter, and it is here referring to two earlier points about non-compliance -

These two points were highlighted to the Minister in our most recent letter dated 21 March 1991. Unfortunately the Minister, to date, has not responded to our letter. In a press report in "The West Australian" dated Monday, 15 April 1991, the Minister is quoted as saying, "Several months ago, I told the MTA to let me know those operators they thought were breaking the law. They said they would get back to me but they haven't to date". From this statement there are a number of points that need to be raised:-

1. It is not the role of Industry to police government legislation.
2. In an attempt to highlight to the EPA the lack of recognition by the majority of the industry to the legislation we did in fact pass on several names of repairers alleged to be blatantly flouting the law. One Company was indeed inspected by the EPA and found to be in breach of the regulations.
3. The Minister was also quoted as saying "Obviously the EPA does not have environmental police who can check on everyone at any time so there may be some people who are breaking the law in this way". If it is true that the EPA does not have the resources to adequately police the legislation why was it introduced in the first place?

That is a reasonable question for the Motor Trade Association to ask. The most recent occasion now is a letter from the Minister for the Environment to the association under a date of which I am not aware, but I understand it is early in June. The Minister had this to say when he wrote to Mr Graham Short, the Executive Director of the MTA. He referred to Mr Short's letter of 21 March 1991, and went on to say this -

A proposal to introduce further legislative controls on chlorofluorocarbons (CFCs) in Western Australia would need to take into consideration whether the cost of imposing such controls would be warranted in terms of environmental benefit. I have requested the Environmental Protection Authority (EPA) to investigate data on CFC use in States which have imposed more comprehensive legislative controls on CFCs to ascertain the reductions in emissions achieved, and the costs to the government (ultimately the public), of imposing such controls.

The Minister went on to say -

As you are probably aware, the "Montreal Protocol on Substances that Deplete the Ozone Layer" has recently been upgraded to implement a 100% phase-out of CFCs production world-wide by the year 2000. It now needs to be reconsidered whether legislative end-use controls imposed within Western Australia will achieve meaningful reductions in CFCs emissions greater than that which will be achieved due to the Protocol. Whilst I am not suggesting that proposals for further legislative controls be rejected, it is clear that the international context has changed markedly since the original Protocol at which time the need for end use controls on CFCs was justified.

That certainly seems to me to be a pretty rapid dilution of the sort of enthusiasm which the Government used only a year or two earlier to introduce it. Finally Mr Pearce said to the association -

Finally, I would like to clarify your understanding of possible prosecutions for breaches of the Ozone Depleting Substances Policy. I will support any recommendations made to me by the EPA for legal action to be taken against those who "blatantly flout the law" where supported by adequate evidence. I am hopeful for your cooperation towards ensuring that environmental laws relating to your industry are complied with.

The Minister continues to lose the point. The MTA is saying that we should not introduce a law if we do not have the capacity to enforce it. We should not introduce a law if, by enforcing it, we ensure that some people in our society are put to a lot of expense, but meanwhile we allow other people not to have to comply with the law and therefore avoid the burden of that expense. The MTA is not being unreasonable; it wants such a law in this State. It is happy to abide by the law, provided everyone else does.

This Bill seeks to provide the Government with something like \$2 900 million with which to keep governing. Personally - and I stress personally - I do not believe the Government should be governing.

Several members interjected.

Hon P.G. PENDAL: I believe this Government, under the premiership of Dr Lawrence, is no better at all with the sort of morality it brings to Government than its predecessors.

Hon MARK NEVILL: You sound like Goebbels.

Hon P.G. PENDAL: The member who interjected raised the name of someone who went down in history as one of the great propagandists of all time. He could well introduce that point into the debate because he belongs to a Government which uses that procedure year in and year out.

Several members interjected.

Hon Tom Stephens: You have never shown any respect for the truth.

Hon P.G. PENDAL: The Government tries to pull the wool over the eyes of most of the people in the State.

Hon Sam Piantadosi: Like your questions on notice.

Hon P.G. PENDAL: My questions on notice about the Transperth program, had they been answered, may well have given me a negative belief in the prospects of the \$500 000 payoff. If I had had those questions answered on 9 May, it may well have meant that I would not have been able to come to a conclusion that the Government is engaging in a cover up, yet the Government's refusal to answer the questions means that I have had to go through this extraordinary lot of -

Hon Mark Nevill: Imagination.

Hon P.G. PENDAL: Well, coming out of the Minister's office, if that is imagination, the Minister will have to wear it, because that is what the Minister's office informed me. I do not believe that the Government should be receiving this money. It is as bad as the Government of Mr Dowding which it replaced, and it is as bad as the Government Mr Burke left. In time it will be driven from the Treasury benches as a result of the scandals, including

that involving the Government's role in the Western Women group. Once again, when the Opposition is in a position to get information tabled in this Parliament -

Several members interjected.

Hon P.G. PENDAL: - which was what the Opposition was attempting to do a week or so ago -

Hon Graham Edwards: You are making the same mistake as the New South Wales Government.

Hon P.G. PENDAL: Long ago this Government, arguably the most disreputable that the State has seen in its long history, lost the right to govern. I do not believe it should be staying here, and I for one would like to see the people of this State rise up and say, "Enough is enough." There has been no expression of shame on the part of this Government for its past activities. We have seen that as a result of this Western Women's scandal. There has been no attempt to say that the activities of the past will not be repeated in the future.

With those comments I repeat my view that I do not believe the Government deserves to have this Supply Bill passed. I do not believe it is capable in any shape or form of wisely spending \$2.7 billion because the chances are that it will squander it as it has done so often before.

HON E.J. CHARLTON (Agricultural) [7.57 pm]: I want to reflect on a couple of specific points which the Government needs to address. Not only does the Government need to address them, but the people of Western Australia, and more importantly the Federal Government and the Federal Opposition, need to bend their minds to these points. Today I read in *The Australian* newspaper the latest unemployment figures. I do not have them in front of me, but I think they were quoted in that newspaper as more than 647 000.

Hon Bob Thomas: That is people on the dole.

Hon E.J. CHARLTON: Yes.

Hon Bob Thomas: It is not people who are unemployed; it is people receiving unemployment benefits.

Hon E.J. CHARLTON: That is right. On top of that, an extra 600 people have been taken on by the Commonwealth Employment Service to enable it to deliver a set of criteria which has recently been passed through the Federal Parliament. I understand from the newspaper article that the complete details of that have not yet been arrived at, but people will be encouraged to participate in some work training and also will be involved in some priorities of job seeking. That is the starting point: More than 647 000 people are receiving unemployment benefits, and 6 100 people, including the additional 600 who have been taken on, are employed by the CES. To that we must add the health, housing, and transport benefits and a whole host of other incidentals that go with these costs. We must then add the whole range of people who are employed by Government and in the private sector who are involved in servicing those people. I do not know what the total dollar figures are, but the direct costs alone add up to billions of dollars annually.

Before someone says that I am not a caring individual, I will emphasise that I am talking about those people who find themselves in this position for a number of reasons. Sympathy is pretty useless to them, so the comments I am about to make have nothing to do with not being sympathetic, understanding, or caring. My comments will centre on the question, "What are we going to do about it?" It seems to me that Australia has got it all wrong, and when I say that I refer to the comments I started with; that is, that not only this Government and all of us here in this place, but also the Federal Government, and in particular the Federal Opposition, must start to come to terms with what is really going on. I cannot understand how people can go through life from day to day and accept the fact that we have more than 647 000 people just not contributing to Australia, and that every other working family in Australia is keeping them. In today's economic environment, and bearing in mind the costs and burdens of the cost of living, the cost of housing and the cost of money, how are the balance of the working people of Australia able to keep these people at the standard of living which it seems everyone in Australia has come to expect?

It is past the time when the rest of this society should be saying, "Enough is enough." It is a privilege to have the working people's money taken by the Government in one form of tax or

another and handed out to these 647 000 or more people, as well as all the other allocations for assistance programs that are part of Australian society. Anyone who receives any Government assistance in the form of other people's money in direct cash should consider it a privilege, not a right.

Hon Tom Stephens: Does that apply to farmers?

Hon Tom Helm: Is that just unemployed people?

Hon E.J. CHARLTON: I am talking about unemployed people.

Hon Tom Helm: Are you saying it is not a right but a privilege?

Hon E.J. CHARLTON: Exactly.

Hon Tom Helm: Whether one is 40, or 60, or whatever, it is not a right but a privilege?

Hon E.J. CHARLTON: Yes.

The PRESIDENT: Order!

Hon E.J. CHARLTON: I think Hon Tom Helm now acknowledges what I am saying; that is, it is a privilege to receive that assistance, not a right. Therefore, when those people who, for whatever reason, find themselves in that position, finally get that assistance in the form of cash in their hands, under the terms and conditions that are applied to receiving such assistance, that is a privilege. They are receiving that assistance, for whatever reason, because the rest of the people of Australia have agreed, through the Parliaments, that they can receive it. It does not come from Government but from other people.

At this time in Australia's history, with our standard of living falling fast and our imbalance of payments rising by \$1 billion or more per month due to our foreign debt -

Hon Bob Thomas: A billion dollars every time the dollar devalues by one cent.

Hon E.J. CHARLTON: I will digress from my previous comments for a moment. As to the value of the dollar, some people have a stupid belief that if the dollar devalues, by whatever amount or percentage, that is a problem for Australia because the foreign debt will go up. There is only one way in which Australia will get rid of its foreign debt and that is by exporting more than it imports. There is no other way.

Hon P.G. Pandal: Hear, hear!

Hon Tom Helm: Exporting the unemployed?

Hon P.G. Pandal: We could start with you.

Hon E.J. CHARLTON: Even Hon Tom Helm could be more sensible and serious than that. I was replying to his colleague's comment, which implied that when the dollar goes down the foreign debt goes up.

Hon Bob Thomas interjected.

Hon E.J. CHARLTON: There is nothing unusual or highfalutin about it in economic terms; it happens to be an economic fact. It is about time the Federal Government stopped being wishy-washy about its hoodwinked opinions or economic beliefs that are carrying this nation further into economic oblivion every month, and every year, to the point where our foreign debt is now more than \$130 billion.

Hon Mark Nevill: Most of that is private debt.

Hon E.J. CHARLTON: I do not give a damn whether it is private or Government debt; the fact is that Australia owes the money. The only way in which that can be paid off -

Hon Garry Kelly: Would you change that?

Hon E.J. CHARLTON: No!

The PRESIDENT: Order! I ask members to come to order, unless Hon E.J. Charlton has concluded his remarks.

Hon E.J. CHARLTON: All these people who want to get involved in Government assistance programs and initiatives, which all cost money, forget that the money comes from someone else's pocket. Every time someone has his money taken, his capacity to survive is weakened. For example, a business has less capacity in those circumstances to employ people, and this

adds to the statistics to which I referred earlier. The only way in which the foreign debt can be paid off is for exports to be greater than imports. More importantly, the people who believe that keeping the dollar high is in Australia's interest are living in fairy land.

Hon Garry Kelly: It is to prevent inflation from rising, so I am told.

Hon Sam Piantadosi: We support our farming communities.

Hon E.J. CHARLTON: Just a minute!

Hon P.G. Pandal: Ignore them, Mr Charlton.

Hon E.J. CHARLTON: As indicated by members opposite, we have State and Federal Governments which are living in fairy land; they believe in airy fairy rationale. Their thinking is like Bob Hawke's think tank - it is full of holes.

Hon Sam Piantadosi: When have you not had our support, Mr Charlton?

Hon E.J. CHARLTON: I am responding to the comments made about a particular issue. The inflation issue referred to by Hon Garry Kelly is a secondary issue. Primarily, we must get our economy back on the right track and start doing something for Australia and its people; we should consider the people because they are this nation. If we must have an increase in inflation, that must be adjusted through performance, productivity and a range of other things. Firstly, we must change the economic policies pursued in the past. Without giving a dissertation on them, the bottom line is that unless we start heading in the right direction with value adding industries and a range of other measures, the overseas debt will not be paid off. The money to pay off our debt will come from two main sources: Agriculture and mining - or mining and agriculture, whichever way around members like.

Hon Mark Nevill: Mining should come first.

Hon E.J. CHARLTON: It does. My comments apply not only to today and next year, but also to the next 20 years.

Hon John Halden: What about producing more goods? Have you forgotten about that?

Hon E.J. CHARLTON: Like motor vehicles?

Hon John Halden: Whatever.

Hon E.J. CHARLTON: That is absolutely useless, Mr Halden!

Hon John Halden: You are wrong.

Hon E.J. CHARLTON: Is the only way to proceed with such industries which cannot compete in the real world through protection, as has happened in the past 40 years? The industries which can compete have had their guts kicked so hard that they have been kicked to death.

Hon John Halden: That is a cheap comment.

Hon E.J. CHARLTON: Hon John Halden should have joined his colleagues on the trip around country Western Australia and learnt some facts of life rather than living in fairy land. He does not understand a damned thing about what this country is about.

Hon John Halden: Are you in favour of a consumption tax?

Hon E.J. CHARLTON: I would not mind if Hon John Halden, and others, came up with constructive suggestions, but every time we hear any initiatives from this Government it involves spending more money - money provided by people who are struggling to survive.

Hon John Halden: That is rather simplistic.

Hon E.J. CHARLTON: Is the member one of those people with a degree -

Hon John Halden: Absolutely.

Hon E.J. CHARLTON: - who has never earned a quid in his own right? The industries to which I refer cannot carry this country any further; they are dead on their feet. The other Friday night I flew across country from Geraldton to Cunderdin and it was like looking over the suburbs of Perth with all the tractors and farm machinery working.

Hon Mark Nevill: The farmers had left their lights on for you!

Hon E.J. CHARLTON: They did. I know that Hon Mark Nevill is not treating this issue as a joke. As I flew over this area I could not help thinking -

Hon John Halden: At 30 000 feet.

Hon E.J. CHARLTON: Wherever. I could not help thinking that all these people were working to put in crops, and at today's value they will probably lose another \$50 000 this year and go further into debt. However, the \$50 000 loss will have to be picked up with the so-called assets about which the banks are becoming so nervous. These people were sitting on their tractors and machinery burning up fuel from which the Government takes a significant cut; some people were applying fertiliser, which is another product from which the Government takes a cut. Also, sales tax is placed on all the products used. This is what has killed Australia! The Government keeps taking a cut from the products used, and this places another impost on the agriculture, fishing and mining industries and on the bloke in the suburbs who is trying to run a business. The Government also takes a cut through payroll tax.

Hon John Halden: Only if they employ a certain number.

Hon E.J. CHARLTON: Right; therefore the employer gets rid of some employees to bring his work force down to the necessary level! This provides an incentive for people to be unemployed and to stop producing.

Hon Sam Piantadosi: What about alternative cropping?

Hon E.J. CHARLTON: I am referring to the big time, Mr Piantadosi; this is not hobby farming.

Hon Sam Piantadosi: You want to have your cake and to eat it at the same time.

Hon E.J. CHARLTON: The people who believe that sort of claptrap -

Hon Sam Piantadosi: Many farmers do.

Hon E.J. CHARLTON: I am not talking about farmers; I am talking about money. As I have said to many people over a long period, if only 10 farmers operate and they produce 5 million tonnes of grains for Western Australia to live off, that is what is important. This industry produces \$2.5 billion which is injected into the economy. However, the Government continues to syphon off a larger proportion of that money each year. One year it will be \$2 billion, the next it will be \$1.75 billion and soon it will \$1 billion. What will replace this income? Absolutely nothing! Not one policy has been proposed in the last 10 years, and in the last two or three years in particular, which has involved adding value to the products we produce or providing incentive for such endeavours. I will give an example: A little company known as the River House group wanted to construct a paper mill at Moora. The company approached Westrail with a proposal to have Westrail move 100 000 tonnes of extra commodity and asked what it thought of that. Westrail said it would cost \$6 million for the infrastructure and that, if the group paid \$6 million, Westrail would cart the extra commodity. What incentive encourages industry when the Government railways body asks that its own equipment be paid for by a private company? I suppose the River House group will do what the people at Cataby did and send thousands of tonnes of commodity a year along the Brand Highway and mess up the highway. Nevertheless there will be no money to upgrade the roads. The Government has ripped off the transport industry with its taxes on fuel, but does not put the money back into roads. I do not know where that money goes; it is probably spent in Sydney or Melbourne or somewhere else around the country.

Hon John Halden: That is not backed up the facts.

Hon E.J. CHARLTON: What facts?

Hon John Halden: That is not backed up by the facts about spending on roads.

Hon P.H. Lockyer: What does Hon John Halden know about the bush? He is a rabid socialist; that is about all he knows.

Hon John Halden: I do not need to be labelled by you, thank you very much.

Hon E.J. CHARLTON: Neither Hon John Halden nor anyone else who takes that point of view knows that not 10 per cent of road taxes is put back into the roads. It is estimated that the road transport industry in Australia provides the Government with a 138 per cent return

on its taxes. Yet every month the Government tries to think up a new way to tax the road industry some more when it is the public perception that something needs to be done about the roads. The Government syphons money off for programs like the one I mentioned previously, from which no-one benefits.

Hon John Halden: Some people do.

