Legislative Council

Wednesday, 24 June 1987

THE DEPUTY PRESIDENT (Hon. D. J. Wordsworth) took the Chair at 11.00 am, and read prayers.

MIDLAND SALEYARD SELECT COMMITTEE: WITNESSES

Offences: Motion

On motion by Hon. Neil Oliver, leave granted to move Notice of Motion No 1 at 2.30 pm.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Reports

HON. MARK NEVILL (South East) [11.03 am]: I am directed to present the thirteenth and fourteenth reports of the Standing Committee on Government Agencies.

The thirteenth report is the committee's final report on its review of the law and procedures relating to the resumption of land by Government agencies in Western Australia. The report marks the end of the longest and most complex review undertaken by the committee. A draft version of this report was released for public comment in August 1986, and it was gratifying for the committee to note that the report stimulated considerable interest and that the committee's proposals were generally well received. This report closely follows the earlier draft.

The resumption of land is one of the most significant powers which a Government can exercise against its citizens. It is a subject which involves not just economic considerations but emotional ones as well.

It became very clear to the committee during the course of the inquiry that the existing laws and procedures—dating as they do from nineteenth century English legislation—are inadequate and in need of replacement. The specific matters of most concern to the committee were—

the lack of uniformity in the law relating to resumption of land;

the antiquated drafting style of the Public Works Act 1902;

the degree to which existing legislation disadvantages landowners in dealings with acquiring authorities; and the methods of assessing compensation for the resumed land.

Each of these matters is addressed in the committee's 29 recommendations.

If the committee's recommendations were implemented, the resumption of land would be quicker, fairer, and probably less common. It is the committee's view that proper planning and consideration of the cost effectiveness of resumptions would diminish many of the problems currently encountered.

The three major recommendations of this report to which I wish to draw the attention of the House are—

the introduction of a new uniform land acquisition Act to cover all resumptions by all agencies;

the creation of a new right of appeal against decisions by the bureaucracy to resume private property; and

compensation for resumption of a person's principal place of residence—including family farms—based on replacement value rather than mere market value.

The fourteenth report of the Standing Committee on Government Agencies is a review of the agencies involved in the State's coal industry. It may surprise some members to know that there are more Government agencies involved in the coal industry than in any other single industry in this State. All of these agencies were established in the 1940s and they have been subject to limited external scrutiny and performance assessment.

The committee's review assessed the role, operations, and performance of each of the agencies. The committee has made recommendations for changes to most of the coal agencies, including—

(a) changes to the constitution of the Board of Examiners and Coal Miners' Welfare Board;

(b) abolition of the Coal Mines Accident Relief Fund Trust; and

(c) replacement of the boards of reference with a more suitable mechanism for dealing with minor industrial disputes.

As a result of public submissions, the committee also examined in detail the circumstances surrounding the 1985 amendments to the Coal Mine Workers (Pensions) Act 1943.

These amendments provided for the commutation to lump sums of fortnightly pensions received by mine workers who retired prior to 1 December 1979.

The committee's report is critical of the role and performance of the pensions tribunal in the formulation of these amendments. The committee decided that, amongst other things, the tribunal did not understand the provisions of the Act which it was responsible for administering, and that procedures adopted by the tribunal were deficient.

The committee accepted that some pensioners suffered financially because of the tribunal's actions. As a result, the committee has recommended that the Minister for Minerals and Energy should require his department to examine, as a matter of urgency, the most equitable way of compensating these pensioners.

I commend these reports to the House and I move—

> That the reports do lie upon the Table and be printed.

Question put and passed.

ACTS AMENDMENT (LEGAL PRACTITIONERS, COSTS AND TAXATION) BILL

Introduction and First Reading

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

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL

Second Reading

Debate resumed from 16 June.

HON. C. J. BELL (Lower West) [11.10 am]: The Opposition indicates its support of the Bill before the House. Of course, it is simply an updating of the penalties in the Prevention of Cruelty to Animals Act, and it is well and truly time that those penalties were increased. There is no doubt that anybody who inflicts cruelty on dumb animals deserves to be penalised for doing so.

There are some interesting sidelights to this issue. Currently in our community much has been made of the animal welfare lobby which claims that many normal farming practices can be equated to cruelty to animals. Certain factors must be kept in mind when the Minister's foreshadowed reappraisal of the Prevention of Cruelty to Animals Act takes place. We need to be sure that we do not try to impose standards on the animal industry on the basis that some animal liberationists assume that animals are the same as humans and should be treated in the same way. I have the best intentions in saying that.

One of the interesting sidelights of reading the Act is that section 23 provides—

> Every person who is employed in the killing of any animal for the purpose of disposal as food for animals or the killing of decrepit animals shall conform to the following regulations—
>
> (5) No animal shall be killed in the sight of any other animal awaiting slaughter.

That is an oddity in the Act when one considers normal slaughtering procedures in abattoirs. The action referred to in that section of the Act frequently occurs in a knackery. I do not believe this provision applies in a slaughterhouse, and I ask the Minister to take this on board when the Act is reviewed. I am not suggesting that animals should be killed willy-nilly, but that restriction appears to differ from the practices which apply and will still apply in a reasonable fashion, given the nature of the industry.

At times it would be impractical to conform to this requirement. For example, a farmer may have an animal which has broken its leg and, although the animal is of substantial value, because of the nature of the injury it has to be destroyed. It is common practice for farmers to call in the knackery truck in such cases to deal with the animal while it is in the paddock, since it cannot be moved. Obviously, other animals will also be in the paddock while the injured animal is disposed of as quickly and humanely as possible. Perhaps under section 23(5) that could be considered illegal.

There are other instances. For example, most of us have at one time visited the abattoirs and will be aware that it would not be possible to conform with this provision in slaughterhouses, particularly with small animals. Even worse conditions apply in poultry slaughterhouses where they grab the birds, put them on an endless chain, and the section knife comes along and decapitates the birds in a mechanical fashion as they pass by. I am glad the President is not here during my speech because his well-being might be affected by the subject we are discussing. However, it is part and parcel of the Prevention of Cruelty to Animals Act, which is very important for the humane treatment of livestock at all levels.

The intention of the Bill to increase the penalties to ensure that those who perpetrate acts of cruelty on animals are penalised, is applauded by the Opposition. We shall be looking in the future for the Minister's foreshadowed review of the Act. As a person involved in farming, I shall look closely at the legislation to ascertain what effect it might have on commercial operations in this State without impinging on the principle that dumb animals must be protected from so-called intelligent human beings.

The Opposition supports the Bill.

HON. H. W. GAYFER (Central) [11.17 am]: This Bill increases the penalty generally from $200 or six months in gaol to $5 000 or one year in gaol. The main message we get is that the Minister has foreshadowed a major overhaul of the Act; that generally is embraced in the Bill.

I notice that in the Minister's second reading speech he said—

> However, a separate issue from that general overhaul of the Act is the need for immediate attention to be given to updating the maximum penalty for the offence of cruelty to an animal.

Note the word "cruelty". He continued—

> Members will be aware of recent public criticism of inadequate penalties being imposed for cruelty offences, . . .

I have looked through the Bill and nowhere can I find a definition of the word "cruelty". We are a little perturbed, especially after reading in the newspaper of a certain person who was censured because sheep died in his paddock, allegedly from lack of attention, following a presumed attack of lupinosis. I could not find the article this morning, but if my memory serves me right, it stated—one would expect this to have come from an authority of the RSPCA—that a person who runs stock should at least inspect the animals every day. If the fact that one does not go around one's animals every day is part of the definition of cruelty to animals, perhaps we had better look at it. The Minister put this twice in his second reading speech as the reason for what we are doing in this Bill. The lack of definition of cruelty really perturbs me, and whether we should or should not gaol for cruelty.

What is the definition of cruelty? Is it not going around one's sheep every day? It is absolutely impossible for a station owner to go around his stock every day. If his sheep are lambing, he does not go around them every day. On my farm nobody is allowed near them, because we have worked out that the best husbandry is to leave them alone as much as possible.

When a lamb is found half out of its mother, do we put a foot on its neck to hold the sheep, gently keeping the sole behind the jaw of the sheep, and pull the lamb out? Is that cruel, or are we doing something towards helping that sheep? Or do we put a hand into the vagina to push the legs back, or even cut the dead lamb up to extract it? Is that cruelty to the sheep?

I know this is gory, but it is the truth. That is what is not understood. If we find a prolapsed womb in a sheep, what do we do? Do we try to knead it back to where it should be? If a sheep is badly blown with maggots, do we pull the wool off, put emulsion on it, and rub it in with our bare hands? That is the best way to get rid of maggots. A paintbrush is no good. We stir it up and rub it into the beast. Is that cruelty to an animal?

To prevent maggots we mules the sheep. Is that cruelty? No more than my being circumcised. What is the difference?

Hon. B. L. Jones: If you don't know, I'm not going to tell you.

Hon. H. W. GAYFER: Or the honourable member being circumcised, as happens in some African countries. What about that?

The definition of cruelty upsets me, because it is not in the Bill. We love our animals. If a dog bites a sheep he gets a bullet. If anybody kicks an animal, on our place he gets the bullet. Do not worry about that. If a shearer cuts a sheep we go down and say to him, "That is the first time; there is no second time. Out." We love our animals, but when fines are imposed for "cruelty", which has no definition, we get upset.

Some poor bloke at Gingin was castigated because his sheep were dead in the paddock from lupinosis. This can happen in a few hours, and they cannot be shifted.

What happens if one has enrotoxaemia or pulpy kidney in one's flock? Does one run up and shift them? What if they have box poisoning, or York Road poisoning? Does one shift the sheep? We leave them or they will die.

Hon. J. M. Brown interjected.

Hon. H. W. GAYFER: Mr Brown is quite right. He has seen it. When they die they must be lifted up because they will only disturb the others and knock more down.

Hon. T. G. Butler: You have convinced me.

Hon. H. W. GAYFER: I do not bring all this up to put before the House the sad life we have to follow at times. I am being practical in what I am telling members, because this could be construed by some people as being cruel. It is not cruel. If one wants to save the lives of the animals, these things must be done.

It has been proved that mulesing is the best way to take away blowfly strike. We have just mulesed our entire crop of lambs. I would be most annoyed if a straggler harboured maggots and transmitted the worst type of strike, which is body strike, because the sheep cannot possibly get at it under the armpits and on the back of the spine. The sheep cannot help itself. If it is around the crutch, at least it can keep them at bay until such time as it can be treated.

We will support the Bill, but we are very upset at the lack of a definition of cruelty. We believe that the censure of some officers of the Royal Society for the Prevention of Cruelty to Animals is totally without realism. Some of the people who advance the cause of the RSPCA—and I am a member; do not worry about that—get carried away with the whole business. When we bring a truck load of sheep down to Perth, a sheep might go down. The odd person may need stopping in his tracks for some misdemeanour, but heavens above, do not start looking at dead sheep in paddocks from the side of the road, because it might be the result of lupinosis.

The worst disease outbreak in our district is rye grass toxicity. My neighbour lost 1 000-odd sheep, and he was a farmer, not a station owner. They were dropping like flies. Anyone driving along the road would have thought it criminal. It was sad, but what can one do? There is no known remedy anywhere in Australia. It has been in Tasmania, Sir, where you originated, since 1935, and some suspect it was there before that. They have still not got on top of it, yet if the scourge hits, one can lose 200, 300, or 400 sheep from a paddock overnight with no warning at all. Anyone driving along the road would see them with their feet in the air. They swell up and pop. They do not look comfortable at all, and they are very dead.

What are we expected to do? Are we expected to drive those sheep? What would Mr Stretch do? Would he disturb the sheep, or try gently to ease them out? It can happen overnight, but we do not go around every flock every day. No farmer would do that. Furthermore, I could not afford to have men on my place going around 70 to 80 paddocks every day. There would not be enough time to open every gate, let alone cover the distance or look at the sheep. Let us be practical and keep our feet on the ground in respect of these issues.

We will go along with what the Government wants in this Bill, but for God's sake let us look at this word "cruelty". The Minister in this place should talk to the Minister in charge of the Bill and say, "We have to make sure that the word 'cruelty' is not being overplayed." Sometimes one must be cruel to be kind to sheep. One may be putting a needle in them, crutching them, or cutting throught the penis up to the scrotum to get a stone out of the bladder before the sheep dies, draining the bladder so that it does not burst. All these things are essential, yet they do not sound too good when they are talked about. It is all part of farming and tending our sheep, and it is done all over the world.

Hon. P. G. Pendal: I agree. I am also from an old farming family.

Hon. H. W. GAYFER: It has to be done, and I have not even gone into the real gory subjects. If members want me to talk about delivering a calf out of a cow and pulling the calf with a rope tied to a truck to try to ease it out, I will go into details, do not worry about that; but I am not going to do that at this stage. All I am dealing with are some of the very minor things that we have to do that it is impossible to get a vet for. What would be the condition of the sheep, or otherwise, by the time the vet got there?

This Bill is really only half a Bill because it imposes a whacking big fine and then does not define the word that is involved in order to impose that fine. We reluctantly support the Bill, and I say reluctantly because the definition that some people place on the word "cruelty" is really getting out of hand.

HON. W. N. STRETCH (Lower Central) [11.32 am]: Hon. H. W. Gayfer has put his finger literally on the problem, and it really does boil down to the question of definition. The Minister would be aware that we are not dealing with definitions at this stage, but because of the situation that Hon. H. W. Gayfer has outlined regarding what I would call lightning strike diseases, which can strike suddenly and are quite beyond the control of the stock owner, I urge the Minister to define "cruelty" when he does rewrite this Bill. I am not a lawyer, but I suggest that one has to look at including the terms "wilful cruelty" and "wilful neglect", because with the sheer numbers of stock involved and the large areas of

country over which a lot of the stock are run, it is quite impractical, as my colleague has very ably and vocally put forward, to—

Hon. H. W. Gayfer: What I said was the truth. I am not exaggerating.