Hon E.J. CHARLTON: The fact is that mining and farming cannot continue to be financially persecuted by Federal and State Governments. Farmers from the regions which I and my four colleagues represent are entering into another seasonal year. We have talked with and listened to them and know that at the end of the year they will be facing a bleak prospect - not counting seasonal conditions. They do not rely only on the world price for wheat to provide their income. Unlike the Government members who have been interjecting, they must depend on rains which may or may not come next week or next month to collect a salary each year. Rain hail or shine, we parliamentarians receive our salaries. Not only do farmers depend on the weather for their livelihood, but they must also put up with leaches ripping them off because no-one else in the nation is providing the country with any money. Day by day more people are falling off the employment perch and joining the list of people who cannot contribute to the nation. An article in today's *Australian* indicates that the Federal Government's answer to that is to introduce legislation, which this Government must be part of, to provide skills programs to help the unemployed find employment when they do not have a hope in hell of finding jobs. Who will employ them? Will the Government employ them? The private sector cannot employ them because the Government has bled it to death with its various taxes.

Instead of being negative about the matter, the people who produce commodities for export and the people who service them must be given incentives to lift their efforts. The foreign debt cannot be paid off any other way and people cannot be employed any other way. When the Supply Bill and the Treasurer's Advance Authorization Bill were introduced, they should have contained measures to help those people. Next year's Budget must contain measures to help them. They should not receive handouts, but be able to do with new technology today what they have been doing for Australia for 200 years. Australians are the very best in the mining and agricultural industries at using new technology.

I often smile when a farmer is depicted as a person with a piece of straw hanging out of his mouth or when a miner is depicted with red dust all over his face. They are the people who work with new technology more than anyone else in the nation. They have proved that, had they not done so, they would not be in business today. Because Australian farmers and miners are so efficient, they would leave their counterparts in other countries for dead. I heard from representatives of the mining companies in Collie who have just come back from America how their operations compare with the coalmining industry in Kentucky in the United States of America. The two countries' industries are a mile apart because of the cost structures imposed on the companies in Australia.

Hon John Halden: What did you say?

Hon E.J. CHARLTON: I said the cost structures borne by the coal companies at Collie are much greater than those placed on comparable operations in Kentucky.

Hon John Halden: What costs?

Hon E.J. CHARLTON: Labour costs, work practises and so on. It is no secret. The waterfront and the railways are examples. The sad thing is that members in Parliament may take me on over the issue thinking they are protecting people who are unemployed. However, they are encouraging them to lose their jobs, following which a redundancy package is offered. The other day the Government said it would grant public servants a \$12 a week wage increase, although it did not wait for the matter to go to arbitration.

Hon Mark Nevill: I wish you would pick up your redundancy package.

Hon E.J. CHARLTON: The member does not like it, does he?

Hon John Halden: We love it.

Hon E.J. CHARLTON: Immediately following that, the Government said it would prepare a redundancy package for its public servants because it could not afford to pay them all. That is positive thinking! The next thing that we will see in country Western Australia and

Australia is civil disobedience, because the country folk have had a gutful and they will not take any more of it, and I support them.

Hon Tom Helm: That is a despondent statement. You are not going to be in a picket line or go on strike are you? Solidarity comrade, solidarity!

Hon E.J. CHARLTON: It is lawful and socially acceptable for one section of the community to do that. In today's *The West Australian* Ed Harken from the Western Australian State School Teachers Union said, in response to the Minister's telling teachers they had to work another two or three hours a week if they wanted more money, that that was unacceptable. I am not suggesting teachers do not work hard; I know they do. However, many other people in the nation who are generating basic income for Australia are not working only the extra two or three hours, but have almost gone past what human nature can stand. Why are they doing it? They are doing it because they believe that what they are doing is right. They believe in the contribution they are making to Australia. I have heard some of the commentators say, "If you don't produce 15 million tonnes of grain because you can't afford to, so what? We will lose a few sales, but we will get them back later." Instead of telling these people that the way for Australia to improve is for them to produce 20 million tonnes of wheat instead of 15 million tonnes or that they should produce 10 per cent more produce, they are telling them not to worry about it. How will we survive? If these people do not produce more we will have to get our income from some other initiative, but that is not happening either. Country people in the mining, pastoral and agricultural regions of this State are on their knees. The people in the towns who service the farmers are in a critical situation. Everybody in the country - including teachers, health providers and senior citizens - is having difficulty surviving. Country areas will gradually die out and Australia will disintegrate if this is allowed to continue for much longer. What will happen in 40 years' time if the banks continue to tell the productive sector that they cannot afford to let that sector carry on? Are we going to allow international companies to come into this country and tell the Australian Government that the money that is owed to overseas interests must be paid? What has happened to third world countries? Twenty years ago they were allowed to borrow money on the international market. However, now the time has come for those loans to be repaid and those countries cannot afford to repay them; they are being infiltrated and taken over. If we keep going down this path, that will happen here. We cannot go on ticking up billions of dollars a month forever.

Hon Tom Stephens: What is your solution, Mr Charlton?

Hon E.J. CHARLTON: I have told the member what the solution is, but he was obviously thinking about his last trip.

Hon John Halden: More mining and more farming.

Hon N.F. Moore: That would be a start. That is more than you lot are doing.

Hon E.J. CHARLTON: If Australia is to change its economic ways, first of all it must have a plan. Every other country in the western world has a plan for the next 20 years. They have planned their economic futures. They have planned for a positive, not negative, balance of payments. Unless our internal economy allows us to produce all of our requirements, we will get nowhere. If we import goods, we should export products to pay for them. It is the same when we spend a dollar to buy something; we must have money going into our accounts to pay for it. I do not need to be of the same quality as the past Federal Treasurer, the world's greatest Treasurer, to work that out. I will be listening with interest to Hon John Halden's ideas about how we can solve these problems. Obviously he did not listen to me or did not want to, when I said we must change our economic position by exporting more than we import. To do that, we must ensure that the mining and agricultural industries are allowed to produce the maximum amount, to which we can then add value. The way to do that is to encourage financial and resource programs to be set up. As yet, that has never happened.

Our economic position has resulted from decisions made by the Federal Government, decisions which we have come to expect from it. However, I am also concerned about the Federal Opposition, which is spending so much time working out how it can take on the Federal Government and impress the people so as to win the seats in Sydney and Melbourne that it requires to have a majority in the Australian Parliament. It should spend a bit more

time addressing economic problems and changing the direction of our economy so that at least the next generation of Australians will have something to look forward to. All present workers can hope for is to be told they are redundant or to retire early.

Country people who are directly involved in producing the export dollars for Australia have only two options; they can either fade away economically or stand up and be counted. The State Minister for Local Government has now decided that he will alter adult franchise provisions in local government. He has said that this Government will take away the responsibility for decision making from local government and place that responsibility in the hands of people who make no financial contribution to the running of local government. It has decided to do that so that the Government can, in socialistic terminology, attract the support of the community. Apparently, he believes that the electoral system allows some people to make the local decisions but not pay for them. That is great economic mentality. I challenge country local government not to accept that proposal. It should not give away any of its responsibilities. It should not allow any of its responsibilities in looking after country WA to be eroded by some hyped up Minister who has some other agenda.

Hon John Halden: I have listened to you for the last five minutes and I have not understood a word you have said.

Hon E.J. CHARLTON: I thought it would be easy to understand.

Hon John Halden: It has been gobbledygook.

Hon P.H. Lockyer: I have been listening and I have understood every word of it.

Hon E.J. CHARLTON: Hon John Halden is a typical example of that element in the Government that has no capacity to understand or want to understand. He is the sort of person who drives down the freeway and looks out over the suburbs of Perth and believes that it is that area that generates the income that is shared around equally. He would be well advised to take time to get out of his office instead of working out the numbers. I suggest to Hon John Halden that he take a few minutes to look at where the dollars that this Government and the Federal Government hand out come from.

Finally, I refer to another public statement I heard delivered today by the Federal Minister for Land Transport, Mr Brown. He said that the Government could not have the bureaucrats in Canberra giving autonomy to States in the decision making about road funding. He said that was a responsibility for Federal members of Parliament because it was very good for Federal members to be able to go into their electorates and tell the people how they got the money from the Federal Government to allocate to road funding. In a moment Hon John Halden will ask what is wrong with that, or he will say that he does not understand what I am talking about.

Hon John Halden: I understand perfectly.

Hon E.J. CHARLTON: What an unbelievable statement by Mr Brown; that is, that the most important thing about gathering income is that it be taken to Canberra so that the decisions can be made in Canberra. The Western Australian Government must decide whether it will support the national registration scheme on motor vehicle licensing whereby the licensing of vehicles and all that goes with it will be handled by Canberra, and people such as Mr Brown and his bureaucrats will decide how much will be returned to Western Australia and who will get it. I ask Hon John Halden whether that is a good idea.

Hon John Halden: I have not heard the full details.

Hon E.J. CHARLTON: Then the member should find out the details; it is in his interest to be fully advised and to tell the Premier that she must not, under any circumstances, agree to it.

Hon John Halden: I do not think I can because I do not yet have the full information. Nor does Eric Charlton have the full details. That is a fact.

Hon E.J. CHARLTON: As one with some responsibility for knowing about these things, a couple of weeks ago I was invited to participate in a television hook-up from the Australian Broadcasting Commission studios with the Federal Minister and other representatives of road and rail organisations in Australia. I took the opportunity of asking the Federal Minister whether he could guarantee - obviously knowing that he could not - in relation to the revenue

raised in Western Australia, particularly country Western Australia, that an equivalent amount at least would be returned to this State. He said that of course he could not, because it was a national system. Today he was rather blasé, but at least he was honest, when he said that the bureaucrats were encouraging a system whereby the money would actually go to the States, which would decide how the money would be spent. He does not want that to happen. In country Australia it is some time since any new sealed roads have been constructed. At one time, a great number of roads were sealed, and members who have travelled in country areas will be aware of that. Hon John Halden should ask Hon Tom Stephens about it.

Hon John Halden: I have probably been in the country more than you have.

Hon E.J. CHARLTON: I heard what happened when Hon John Halden went to Northam with the education inquiry.

Hon P.G. Pandal: He went to Midland once!

Hon E.J. CHARLTON: That is the situation facing this State. It is one of the new initiatives by the Federal Government to collect more money from country Western Australia, take it to Canberra, and hand it out from there. I recall what happened to the Minister for Police. The Federal Government allocated funds to Western Australia, under the black spots deal, provided this State introduced legislation relating to 0.05 per cent blood alcohol levels and made other changes to its traffic laws. The Federal Government said it would give Western Australia some of the money it had taken from this State in one of its "you beaut" taxing ideas.

Hon John Halden: I actually agree with you, although that may come as a surprise. It does not mean you throw the baby out with the bath water though.

Hon E.J. CHARLTON: Therefore, we can look forward to Hon John Halden's opposing any move by the Premier to let anything else leave this State without the State Government's having some say in how money raised in Western Australia is spent here.

Hon John Halden: You can do that.

Hon E.J. CHARLTON: A series of these actions have been taken over the past few years - and some also over the past 20 years since the time of the Whitlam Government when this rampant and raging activity started.

Hon Tom Stephens: One action started with the federation.

Hon E.J. CHARLTON: When that started there were nine Federal Government departments. There are now Federal departments for such things as transport, Aboriginal affairs, and even local government. How many local authorities are under Federal Government direction? None. It is just another excuse for increasing the bureaucracy.

Hon John Halden: Lots of money comes to them from that department.

Hon N.F. Moore: It comes from the States in the first place.

Hon E.J. CHARLTON: All we need Federal Government departments for is to deal with matters outside Australian shores, raising money and allocating it to the States. We do not need the excessive number of departments established over the past few years.

Hon Mark Nevill: What about the Grants Commission?

Hon E.J. CHARLTON: The Grants Commission has its problems also. Every time it comes up with a new idea about distributing the money, it seems that country Western Australia gets the chop.

Hon Mark Nevill: Are you talking about the State Grants Commission?

Hon E.J. CHARLTON: Yes. I am sure that other members will be aware that the funding allocated to local government in Western Australia generally disadvantages country shires.

Hon Mark Nevill: When were the grants announced?

Hon E.J. CHARLTON: I am not talking about this year, but about the past two or three years. Also, the commission changes the rules every year.

Hon Mark Nevill: Then hopefully they will become more equitable.

Hon E.J. CHARLTON: I do not suppose Hon John Halden has understood a word of that.

Hon John Halden: I have understood every word and it is most refreshing.

Hon E.J. CHARLTON: If this State Government and its Federal counterpart were serious about ensuring that there will be a future for this State and this nation, they would make some forthright decisions and change direction to ensure that those people who are associated with and service the productive sector are given the opportunity not only to prosper but also, in the first place, to survive. I will be suggesting to all people that they stand up for their basic democratic rights and ensure that that happens. I have suggested to a couple of the shires to which I went today that if they stand back and let this Government erode their local government boundaries, it will be no good their asking us to do something about it, because they must all stand together. Everywhere I go from now on I will encourage, in the strongest possible terms, country people to -

Hon John Halden: Demand a gerrymander! Yes, I agree.

Hon N.F. Moore: Don't you think ratepayers deserve more consideration?

Hon John Halden: No, I do not, and I will state that on public record.

Hon N.F. Moore: That is typical of your record.

Hon John Halden: Absolutely, and I am proud of it. Every adult is entitled to a vote.

Hon E.J. CHARLTON: I will encourage every individual not to accept any State or Federal Government proposal which will further erode his current financial position. Every individual must do that not only for himself but also for Australia.

HON JOHN HALDEN (South Metropolitan - Parliamentary Secretary) [8.52 pm]: I rise in this debate -

Hon N.F. Moore: To put the left wing view of things.

Hon Tom Helm: A responsible view of things.

Hon P.G. Pental: Which incompetent Minister will get the chop this week?

Hon JOHN HALDEN: All those interjections do not bother me. It is all very well for the Leader of the National Party in this House to talk about and to applaud civil disobedience. It is all very well for him to make generalisations in this House that the city based workers do not contribute to the economy of this State. He should suggest that to the people who work in the Kwinana strip in my electorate.

Hon E.J. Charlton: Your new electorate?

Hon JOHN HALDEN: My electorate. I happen to be fairly universal about all these matters. I have been to the member's electorate a dozen times this year.

Hon Murray Montgomery: And tried to take away the schools.

Hon JOHN HALDEN: I will get to that also, any time the member likes. I will discuss any half truth -

Hon P.G. Pental: You would be the first to recognise those.

Hon JOHN HALDEN: I would from Hon Phil Pental; in fact, they are probably worse than that from him. I do not think it is appropriate that the Leader of the National Party should denigrate workers in the metropolitan area in the way that he has.

Hon E.J. Charlton: Why do you have to try to twist what I said? I was talking about the productive sector.

Hon JOHN HALDEN: Even in the words of the Leader of the National Party's interjection, he talks about the productive sector as if the metropolitan area were not productive. I challenge him to go to Kwinana and tell my constituents that they are not productive.

Hon E.J. Charlton: I will tell you that 90 per cent of exports come from country Western Australia.

Hon JOHN HALDEN: The people of Kwinana will not take too kindly to the Leader of the National Party's comments, and that is probably the reason that they do not vote for him or for Hon Phil Pental, because in essence they do not believe the claptrap that they come out with.

Hon Murray Montgomery: What about the claptrap you come out with?

Hon JOHN HALDEN: My claptrap does all right in my neck of the woods. The member should worry about his own electorate. Hon Eric Charlton suggested that I had not gone into the country. In fact, since 1 January I have made probably a dozen trips to his electorate, and my reception in that electorate was very reasonable, considering the -

Hon N.F. Moore: They are nice people.

Hon JOHN HALDEN: Yes, they are, and they have got significant problems, and I do not want to trivialise or in any way downgrade the problems being faced by the rural community.

Hon Tom Helm: Which is what the Leader of the National Party tried to do.

Hon JOHN HALDEN: Exactly. I understand the problems of rural people, and I do not appreciate the Leader of the National Party's coming in here and denigrating the working class people of the metropolitan area as some cheap political stunt, because that is what it is. It is a cheap political stunt that has no value whatsoever.

Hon N.F. Moore: You use that phrase in every speech you make. Everything is a cheap political stunt.

Hon JOHN HALDEN: The member should make his speech and I will make mine.

Hon E.J. Charlton: I will circulate your speech.

Hon JOHN HALDEN: I hope you do. Opposition members in the other place have circulated my speeches, and their attempts have tended to backfire on them.

I would like to talk tonight about where the Opposition stands in regard to the consumption tax. We have heard from the Leader of the National Party about the woes of this nation, and we have heard some claptrap from Hon Phil Pandal, but we have not heard about the significant issue that the Leader of the Opposition and, presumably, the Leader of the National Party are running up as the significant economic reform as we go into the 1990s; that is, a consumption tax.

Hon N.F. Moore: Is that the same policy Mr Keating trotted out?

Hon JOHN HALDEN: It is indeed, but the difference is that the Australian Labor Party said no to it, the Australian Council of Trade Unions said no to it, Eric Risstrom of the Australian Taxpayers' Association said no to it, and the Small Business Council of Australia said no to it, but members opposite are too thick to get the message that the answer is no.

Hon N.F. Moore: When Mr Keating becomes the leader, it will be yes, yes, yes.

Hon JOHN HALDEN: I am afraid the member is wrong, wrong, wrong.

Hon E.J. Charlton: When do you think he will be the leader?

Hon JOHN HALDEN: The Leader of the National Party can make his own assumptions about that. I have my own opinion.

Hon E.J. Charlton: Will it be before Christmas?