Hon. W. N. STRETCH: Yes, absolutely! I thank the member for not going into details of delivering calves and replacing cattle prolapses, which I have done, for four or five hours sometimes. That is hard work, but it is rewarding. I think we have to bear in mind that every time we try to save an animal, we learn a bit more, even if we fail, and become better informed and more experienced for the next time.

I urge the Minister to consider the definition of "cruelty", and I think the word "wilful" before the words "cruelty" and "neglect" is the important word. Accidents or unfortunate incidents will occur, like the one that Hon. H. W. Gayfer outlined in the Gingin area, and even with the best will in the world, no-one will ever be able to prevent all of those. However, I bring that to the Minister's attention and ask him to have those words written into the Act when this rewrite does take place, so that everybody knows where they are and we do not get inspectors bringing charges which border on the frivolous because they do not understand the situations faced by stock owners.

HON. GRAHAM EDWARDS (North Metropolitan—Minister for Sport and Recreation) [11.35 am]: I thank members opposite for their support and for their contributions to the debate on this Bill, and I will certainly convey their thoughts to the Minister for his attention during the course of the forecast overhaul of the Act. We have centred on the situation as it affects the country, which is appropriate, but we should not lose sight of the fact that some dreadfully cruel acts are committed on dumb animals in the city, and we need to take that broad view as well.

Hon. H. W. Gayfer: I acknowledge that also.

Hon. GRAHAM EDWARDS: Yes, that is fair enough. I really feel this is not the time or the place to attempt to define "cruelty." It is simply too broad an issue to canvass during debate on this amendment. I would not hesitate to say either that it would be difficult in this or any other place to define "cruelty" to the satisfaction of everyone, because we all have different views. My own view would be to define "cruelty" by saying "needlessly inflicting pain or suffering". I know that the *Australian Pocket Oxford Dictionary* defines "cruel" as—

> 1. *a.* callous to or delighting in others' pain; painful, distressing.

I do not doubt that many other definitions could be brought forward.

I thank members opposite for their support of the Bill, and I will draw their comments to the attention of the Minister. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. Graham Edwards (Minister for Sport and Recreation) in charge of the Bill.

Clause 1: Short title—

Hon. H. W. GAYFER: I take the Minister up on the words he used, that this was not the place or time to define "cruelty", because if a Bill like this goes through this Chamber, and the legislation fines or gaols people for cruelty to animals, if this is not the time to define "cruelty", when is the time? It is as simple as that.

I have no intention of pursuing the matter any further, but the definition the Minister gave from the dictionary, which included the word "callous", might be the type of definition we are looking for, but somewhere along the line the categories of "cruelty" have to be noted. I will tell members why we on this side of the Chamber are requesting that be done. Firstly, we have the right to speak on this clause of the Bill because the word "cruelty" concerns the establishing or otherwise of a fine. Secondly, the Minister's Government recently allowed, under what I think was the Interpretation Act—

Hon. P. G. Pendal: Yes, that is so.

Hon. H. W. GAYFER: —the Minister's words in the second reading speech to be a guide to judges and to be accepted in court cases as indicating the intention of the Bill. We are now expressing our views, and saying what we believe is our summation of the word "cruelty", and are saying that the word is not defined. That will all be taken on board some day when the Act is looked at, and people will see that there is no definition of "cruelty", and they will have to go back to the debate on this particular Bill to find out what was said about

cruelty. Therefore, this is the time to raise it and to establish it in *Hansard*, and I think this is the place to query the definition of the word "cruelty" as we see it.

Hon. V. J. Ferry: Do you think the Government is being cruel?

Hon. GRAHAM EDWARDS: I shall not labour the point, and I take the points the honourable member is making. I am simply saying the attempt to define that is best left for the overall review of the Act. I still feel we will have difficulties in trying to define it here. I wonder whether people in the community generally understand the need of farmers to husband their stock humanely. We could get into all sorts of difficulties in trying to determine that, but we will have that opportunity at a later stage and I suggest that that is probably the best place to attempt it in any event.

Clause put and passed.

Clauses 2 to 6 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. Graham Edwards (Minister for Sport and Recreation), and passed.

LOCAL GOVERNMENT AMENDMENT BILL

Second Reading

Debate resumed from 17 June.

HON. N. F. MOORE (Lower North) [11.42 am]: The Local Government Amendment Bill is probably better debated and argued about in the Committee stage. Essentially, it concerns a variety of amendments which are in some ways unrelated to each other, so it is probably more appropriate to discuss each one individually in a Committee situation. However, I want to make a few general comments about some of the more important alterations proposed within the Bill, and to indicate the Opposition's views about the proposed changes.

The Minister indicated in his second reading speech that it was the intention of the Minister for Local Government to rewrite the Local Government Act. During my time in Parliament, while I have taken an interest in local government, I have not taken a particular interest in the Act. Having in the last few days done just that I can see some merit in the argument that it should be rewritten, and in fact I think a much smaller version would not be a bad idea. The Opposition supports the proposition that the Act be rewritten, purely from the point of view of its very large size and the complexity of the matters contained therein.

However, I would not want the Government to think that by accepting a rewrite we might accept some radical and drastic changes in direction in local government that could be contained in that rewrite; but a rewriting of the Act would be a good opportunity for members of Parliament to consider the whole question of local government and its relationship with the other spheres of government. I hope that any rewrite of the Act encompasses a consideration of the division of power that exists between Federal, State, and local government in Australia.

Many of the problems we have in this country are caused, in a sense, by demarcation disputes between the various spheres of government, and this Bill, as I will discuss in a moment, relates to one of those demarcation disputes, if I may use that term.

The Bill before the House seeks as its general thrust to provide more autonomy and wider powers to local government. On the surface that is a laudable objective but when we look at the Bill and go through the details of it, we see that it does not really give away much and in some cases it gives with one hand and takes away with the other. The Bill also seeks to give powers to local authorities which would, in effect, lead to a triplication of services in the community, and in my view that is an inefficient way for government to operate.

The first major change in the Bill relates to the decision by the Government to allow local authorities to be involved in the provision of welfare services. This proposal has been before the House previously and, quite rightly in my view, was rejected on the last occasion. The Bill demonstrates the potential for duplication or even triplication of government functions to occur under the guise of giving local authorities more autonomy. Australia has a system whereby welfare is essentially a responsibility of State Governments. The Federal Government became involved in welfare to the extent that constitutionally it has the power to issue pensions, and by other methods and by virtue of the use of the purse strings the Federal

Government has involved itself to a fairly large extent in welfare in Australia; but constitutionally welfare is a State responsibility.

It is important in my view that all spheres of government have clearly delineated areas of responsibility and clearly delineated powers. Regrettably, over the 80-odd years since Federation this division of power has been blurred, and the Commonwealth Government has been usurping powers at the expense of the States ever since Federation. The High Court has been the main vehicle for this transfer of power. When we consider the number of referendums that have been passed in this country since Federation, we are led to the conclusion that the people of Australia have not sought or agreed with many of the changes proposed by politicians from time to time; but the High Court, by its rulings, has interpreted the Constitution in such a way that it has quite dramatically increased the power and responsibilities of the Commonwealth at the expense of the States.

The Constitution specifies the powers of the Commonwealth and therefore indirectly specifies the powers of the States. The Local Government Act specifies the powers of local government. When we look at those three spheres, we see that the only sphere of government which does not have a document which says, "These are your powers", is the State sphere. Local government itself is a creature of State legislation, so while people argue that it is a sphere of government, and while I am using that term today, it is in fact an arm of the State sphere, if I can use that expression, and the State Parliament has the responsibility of deciding the powers of local government.

This Bill is seeking in part to give local authorities responsibility for the provision of welfare services, so what the Government is seeking to do is to write into the Local Government Act a new power or responsibility for local government.

In relation to this question of the division of powers, we should endeavour to get a broader overview of just where government in Australia is going so we do not have a consistent and constant argument about who should be doing what. There is considerable public debate at the present time, emphasised by the current Federal election, about the duplication and triplication of spending. We have a situation where there are three spheres of government all involved in the same area of responsibility. It happens by necessity that there is a triplication of effort. It is my experience that this leads to inefficiency in the provision of services that government is seeking to provide.

The Fraser Government set up a committee called the committee on intergovernmental relations, which sought to come to grips with the question of what local, State, and Federal Governments should be doing. I do not know whether that committee came up with any substantive proposals although I know it spent a considerable amount of time looking at a range of different propositions that were put to it.

Regrettably, in my view, there is a temptation at both Federal and local level to see a removal of the powers of the States and have them transferred to the Federal level. If one looks at the basic platform of the Labor Party—and the Minister can tell me whether it has been changed—there is a view that has been held for many generations that the States really are the least important sphere of government.

In the early days of the Labor Party the proposition was continually put forward that the States should be abolished and there should be a Federal central Government and large regional Governments. Regional Governments would be directly responsible to the central Government. During the period of the Whitlam Government there was an attempt by the Department of Urban and Regional Development to move down that path. I do not know whether the Labor Party still believes in that platform and whether it still wants to eventually abolish the States. It concerns me that is the way the forces within the Australian political scene seem to be heading.

Over the years we have had an increase in Commonwealth powers at the expense of the States, and now we see State Governments, in an attempt to win the hearts and minds of local authorities, telling them they will give them more responsibility and powers. In the end, what must ultimately happen is that the position of State Governments and their attendant responsibilities and powers become diminished. That is something that I, as a Liberal, will strongly resist.

I also strongly resist the building up of local authorities to put them in a competitive position with the State Government. I will continue to resist the ever creeping paralysis in Canberra that is associated with the growth of power of Federal Governments of all political persuasions.

The Minister, in his second reading speech, is saying—in respect of the welfare matter—that local authorities are clamouring in some way or other to become involved in welfare matters. I refer to page 3 of the Minister's second reading speech notes which says—

> Many country local governments are now finding that the present rural crisis is resulting in pressure from their communities to become involved in welfare programmes.

I do not deny that there is a demand for welfare services at a local level. What I do say is that the problem will not be solved by this Government's saying to local authorities that it will give them increased powers and responsibilities to overcome these problems. What it should be saying, in my view, is that welfare is a State responsibility and if there are problems at a local level it is our fault and our problem.

This Bill is an indictment of the way in which the State Government is carrying out its welfare responsibilities. If there is a problem in the community and welfare is a State responsibility, I suggest it is up to the State Government to fix the problem.

Hon. John Halden: Rubbish!

Hon. N. F. MOORE: Why is it rubbish?

Hon. John Halden: Because local authorities have a far better ability to service their own needs. To say a State Government should service communities in the Kimberley, for example, is wrong.

Hon. N. F. MOORE: I wonder what Hon. Tom Stephens would have to say about that remark. If the State Government and the Federal Government were prepared to get out of welfare altogether, we could make the decision that welfare ought to be handed to local authorities. The Government might get my support in that respect. It will not get my support if it says that the Federal and State Governments, and local government must all be involved in the same business. We get a triplication of responsibilities, expenditure, and the attendant inefficiencies.

Hon. Graham Edwards: We are saying we should be working together.

Hon. N. F. MOORE: There is no such thing as different spheres of government all working together in this wonderful, euphoric, harmonious situation the Minister is talking about. When he has been in his ministerial role for a longer period he will come to realise that politics and the differentiation of powers on different levels is not like that.

Hon. Graham Edwards: Have you ever been a member of a local authority?

Hon. N. F. MOORE: No, but that does not give the Minister the right to speak—

Hon. Graham Edwards: We must all work together.

Hon. N. F. MOORE: There is only so much money and responsibility to go around. I am arguing quite strongly that if this Government wants to do a good job in welfare, it is best to have it dispensed at the local government level. Maybe we should get State and Federal Governments out of it altogether, especially Federal Governments. Until such time as that happens I do not believe we should involve a third level of government directly in welfare matters.

I go back to the point I was making when I was interrupted. Welfare is a State Government matter. If there is a problem in welfare, and services are not being provided in the way they ought to be, it is an indictment of the State Government. It is not doing its job properly in the field of welfare. There are welfare officers right across Western Australia provided by the Department of Community Services whose job it is to look after the welfare needs of Western Australian people. If the State Government thinks it cannot do that, it should attempt it and we will look at whether the State Government should retain the right—

Hon. John Halden: How broad are their welfare needs?

Hon. N. F. MOORE: I do not want to prolong my speech. I will argue about that point in the Committee stage.

The Opposition is yet to be convinced that the transfer of a welfare servicing power to local authorities is the way to go. I would much prefer that somehow or other we could have a decision made at some level—I am not sure where that level is, perhaps it is in heaven—that says welfare will belong to one area of government and not to the others.

Maybe we have reached the stage in the development of Australia, politically and economically—

Hon. Graham Edwards interjected.

Hon. N. F. MOORE: I am making a very profound remark and the Minister has interrupted, saying something about meals on wheels. I am trying to deliver a few high-sound-

ing phrases and the Minister has interrupted by raising something of enormous importance which has put me right off my line of thinking.

We have reached the stage in Australia's development where we have to sit down and decide how we can get the best value for taxpayers' and ratepayers' dollars and how we can best ensure that government does not continue to creep into every sphere of our daily lives. We need to get away from the situation where Governments of all sorts seek to justify their existence by getting involved in more activities at the expense of allowing people to make their own decisions. The Liberal Party will resist the clauses in the Bill which relate to welfare matters.