Hon JOHN HALDEN: I have my own fixed views about that but I am not prepared to discuss them in this debate because it is obvious that the Opposition does not want to discuss the consumption tax. Let us see what the Leader of the Opposition, Hon Barry MacKinnon, has said about the consumption tax. He has tossed a coin in the air and said, "We will bet both ways; yes, we will, and no, we will not. However, I understand that John Hewson wants it and that we will have it, but I am not really convinced about my opinion", so he straddles the fence. I am not clear about where the National Party stands, but I know where the National Farmers Federation stands. It stands in favour of the consumption tax.

Hon E.J. Charlton: That is right.

Hon JOHN HALDEN: It is very strange that it should stand in favour of that tax because in essence a consumption tax does not favour those people who are on low incomes. It does not support the proposition put forward by the National Party that farmers are low income earners.

Hon E.J. Charlton: It is not a proposition. It is a fact of life.

Hon JOHN HALDEN: I agree. It is a fact of life. A consumption tax will bite very hard.

The National Party and the Farmers Federation want a consumption tax because it will benefit one group in society - the very rich. We know who are the masters of the National Party.

Hon E.J. Charlton: Who are they? Even you ripped off the rich. There are not many of them left.

Hon JOHN HALDEN: No, I did not.

Hon E.J. Charlton: Your party.

Hon JOHN HALDEN: I suggest to the member that he could not possibly point that accusation at me.

Hon E.J. Charlton: Why?

Hon JOHN HALDEN: Because it is not true.

Hon N.F. Moore: Did you know about the No 1 account?

Hon Derrick Tomlinson: Did you benefit from the No 1 account?

Hon JOHN HALDEN: No, I did not. I will not enter into a question and answer session about the No 1 account. I want to talk about the consumption tax. That really affects members opposite because all they want to talk about is the No 1 account. They do not want to talk about who are their political masters - the rich farming classes, the agrarians of this world, who have more money than they know what to do with.

Hon N.F. Moore: You have just acknowledged that farmers are poor.

Hon JOHN HALDEN: The majority are poor.

Hon N.F. Moore: Who are the rich ones?

Hon JOHN HALDEN: The member knows who they are, just as I know who they are, and let us not go into that.

Turning to the consumption tax issue, I want to reflect upon some statements made recently and in the past. As I read through the various articles today, one that dawned upon me as relevant was that first of all there cannot be a taxation debate without misrepresentation. That is a fair comment. The second rule is that it is beyond the integrity of human beings to devise a tax system that will operate in perfect fairness to all citizens. That is a fair comment as well. The idea of a consumption tax is not new; it came from the seventeenth century when Thomas Hobbs and Sir William Petty advocated the concept of consumption tax. It was not long before the politically and economically enlightened of the day made comments about a consumption tax. In the eighteenth century, Dr Samuel Jackson described consumption tax as an irresponsible and hateful tax levied upon commodities. Even Adam Smith - and I am sure members opposite will remember him as a sort of guru of modern economic theory to them - a nineteenth century economist, said that a consumption tax upon the necessities of life was absurd. However, the enlightened Liberal Party of today, through John Hewson, states that this is the course to take in the 1990s.

Hon N.F. Moore: As part of our package for reform.

Hon JOHN HALDEN: I know all about that.

Hon W.N. Stretch: What would you call a sales tax?

Hon JOHN HALDEN: I will get to that. I am not suggesting that the comment is not fair.

Hon W.N. Stretch: It is not fair to ask you to think, but is sales tax a consumption tax?

Hon JOHN HALDEN: I will deliver my speech; the member can interject as he likes.

Hon W.N. Stretch: Don't let logic enter into it.

Hon JOHN HALDEN: At the 1989 election, it was suggested that some people on the Federal Government side made comments to the electorate that were not true. Before people get carried away with that, they may like to reflect upon the Opposition Treasury spokesman of the day, John Hewson, who when asked about consumption tax said that he would not levy one.

Hon N.F. Moore: He didn't.

Hon JOHN HALDEN: He was in Opposition; that is self-evident.

Hon N.F. Moore: Had he been in Government, he would not have levied it. Next time he is in Government he will not levy it.

Hon JOHN HALDEN: Let us be realistic. In 1989, the Opposition tried to have it both ways. It was said that the Opposition would not levy the tax, but as soon as it became the Opposition again it was stated that it would levy it.

Hon N.F. Moore: Think about the logic of that sometime.

Hon JOHN HALDEN: Not too much logic comes from the other side in this place.

Hon N.F. Moore: The member should think about what he said.

Hon JOHN HALDEN: The frontbench of the Opposition is unoccupied and the four seats behind it are unoccupied.

Hon N.F. Moore: They are outside on business.

Hon JOHN HALDEN: That may well be. I want to know where the Opposition stands. Does it or does it not favour a consumption tax?

Hon N.F. Moore: I support a massive change to the taxation system; including a goods and services tax.

Hon JOHN HALDEN: And a consumption tax?

Hon N.F. Moore: Yes, as part of that package.

Hon Tom Stephens: Giving it to the rich and taking it from the poor.

Hon E.J. Charlton: The good thing is that there are many more people to take it from. The Government has ensured that there are more poor people now.

Hon JOHN HALDEN: It is remarkable that the 1985 White Paper on tax rejected the application of a consumption tax across Australia. It goes without saying that the paper advocated that the tax burden would not be redistributed in an equitable way. That is, the tax burden would be redistributed in an inequitable way; the poor would take a disproportionate share of the taxation burden. Eric Ristrom, who has never been widely known as a friend of any Government, came to the party and advocated a line that suggested that consumption tax was not in the best interest of Australia. He drew the analogy of New Zealand, where a consumption tax was introduced at a level of 10 per cent. That was quickly increased to 12.5 per cent. Following that, consumers - both locally and internationally - had considerable resistance to the taxation system. That resistance was concentrated in two sectors of the economy; tourism and entertainment - that is, the growth sectors of our economy. However, the Opposition both Federally and in this State is not prepared to accept that a consumption tax would have an enormous crippling and debilitating effect on Australian tourism and entertainment industries. If Hon Eric Charlton is looking for ways to counteract some of our debt problems, tourism is the way to go. Yet, a proposal for a consumption tax would cripple that industry very quickly.

Hon N.F. Moore: The member ignores the fact that other significant problems exist.

Hon E.J. Charlton: There is no problem with tourism; the taxes which are the problem are those on the people who pay wages.

Hon JOHN HALDEN: Hon Eric Charlton cannot get over his obsession about making the working class poorer. People in the liquor trade union area are not well paid, and yet Hon Eric Charlton advocates that they be less well paid. That is okay by me. The 12 000 members in the area will hear about that.

Hon Fred McKenzie: He also advocates that the farmers with small incomes should be faced with an additional burden of consumption tax.

Hon JOHN HALDEN: That is right. I was coming to that. The issue is that when I suggested earlier that a consumption tax would attack the poor, I did not mean the poor in the metropolitan area. I meant the poor, universally, because in essence the people on low incomes will be forced to be pay more, no matter where they are. Consumption tax will be paid on bread and on a whole range of basic commodities, whether in the country or in urban areas. I should also mention the Opposition's policy on this matter. At that end of the

taxation scale, people would pay more tax because the tax free threshold will be abolished. People earning less than \$5 000 annually would face taxation on that income. A consumption tax would not do anything but be a cost imposition on the poor universally, no matter where the people are located.

Hon N.F. Moore: The member does not know about our package.

Hon JOHN HALDEN: The member will have his turn. Consumption tax will have a significant impact upon the Consumer Price Index or on the inflation rate.

Hon E.J. Charlton: Don't you think that sales tax, and other taxes, currently have an effect?

Hon JOHN HALDEN: I am not that silly; no matter what the member suggests, I understand that clearly. I turn to figures cited by Eric Risstrom. Were a 7.5 per cent consumption tax introduced, which nobody has advocated, that would create a one or two per cent increase in the inflation rate. If a 10 per cent consumption rate were introduced - which has been advocated and is being advocated by the conservatives - a five per cent increase in the CPI would occur in the first year. If a 12.5 per cent increase was involved, a six to seven per cent increase in the inflation rate would occur. Wages go up, which creates a spiral. When is it stopped? Members opposite know about the spiral, they have used it well enough for years. Members opposite cannot use an argument one day and then back away from it the next.

Hon N.F. Moore: It is a one off.

Hon JOHN HALDEN: It does not make sense to say that it is a one off. Inflation goes up, wages follow, and prices follow.

Hon E.J. Charlton: So we don't have that now?

Hon JOHN HALDEN: I am not suggesting that either.

Hon E.J. Charlton: We have accord Mark 7.

Hon JOHN HALDEN: I have not suggested that at all. The economic illiterates on the other side should not go down that path. Before members overstate their position they should consider the record of this Government compared with the coalition Government led by Malcolm Fraser. It was abominable.

Hon N.F. Moore: You certainly are abominable by comparison.

Hon JOHN HALDEN: Only one Government has bitten the bullet, and that has been this Government.

Hon Murray Montgomery: We know that we are in the recession we were meant to have.

Hon Barry House: What happened to interest rates and what about the unemployment statistics?

Hon JOHN HALDEN: In New Zealand, according to Eric Risstrom, the consumption tax has had an 18 to 19 per cent cumulative increase effect upon the consumer price index since its inception, or a one in five factor. Of course, that diminishes over time but since its inception, 20 per cent of the increase in the CPI has been as a result of this tax, so before members opposite get too keen on advocating this or hiding it away, they should get down to the nitty gritty of what that tax means.

A consumption tax has another effect and although members opposite might advocate a mining-farming led recovery -

Hon N.F. Moore: We want something to lead the recovery.

Hon JOHN HALDEN: I understand that -

Hon N.F. Moore: I wish you would do it.

Hon JOHN HALDEN: We all agree with that. Members will recall that in 1989, Bill Kelty, as the then leader of the Australian Council of Trade Unions, advocated that realistically we needed a goods and services recovery. There is no doubt that mining and agriculture have a role to play, but in essence the totality of an economic recovery in this country will not be achieved unless the goods and services produced and marketed increase and can compete efficiently and effectively with overseas goods.

Hon N.F. Moore: And why aren't they?

Hon JOHN HALDEN: For a whole range of reasons, my friend.

Hon N.F. Moore: Something will be done about that too when we are in Government.

Hon JOHN HALDEN: You had your chance in the last decade.

Hon N.F. Moore: You have been the Government for the past 10 years, State and Federal.

Hon JOHN HALDEN: The Fraser Government -

Hon N.F. Moore: That was 10 years ago.

Hon JOHN HALDEN: The member does not want to talk about the Fraser Government.

Hon Barry House: Even we have stopped blaming Whitlam.

Hon JOHN HALDEN: No, members opposite have not.

Hon Fred McKenzie: He was mentioned here today.

Hon JOHN HALDEN: Hon Fred McKenzie is right; he was. It is not illegitimate to refer to the last conservative Government.

Hon Tom Stephens: Mr Wordsworth refers to Billy Hughes.

Hon JOHN HALDEN: He may do so and he probably recalls him.

The DEPUTY PRESIDENT (Hon D.J. Wordsworth): Order! Members cannot reflect upon the Chair.

Hon JOHN HALDEN: One of us will apologise, if not both.

Why would small business suddenly come out on the side of the Federal Government in relation to the Australian economy? It is surprising, as they are not friends of ours necessarily; they are not natural allies, but it is fairly obvious why they supported the Federal Government. Currently sales tax provisions apply to some 200 000 companies, but a consumption tax would apply to some two million companies. On average that would increase the bookkeeping, accounting and record keeping fees of each company in this country by about \$60 a month. It is fair to say that currently small business is over regulated, but what the Opposition proposes will further hamstring their activities and reduce their margin of profit.

Hon N.F. Moore: You must look at this in the context of the total package of reform - which you refuse to do because you do not know what it is.

Hon JOHN HALDEN: Hon Norman Moore is probably right, I do not know what his party's next election promise will be.

Hon N.F. Moore: That is why your speech is premature.

Hon JOHN HALDEN: It is not at all. It is important that Australian community know exactly where the Opposition stands.

Hon N.F. Moore: John Hewson is not backward in telling them what he is about.

Hon Tom Stephens: He hopes that everybody will have forgotten about his promises by the next election.

Hon N.F. Moore: Not at all.

Hon JOHN HALDEN: I will comment on the Liberal Party consumption tax proposal as soon as it comes out. The sooner it comes out and is debated in the community the better. I personally will be delighted to engage in this debate again.

Hon N.F. Moore: I hope you will have all the facts then.

Hon JOHN HALDEN: I cannot wait.

Hon T.G. Butler: It did not go down too well in New South Wales.

Hon JOHN HALDEN: Hon Tom Butler makes a very reasonable point. The Liberal Party's consumption tax did not go down terribly well in New South Wales nor did its Messiah. It is something that is not saleable within this community. We will not accept as a general idea that every consumable item, every service provided in this country, should be taxed to the detriment of the most vulnerable in the community.

Hon Barry House: You are quite happy to tax some goods at 40 per cent and some goods at 30 per cent.

Hon JOHN HALDEN: I am grateful to Hon Barry House for coming into this debate. He says that we are quite happy to tax people at 40¢ in the dollar.

Hon Barry House: And hide it.

Hon JOHN HALDEN: We are happy to tax those people who earn more than \$40 000 a year.

Hon Barry House: I am not talking about wages, I am talking about wholesale tax.

Hon JOHN HALDEN: I am unashamedly proud that we are happy about that. I believe in progressive taxation, unlike members opposite -

Hon N.F. Moore: Hon Barry House referred to variable rates of sales tax and the fact that some items are taxed at a higher rate than others.

Hon JOHN HALDEN: We will get to that in a moment.

Hon Barry House: We might get a bit of truth.

Hon JOHN HALDEN: Another factor about consumption tax - and I am sure members opposite would like to know this as would their backers who are advocating this line - is that in New Zealand, which is the closest analogy to this country, the ability to avoid taxation under consumption tax increases by a factor of four.

Hon N.F. Moore: How is that, since it was brought in by a Labor Government?

Hon JOHN HALDEN: Whomever it was brought in by, the facts according to Eric Ristrom -

Hon N.F. Moore: Tell us about that.

Hon JOHN HALDEN: It is easy, a black market is created, my friend. That is what happened in the United Kingdom and New Zealand: A black market is created for goods and services, which avoids registering. Hon Norman Moore does not have to be a Rhodes scholar to work that out, and I am sorry if I have embarrassed the member.

Hon N.F. Moore: You do not embarrass me, just explain.

Hon Barry House: Are you denying there is a black market?

Hon JOHN HALDEN: I do not deny that people avoid taxation, my friend, not at all. People did it very well in 1982 as a Royal Commission investigation revealed. It has also been documented that in New Zealand and the United Kingdom a black market has prevailed.

Hon Fred McKenzie: It is tougher now though.

Hon JOHN HALDEN: In this country it is much tougher. Personal income tax and tax file numbers - although members opposite may not like it for a whole range of reasons - make it tough to avoid tax and is detrimental to the accumulation of non-taxable wealth.

Hon N.F. Moore: Ha, ha!

Hon JOHN HALDEN: The member may not like to hear that and he may jest about it, but he like many members of the Opposition can offer no other position than to protect the very wealthy in our community. The member need not worry about any of his arguments in support of a consumption tax being lost on the community. That is why I welcomed the Federal Leader of the Opposition announcing his support of this tax. It will be debated in this House and every House of Parliament in this country. We will be delighted to take this policy to the people of Australia. If the Opposition wishes to make it the most significant issue in the next Federal or State election we will only be too delighted to canvass it. Even the economically illiterate can work out that this policy will be devastating for the Liberal Party at the elections. The Liberal Party will never convince the electorate that it is an equitable tax. I suggest that we pursue the debate on the consumption tax.

I would now like to refer to a comment made by Mr Bill Kelty of the Australian Council of Trade Unions. He proffers that it is not reasonable to suggest that this country's economic woes will be resolved on one issue; that is, a consumption tax.

Hon N.F. Moore: Quite right.

Hon JOHN HALDEN: Yes, he is right.

Hon N.F. Moore: John Hewson says the same thing.

Hon JOHN HALDEN: I suggest that there are some economic Neanderthals in the Opposition who suggest that is not the case.

Hon N.F. Moore: Like whom? Don't just trot out language like that.

Hon JOHN HALDEN: The member knows them as well as I do.

Hon N.F. Moore: I do not know. It sounds like the "no child will be living in poverty" statement.

Hon JOHN HALDEN: John Hewson's equivalent to that statement was equally naive and stupid.

Hon N.F. Moore: He has never said that the consumption tax is the only part of that package.

Hon JOHN HALDEN: As I said before, and as Bill Kelty has said, Australia needs to produce more goods and real services. However, the Australian economy is not as debilitated as those opposite would suggest. It is appropriate to examine a whole range of factors and reflect on how they have operated since the Labor Party came to power in 1983. Since then the gross domestic product has increased significantly and savings as a percentage of GDP have increased from 16 per cent to 22 per cent. Investment has risen as a percentage of GDP from 22 per cent to 28 per cent and market capitalisation has gone from \$39 billion to \$240 billion. All of those factors would suggest that the economy, despite the cheap interjections made by those opposite, has progressed to a reasonable state. Of course, it has had its ups and downs, but any economy, facing the difficulties which our country faces, will have its ups and downs.

Hon N.F. Moore: You are not suggesting international forces have been causing it?

Hon JOHN HALDEN: Of course, any reasonable analysis of our economy would suggest that economic forces have a role to play. To suggest that we are isolated and immune from the world's economy is to suggest that there are fairies at the bottom of the garden. If Hon Norman Moore is suggesting that, he should find them. Show them to me and I will believe him. Until such time I suggest that he keep looking.