The second important change proposed in the Bill is the question of payment of allowances to councillors. It is proposed that allowances of $10 000 to mayors, $3 000 to deputy mayors, and $1 000 to councillors should be paid at the discretion of the councils. The Opposition indicated in the other House, as it does here, that it is opposed to this proposition. It is easy to understand what is behind the Government's thinking if one looks at it from a superficial point of view, but the Opposition believes this is the thin end of the wedge in respect of the ultimate situation—which will be arrived at through this legislation—where there will be full-time, salaried politicians running local government. That is something the Opposition will resist. The Opposition sees local government as that level of government which is best suited to voluntary service by people who continue to maintain employment within their communities and involve themselves in local authorities as an additional contribution to their communities.

The Opposition does not oppose the payment of expenses to councillors. There is no argument from the Opposition that legitimate expenses incurred by a councillor in carrying out his duties as a councillor should be paid. I have to confess, as I did at the beginning of my speech, that I am not an authority on the Local Government Act and I have not been a councillor. However, I have been told that while the Act makes provision for expenses to be paid in certain circumstances, there is some doubt about the wording of some sections of the Act, which has meant that some councils are not sure where to go in respect of the payment of expenses.

In order to overcome that difficulty and the doubt in the minds of some councils, I have circulated a proposed amendment for the Committee stage of the legislation. I will discuss that in more detail at that time, but the Opposition will seek to delete the proposals for an allowance to be paid to mayors, deputy mayors, and councillors, and to replace that with a general clause which allows the council to decide on the payment of expenses that have been incurred legitimately by a councillor when carrying out his duty as a councillor. I regret that the amendment that was circulated yesterday is not the amendment I propose to put; the amendment the Opposition now wishes to put was circulated this morning. I trust the Minister has a copy of it.

The Bill proposes an extension of the use of infringement notices for indiscretions in the local authority area. The Opposition thinks this is a good idea and I am told it will cut down on the red tape in local authorities and will reduce the cost of prosecutions, so the Opposition supports that proposition.

The fees and charges that are set by local authorities are subject to change in this Bill, but at the present time, as I understand it, local authorities are required to have by-laws enacted if they wish to set fees and charges under certain circumstances.

That is a fairly cumbersome process. The by-laws have to be agreed to by the Governor-in-Executive Council, come to Parliament, and be subject to disallowance. When that process has been completed, the by-laws come into effect. That seems to be a very cumbersome proposition if, for example, one is deciding whether the hire fee for the Nedlands Town Hall should be $50 a night or something like that. The proposition contained in the Bill is that decisions in respect of these fees and charges can be made by resolution of the councils. That is a very sensible proposition.

However, the Minister, in his desire to give councils more autonomy and the powers to make these decisions, has thrown a clause into the legislation which gives him the power of veto. In my opinion that is giving with one hand and taking with the other, and I do not see why the Minister put that proposition forward. It occurred to me when I looked at the legislation that the Minister is also taking away from the Parliament the power to make decisions about such matters and giving it to the Minister. At present, by-laws come to Parliament and are subject to disallowance, so a House of Parliament could, if it so desired, make a decision about whether these fees and charges ought to apply.

The proposition being put up in this Bill gives that power to the Minister. All too often we find in this Parliament the Executive seeking to take over more responsibilities and powers that rightfully belong to the Parliament, but in this case the Minister has gone half way down the right track. He has agreed that councils should be able to make their own decisions but then, strangely, he says that the Minister should have the power to veto those decisions.

In the Legislative Assembly, the member for East Melville, Mr Lewis, moved an amendment to delete the Minister's power of veto. Regrettably his amendment was defeated by the Government. As I understand it, the National Party has now put up an amendment which is the same as that which was moved by Mr Lewis in the other place.

The next important alteration relates to parking regulations in relation to disabled persons. The Opposition agrees very strongly with the proposition put forward. Hon. Graham Edwards has probably been involved with this matter, and if he has, I congratulate him on getting this into the legislation.

Hon. Graham Edwards: We were supported very strongly by your former leader, and I think he was supported in turn by his party.

Hon. N. F. MOORE: It is a bipartisan view that disabled people need to be given some assistance in respect of parking. There is nothing more annoying than to find a person with all his faculties parking his car in a disabled person's parking bay and preventing a disabled person from using that facility. This proposition seems to be a good one and I trust that a few people will be charged under this proposal. The sooner that happens, the sooner people will begin to wake up to their responsibilities.

The Bill also contains a clause providing for the three local government associations to be included in the Local Government Act. I have not had a lot of time to think about this matter, and when we reach the Committee stage the Minister may be able to explain to me why this is to happen. On the surface I wonder whether, by having a constitution included in the Local Government Act, the Parliament can make some decisions about the constitutions of which those associations themselves might not approve. It is our right as a Parliament to make decisions and to amend or change Acts of Parliament. If we are to be given the power to change the constitution of the Local Government Association, I wonder why the association would give us that power. The Minister might give some thought to that and tell us in the Committee stage whether it is a problem.

There are a number of other matters in the Bill which I will not deal with now but will raise in the Committee stage. There are, however, a couple of general philosophical matters contained in the amendments about which I want to make some comment. The question of extending to electors rights which were limited to ratepayers is part of the Government's policy; but the Government's decision to give electors and ratepayers the same voting powers and to change the voting system in local government, and now its decision to give electors the same rights as ratepayers in looking at the accounts of a council, is causing a fair amount of controversy in some parts of the State.

The Minister will be aware of the situation in Wiluna where none of the councillors is a ratepayer. Some of the councillors are probably not even taxpayers. The argument was always put up that because such a small amount of the revenue of the local authority came from rates and the vast bulk of money came from the taxpayers—

Hon. Mark Nevill: It is eight per cent in the case of Wiluna.

Hon. N. F. MOORE: Okay. There are not many ratepayers, just a few pastoralists. The other 90 per cent comes from the State or Federal Government. The argument is put that ratepayers should not have any additional rights over electors because the assumption is made that electors are taxpayers. In Wiluna, most of the electors are not taxpayers, and they are given the same rights and responsibilities in respect of the expenditure of ratepayers' and taxpayers' money as are ratepayers, but they contribute nothing. The Government should give more thought to the path down which it is going if it does not want to cause people in local government areas to become angry and frustrated with what it is doing. Because they pay funds additional to those paid by non-ratepayers, ratepayers can quite rightly argue that they are entitled to better services, or some other services, or more responsibility, rights, or powers, or whatever. They can quite legitimately claim they should not be treated in the same way as someone who does not make the same contribution.

What the Government is doing here is not significant in the context of the Bill, but it is part of a general thrust in line with the Government's policy. I sincerely hope the Government

looks at it more closely in future because I think there will be a ratepayers' revolt eventually when they realise there are no advantages in being a ratepayer.

The Bill also removes the requirement that councils should operate a separate parking fund. This amendment removes about 1½ pages of the Local Government Act, and maybe from that point of view there is good reason to pass it! However, no reason is given in the second reading speech as to why we should get rid of separate parking funds.