Hon N.F. Moore: You are not ignoring what Mr Keating said about international forces causing the trouble?

Hon JOHN HALDEN: They also contribute to the current state of the economy. Hon Norman Moore knows that as well as I do. If he wants to enter an economic debate he must take a line of truthfulness and reasonableness. He should not keep making cheap comments across the Chamber.

Hon E.J. Charlton: Like you did when I was speaking.

Hon JOHN HALDEN: I was very supportive of Hon Eric Charlton's contribution. That is an unfair comment on his part.

Hon Tom Stephens: Apart from what he said at the end.

Hon JOHN HALDEN: I appreciated that also.

Hon T.G. Butler: I would not take that if I were you.

Hon E.J. Charlton: I just let that go right over the top and through to the keeper.

Hon JOHN HALDEN: It has been proposed that a consumption tax - and this has been advocated by many members on the other side, both politically and by conservative economists - will allow for the lowering of income tax and, possibly, the abolition of the tax free threshold.

Hon E.J. Charlton: You have 27 minutes left. When will we hear something positive about what you intend to do while in Government without being negative about what you think - without any evidence - about what a consumption tax will do? This is your opportunity.

Hon Fred McKenzie: The first thing is that there will be no consumption tax. That is positive.

Hon E.J. Charlton: The deficit will move from \$130 billion to \$150 billion in another two years. Who will pay for that?

Hon JOHN HALDEN: Hon Eric Charlton is suggesting two sets of rules for members in this House. He is suggesting that members of the Opposition can make any negative, derogatory and whingeing remarks -

Hon N.F. Moore: And you reckon you should be able to do that?

Hon JOHN HALDEN: I can when I am faced with an Opposition such as this one; it is very easy. However, the Government must come up with a whole range of positive, attractive and reasonable ideas about which members of the Opposition carp and whinge. I can contest that if the Opposition introduces consumption tax to its policies at the next elections it will not believe the community concern which will be aroused. I challenge the Opposition to include the consumption tax in its policies because it will ring the death knell for the Opposition.

Hon Barry House: We will if you run untruthful advertising campaigns.

Hon JOHN HALDEN: When it comes to untruthful advertising campaigns, the Labor Party does not have to get into the gutter with the other parties. It simply needs to run the facts put out by the small business associations in Australia, concerned rural communities - not the National Farmers Federation, which runs the National Party - ratepayers' associations, the trade union movement, the Brotherhood of St Lawrence and a whole array of welfare organisations in this country. The Labor Party does not have to run any gutter campaign to compete on those issues; the Labor Party will decimate the Opposition on them. The consumption tax issue is not believable and nonsellable.

Hon N.F. Moore: Are you advocating a continuation of the existing system which means that the country will be destitute in five years?

Hon JOHN HALDEN: I am interested in anything the member says.

Hon N.F. Moore: Tell us what you are going to do.

Hon Tom Stephens: The national economy is well poised for recovery.

Hon N.F. Moore: It can only go one way.

Hon Derrick Tomlinson: The famous J curve.

Hon JOHN HALDEN: The barb of the J curve may catch the Opposition yet. Another area of the consumption tax debate which has not been considered by those opposite but which has been brought to the attention of the Australian public by a number of building workers' unions deals with the housing industry. The introduction of a consumption tax in this country would add an extra \$1 billion to the 1989 figures for the construction of houses.

Hon E.J. Charlton: Are all the figures you are basing your comments on based on the fact that a consumption tax will be revenue neutral?

Hon JOHN HALDEN: The conservatives have said that it will be revenue neutral but a number of political commentators have assessed that statement and suggested that it would be revenue negative. In fact, they have suggested a contraction of Government expenditure will occur. I will refer to that later in my speech. Although the Opposition parties advocate this as a position which is revenue neutral, a number of progressive economists suggest that is not the case and it is revenue negative. The simplicity of members opposite is amazing. It was suggested prior to the 1989 election that if a consumption tax of 10 per cent were imposed by the conservative parties it would have meant a three to four per cent effective reduction in the Commonwealth Government's Budget. Where would members opposite have taken that money from?

Hon N.F. Moore: Aboriginal affairs.

Hon JOHN HALDEN: Let us have that on the public record. Where else?

Hon E.J. Charlton: Social security.

Hon N.F. Moore: It could have come from three or four departments.

Hon JOHN HALDEN: Now we hear it all. It is wonderful that members opposite are now advocating the abolition of the Aboriginal Affairs Department and the cutting of social security benefits by effectively three per cent. That is what the Opposition has always been about and I am delighted that I have been able to bring it out.

Hon E.J. Charlton: How much of the \$1 billion which is allocated to Aboriginal affairs each year is spent in that area?

Hon JOHN HALDEN: Hon Eric Charlton makes a relevant point, but I do not have the answer.

Hon N.F. Moore: You have made a stupid statement.

Hon JOHN HALDEN: The stupid statement made in this House was that the Opposition parties would obliterate that whole budget; members opposite should not deny that.

Several members interjected.

Hon E.J. Charlton: If the State department were given the amount spent by the Commonwealth Government on Aboriginal affairs it might get somewhere.

Hon JOHN HALDEN: Opposition members always want to create gulfs between the State and Federal Governments. I understand the mentality of the member and the line he runs. The Commonwealth Government has to be accountable for the funds it distributes. Accountability is required.

Hon E.J. Charlton: There is no accountability.

Hon JOHN HALDEN: There is accountability, as there should be; and as advocates of accountability members opposite should be in favour of accountability regardless of whether it applies to State or Federal Government funding. They cannot run a different argument to suit themselves.

Hon E.J. Charlton: Don't you think anyone else is accountable in this State?

Hon JOHN HALDEN: An enormous number of people are accountable, but when the Federal Government allocates funds -

Hon E.J. Charlton: It is not its money.

Hon JOHN HALDEN: It comes from the Federal Consolidated Revenue Fund.

Hon E.J. Charlton: Where did it get it from?

Hon JOHN HALDEN: If the member thinks that the money is not from the Federal Government's Consolidated Revenue Fund he should have a history and economics lesson, because he is wrong. I will not pursue absolute naivety to continue a line of argument with him if he thinks that is the case.

Hon N.F. Moore: Your Premier has argued about tied grants and I agree with her, and you know it.

Hon JOHN HALDEN: I do not disagree with that and that is the point I was trying to make.

Hon N.F. Moore: It is the point Hon Eric Charlton was trying to make.

Hon JOHN HALDEN: It was not and it is not the point Hon Norman Moore was making. Members opposite want to abolish the Department of Aboriginal Affairs -

Hon N.F. Moore: We didn't say that. A 10 per cent cut was promised.

Hon JOHN HALDEN: - and reduce social security benefits. They cannot deny that because it will be recorded in *Hansard*.

The Opposition has suggested that it is appropriate for the poor rural communities to receive assistance, but not the poor urban communities. I reject that because it is divisive.

Hon E.J. Charlton: I don't want the Aborigines or farmers to receive assistance: I want them to have a chance to keep the money they earn!

Hon JOHN HALDEN: In certain instances people need subsistence support and that is what the Federal Government provides. That assistance should be offered. Members opposite can run any line they like, but I will disagree with them.

I will be interested to see how the Western Australian branch of the Housing Industry Association of Australia will respond to the concept of a consumption tax. It will, in essence, cripple this State's struggling housing building industry. The proposition put forward by the Federal conservative Opposition parties will result in an impost of \$100 million on this State's new housing industry. I will be interested to learn where they

stand - I am sure they will be standing with the Labor Party because they know a consumption tax will cripple this State's ability to recover economically. The housing industry in this State is the primary indicator of how the State's economy is going. If the Opposition parties want to remove the kneecaps of that industry, I suggest that it promote a consumption tax because that is the best way to achieve that end. They know that and we know that and I suggest that we wait to read their policies.

Hon N.F. Moore: You tried to unionise the industry.

Hon JOHN HALDEN: I understand that the industry is heading down that road. Members opposite may not like that but those people in the housing industry are accepting the inevitability that that will happen. I am sorry Hon Norman Moore may become a Neanderthal and not accept that, but it will take place.

Hon E.J. Charlton: A subcontractor will not be able to carry his ladder.

Hon JOHN HALDEN: It will be multiskilling and it will be all right. A consumption tax will have an impact on small business, especially on the level of sales of white goods and those goods which have not previously been taxed. The level of sales in a recession will be down and those businesses which are only marginally viable now will not be viable at all.

Hon E.J. Charlton: We know all about that.

Hon JOHN HALDEN: I do not like the situation in which small businesses of any description find themselves but if members opposite wish to advocate that sort of policy they should go ahead with it and see how much support they receive. A consumption tax has been introduced at an A level in many European countries and in New Zealand. The base level increased after the introduction of the consumption tax so the impost is greater than was originally the case. In New Zealand the increase was in the order of 25 per cent.

It is perhaps appropriate in this debate for me to quote from an article which was in today's *The Australian* and which is written by Dr Terry Dwyer who has been a senior adviser to the Treasury and to the Prime Minister's Department. I will quote from it to elicit support for the line I have run in this debate tonight. They are the remarks of a man who has greater credentials in the field of economics than I do.

Hon N.F. Moore: There is no question about that.

Hon JOHN HALDEN: Compared with the contribution of the member opposite, I am an intellectual giant. Actually, on this side of the House there are 14 intellectual giants in the economic field compared with none on the Opposition benches.

Hon E.J. Charlton: How is this State's Budget going?

Hon JOHN HALDEN: Very well. The member will be pleased to know that in the next few days an announcement will be made about certain matters. Dr Dwyer said -

One argument is that Australians save too little and a consumption tax is necessary to curb our consumption, especially of imported goods.

This is false. All income is either saved or spent. Taxing consumption is the same thing as taxing income but giving a deduction for savings. So why not exempt savings directly?

This is an issue which Hon Norman Moore referred to earlier. I can understand why Dr Terry Dwyer would say that. Until 1974 savings were exempt from taxation. That leads to another debate I do not wish to get into because we could spend an hour on it. Dr Dwyer identifies what he calls the "big losers". It is interesting to identify who he sees as the big losers from a consumption tax. He is reported as saying -

The big losers are going to be the poor, families, the low-income self-employed (including many farmers), the aged, charities and other non-profit organisations.

Hon E.J. Charlton: Who is left?

Hon Tom Stephens: The Liberal Party

Several members interjected.

Hon JOHN HALDEN: I will be delighted to see the Liberal Party's policy when it is issued. Dr Dwyer continued -

These groups have high ratios of expenditure to income (children don't grow on air) or they spend mainly on goods such as food and shelter (now exempt from sales tax). Charities can't pass on the tax to the "consumer" (imagine the Salvation Army or St Vincent de Paul trying to recover consumption tax from the patrons of a soup kitchen).

Hon Barry House: There is sales tax on a whole range of things that people do not know about. They are hidden.

Hon E.J. Charlton: There is a sales tax on soap. Do you ever have a wash?

Hon JOHN HALDEN: Does the member ever think? There is no sales tax on bread, milk, or the majority of things that rural industry produces. That is the ludicrousness of a consumption tax. All services and goods will have to be taxed. If that is the petty stupidity that the Opposition parties want to run to I welcome their doing that.

Hon E.J. Charlton: You have only 10 minutes left and we have not heard anything positive yet.

Hon JOHN HALDEN: I think what I have said has been positive. I have enjoyed every minute of it. As I have said before, if members opposite are smart they will have a long, hard think about a consumption tax and will adopt the policy many of us in the Labor Party adopted many years ago.

Hon N.F. Moore: Which one was that?

Hon JOHN HALDEN: We do not have one.

Hon N.F. Moore: Is that right?

Hon JOHN HALDEN: Indeed it is.

Hon N.F. Moore: Mr Piantadosi will be upset that you do not have a policy.

Hon JOHN HALDEN: Only on a consumption tax.

Hon N.F. Moore: Your policies are sending the country broke. I suggest you do something about them.

Hon JOHN HALDEN: Is it not wonderful? Here we have an Opposition which suggests I must not make a negative comment but which carps and whinges at the drop of a hat.

Hon Sam Piantadosi: I will tell members opposite all about their policy tomorrow!

Hon JOHN HALDEN: I am pleased Hon Sam Piantadosi will do that. I can hardly wait! According to Dr Dwyer a consumption tax will have an effect upon savings. It is interesting for small investors throughout this country to hear what effect a consumption tax would have. Dr Dwyer continues -

A 15 per cent consumption tax would wipe billions off the value of savings now sitting in banks, life offices and superannuation funds. Paradoxically, the very threat of a consumption tax is a key incentive for people with accumulated savings to start spending now to beat the tax.

In essence, those people who have been frugal, the people the Opposition suggests on numerous occasions should be applauded for their frugality and for saving for years and not being a burden in their future years on the Government system, will be attacked by this tax. Those opposite will ensure that the very desire of those people not to become beneficiaries of the State is the path they will have no choice but to follow. I can only say that I welcome the Opposition's decision. Hon Norman Moore has mentioned on a number of occasions the totality of the tax package. I have suggested, not from my figures but those of others, that a consumption tax not accompanied by other increases will result in a negative impact on Government expenditure and that to maintain Government expenditure taxes would have to be increased. This is supported by Dr Dwyer, who says that there is every reason to fear that a new consumption tax would lead to an expansion of the total tax burden just as happened with the value added taxes throughout Europe.

Hon Derrick Tomlinson: Did you not say it was revenue negative?

Hon JOHN HALDEN: No. If one does not compensate in other areas - that is, income tax - this tax will be revenue negative so Government expenditure will have to be cut. If one has a consumption tax and keeps gobbling away at that -

Hon Derrick Tomlinson: In addition to a fixed income tax?

Hon JOHN HALDEN: No. One cannot have a fixed income tax and a consumption tax. If one introduces a consumption tax and lowers income tax by a proportionate amount it is revenue negative. If to compensate for that one increases the consumption tax - which the New Zealand Government did by 25 per cent - the burden increases generally across the community because consumption taxes are not progressive. Dr Dwyer's note at the end of his article is worthy of comment. He states -

But you don't eliminate bad taxes by copying new ones from abroad - that is as progressive as saying that the guillotine is more efficient than a hanging.

That is my point to the Opposition tonight: A consumption tax is of no merit. It will be a blight upon those who can least afford it and it is a politically unviable option. If the Opposition chooses to go down that path, so be it. I do not suggest that as politicians we should inflict upon the community the concerns that such a tax would bring.

Hon N.F. Moore: Sit down!

Hon JOHN HALDEN: I and the clock will decide when I do that, not Hon Norman Moore.

Hon N.F. Moore: If you do not want people to worry about it, why are you going on about it?

Hon JOHN HALDEN: It is not in our policy, it is in the Liberal Party's policy. Hon Norman Moore has been a great advocate of that policy here tonight, which we have all heard. I am only too happy to remind Hon Norman Moore of his comments as we head into 1992 and 1993. The consumption tax issue may be perceived by members opposite as being negative, as they have suggested tonight. It is the most negative, regressive piece of economic legislation that could be perpetrated on the Australian community. It will be opposed, as has already been indicated, by an enormous sector of the Australian community from middle and lower income workers to agricultural workers and farmers through to industrial workers, the taxation associations, unions and small business associations throughout this country. If this is not an indication that this form of taxation is regressive, the Opposition, as it did in New South Wales, will receive an enormous battering, so it should think again. If the Opposition cannot think, the only option available to those of us in the Labor Party will be to bludgeon members opposite with the community's perception of this iniquitous tax. I welcome the Opposition's decision. I hope the Bill will be supported.

HON DERRICK TOMLINSON (East Metropolitan) [9.50 pm]: Having listened to a less than erudite discourse on consumption tax, which wants us to believe that such a tax will be revenue negative and will lead to a contraction of public expenditure, yet at the same time lead to an upward inflationary spiral, I want to turn attention away from the income of the Government towards the consumption expenditure of the Government in my contribution to this debate on the Supply Bill. Consumption expenditure is one of the unavoidable expenses of Government. When one looks at Government expenditure, one normally recognises that the major portion of recurrent outlays - and incidentally capital outlays - is in three areas: Education, health, and community services. That is so in this State, it is so in every State of Australia, and it is so with respect to the Commonwealth Government in so far as the Commonwealth has responsibilities in those areas. The three areas - health, education and welfare - consume a large share of what I call consumption expenditure. If members want to avoid the stigma of the term "welfare" they could use the term "community services", but I think "welfare" is an adequate term. Each of those areas of public service generates little or no income. In fact they consume a large portion of the consolidated revenue of every Government. They are also areas which cannot be commercialised simply because there is no product which is readily saleable; there is no service for which there is a reasonable fee for service from which the Government can recoup its expenditure.

I want to focus on one of those three areas of consumption expenditure, and that is the area of education. One of the great concerns of this Government - and I think of every Government - in the education field is to maintain a normative, or desirable, standard of facilities. It is particularly difficult in a State like Western Australia, where not only is the population continuing to grow but where there are also demographic changes within the population. We have a highly mobile population. There has been a progressive drift from the rural to the urban areas since the end of World War II. There has been an internal

migration within our metropolitan areas since the 1960s and the 1970s. These demographic changes, or shifts in population, create considerable pressures on the education sector. The pressures are manifold, but I would like to focus on two aspects of them.