The Act requires that councils set up a parking fund, and I guess it is restricted to councils which receive income from parking. That would limit the number of councils which have such a fund. Perhaps the Minister can advise me which councils have a parking fund so that we can find out the significance of this alteration. The Bill states that councils which have a parking fund and receive revenue from parking will be able to put that revenue into the municipal fund and spend it how they wish. The Act requires that a council which has a parking fund can only spend the revenue derived in certain areas. The Bill deletes the requirement relating to the way in which the money has to be expended. It stands to reason that with no parking fund, all revenues will go into the municipal fund, which is like Consolidated Revenue, and can be spent on those areas the council deems necessary. If one ties that up with the Government's decision to go into welfare one could have a scenario in which parking fees could be used to provide welfare. It is an argument which one might want to use, but I would like the Government to give reasons for this move. The second reading speech makes no reference to it at all.

The final point is that the Bill allows councils to make ex gratia payments to persons where council actions have disadvantaged them, but the council has no legal obligation to make such a payment. I think certain circumstances must have arisen where a person has been in this position. Perhaps the Minister can give us examples of people being disadvantaged by the Act, if there is such an example, so we can put this in the context in which it has been advanced. Providing ex gratia payments when there is no legal obligation is a fairly broad power, and one would need to be convinced that we should give that power.

We will support the second reading of the Bill but we will move some amendments in the Committee stage, one of which I have mentioned. The other relates to the giving of notice of charges in the *Government Gazette*. We will discuss that in more detail during the Committee stage.

HON. H. W. GAYFER (Central) [12.18 pm]: At the outset I want to refer to what I consider to be a serious omission from the Minister's second reading speech. I refer to the important work in our community done by local government and that done by councillors in general on a semi-voluntary basis, which they are quite happy to do. When a Bill such as this comes before us we should remember when we are trying to improve the conditions of these bodies that we are dealing with the third arm of government. However, we often direct at them those things which collectively the majority of councils do not particularly want.

I often wonder whether we really believe that local government is the third arm of government, or whether we pay lip service to it. If we believe that that is its position, why does the Department of Local Government have as its virtual overseer a Federal Department of Local Government when the Federal Constitution at no time recognises that area? The number of Federal departments has increased from nine to 26, one of which is the Department of Local Government which directs decisions to local government authorities in the States, bypassing the State Government. It is therefore duplicating decisions made by the State Government.

We should all compliment councillors and councils for their service to this State since the roads boards Act was passed in the 1870s. We should never forget that it is because of their dedication and their belief in the system that those organisations have been so successful in administering to the needs of the community. Indeed, local government authorities in England have greater powers than local government authorities in Western Australia or in Australia generally.

The Minister spoke about giving local government authorities greater autonomy. Let us do that and not put manacles on them. The autonomy and the powers they have today are vastly different from when I was in local government. They lost their right to control traffic and to issue licences, and they lost many other powers, to become virtually emasculated.

This Bill seeks to do certain things that challenge the autonomy of local government authorities. While the Minister said in his second reading speech that many of these amendments have been accepted by local government

bodies, I think we have to acknowledge that the important word is "many"—local government authorities have accepted "many" of the amendments but not "all" of them. The word "many" covers a multitude of sins. I do not know whether local government has accepted 17, 15, or even two of the amendments.

Hon. Graham Edwards: I am advised that the Country Shire Councils Association does not oppose any of the amendments.

Hon. H. W. GAYFER: I can assure the Minister that many country shire councils oppose some of the amendments. In fact, I will go so far as to say that they oppose many of the amendments.

Hon. Graham Edwards: That view was not reflected by the Country Shire Councils Association.

Hon. H. W. GAYFER: That does not matter to me. I do not bow down to God necessarily, no matter what the association or its executive body may have told the Minister.

Hon. B. L. Jones: It is your spokesman.

Hon. H. W. GAYFER: I am the spokesman for my electorate, which has 28 shires in it.

Hon. Doug Wenn: I believe the executive body.

Hon. H. W. GAYFER: If Mr Wenn does not take any notice of his shire councils—

Hon. Doug Wenn: I do.

Hon. H. W. GAYFER: Hon. Doug Wenn just said he believed the executive body. I attended an extraordinary meeting of country shire councils in the Sheraton Hotel two years ago when those councils bowed to a decision by the executive. They now freely admit how wrong and stupid they were to bow to that decision made by the executive during a luncheon recess. As far as I am concerned, individuals want their voices heard so I will let them be heard.

The Bill before the House is said to contain 17 amendments. However, I have found that 38 clauses are affected by the amendments. I am beginning to wonder whether there are only 17 amendments or whether there are more in the Bill. We will not support some of them. We will certainly give a second reading to the Bill, but we will not blithely sit back and accept what we are told by the Government even though the Minister just told me that the Country Shire Councils Association of Western Australia, of which I used to be a member, freely supports the 17 amendments.

In his second reading speech, the Minister referred to a rewriting of the Local Government Act. I am pleased to hear that it will be totally revised. However, I believe the Government has a major job on its hands. I remember when the first Act was introduced by the then Minister for Local Government, Mr Logan. The secretary of the department at that time was Mr Bert White. In spite of the criticism that is levelled at the Act by certain people today, it was a very comprehensive document and was very well received in local government circles.

I think the Minister in charge of this Bill in this House, the Minister for Sport and Recreation, knows that Act contains about 750 pages with 250 pages of ancillary papers attached to it. In fact, I believe that the index to it contains 50 pages. The rewrite to it, therefore, will be an enormous job for somebody and will take some time. I do not think this Government will even be in power when it is completed because, when the Minister for Local Government was first appointed he said that his first job would be to rewrite the Act. That was four years ago and we are still being told that it will be rewritten.

The Minister said also that the current Act was totally unwieldy. Anything that contains nearly 1 000 pages has to be unwieldy and anything relating to local government has to be complex. We believe that the Act certainly needs some fine tuning.

I understand from listening to the Minister that he has taken out of the Act many of the sections that he and others believe were opposed to the general autonomy of councils. However, I believe that he has introduced others that adversely affect that autonomy and I believe that it is to those amendments that we disagree.

The provision of welfare services by local authorities has already been debated by Hon. Phil Pendal, and the Minister devoted 2½ pages of his second reading speech to this subject. I am of the opinion, as are some of the shire councils in my electorate, that it is totally unnecessary for the clause relating to welfare services to be included in the Bill. The area of welfare is admirably looked after by both State and Federal legislation generally.

We know that the argument that is being put forward in favour of local authorities' having the power to provide welfare services is that because of the parlous situation that exists in country areas in Western Australia there is a

need to bring in qualified people to talk to those people who find themselves in dire straits about their welfare problem and, indeed, comfort them and direct them to the appropriate authorities. By including the provision of welfare services in this Bill, there will be a shift of ground to cover this sphere.