As the population shifts within the metropolitan area, and as the population shifts from the rural areas to the urban areas, so there is a corresponding demand for new educational facilities. There is a demand for new schools in areas of population growth. This is what we observe in the Perth metropolitan area; an increasing and constant demand for new schools in the new suburbs to the north of the city, and new schools in the suburbs to the south of the city. That is a constant demand upon the capital outlays of Government. At the same time as there is that demand, the schools in the declining suburbs experience two pressures. First of all there is a pressure for their maintenance. These are the schools in the older suburbs; and because the Government is strapped to meet the demand for new schools, the amount of money available for capital works to maintain the older schools at a normative standard is small. The net result is that those schools tend to be neglected. That I must stress is not peculiar to this Government at this time; it is a continuing problem in the maintenance of educational facilities.

Within some of those suburbs there is sometimes a corresponding pressure from urban renewal. Those suburbs, as they decline in attractiveness, become very attractive to first home buyers because they offer cheap housing. Because they are attractive to first home buyers, young, child bearing families create a new population for the old schools, and so those old schools which have suffered neglect by virtue of their age enjoy a rejuvenation of population as the urban centre enjoys its rejuvenation, and there is a new pressure upon those schools for their rejuvenation. This was illustrated the other day to a group of members from the East Metropolitan Region who visited the East Maylands School, potentially a very attractive school but with a very real need for upgrading. I think we all recognised that. That is only one example of many schools in what we might call the inner suburbs of the Perth metropolitan area.

The Government has recognised that problem. It recognises the problem in the document it produced for public comment, the school renewal document. The concept advanced in this document is explained on page 6. It refers to the purpose of the school renewal program as the provision of a relevant and comprehensive curriculum to all students. Having made that statement of purpose, the document makes the observation that there are schools in the metropolitan and rural areas where a comprehensive curriculum could not be provided without the supply of additional resources disproportionate to the number of students concerned. If, as this statement proposes, there are schools in the metropolitan and rural areas where a comprehensive curriculum is not possible without the injection of resources disproportionate to their population, one is led to one of two conclusions. The first is that those schools will not be viable because it is not feasible to provide resources disproportionate to their population - and if they are not viable they will be closed or perhaps in some way amalgamated with other institutions. The alternative conclusion is that there will be a disproportionate allocation of resources to those schools. That is, they will become, in unit costs, very expensive schools; however, because of the necessity of maintaining those schools at normative standards - in other words, at the desirable standard equivalent to schools in every other part of the State - the unit cost will be borne by Government as a necessary cost for the educational benefit of that community.

If the two conclusions are either closure or a disproportionate allocation, what will the source for the allocation of funds? Again, the school renewal report addresses this. On page 9 of the report the statement is made that -

The School Renewal Programme will provide for educational betterment through reorganisation and funds will be generated from the sale of assets. These assets could be, for example, surplus buildings, grounds and equipment. There could also be nett savings in recurrent costs, including staff, salaries, contingencies and student transport.

That is a bold proposition, and it starts from the premise that some schools are not viable. Those schools will either close or enjoy a disproportionate resource allocation in order that they may maintain normative curricula. In order to maintain schools at normative levels, even though that will absorb a disproportionate volume of resources, the bold proposition

that Government is making in the school renewal program is that revenue and capital income generated from the sale of surplus assets - in other words, "Those schools which close, we will sell" - will then be directed towards the maintenance of normative standards in other schools. Hence there will be a reallocation of resources.

It is, indeed, a bold proposition; but in the whole statement the reference is constantly to school renewal. Only the ladies and gentlemen of the Press have dared to say what renewal means. *The West Australian* constantly calls this document a schools closure program. Let us test the reality of the Press' assessment of school renewal as a schools closure program. The story of the school renewal program begins in mid-1988, when a document prepared by the buildings branch of the Ministry of Education on 22 August 1988 produced a list which identified a total of 75 schools that could be considered for amalgamation or closure. The document identifies the criteria used to select those schools. The criteria are five in number -

- (a) Enrolment trends
- (b) The availability of accommodation elsewhere
- (c) Distance from alternative schools
- (d) The availability of school bus transport (where applicable)
- (e) The possibility of using Distance Education or School of the Air facilities where no alternative school exists.

The 75 schools were identified and, having specified the criteria, the document then goes on to make the qualifier that no account has been taken of factors such as possible local community reaction, historical inertia, or degrees of disadvantage or Aboriginality, and suggests that if it is decided to proceed with the closure of these 75 schools other considerations should be pursued by the ministry, through the directorate of operations in consultation with their district superintendents.

Hon John Halden: Do you have the document there?

Hon DERRICK TOMLINSON: Yes, would you like me to -

Hon John Halden: Table it.

Hon DERRICK TOMLINSON: I will certainly table the document.

The PRESIDENT: Order! The member cannot just do that.

Hon DERRICK TOMLINSON: No, I will seek leave, Mr President.

The PRESIDENT: What Hon John Halden can do is to ask Hon Derrick Tomlinson to identify the document, and at the conclusion of Hon Derrick Tomlinson's speech a member may then ask that that document be tabled. First a member needs to ask him to identify it, and he can be asked to table it at the conclusion of his speech, not now.

Hon DERRICK TOMLINSON: Thank you, Mr President. The document -

The PRESIDENT: Order! I have not asked Hon Derrick Tomlinson to identify it. It needs a member to ask him.

Hon John Halden: Mr President, can I ask that the document be identified?

The PRESIDENT: Yes.

Hon DERRICK TOMLINSON: The document is a memo from the manager of the buildings branch of the Ministry of Education under the heading "Primary Schools (including JP and ECU) - Possible Amalgamations/Closures". For the information of members I advise that JP and ECU stand for junior primary and early childhood units. The memo is signed by B. McCleary of the buildings branch, and is dated 22 August 1988.

The PRESIDENT: Order! Is it the sheet Hon Derrick Tomlinson has just put down or the whole bundle of papers?

Hon DERRICK TOMLINSON: It is the sheet.

Hon John Halden: Does it have the 75 names on it?

Hon DERRICK TOMLINSON: No, it says, "The accompanying list identifies a total of 75 schools that could be considered for amalgamation or closure." I do not have the accompanying list.

Hon John Halden: That is all right. It is a bit of an aged document.

Hon DERRICK TOMLINSON: Of course it is an aged document; it is dated 22 August 1988. I think it is most important to recognise that this program called school renewal did not spring fully formed from the forehead of Zeus, neither from the forehead of Hon John Halden. It is most important to recognise that.

Hon John Halden: I said that the concept was a decade old; I have never denied that.

Hon DERRICK TOMLINSON: Is from 1988 a decade?

Hon John Halden: People have been discussing this at the ministry since 1981; it is important to establish that.

Hon DERRICK TOMLINSON: Having recognised and accepted this as an important stage in what Hon John Halden describes as a decade-long process -

Hon John Halden: I do not accept it as being important.

Hon DERRICK TOMLINSON: Is that the gestation period?

Hon John Halden: I do not regard it as an important document; it is irrelevant.

Hon DERRICK TOMLINSON: I propose that it is an important stage. The next stage was on 20 September 1988 when the director of corporate services sent a letter to the director of operations at the Ministry of Education regarding possible amalgamation and closure. This letter draws attention to the memo to which I have just referred. On 22 August 1988 in a memo from Mr Bernie McCleary -

Hon John Halden: Who was the author of this document?

Hon DERRICK TOMLINSON: The memo was from Bernie McCleary, but the author of this document was Peter Walton. It was directed to the director of operations, Clyde Bant. The letter says -

Before undertaking a detailed financial analysis of each, it would reduce abortive work if we had an indication from you which possible amalgamations/closures would be non-starters.

That set in train a process of consideration of the 75 schools which had been identified for closure. A committee was formed within the Ministry of Education titled the amalgamation, closure and classification of schools committee, which became known as the schools closure committee. This committee met on Wednesday, 3 May 1989 and it was reported at the meeting that -

... this particular committee should be constituted as a working party for a consultative committee which would take the information provided by this particular group in the areas where amalgamation, closures and reclassifications were to be considered, and this consultative committee should then make recommendations to the Chief Executive Officer.

Therefore, the school closure committee was an advisory committee to a committee which was subsequently formed comprising, among others, persons from the Primary Schools Principals Association, the Secondary Schools Principals Association, the Western Australian Council of State School Organisations, and the Teachers Union. Having set in train an investigation of possible school closures, amalgamations and reclassifications a philosophy started to emerge. I quote from a report of the meeting held on Wednesday, 3 May 1989 -

We need to establish a public image on the aspects of closures and amalgamations. If it is going to be pursued with a degree of intensity for 1991, it will be necessary to make the intention public. This working party would urge the Chief Executive Office to work towards a 1991 start for the amalgamations and closures, apart from those which have a broad community acceptance for 1990.

Therefore, this matter has a long history. It is the history of the evolution of an idea. It has its beginnings in the Ministry of Education and it is about the closure of schools as a means towards the rationalisation of expenditure. However, as the closure of schools is never politically popular -

Hon John Halden: It is popular in South Australia and Victoria. They are queuing to close.

Hon DERRICK TOMLINSON: They are queuing to close?

Hon John Halden: My oath, my friend.

Hon DERRICK TOMLINSON: That is an interesting proposition. I can imagine the queues which will be outside the member's door when he starts to close the doors on schools.

Hon John Halden: You do not receive the phone calls I do. I know which schools want to be closed.

Hon DERRICK TOMLINSON: The next stage in the evolution of this philosophy occurred when the Minister for Education took the proposal to Cabinet in 1989.

Hon John Halden: What is the document from which you quote?

Hon DERRICK TOMLINSON: The document has a file number 797/89, and indicates, "with copy on file 798/89", and it is directed to the Minister for Education. It is from the Chief Executive Officer of the Ministry of Education and was sent on 20 June 1989. In this letter Dr Warren Loudon makes this observation -

To date the possible closure of thirty four schools has been explored.

Therefore, between 22 August of 1988 and 20 June 1989 the number of schools considered for closure reduced from 75 to 34. Having made assessments of all 75 and decided from that for various reasons that it would be inappropriate to close all of them, the memo from the Chief Executive Officer of the Ministry of Education states that the possible closure of 34 schools has been explored. It reads -

Of these, the analysis of sixteen has reached the point where further necessary data collection can only be undertaken in the communities affected. Indeed one aspect of the data to be collected is community attitude to closure.

This is the important stage in the evolution of the idea. The proposal for closure is the starting point, because closure is not seen as attractive, even though people are queuing to have their schools closed in the States, according to Hon John Halden -

Hon John Halden: According to the education authorities in those States. I will wear the statement, but let us source the facts.

Hon DERRICK TOMLINSON: All right; the education authorities are reporting that people are queuing to close schools in South Australia and Victoria, yet in 1989 and 1990 it was seen as an unattractive proposition in Western Australia. As a need existed to sell the idea to the public -

Hon John Halden: You are telling the story.

Hon DERRICK TOMLINSON: The third element is contained in the document from the Chief Executive Officer of the Ministry of Education indicating that community participation and community consultation should be conducted to assess community attitudes.

Hon John Halden: That is fairly wise.

Hon DERRICK TOMLINSON: It is very wise. I have said at other times that one of the great mistakes made in the past was that a decision for closure was made and only then was consultation engaged in. Consultation after the event leaves communities feeling betrayed.

Hon John Halden: We agree.

Hon DERRICK TOMLINSON: The member and I agree. If there is to be closure, one assumes that there will be a saving of consumption expenditure. However, not only will there be a saving of consumption expenditure, but also the asset might be realised. The chief executive officer draws the attention of the Minister for Education to the financial gains from the closure of the school and he says -

Even so, the remaining fifteen schools -

That is, 15 of the 34 -

Hon John Halden: Mr President, I ask that the member identify the document from which he is quoting.

The PRESIDENT: The member will identify the document.

Hon DERRICK TOMLINSON: I have identified the document already. It is the document with the reference number 797/89. I am not sure of the procedure that would allow me to have it incorporated in *Hansard*, but I will move that that be done if necessary.

The PRESIDENT: If the member asks me after the House rises, I will tell him.

Hon DERRICK TOMLINSON: In the document that I previously identified as 797/89, the chief executive officer says -

Even so, the remaining fifteen schools, if closed, would yield some \$1.47m savings in recurrent expenditure and an estimated \$9.91m in revenue from the sale of school sites. Concerning the latter figure, please note that \$5.5m would come from the sale of the City Beach Primary School and of the remaining \$4.4m, an estimated \$4.1m would come from four schools.

Hon John Halden: I thought you said previously they were going to close Kapinara. They cannot close both City Beach and Kapinara. You can't have it both ways.

Hon DERRICK TOMLINSON: I have not referred to Kapinara.

The PRESIDENT: Order! It does not matter whether the member has or has not, as far as I am concerned. He is making the speech and Hon John Halden is out of order interjecting.

Hon DERRICK TOMLINSON: I was totally unaware until now that there was any proposal to close Kapinara in addition to City Beach. I suggest it is probably one or the other because they are in close proximity. Of the 15 schools that would generate a saving of \$1.47 million in recurrent expenditure and \$9.1 million from the sale of assets, there was another group of schools, a further 18, for which information at the time of this memo was incomplete. That is referred to as an addendum to this document which I do not have which is called "Closures: Group 2". The chief executive officer advised the Minister for Education that that information would be available shortly. He said -

Notwithstanding, if the pattern of the "Group 1" list holds, we might expect in excess of a further \$1.0m savings in recurrent expenditure. The once-off/sale of site savings figure, though substantial in total, has two large items in City Beach Senior High School (\$9.0m) and Leederville Primary School (\$1.0m). The remaining sites are of little consequence.

We are now at the stage in the evolution of this idea of putting some numbers on the proposition that closures of schools will lead to savings in recurrent expenditure and benefits from the realisation of assets.

Hon John Halden: That is hardly new.

Hon DERRICK TOMLINSON: As I said at the beginning, it is a very bold proposition because the other part of that bold proposition -

Hon John Halden: It is in the report.

Hon DERRICK TOMLINSON: - which I read from the report at the beginning of my speech was that the savings realised from closure could be directed towards enhancing the educational services and facilities by a disproportionate allocation to some schools. That is a very bold proposition!

Hon John Halden: A very reasonable one.

Hon DERRICK TOMLINSON: I do not avoid recognising the boldness of the proposition! I do not think we need any great economic intellectual giant to point that out to us; neither do we need, as the member pointed out, intellectual Neanderthals.

The chief executive told the Minister for Education - the very point that I have just described as a bold proposition - that -

I think it important to note that in order for closures to succeed it will be necessary to demonstrate to school communities that the savings are being redirected back into education - if not entirely, then to a large degree. Without such an undertaking, school closures will be very difficult, if not impossible to achieve.

Even though education personnel in other States are advising Mr Halden that communities

are queuing up to have their schools closed, the assessment of the chief executive officer in Western Australia in 1989 was that, without convincing communities that there were financial benefits to them from the closure of schools, that the school closures would be very difficult if not impossible to achieve. He then said -

Clearly retaining revenue from the sale of assets would necessitate a new approach by the Government, but one not without precedent in this country.

It is not without precedent in this country because Hon John Halden referred to the South Australia experience where schools are being closed and the very bold proposition that the school renewal program advances has been in operation in that State. The chief executive officer, with considerable perspicacity in 1989, observed -

It is to be expected that resistance by Treasury would be substantial.

Not only would resistance by Treasury be substantial, but also consideration would need to be given to section 64 of the Constitution Act which states -

All taxes, imposts, rates, and duties, and all territorial, casual, and other revenues of the Crown . . . from whatever source arising within the Colony, over which the Legislature has power of appropriation, shall form one Consolidated Revenue Fund . . .

Hon John Halden: That is right.

Hon DERRICK TOMLINSON: Yes, it is very right. That is one of the important points that should be emphasised in the House, because, as Hon John Halden said, it is right and it was a point that the Ministry of Education recognised when it closed Carmel Primary School in 1990. The Minister for Education at the time, Dr Geoffrey Gallop, advised the community of Carmel Primary School that there would be an estimated saving of \$120 000 from the closure of the school. That was the saving in recurrent outlays for salaries and other expenses, plus anticipated revenue from the sale of the site. He said that he hoped the \$120 000 so generated would be ploughed back into education, thereby enhancing the educational provision of schools elsewhere. In other words, he made a statement of the proposal which was developed in the period I have just outlined. In order to find out how far that proposal had progressed, I asked a question on notice to which I received a reply on Wednesday, 1 May. The question I asked of the Minister was -

- (1) Is the estimated value of the Carmel Primary School still \$120 000?
- (2) When the site is sold -
 - (a) will the income from the assets sale go back into education as hoped by the previous Minister for Education, Dr Geoffrey Gallop, MLA; or
 - (b) will it be absorbed in consolidated revenue?
- (3) How many expressions of interest have there been additional to that from the Shire of Kalamunda?

The Minister's answer indicated that the value of the site was being assessed by the Asset Management Taskforce. It advised that options for the site, including its worth, were still being evaluated and a decision had not been made for the disposal of the site. In answer to the question of whether the income from the sale would go back into education, as hoped by the Minister, or be absorbed into consolidated revenue, the reply was -

In accordance with the WA Constitution Act and Government policy, funds raised through the sale of the site will be returned to the Consolidated Revenue Fund. The inception of the State Government's school renewal fund will allow for funds raised to be applied for school maintenance and renovation.

Before we can get to that stage there needs to be a special subvention of earmarked funds within the Consolidated Revenue Fund. I look forward to that.

Hon John Halden: The report recommends that.

Hon DERRICK TOMLINSON: It certainly does, and it is fundamental to the proposal that has been advanced. It is absolutely essential at this stage in the consideration of the school renewal document, that it be made quite clear that school renewal does, for some schools, mean closure.