Of course, the National Party is frightened that welfare has not been defined. It was not defined in the Occupational Health, Safety and Welfare Amendment Bill. We are not only against matters concerning welfare in relation to unions, but also we are fearful of what may be introduced in another direction.

The ratepayers are fearful of the outcome of this part of the legislation. They are already paying tax for welfare at a State level, they are already paying tax for welfare at a Federal level, and now they will be paying tax for welfare at a local government level.

The funny thing is that amendments introduced not so long ago as a consequence of the almost farcical meeting which was held at the Sheraton-Perth, provide that ratepayers need not have a say in how their money will be spent. I know that members on the other side of the House will say, "Well, not everyone has a say in how we spend money here", but do not forget that we are paying taxes, thus contributing to the money that is spent here. Not everyone contributes to the coffers of local government.

Hon. Fred McKenzie: Indirectly they do.

Hon. H. W. GAYFER: I believe very strongly that welfare should be excluded from this Bill. Other members of the National Party do not feel as strongly as I do about this issue, and that might ease Hon. Fred McKenzie's mind. However, it does not mean that by the time debate on this Bill is finished, and we have dealt with each clause, we on this side of the House will not signify that we are in direct opposition to this section of the Bill. We shall see what stand members of the National Party take regarding the issue of welfare services. It shows just how democratic are the members of the National Party in this place.

This Bill is largely a Committee Bill, and there are some clauses which the National Party will oppose. It will move amendments to some clauses, and those amendments have been circulated to members and appear on the supplementary Notice Paper.

Clause 4 deals with the petitioning of a council. The Minister in another place accepts that there should be a minimum of 20 petitioners, especially in the larger shires and cities. He indicated his willingness to look at a possible amendment to this clause. The National Party has cordially suggested an amendment to this clause in which it has used some of the wording from section 611 of the Local Government Act. We believe the wording will fit into clause 4. Our amendment should help to clarify the situation. The proposed minimum of 20 petitioners is rather farcical.

Clause 11 of the Bill deals with the power of veto being shifted from the Governor to the Minister. The National Party will move an amendment to delete subclause (3) because it is of the opinion that there is too much emphasis on the power of veto. Why it needs to shift from the Governor to the Minister I do not know. It would be all right as far as some Ministers are concerned, and I go so far as to say that there are plenty of Ministers who have done a worse job than the current Minister for Local Government. I do not agree with him all the time, but I do not believe that he or any Minister should have the power of veto.

Clause 21 refers to buildings for the provision of welfare services. We all know that in another place the Liberal Party opposed this clause and the National Party voted with the Government. We are yet to determine what will occur in this place. It might be of benefit to the Minister if he spoke hard and long on this clause.

I am enumerating the clauses to which the National Party will move amendments in order that the Minister will know on what clauses it will give him a serve.

Clause 27 will provide to electors a right of access to inspect the rate book. The National Party in another place raised an objection to this clause, but it did not divide on the issue. National Party members in this place may not be as kind because we believe that anybody who does not pay rates should not have access to the rate book. After all, it is the property of the people who pay rates.

Hon. B. L. Jones: Everybody pays rates. Even if you rent a property you pay rates. The owner takes part of the rent to pay the rates.

Hon. H. W. GAYFER: Why should the rate book be the property of people other than ratepayers?

Hon. B. L. Jones: Everyone who lives in a district is paying rates in one form or another.

Hon. H. W. GAYFER: How are they paying rates indirectly if they rent a house? Does the member mean that by paying rent and the owner paying the rates that, in fact, the person renting the premises is paying the rates?

Hon. B. L. Jones: That is taken into consideration when arriving at a rental.

Hon. H. W. GAYFER: What about those people who are paying minimum rent which does not match the rental of the property? I am thinking, for example, of people in retirement villages.

Hon. B. L. Jones: That is built in.

Hon. H. W. GAYFER: They are still electors. Government members will have to tune in on this aspect of the legislation. We do not believe that the rate book should be opened and made available to every Tom, Dick, or Harry who wants to look at it.

I have missed clause 22 which deals with payment to councillors. The Government will get a real broadside from the National Party on this clause. We do not believe that it should be included in the legislation and we will divide the Committee on it.

When dealing with the amendments in another place the Minister said that generally councillors do not believe this should be the case. The National Party will exercise its right to debate this clause during the Committee stage and, generally, we will oppose it.

Clause 34 will allow the councils to make ex gratia payments for damages claims. We are very critical of this provision, to say the least. We can imagine a situation in which a person, for some obscure reason, and under inexplicable circumstances, breaks his or her leg. In spite of legal opinion that the council could successfully defend a damages action in court, the council, after taking into consideration the cost factor, decides to make an ex gratia payment. At a later stage a clot forms in the injured person's leg, resulting in amputation which creates a major problem as far as the physical well-being of the person is concerned. Consequently, death occurs as a result of this injury and immediately legal action is taken by the family, as a result of which maximum damages are awarded against the council purely and simply becaue it accepted responsibility and liability in the first place. The National Party is very concerned about this aspect.

That is only one illustration and we can think of a dozen or so more, and many minor cases, not necessarily involving people. For example, it could involve machinery claims with a machinery company.

Hon. E. J. Charlton: Or a dog on a leash.

Hon. H. W. GAYFER: That is an excellent suggestion. Thank you, Mr Charlton. Take the case of a dog on a leash running alongside its owner on a push bike, another cyclist runs into the leash and the dog, there is one helluvan accident on the cycle path and there is doubt about who caused it.

Hon. B. L. Jones: They should not be riding two abreast.

Hon. H. W. GAYFER: They are not; one is coming from the opposite direction on a narrow cycle path that happens to be four inches narrower than the regulation width of a cycle path, whether that is 3ft 9in or 4ft 9in. Some explanation is needed of what will happen in such cases before we give an open cheque to shire councils. We wonder how far we should give an open cheque to the councils.

In general, we admit that some clauses of the Bill, such as those relating to infringement notices and the power to look after parking for disabled persons, are meritorious and should be considered. I might add that generally they are dealt with at the moment without the need to give the shires these powers. This Bill gives them power to legally work on some of those areas.

As I said before, generally we support the Bill but on several clauses we shall join with the other Opposition party, if it so desires, in dividing, to air our absolute abhorrence of those clauses. That is, of course, if my colleagues support me in that move.

(*Continued on p.* 3059)

Sitting suspended from 12.45 to 2.30 pm

MIDLAND SALEYARD SELECT COMMITTEE: WITNESSES

Offences: Motion

HON. NEIL OLIVER (West) [2.30 pm]: I move—

That:

(a) the Attorney General be requested, and is hereby so requested, to investigate whether evidence given by Messrs R. Ryan or P. Ellett in the course of an inquiry by a Select Committee of this House into the disposal of the Midland Saleyard discloses the commit-

ting of an act constituting one or more of the offences under sections 57 and 58 of the Criminal Code and that if he is satisfied that such an offence has been committed, he institute proceedings against that person or persons pursuant to section 15 of the *Parliamentary Privileges Act 1891;*

(b) in any event, the Attorney General report the result of his investigation to the House.