Hon John Halden: I have never denied that.

Hon DERRICK TOMLINSON: It is essential that those schools which have already been identified as schools to be closed be advised that they are to be closed.

Hon John Halden: There is no such list.

Hon DERRICK TOMLINSON: I am not suggesting there is any such list and I do not refer to any such list. I refer to schools such as Bengier Primary School. On 11 April 1989 this school was the subject of a memo.

The PRESIDENT: Order! There is far too much audible conversations. I ask honourable members to desist and allow the member addressing the Chair to continue, because he has only 15 minutes left.

Hon John Halden: I ask the member to identify the document.

Hon DERRICK TOMLINSON: It is a memo, reference 327/82 to Clyde Bant, School Closures Committee from Mr John Graham, Director of Operations, relating to the closure of Bengier Primary School. It is dated 11 April 1989. The question asked by Mr Graham of Mr Bant was -

Would you be agreeable to the school closing in 1990 providing the community are comfortable with such an action?

Another memo, which has no file number, to the Chief Executive Officer from the Executive Director (Schools), which contains a signature which looks like Max Angus, says with regard to the closure of Bengier Primary School that

It is recommended that the school be closed for 1990, but building and equipment preserved for another year or two in case of an unexpected increase in numbers.

Hon Fred McKenzie: It seems you have access to Government or departmental files.

Hon DERRICK TOMLINSON: Yes. The footnote from the Chief Executive Officer to the Minister for Education states -

I endorse this decision. Could I have your advice please?

The then Minister, Carmen Lawrence, wrote -

Approved. Is it politic to offer 12 months and anticipate that most will leave? We did give assurances about this.

That is one of the schools about which the community is hanging on the decision of the school renewal report because it was advised in 1991 that it would be closed.

Hon John Halden: They have rung me.

Hon DERRICK TOMLINSON: They have rung me also.

The PRESIDENT: Order! I ask Hon John Halden to stop interjecting, because Hon Derrick Tomlinson has only 13 minutes left in which to wade through that wad of papers in his hand.

Hon DERRICK TOMLINSON: To obviate the necessity to wade through these papers, I will refer to schools, such as the Bengier Primary School. This school had been through the process of consideration for closure, a decision had been made for closure and that decision had been approved by the Minister for Education, but that has now been deferred until decisions about school renewal are made. I refer also to Marvel Loch Primary School and Woodanilling Primary School. Those school communities are anxious to know what the fate of their schools will be.

The school renewal proposal is a bold proposal. The unfortunate aspect of the proposal is that it has been dressed up in newspeak. What does "renewal" mean? If we were to take an old fashioned English interpretation of renewal, it means made new again. Therefore, some of the older schools that I talked about at the beginning of my speech, which are suffering simply by virtue of their age and the unequal competition for limited capital resources available to Governments, could anticipate in a school renewal program an injection of funds so that they could be made new again, or brought up to normative standards. That is what an old fashioned interpretation of renewal is, but the newspeak meaning of renewal for some schools is closure. The bold proposal is that income will be generated from closures, from

recurrent expenditure savings and from the sale of assets, but if there were not closure, that income would not be available to renew those schools. It follows that school renewal means also school closure. I am very pleased that Hon John Halden has been in such an agreeable mood tonight. I hope that as soon as possible his committee can recommend to the Minister that she commence immediately to advise those schools which will endure closure that they will be closed, and also advise them when they will be closed. It is now June of 1991. The program that I have just revealed in my consideration of these documents was due to commence in 1990. However, it was deferred in 1990. A couple of schools were closed in 1990, two of them being Rivervale Primary School and Carmel Primary School.

Hon John Halden: North Bandee was another one.

Hon DERRICK TOMLINSON: Coomberdale School was the fourth. But other schools need to know, and in order to maintain the faith of the community, which this school renewal program hopes to generate through consultation, the Government now needs to advise schools whether they are to be closed in 1991, as was proposed.

Hon JOHN HALDEN: Mr President, I ask that the documents that were identified be tabled.

The PRESIDENT: Order! Hon Derrick Tomlinson will table the documents he identified earlier.

[See paper No 422.]

Debate adjourned, on motion by Hon Fred McKenzie.

WESTERN AUSTRALIAN COASTAL SHIPPING COMMISSION AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Graham Edwards (Minister for Police), read a first time.

Second Reading

HON GRAHAM EDWARDS (North Metropolitan - Minister for Police) [10.44 pm]: I move -

That the Bill be now read a second time.

The effects of this Bill are twofold: Firstly, to honour an undertaking given by the Government in connection with the construction of three new vessels for Stateships, the assignment of the construction agreement to Westpac Banking Corporation, and the charter of the vessels from Westpac. Secondly, to increase the number of commissioners from three to five, and to incorporate other minor amendments to facilitate administrative procedure.

The major reason necessitating the amendment in respect of the construction, assignment and charter of the vessels came about in the course of negotiations with Westpac. During these negotiations Westpac requested the normal guarantees the Government provides in respect of Government borrowings. However, it became apparent that the Treasurer did not have the power under this Act to provide the guarantees in respect of charter parties. If borrowings had been involved, section 26(3) would have enabled the guarantees which had been agreed to by the Government to be provided. To enable the matter to proceed it was considered appropriate to give an undertaking to Westpac that the necessary steps to put in place such guarantees would be taken.

The other reason behind these amendments relates to the number of commissioners to be appointed to the commission and to adjust the number of commissioners required for a quorum. An amendment also deletes reference to the Industrial Arbitration Act 1912 and substitutes Industrial Relations Act 1979.

An increase in the number of commissioners is seen as desirable to supply a broader perspective to the decisions of the commission. It is proposed to increase the membership of the commission from three commissioners to five. A minor amendment is also made to section 25 to enable the internal transfer of the commission's funds should the need arise. This is a straightforward Bill and I commend it to the House.

Debate adjourned, on motion by Hon George Cash (Leader of the Opposition).

TREASURER'S ADVANCE AUTHORIZATION BILL

Receipt and First Reading

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

Second Reading

HON KAY HALLAHAN (East Metropolitan - Minister for Education) [10.46 pm]: I move -

That the Bill be now read a second time.

The Treasurer's Advance Authorization Bill authorises the Treasurer to make withdrawals from the public bank account to provide advances for authorised purposes chargeable to the Treasurer's Advance Account within the monetary limit available for the financial year commencing 1 July 1991. In addition, the Bill seeks supplementation of \$20 million against the monetary limit authorised for the 1990-91 financial year. The monetary limit specified within clause 4 of the Bill represents an authorisation for the Treasurer to withdraw up to \$200 million for the financing of advances in the 1991-92 financial year. This is equivalent to the proposed amended limit of \$200 million in 1990-91 and compares with the authorised limit of \$250 million in 1989-90.

The purposes for which advances may be made are set out within clause 5 of the Bill and remain unchanged from those authorised in previous years. Where payments are made in respect of a new item or for supplementation of an existing item of expenditure in the Consolidated Revenue Fund or General Loan and Capital Works Fund, those payments will be chargeable against the appropriate fund pending parliamentary appropriation in the next financial year.

Members will be aware that a number of activities, such as the Building Management Authority's capital projects and works and sales account, and suspense stores for printing and supply services, are initially financed by way of Treasurer's Advance which is subsequently recouped from the department or statutory authority on whose behalf the work or service was performed. Advances provided for other purposes are repayable by the recipient.

Clause 6 of the Bill seeks an increase of \$20 million in the monetary limit authorised in the financial year ending on 30 June 1991. A number of unforeseen and unavoidable expenditures have already arisen during the year, particularly the need to supplement the limit so as to provide funding for the new Department of State Development. This additional expenditure, in the order of \$18 million, will be offset by savings in the Budget provisions of the agencies absorbed into the new department. The expenditure has been authorised in accordance with the Financial Administration and Audit Act and will be submitted to Parliament in the normal way via the 1991-92 Appropriation Bills.

Members will note that clause 4 has been expanded in comparison with previous years. The Government received advice that the previous wording could have been interpreted in such a way that unrecouped advances made in previous years were not counted as part of the current year limit. In line with the Government's commitment to ensuring effective control of public funds, a new subclause (3) has been added to ensure that all unrecouped advances, whenever made, are fully subject to the limits set by Parliament. I commend the Bill to the House.

Debate adjourned, on motion by Hon George Cash (Leader of the Opposition).

SELECT COMMITTEE INTO ACHIEVEMENTS OF INDIGENOUS PEOPLES OF AUSTRALIA

Appointment of Members

Resolved, on motion without notice by Hon Muriel Patterson -

That the members of the Select Committee into Achievements of Indigenous Peoples of Australia be Hon Derrick Tomlinson, Hon Tom Helm, and the mover.

**POST-SECONDARY EDUCATIONAL INSTITUTIONS (TITLE AND DEGREES)
BILL***Introduction and First Reading*

Bill introduced, on motion by Hon Kay Hallahan (Minister for Education), and read a first time.

Second Reading

HON KAY HALLAHAN (East Metropolitan - Minister for Education) [10.51 pm]: I move -

That the Bill be now read a second time.

The Western Australian Government has accepted the recommendation of the Western Australian Higher Education Council that legislation should be enacted to prevent institutions, other than those created under legislation, from using the title "university" and to control the use of the title "degree". Recently, we have seen the development of a number of private education institutions in Australia operating at the post school level. Their emergence has caused concern about the public standing of our universities and of the degrees they award.

In order to protect the public interest, the Government is introducing this legislation to control the use of the title "university" and the award of degrees. At present, there are no legislative controls in Western Australia to govern the use of these terms. This is not to suggest that there has been improper or misleading conduct on the part of any existing private educational institutions in Western Australia. Other States, however, have seen the need to legislate in order to protect the public standing of their universities and their awards. At present there are private educational institutions in Western Australia which teach full fee overseas students courses leading to the award of a degree of a public university. A case in point is the Australian Institute of University Studies which teaches students for the Bachelor of Business Degree of Curtin University of Technology and the Bachelor of Laws of the University of London. However, none of these private institutions currently awards its own degree.

The legislation will not affect the University of Western Australia, Murdoch University, Curtin University of Technology, Edith Cowan University, or the University of Notre Dame Australia, all of which have been established by the State Parliament.

An important feature of the legislation is the provision for other post secondary educational institutions not eligible to use the title "university" to offer educational programs leading to the award of their own degrees, subject to a process of accreditation approved by the Minister for Education. This will mean that it will be possible for private colleges to award their own degrees subject to strict controls that will give public reassurance as to the educational quality of the programs offered. I am sure that this provision will be welcomed by these institutions so that the level of their awards may receive appropriate recognition. I commend the Bill to the House.

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

ACTS AMENDMENT (FINANCIAL ADMINISTRATION AND AUDIT) BILL*Introduction and First Reading*

Bill introduced, on motion by Hon Kay Hallahan (Minister for Education), and read a first time.

Second Reading

HON KAY HALLAHAN (East Metropolitan - Minister for Education) [10.54 pm]: I move -

That the Bill be now read a second time.

This is a simple and straightforward piece of legislation, the purpose of which is to amend the Curtin University of Technology Act 1966 and the Edith Cowan University Act 1984 to extend to those two universities exemptions from sections 21, 22, 42, 44 and 58 of the Financial Administration and Audit Act in line with exemptions which currently apply to the University of Western Australia and Murdoch University. These exemptions were granted to

the University of Western Australia and Murdoch University by the Acts Amendment (Financial Administration and Audit) Act 1985, assented to on 4 December 1985.

The Review of Higher Education in Western Australia 1989 gave strong support to adopting a common approach to all four institutions with respect to exemptions to give them greater administrative flexibility without offending requirements for full accountability under the Financial Administration and Audit Act.

Each of the universities is largely Commonwealth funded and its financial affairs are the responsibility of the university senate or council, which is predominantly composed of external members who exercise appropriate control over the financial affairs of the university. The traditional autonomy of universities should be respected for all four universities equally if they are to be placed on a similar footing of public regard.

In order to assist members to understand the background to the present legislation, I remind them of the 1990 report of the Auditor General which commented on the financial reporting of tertiary institutions. In particular, reference was made to the absence of standard reporting formats; the exemptions provided to tertiary institutions; and the widely divergent accounting policies adopted on common issues, which result in the accountability requirement for disclosure of institutions' financial positions not being met in a way which enables consistently meaningful comparisons to be made.

The Auditor General reported that a working party comprising representatives of the four higher education institutions - all of which are now universities - and Treasury, had been established to address the reporting issues. Areas under review were: Standardisation of financial statements; standardisation of financial performance indicators; and standardisation of exemptions from the Financial Administration and Audit Act 1985. Once agreement had been reached concerning standardised financial statements, responsibility for the working party was transferred from Treasury to the Western Australian Office of Higher Education to address the standardisation of performance indicators and exemptions from the Financial Administration and Audit Act 1985. This action was consistent with the recommendations of the Review of Higher Education.

The working party finalised its report on standardisation of reporting by Western Australian higher education institutions in a manner acceptable to the institutions. This report was considered and endorsed by the Western Australian Higher Education Council at its meeting on 31 August 1990 and covered both performance indicators and exemptions. Treasury has agreed that exemptions to sections 21, 22, 42, 44 and 58 of the Financial Administration and Audit Act should apply to all four universities, including Curtin University of Technology and Edith Cowan University. Following amendment to the Financial Administration and Audit Act last year, affiliated bodies of institutions have been made publicly accountable.

All the issues raised by the Auditor General on the financial reporting of tertiary institutions in his 1990 report, and the Review of Higher Education report, have now been addressed. Passage of this legislation will finalise exemptions to the Financial Administration and Audit Act for the universities. I commend the Bill to the House.

Debate adjourned, on motion by Hon Margaret McAleer.

ADJOURNMENT OF THE HOUSE - ORDINARY

HON KAY HALLAHAN (East Metropolitan - Deputy Leader of the House) [10.59 pm]:
I move -

That the House do now adjourn.

Adjournment Debate - Environment and Water - Liberal Party Policies

HON SAM PIANTADOSI (North Metropolitan) [11.00 pm]: I will not keep the House long in my endeavours to assist the Opposition with its environmental and water policies. The Opposition presented a document prior to the last election titled "Wanneroo Future". It contained a summary of recommendations for the future of Wanneroo, and Hon George Cash would be interested in it.

Hon George Cash: I am extremely interested and I have read the document.

Hon SAM PIANTADOSI: I am concerned that he is not concerned with the implications of the document. I can sympathise with the member to a certain degree.

Hon John Halden: He was indicating that he wrote part of it.

Hon SAM PIANTADOSI: I am very surprised. The recommendations referred to land at Connolly, Landsdale and Wangara which would be prepared for future commercial development; alternative land uses for pine forests - which is Mr Pental's favourite area -

Hon T.G. Butler: Does this document indicate where Churchill estate is located?

Hon SAM PIANTADOSI: We might discover that in the pine plantation. According to the Liberal Party's document the City of Wanneroo is the fastest growing local government authority in Australia. We are all aware of that. The document says -

The Wanneroo area is attracting many families who want not only a home of their own, but also a relaxed lifestyle in an area of natural beauty.

Hon George Cash: It is a delightful place.

Hon SAM PIANTADOSI: The Liberal Party document states that "to continue the development of the area and provide facilities for people" it would ensure environmental protection and control of water resources. To do that Hon Phil Pental no longer wants to put asphalt down and seal the pine plantation to protect the ground water, he now intends to poison the ground waters.

Hon P.G. Pental: I wouldn't mind poisoning someone.

Hon SAM PIANTADOSI: Hon Phil Pental should be very interested in this, as should Hon Bill Stretch, who represents an area of the south west with a large horticultural industry. He would be very well aware of the danger that horticulture can present for water catchment areas. Under the heading of "Horticulture" -

Hon P.G. Pental: You will be pushing up daisies if you keep reading that stuff.

Hon John Halden: It is your policy speech.

Hon SAM PIANTADOSI: I do not know whether Mr Pental had a hand in preparing this document, but whether or not he did I suggest he listen as he might learn something. He keeps interjecting and I notice that of the seven questions on notice on today's Notice Paper he asked only two of them. His colleagues finally have seized upon the fact he is not able to handle that shadow portfolio and they have given him a hand.

Hon George Cash: All members of the Liberal Party take a very active interest in the environment.

Hon SAM PIANTADOSI: Is that what it is? They have taken an active interest because Hon Phil Pental is incapable of handling it on his own. He has been an embarrassment to the Opposition of late.

Hon Kay Hallahan: For a long time, really.

The PRESIDENT: Order! Honourable members will stop interjecting. Hon Sam Piantadosi has seven minutes left.

Hon SAM PIANTADOSI: Thank you, Mr President, and I might take up the whole seven minutes. The Liberal document states -

The future of the pine plantations hold the key to the expansion of horticulture, floriculture and agriculture in the area. A cost-benefit of the pines versus the value of the water used and the value of other products needs to be undertaken to enable reasoned decisions in relation to these areas.

That is fine, but the document also proposes -

A test area of 100 hectares will be cleared and planted with alternative crops to see what use the land can be put to and what viable alternative there is to pine trees.

Horticultural crops need chemicals to ensure growth, and if Hon Phil Pental or other Opposition members had any idea about the Wanneroo City Council area they would be aware that the horticultural industry is already established and is being monitored for its effect on the groundwater.

Hon George Cash: That is only one of our policies; the member will have to go through them all.

Hon SAM PIANTADOSI: Tomorrow I will do just that. I have finally found the Liberal Party's multicultural and ethnic affairs policy. It has been broken down into two or three different areas, which is why I could not find one document.

Hon P.G. Pental: It even makes allowance for you.

Hon SAM PIANTADOSI: One must be concerned if this is what the Liberal Party is proposing for the City of Wanneroo, which is the fastest growing local government authority in this State. If the Liberals had their way the City of Wanneroo would not grow any further, and they would stop a large section of its population from growing! If Hon Phil Pental and the Opposition are not aware that a water management policy is in place for the Wanneroo district they should make it their business to find out what is currently in existence. If they have not already destroyed the wetlands and polluted the water supplies, that would be the end result of their policies. This document does not allow for the future growth of Wanneroo.

Hon W.N. Stretch: That is absolute poppycock, and you know it. I thought the member knew a bit about horticulture.

Hon SAM PIANTADOSI: This is the Opposition's document, not mine. Hon Bill Stretch should read this document.

Hon W.N. Stretch: I have read it.

Hon SAM PIANTADOSI: Then the member is just as guilty as the members who sit on the Opposition front bench, because if the member is not concerned with what is proposed we have problems. It is not just Hon Phil Pental who is leading members opposite astray; all Opposition members are in cahoots with him in trying to lead the residents of the City of Wanneroo astray.

Hon W.N. Stretch: If that is my biggest sin I will line up at the pearly gates alongside you any time.

Hon SAM PIANTADOSI: The member will not have to worry about lining up at the pearly gates if the Opposition goes ahead with this proposal.

The PRESIDENT: Order! The honourable member's time has almost expired so he had better get on with it.

Hon SAM PIANTADOSI: I again ask Hon Kay Hallahan whether she would approach the Minister for the Environment and request him to allocate some of his resources to assist Hon Phil Pental and the Opposition, because this document clearly indicates that they are in desperate need of help. Tomorrow, when I have some more time, I will point out some other areas in which they need help.

Hon George Cash: Before you misrepresent our documents, at least read them.

Adjournment Debate - Real Estate Industry - Insensitive Sales Approaches

HON JOHN HALDEN (South Metropolitan - Parliamentary Secretary) [11.09 pm]: I am concerned about a matter which a constituent raised with me recently. My constituent's husband died and within a matter of 48 hours she had been contacted by a local real estate agent to ascertain whether she was interested in selling her house. I consider that to be an invasion of privacy at a very delicate time in her life. It was not one real estate agent, but a number of agents. The insensitivity of those people was not appreciated by my constituent, nor would it have been appreciated by this House. I raise the matter to draw it to the attention of the appropriate Minister and to the Real Estate Institute of Western Australia, which should consider this matter seriously. At some time in the future my constituent may make the decision to sell, but it should be in her hands to make the necessary approaches, and not up to an overzealous salesperson from a real estate office, or a number of real estate offices, to approach her. It shows great insensitivity and does not reflect on the industry in an appropriate way. I hope that through making these comments in the House on this occasion this sort of conduct will not be inflicted upon other constituents or members in this House.

Question put and passed.

House adjourned at 11.10 pm

QUESTIONS ON NOTICE

HOMESWEST - APPLICATIONS STATISTICS

Bunbury, Busselton, Mandurah, Collie, Manjimup, Albany

126. Hon BARRY HOUSE to the Leader of the House representing the Minister for Housing:

- (1) What is the present number of applicants from Homeswest accommodation in -
 - (a) Bunbury;
 - (b) Busselton;
 - (c) Mandurah;
 - (d) Collie;
 - (e) Manjimup; and
 - (f) Albany?
- (2) What is the breakdown of these applicants in terms of -
 - (a) single and pensioners;
 - (b) aged pensioner couples;
 - (c) singles aged 18-40;
 - (d) Aboriginal grant applicants; and
 - (e) families?
- (3) How many new homes and units have been constructed in these areas in each year from 1986-91?
- (4) What is the current waiting time for families for -
 - (a) three bedroom homes;
 - (b) four bedroom homes; and
 - (c) one bedroom homes?
- (5) How many applicants are currently receiving bond and rental assistance from Homeswest, pending a Homeswest home becoming available in the towns?
- (6) What is the average waiting time for Homeswest accommodation in Perth?
- (7) Is this in general, longer than the waiting times in the South West?

Hon J.M. BERINSON replied:

The Minister for Housing has provided the following response -

- (1)
 - (a) Bunbury - includes Carey Park and Withers - 441;
 - (b) Busselton 258;
 - (c) Mandurah - includes Coodanup - 502;
 - (d) Collie 31;
 - (e) Manjimup 44;
 - (f) Albany 233.

(2)

	Bunbury	Busselton	Mandurah	Collie	Manjimup	Albany
Single Pensioner - 50+ years	63	48	131	3	3	47
Pensioner Couple - 50+ years	27	35	69	0	2	18
Single - 18-50	64	13	37	9	6	14
Family	271	146	250	18	33	153
Other	16	16	15	1	0	1
Total	441	258	502	31	44	233

(No of Aboriginal
grant applicants -
included in above
totals)

35	8	12	5	4	18
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- Note: (i) Homeswest classifies singles as being aged 18-50 - not 18-40.
(ii) The classification of pensioner is those over 50 years of age.
(iii) "Other" - includes those household types which do not fall within the stated categories, for example, sharers.

(3)

	1985-86	1986-87	1987-88	1988-89	1989-90	1990-91	To Date
Bunbury	62	72	32	16	23		5
Busselton	25	15	4	11	10		-
Mandurah	32	44	34	5	22		1
Collie	6	10	-	-	4		10
Manjimup	12	4	-	2	-		6
Albany	23	15	15	17	1		13

Includes

Aboriginal Housing
Joint Ventures

Excludes

Spot Purchase and buy ins - properties not constructed by Homeswest
Housing built for sale
Housing built for other Government agencies

(4)

	1BR	3BR	4BR
Bunbury	Mar 1990	Mar 1989	Jan 1989
Busselton	Oct 1988	Jul 1988	Mar 1988
Mandurah	May 1987	Dec 1987	Jul 1986
Collie	Jan 1990	Nov 1990	Jun 1990
Manjimup	Sep 1989	Feb 1990	Jul 1989
Albany	Aug 1988	Aug 1988	Feb 1989

- (5) Data on bond and rental assistance is not available on town level. The closest possible is on regional level, for example, Homeswest's administrative regions.

	Rent Support as at 28.02.91	Bond Assistance for the Month of February 1991
Albany Region	75	15
Bunbury Region	257	53
Total number of applicants approved for rent support for the year 1990-91 to date is -		
Albany	639	
Bunbury	1 966	

(The difference between the total number of applicants approved and the number of recipients as at 28.02.91 represents those that are no longer on rent support.)

- (6) Average wait time in Perth.
- # The shortest waiting time in Perth is January 1991. The longest waiting time is February 1984.
 - # The median waiting time for a three bedroom house in Perth is June 1987.
- (7) Waiting times vary according to the type of accommodation required, the amount of stock available and the locality in which the person wishes to reside. The waiting times of the towns within the south west vary also, for example in Mandurah the waiting time is December 1987 whereas in Collie it is November 1990 for a three bedroom house. Generally waiting times in the metropolitan area are considerably longer than in the south west.

**LOTTERIES COMMISSION - COMMUNITY SPORTING AND
RECREATION FACILITIES FUND**
Responsibilities Takeover

350. Hon MURRAY MONTGOMERY to the Minister for Police representing the Minister for Racing and Gaming:
- (1) Has the Lotteries Commission taken over all or any of the Community Sporting and Recreational Facilities Fund's responsibilities?
 - (2) If the answer is yes, what grants has it made so far this financial year?
 - (3) Is money from the Lotteries Community Group Fund being used for purposes that were previously within the funding responsibility of the CSRFF?
 - (4) If yes to (3), what grants have been made so far this financial year?

Hon GRAHAM EDWARDS replied:

The Minister for Racing and Gaming has provided the following response -

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

ROADS - ALBANY HIGHWAY
Deviation, Beckenham - Alternative Options

494. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

With reference to the public information days on 13 and 14 March 1991 organised by the Main Roads Department and in particular to the various options in respect of the proposed deviation of Albany Highway between Austin Avenue, Maddington and William Street, Beckenham -

- (1) Is the Minister aware that alternative options numbers one and two are new proposals which have been received with a great deal of surprise

and indeed anger given that in 1963 option 3(a) was advised as being the proposed route of the deviation?

- (2) Is the Minister aware that any residents who have purchased land and homes in Kenwick/Beckenham area have completed those purchases on the basis that option 3(a) was the intended option?
- (3) Given the announcement of option 1, 2, 3(a) and 3(b), is the Minister aware that at a meeting held on 18 March in Hythe Place, Kenwick, a concerned residents' group comprising 103 people elected a committee to state the concerns of local residents and that the residents group has acknowledged that option 3(a) now amended to 3(b) is the preferred option in the interests of the affected community?
- (4) When will a final decision be made on the proposed deviation route?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes. However, before proceeding with the construction of the Wimbledon Street deviation of Albany Highway, the Main Roads Department considered alternatives and sought public response to these.
- (2) Yes.
- (3) Yes; however, there are other local community groups that support other options. The Main Roads Department and Gosnells Council recently organised a meeting for representatives of each group to present their case.
- (4) It is hoped that a final decision on this matter can be determined within the next two months.

OIL REFINERY - MINI OIL REFINERY PROJECT, KWINANA *Withdrawal*

508. Hon GEORGE CASH to Hon Tom Stephens representing the Minister for State Development:

- (1) Is it correct that the proponents for a mini oil refinery project at Kwinana withdrew their project?
- (2) If yes -
 - (a) why did they withdraw their project; and
 - (b) did they receive support for their project from the Department of State Development?
- (3) Who were the members of the review panel and which members have been employed in the oil refinery industry?

Hon TOM STEPHENS replied:

The Minister for State Development has provided the following reply -

- (1) Not to my knowledge.
- (2) Not applicable.
- (3) I am not aware of the existence of a review panel in relation to the Kwinana mini oil refinery project.

ROTTNEST ISLAND - LIQUOR STORE LEASE, GEORDIE BAY *Lease Applications Identification*

519. Hon P.G. PENDAL to the Minister for Police representing the Minister for Tourism:

Will the Minister identify all parties, successful or otherwise, who applied for the Rottneest Island liquor store lease at Geordie Bay on the two occasions it was advertised in 1989?

Hon GRAHAM EDWARDS replied:

The Minister for Tourism has provided the following response -

EXPRESSIONS OF INTEREST TO FIRST ADVERTISEMENT

Mr E.S. Cooley and G. Poole.
Mr G.F. Totterdell and B.W. and M.C. Bant
M. and M. Wright
A. and D. Leiper
Mr C.W. Brockwell, SHRM Australia Pty Ltd
R.T. and D.L. August and Mr R. Smith.

During the preliminary consideration of the expressions by the financial subcommittee of the Rottnest Island Authority, Mr and Mrs August were advised that Mr Robert Smith would be an unacceptable applicant; however, an application from the Augusts alone with no change to any conditions of their expression of interest would be acceptable. The expressions were shortlisted to four. The full meeting of the authority considered the final four expressions and awarded the lease to Mr and Mrs August. Mr Robert Smith was not a party to that application. Mr and Mrs August later applied to the Director of Liquor Licensing for the Geordie Bay Store liquor licence under the names of Sedgebrook Holdings and Leeuwin Holdings. The Rottnest Island Authority advised the director that it would not allow any parties other than Mr and Mrs August to have an interest in the lease. Subsequently Mr and Mrs August advised the authority that they did not wish to accept the lease of the store. The authority then readvertised for expressions of interest.

EXPRESSIONS OF INTEREST TO SECOND ADVERTISEMENT

Mr E.S. Cooley and G. Poole
Mr T.J. Kelly
Dr R.R. Patrick
M.C. and G.L. Thompson
Mr I. Rutherford
Mr and Mrs Silcock and B. Letts
Mr P. Treleaven, STRIDA Australia
Mr R. (Richard) Smith, Kirkston Holdings
A. and D. Leiper
Ms S. Stock
Mr and Mrs L.J. Richards
K.R. and J.R. Sherrington
W.P. and G.R. Dawson
Aurum Caterers

Following consideration the Rottnest Island Authority awarded the lease to Mr and Mrs Silcock and Mr B. Letts.

TIME ZONE - WYNDHAM-EAST KIMBERLEY SHIRE

Changes

527. Hon P.H. LOCKYER to the Attorney General representing the Premier:

- (1) Does the Government intend to alter the time zone for the Wyndham-East Kimberley Shire?
- (2) If so, does it intend to hold a referendum prior to changing the time zone with all residents of the Wyndham-East Kimberley Shire?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

(1)-(2)

The Shire of Wyndham-East Kimberley conducted a poll in conjunction with the May 1991 local council elections on the question of whether residents wanted the time zone altered to facilitate daylight saving. I am advised that the shire will be discussing the results of the

poll at the 20 June 1991 council meeting. At this time, the Government has no intention of altering the time zone for the Shire of Wyndham/East Kimberley.

AGRICULTURAL CHEMICALS - TOXIC AGRICULTURAL CHEMICAL DUMPS

536. Hon D.J. WORDSWORTH to the Minister for Police representing the Minister for Agriculture:

- (1) How many dumps of toxic agricultural chemicals have been established in Western Australia with the object of collecting from farmers those materials that are no longer acceptable to use within their industry?
- (2) In which years were they set up?
- (3) What quantities are involved?
- (4) Which chemicals are concerned?
- (5) How are these containers stored and has there been any deterioration in their condition?
- (6) What are the long term objectives in the management of these storages and chemicals?

Hon GRAHAM EDWARDS replied:

The Minister for Agriculture has provided the following response -

- (1) Three.
- (2) 1988.
- (3) 218 tonnes in total.
- (4) Organochlorines and arsenic.
- (5) Stored principally in 200 litre steel drums. Some of the arsenic is still in its original containers. There has been some deterioration and redrumming will be necessary.
- (6) The chemicals will be moved to the proposed integrated waste storage facility at Mount Walton.

PRISONS - CANNING VALE PRISON

Non-prison Officer Employees

548. Hon DERRICK TOMLINSON to the Minister for Corrective Services:

- (1) Are any personnel, civil servants or others, who are not prison officers required to work within areas of the Canning Vale Prison where prisoners are located?
- (2) If so, are any of them women?
- (3) Are such persons always accompanied by prison officers at all times?
- (4) If not, what measures are taken to protect them?

Hon J.M. BERINSON replied:

- (1)-(2) Yes.

- (3)-(4) It is not appropriate to publicly comment on security arrangements but I will advise the member of the detail in writing.

AUSTRALIAN BROADCASTING COMMISSION - BELMONT RACES, FOUNDATION DAY

No Race Broadcast

553. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Racing and Gaming:

- (1) Is the Minister aware that the Australian Broadcasting Commission did not

broadcast the Belmont races on Monday 3 June, the Foundation Day public holiday, to regional Western Australian areas?

- (2) As the ABC broadcast the Western Australian Football League football on that day, what was the reason for no race broadcast?
- (3) Will the Minister contact the ABC with a view to them giving an undertaking that in future local Ascot and Belmont races will be broadcast on public holidays?

Hon GRAHAM EDWARDS replied:

The Minister for Racing and Gaming has provided the following response -

(1) Yes.

(2)-(3)

I do not have any control over the content of the ABC's radio broadcasting, nor does the Totalisator Agency Board have any contract or arrangement with the ABC for the broadcast of races into regional areas. However, I have been concerned for some time at the lack of comprehensive radio broadcasts of racing outside the Perth metropolitan area. I have raised the matter with the Commonwealth Minister for Communications, Hon Kim Beazley, MHR, to support moves by the Totalisator Agency Boards Australia-wide to obtain special licences which will allow these country broadcasts to take place. In the meantime, I shall seek an explanation from the ABC as to why local races were not broadcast by the ABC into country areas on 3 June last.

BUNBURY TOWER - OFFICE SPACE *Private Interest Leases - Government Rental*

565. Hon BARRY HOUSE to the Attorney General representing the Treasurer:

- (1) Has office space in the Bunbury Tower recently been sublet by the State Government to private interests?
- (2) If so, how much and at what rental?
- (3) What rental is paid currently by the State Government to the owners of the building for this office space?

Hon J.M. BERINSON replied:

- (1) No. However, negotiations are proceeding with several parties.
- (2) The amount of space totals approximately 750 square metres, and rents are being negotiated.
- (3) The net rental is \$185.12 per square metre per annum, including car parking bays.

LAND ADMINISTRATION DEPARTMENT - MIDLAND BUILDING *Land Ownership*

572. Hon BARRY HOUSE to the Minister for Education representing the Minister for Lands:

- (1) Who owns the land upon which the new Department of Land Administration building will be located in Midland?
- (2) Who will own the building?
- (3) What rental will the Government be paying the owner for the office space?
- (4) In view of the widespread opposition to the move of the Titles Office from the Perth central business district, is the Government giving consideration to retaining that office in Perth, or upgrading the "shopfront" currently being offered?

Hon KAY HALLAHAN replied:

The Minister for Lands has provided the following reply -

- (1) The Shire of Swan.
- (2) The building owner and lessor is yet to be determined, but it is likely to be Allco Property Investments Ltd.
- (3) The financial arrangements are not finalised but the rent will be less than \$250 per square metre, including fit-out and relocation costs, in the initial lease period, commencing late 1993/early 1994. Fit-out and relocation costs are estimated to be approximately \$60 per square metre per annum, with net rent of less than \$200 per square metre per annum.
- (4) The purpose of establishing the Department of Land Administration in 1986-87 as an integrated land administration agency would be negated if the Office of Titles were to remain in the Perth central business district. The proposed CBD shopfront office will provide a wide range of services and products, and satisfy the needs of most clients. The department has consulted and will continue to meet with its major client groups to ensure that client concerns are addressed and resolved. Particular attention is being paid to the needs of clients of the Land Titles Division. Opposition to the relocation of the department to Midland comes from a number of sectional interest groups and some staff.

PASTORAL INDUSTRY - WATERBANK STATION

Resumption Intention

573. Hon BARRY HOUSE to the Minister for Education representing the Minister for Lands:

As negotiations over the sale of Waterbank Station, near Broome, have been conducted for about six years without resolution, will the Minister advise -

- (1) Is it now the Government's intention to resume the land by compulsory acquisition?
- (2) If so, at what value does the Government intend to resume the station?

Hon KAY HALLAHAN replied:

The Minister for Lands has provided the following reply -

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

INDUSTRIAL DEVELOPMENT - SITES ESTABLISHMENT COMMITTEE

Departmental Representatives

576. Hon GEORGE CASH to Hon Tom Stephens representing the Minister for State Development:

Which departments will be represented on the committee recently announced by the Government to be established to help choose and develop sites for major industrial development?

Hon TOM STEPHENS replied:

The Minister for State Development has provided the following reply -

I refer the member to question 68.

OFFICIAL CORRUPTION COMMISSION - ADDITIONAL POWERS

Opposition's Bill

586. Hon P.G. PENDAL to the Attorney General representing the Premier:

- (1) Is it the Government's intention to proceed with the Opposition Bill to give additional powers to the Official Corruption Commission in the current session?

(2) If not, why is the Government resisting efforts to give the OCC extra powers?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

(1)-(2)

The Government provides ample opportunities for private members' business. No other Government in Australia is as generous with private members' time. This Bill was introduced to the Legislative Assembly on 15 May, but the Leader of the Opposition still has not bothered to give the Bill a second reading, although he has had several opportunities to do so. The Government cannot proceed with a Bill which the Leader of the Opposition attaches so little significance to that he cannot be bothered to explain it to the House.

SOUTH WEST DEVELOPMENT AUTHORITY - "WOMEN IN THE 90s" CONFERENCES

Western Women Financial Services Pty Ltd

588. Hon BARRY HOUSE to the Minister for Police representing the Minister for South West:

- (1) Have conferences titled "Women in the 90s" been organised by the South West Development Authority?
- (2) If so, what were the dates and venues of such conferences?
- (3) Was the Western Women investment group represented at any of these conferences or the accompanying workshops?
- (4) Have the lists of women attending these conferences been made available to any person or organisation?

Hon GRAHAM EDWARDS replied:

The Minister for South-West has provided the following reply -

- (1) The advisory committee to the South West Development Authority organised the conference with the assistance of SWDA staff.
- (2) 19 May 1990 at the Bunbury campus of Edith Cowan University.
- (3) Yes.
- (4) No.

CUNNINGHAM, MR E. - SURF HOUSE *Polling Assistance Work - Government Payment*

590. Hon PETER FOSS to the Attorney General representing the Premier:

I refer to the answer given on 5 June 1991 to question on notice 538. In view of the fact that I have information that Mr E. Cunningham was, during the month leading up to the election, and during the period of the day when he was required to render services to the State and for which he was paid by the State, actually working at Surf House assisting in the polling of voters with a polling company associated with the Australian Labor Party and financed through the leader's account, will the Premier investigate -

- (1) Whether Mr Cunningham was so working while being paid for that time by the State?
- (2) If so working, what hours were worked and so paid for and how much was paid?
- (3) Whether any other persons employed in the Premier's Department were so engaged whilst being paid by the State?
- (4) If so, what hours were worked and so paid for and how much was paid?

Hon J.M. BERINSON replied:

(1)-(4)

If the member advises me the basis of his information, I will have the matter investigated.

QUESTIONS WITHOUT NOTICE

STATE GOVERNMENT INSURANCE COMMISSION - ALLWOOD FURNITURE HOLDINGS LTD *Shares Purchase*

332. Hon GEORGE CASH to the Attorney General representing the Treasurer:

I have given notice of the question.

- (1) Did the State Government Insurance Commission purchase a significant shareholding in Allwood Furniture Holdings Limited during 1987 or 1988, and, if so, will the he provide details of the purchase including the date of the purchase of the shares, the cost of the relevant purchases, and the date of sale of the shares and the sale price of the relevant shares?
- (2) What investigations did the State Government Insurance Commission make in respect of the profitability of the company prior to the purchase of the shares?
- (3) Does the State Government Insurance Commission hold any of these shares at present and, if so, how many shares does it hold and what is the current value of those shares?

Hon J.M. BERINSON replied:

The Treasurer has provided the following reply:

The information sought by the member is not readily available. The question will be answered later this week.

MOTORCYCLES - RIGHTS ON LIGHTS CAMPAIGN COMMITTEE

333. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

I have given notice of this question. Will the Minister meet with representatives of the Rights on Lights Campaign Committee to discuss funding opportunities in the preparation of a submission by the Rights on Lights Campaign Committee in relation to the Government's proposal to require motorcycles to have their headlights on while being used during daylight?

Hon GRAHAM EDWARDS replied:

I thank the member for prior notice of the question and am advised as follows -

The Rights on Lights Campaign Committee should provide the Minister for Transport with a written submission. She will be happy to consider any requests.

MOTORCYCLES - RIGHTS ON LIGHTS CAMPAIGN COMMITTEE

334. Hon GEORGE CASH to the Minister for Police:

Will the Minister give consideration to allowing representatives of the Rights on Lights Campaign Committee to examine the records of motorcycle accidents for the past five years to enable meaningful discussions on motorcycle safety to take place with police officers?

Hon GRAHAM EDWARDS replied:

I thank the member for notice of the question. I suggest that the Rights on

Lights group proceed not through political channels but direct to the Commissioner of Police who I am sure will be more than cooperative.

EDUCATION MINISTRY - NARROGIN AGRICULTURAL COLLEGE
Girls Boarding Facilities

335. Hon MURRAY MONTGOMERY to the Minister for Education:

My question relates to a letter I received from a constituent. Will the Minister consider providing additional boarding facilities for girls in the next financial year at the Narrogin Agricultural College in light of the fact that there has been a doubling of the number there in the last two years and a further increase is expected next year?

Hon KAY HALLAHAN replied:

Adequacy of accommodation for girls at the Narrogin Agricultural College has been raised with me. The Ministry of Education is now looking at this matter to see what is needed. It will consider also projections for the college and make recommendations on how the matter can best be dealt with.

TAFE - CARINE TAFE CAMPUS
Child Care Centre

336. Hon REG DAVIES to the Minister for Education:

It has come to my attention that the Carine College of Technical and Further Education's child care centre, which was built by funds provided by the Federal Government, will not be opened and will not be taking the staff provided by the Western Australian Ministry of Education on 22 July as scheduled. Is that the case? If not, will the Minister explain why the child care centre will not be opened as planned, considering that staff have been interviewed and selected?

Hon KAY HALLAHAN replied:

This matter has not been brought to my attention. I understood the staff were being selected and that the centre would become operational. I am not sure, therefore, on what the member bases his allegation.

TEACHERS - WAGE INCREASE PROPOSAL
Three Hours Work Extension

337. Hon N.F. MOORE to the Minister for Education:

- (1) Is it the Minister's intention for teachers to work an additional three hours a week?
- (2) If so, will the Minister explain how she intends to implement the decision?
- (3) Will the decision save money, and, if so, how?

Hon KAY HALLAHAN replied:

(1)-(3)

The matters referred to by the member have been discussed in the media today. Meetings between the Ministry of Education and the State School Teachers Union are under way. I understand that both parties are negotiating their respective positions. One of the matters being discussed is a move to a salary of \$38 000 a year for teachers. I do not propose to comment any further because it is important that the negotiations take place in the appropriate forum.

SWY THEATRE CO INC - GRANT OF \$190 000
Grant of \$300 000 - Artistic Director Employment

338. Hon P.G. PENDAL to the Minister for The Arts:

- (1) Was the Swy Theatre Co Inc originally offered \$190 000 as part of its annual grant with no strings attached?
- (2) Was the Swy Theatre then offered \$300 000 if it would employ a certain artistic director?

Hon KAY HALLAHAN replied:

(1)-(2)

We have explored this matter in question time previously. However, I will go through some of it again. I do not remember the sequence of the submissions. However, more than one has been provided by the Swy Theatre this year because of different arrangements in theatre companies. I presume Swy would have based its submission on the program carried out in the previous year or on the program proposed to be carried out next year. I understand that the theatre company had discussions with some people who were interested in seeing an expanded program through the Swy Theatre. That I understand would have involved the participation of a particular producer. A proposed budget of approximately \$300 000 was based on the program proposed to be delivered to the community by the Swy Theatre.

THEATRE COMPANIES - FUNDING

339. Hon P.G. PENDAL to the Minister for The Arts:

Has a waiving of the funding rules for theatres come about by virtue of any discussions that the Premier has had with the Minister?

Hon KAY HALLAHAN replied:

For those who do not have much contact with the theatre world, I indicate that considerable discussion has taken place about the new State Theatre Company and a number of other matters associated with the provision of theatres and the funding of them in Western Australia. The member's question alludes to some of the discussion, which one could describe as scuttlebutt, that has taken place about that topic. The programs that have been put forward to the Department for the Arts for funding have been based on very reasonable grounds. There has been no interference by the Premier in this matter.

Hon P.G. Pendal: Did the Premier approach you?

Hon KAY HALLAHAN: I doubt very much whether the Premier has a detailed knowledge of the funding of theatre companies, or that she would have any involvement at that level. In short, the answer to the member's question is no, but, as the whole theatre issue has been in a somewhat unsettled state for some time, I thought it would be of interest to members if I outlined the situation that has led to questions such as this being asked.

BUSES - SCHOOL BUSES

4.5 Kilometres Charge

340. Hon MURIEL PATTERSON to the Minister for Education:

Will children living 4.5 kilometres or more from the nearest public school be required to pay fees for travelling on school buses?

Hon KAY HALLAHAN replied:

I am not sure from where that question emanates, but it appears a lot of people are discussing many subjects with members of this House, which is a healthy thing. I invite the member to put that question on notice and I will obtain a reply for her.

TAFE - CARINE TAFE CAMPUS

Child Care Centre

341. Hon REG DAVIES to the Minister for Education:

In view of the fact that a member of the Carine College of Technical and Further Education claims to have been advised yesterday by an officer of the Ministry of Education that, due to lack of funds, the Carine TAFE child-care centre will not go ahead as planned, will the Minister undertake to investigate -

(a) whether this statement was made;

- (b) whether it is correct; and
- (c) if it is correct, will the Minister make a statement to the House explaining the decision?

Hon KAY HALLAHAN replied:

I do not mind following up this matter but I advise that the Ministry of Education is not responsible for TAFE establishments. If any communication took place, it would have been initiated by the Department of Technical and Further Education to the TAFE institution. I will have the matter followed up.

THEATRE COMPANIES - FUNDING

Employment Conditions

342. Hon P.G. PENDAL to the Minister for The Arts:

Is it Government policy for it or the Department for the Arts to place conditions on theatres, by which they accept funds depending on whom they employ?

Hon KAY HALLAHAN replied:

I understand it is usual for conditions to be placed on funding. Programs are put forward in a submission for funding and negotiations take place with the Department for the Arts about the level of funding and the program to be provided.

Hon P.G. Pendal: Do you put the acid on whom they might employ?

Hon KAY HALLAHAN: I have never heard of that happening. I take it that the member is referring to the Swy Theatre Co Inc situation; a division occurred on the Swy board because some members wanted to bring in another producer to expand the range of productions. In the end, a dispute occurred about going down that track and Swy is not now proceeding in that direction. That is for the theatre companies to work out themselves.

Hon P.G. Pendal: They do not get any interference?

Hon KAY HALLAHAN: Not about producers.

MARINE AND HARBOURS DEPARTMENT - ALBANY

Employee Dismissal

343. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Was an employee of the Department of Marine and Harbours, Albany, recently stood down or dismissed and, if so, what were the circumstances surrounding his dismissal?
- (2) Was the employee referred to in the above question recently reinstated or re-employed by the Department of Marine and Harbours, Albany, and, if so, what were the circumstances surrounding such reinstatement or re-employment?

Hon GRAHAM EDWARDS replied:

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

CAR THEFTS - KALGOORLIE, PORT HEDLAND, BUNBURY, AND ALBANY DISTRICTS

344. Hon GEORGE CASH to the Minister for Police:

How many car thefts have been reported in the Kalgoorlie, Port Hedland, Bunbury and Albany districts from 1 July 1990 to 31 May 1991?

Hon GRAHAM EDWARDS replied:

I thank the member for prior notice of this question. However, the information he seeks is not yet available. I therefore invite him to put the question on notice.

TEACHERS - WORK HOURS
Three Hours' Work Extension

345. Hon N.F. MOORE to the Minister for Education:

- (1) Is it correct that Western Australian teachers on average work longer hours than their counterparts in other States?
- (2) What is the rationale behind the Ministry of Education's proposition that teachers be required to work an extra three hours a week?

Hon KAY HALLAHAN replied:

(1)-(2)

If the member will put that question on notice, I will have the matter dealt with.

SCHOOLS - GIRRAWHEEN SENIOR HIGH SCHOOL
Roof Leaks

346. Hon REG DAVIES to the Minister for Education:

Is it correct that the Girrawheen Senior High School has reported a rapidly increasing number of leaks in its roof - they now number 80 - and that water is leaking onto sensitive electronic equipment?

Hon KAY HALLAHAN replied:

I am not aware of there being a record number of leaks in the roof of the Girrawheen Senior High School.

Hon J.M. Berinson: What was the previous record?

Hon P.G. Pendal: The leaks in the Cabinet!

Hon KAY HALLAHAN: This could go into the *Guinness Book of Records*! If the member is concerned about the leaks in the roof of the school, he should write to me and the matter will be investigated. However, in the last few weeks two Opposition members have raised issues with me on a very confident basis about things being wrong in schools in their area, but when these matters were investigated, the situation was not as I had been informed. I caution members not to bring me inaccurate information, because I will not follow it up. I will arrange to have this matter investigated, but members should not waste my time with inaccurate information.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT
AND OTHER MATTERS - MINISTERS' LEGAL COSTS**
Government Funding - Attorney General's Input

347. Hon P.G. PENDAL to the Attorney General:

- (1) Did the Attorney General have an input into the Government's decision to help fund the legal costs of Ministers and/or ex-Ministers appearing before the Royal Commission?
- (2) If so, did he also have an input into the Government's decision not to pay the costs of Councillor Norma Rundle in her appearance before the High Court in relation to the Hepburn Heights issue?

Hon J.M. BERINSON replied:

- (2) To take the second part of the question first, I frankly cannot remember whether this matter has come to my attention other than by way of question in this House. To the best of my recollection, the question here was the only occasion on which the issue has been drawn to my attention.
- (1) At one stage or another all members of Cabinet have been involved in establishing the general guidelines by which legal funding is made available to Ministers and public servants. To the best of my recollection, I have not been involved with decisions about individual cases that have been funded for the purposes of the Royal Commission. Again, some of those cases may have come to my attention, but I am not the authorising authority for them.

ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT
AND OTHER MATTERS - SHAND, MR ALEC

Legal Fees - Government Payment

348. Hon PETER FOSS to the Attorney General:

- (1) Is the State paying any part of the fees of Mr Alec Shand, QC for representing Mr Brian Burke at the Royal Commission?
- (2) If so, does that include his costs, time for travelling, and accommodation in Western Australia?
- (3) Was there no suitable legal representation in Western Australia?
- (4) Does the Government have any guidelines for the preference of employment of Western Australians rather than of Eastern States counsel?

Hon J.M. BERINSON replied:

- (1) I do not know.
- (2)-(4) Not applicable.

LEGAL AID - APPLICANTS

Priority Guidelines

349. Hon DERRICK TOMLINSON to the Attorney General:

In the allocation of scarce financial resources for legal aid, are applicants who have pleaded not guilty to criminal charges given priority over applicants who have pleaded guilty to such charges?

Hon J.M. BERINSON replied:

The Legal Aid Commission now comes within the authority of the Minister for Justice, and questions about the current guidelines of the commission should accordingly be directed to him on notice.

ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT
AND OTHER MATTERS - SHAND, MR ALEC

Legal Fees - Government Payment

350. Hon J.M. BERINSON :

Mr President, I take this opportunity to elaborate on my earlier response to Hon Peter Foss. I should make it clear that it is well known generally, and certainly it is known to me, that Mr Burke's representation before the commission is funded by the Government. In indicating that I did not know the answer to the first part of Hon Peter Foss' question, I was indicating that I had no knowledge of Mr Shand's role in that.

Hon Peter Foss: You must know whether there are guidelines.

Hon J.M. BERINSON: Yes, of course there are guidelines. They have been tabled in this House.

QUESTION ON NOTICE - No 126

Answer Tabling

351. Hon J.M. BERINSON :

Mr President, I seek your indulgence for a moment to enable me to indicate that at the last sitting of the House Hon Barry House asked me to chase up the answer to his question on notice 126. I seek leave to table that answer because it covers several pages, all in the form of tabulations.

Leave granted. [See paper No 417.]