In the final hours of the last parliamentary session, in November 1986, this House decided not to appoint a Select Committee to pursue conflicting evidence presented by witnesses to the Select Committee inquiring into the sale, closure, and future resiting of the Midland saleyard. I respect the wisdom and the apprehension of my colleagues in this House at that time about that decision, as they did not have available, nor did they have the time to examine and compare, the thousands of pages of transcript representing evidence which was presented by witnesses to the committee.

Since January I have spent some 350 hours examining those transcripts. From that evidence, I have placed relevant transcripts at the disposal of three senior counsel. For the benefit of members I would like to refer to the report, because the Select Committee I referred to, in tabling its report in this Parliament, drew two conclusions. For the benefit of members I will quote from page 7, conclusion 1.35—

> In the course of this inquiry not all facts were disclosed, and this failure to disclose information causes the Committee to suggest to the Government that it provides grounds for instituting its own judicial inquiry into the circumstances surrounding the disposal of the Saleyards.

That proposal was supported by *The West Australian* in a leading article of Thursday, 16 October, which said—

> Midland saga
>
> The long-running controversy over the sale of the Midland Abattoir site has taken so many political twists and turns that most Western Australians have given up trying to keep track of it.
>
> It was apparent all along that the running in tandem of two separate parliamentary inquiries reflecting contrary political opinion would do more to confuse the issue than to shed light on it.
>
> The Legislative Council committee's recommendation that the abattoir sale be annulled was hardly unpredictable; nor will there be any prizes for guessing the outcome of the Lower House inquiry which is still in tortured progress.
>
> Since the State's taxpayers have had to foot the bill for these inquiries, they are entitled to a better result than the verbal abuse and political mud-slinging that they have witnessed so far.
>
> From the outset, the major public concern in the sale of the abattoir site to Prestige Bricks has been whether or not the Government got value for money from the deal.
>
> Obviously that question will not be answered to everyone's satisfaction unless it is taken out of the political arena and given to an independent inquiry.

Obviously the committee was concerned with the evidence of several witnesses, as was also the media. The Government has persistently tried to sweep this scandal under the carpet, but so great is the dirty dealing involved that even people from outside Western Australia have now published a book under the title *Burke's Shambles* exposing the corrupt manner in which this public asset was sold.

Hon. T. G. Butler: Who was the author of the book?

Hon. NEIL OLIVER: If the Attorney General refuses an independent inquiry or an investigation into the evidence presented to the parliamentary inquiries, he will place himself in the same camp as those who have worked out and benefited from this dirty deal. The Attorney General, the man responsible for upholding law and order and a fair deal for Western Australians, cannot ignore the advice of a Queen's Counsel that there is a strong probability that false evidence has been given, and this must be fully investigated.

While the Queen's Counsel selected evidence of two major witnesses, it was the opinion of the committee, as stated in that report, that the evidence of a number of the witnesses was in doubt, and so therefore the number of witnesses in this category is quite exhaustive.

For the benefit of members, I would like to quote the opinion of the Queen's Counsel, Charles Francis—

> In this matter Counsel has been asked to advise the Chairman of a Select Committee of the Legislative Council of the

Western Australia Parliament in relation to evidence given before that Committee by two witnesses, Peter Ellett and Robert Ryan. The Chairman of the Committee is concerned that evidence given before this Committee by those two witnesses may have been false, and Counsel is asked to consider whether there is any possibility that an offence has been committed under either the Parliamentary Privileges Act or the Criminal Code of Western Australia (Act No. 28 of 1913 as amended).

The giving of a wilfully false answer before any Committee of either House to any lawful and relevant question was originally an offence under the Parliamentary Privileges Act 54 Victoria No. 4 Section 16. It is now, however, covered by the terms of Section 57 of the Criminal Code which provides—

> "Any person who in the course of an examination before either House of Parliament, or before a Committee of either House, or before a joint committee of both Houses, knowingly gives a false answer to any lawful and relevant question put to him in the course of the examination is guilty of a crime, and is liable to imprisonment with hard labour for seven years."

It is assumed for the purposes of this advice that the Select Committee was a properly constituted Committee of the Legislative Council and that there was due compliance with the appropriate procedures for the approval and appointment of this Committee. Counsel mentions this not because he has any reason to consider that Council was not properly constituted, but to point out that in the event of prosecution the legal advisers of the Accused would no doubt be zealous in searching for any possible technical defect in the appointment of the relevant Select Committee. Indeed it would be necessary for the prosecution to prove there was a properly constituted Committee before which the evidence was given.

To establish an offence against Section 57 it would first be necessary to prove that the evidence was given by the witness to the Committee, that the evidence was false, and that it was false to the knowledge of the witness. In relation to proof of the element of falsity a person cannot be convicted upon the uncorroborated testimony of one witness. It is also necessary under Section 57, however, to establish that the question to which the answer was given, was lawful and relevant. In order to determine this question it is necessary to consider the purpose and terms of the particular Inquiry.

The Terms of Reference to the Legislative Council Committee would appear to be primarily directed to the sale, closure and future resiting of the Midland Saleyards. However Term (3) did include inquiry into "the adequacy and propriety of using the Western Australian Development Corporation (hereinafter referred to as WADC) as an agent for the sale of the land in preference to other realtors", and Term (4) was directed to "The adaquacy of the price obtained for the site." It seems to Counsel that if it is alleged that Robert Ryan the property manager of WADC sold the property to a friend at an inadequate price the personal association of the two is of some relevance under Terms 3 and 4 of the Terms of Reference. If that is right then the extent of the friendship between Robert Ryan and Peter Ellett could also be a matter relevant to this Inquiry. The actual terms for the Legislative Council Committee Inquiry do not, however, clearly raise this question as an issue relevant to its inquiry.

On the other hand the Terms of Reference of the Legislative Assembly committee were expressed far more widely and the extent of the friendship between Robert Ryan and Peter Ellett seems to Counsel to have been clearly relevant to that Inquiry, which was, inter alia, directed to "all relevant and incidental matters in relation to the dealings of the government, its ministers, departments, and the Western Australian Development Corporation." A disposal of the land by the property manager of the WADC to a friend or associate at an inadequate price would obviously be a relevant and incidental matter, and the closeness or otherwise of the friendship between the two is then also relevant to that Inquiry.

Counsel is instructed that Ellett was the principal of Pilsley Investments Pty Ltd, the company which contracted to purchase the abattoir site from the Government, and that Robert Ryan was the officer who handled the sale on behalf of the Government, and that it was of interest to the Legislative Council Committee whether

there was any association between the two which would in any way have interfered with the arm's length nature of the transaction.

According to the transcript of the Legislative Council Committee Inquiry when Robert Ryan was questioned on the 20th August 1986 in relation to his association with Ellett he said that he first met Ellett personally about seven years ago "through a joint acquaintance in a sporting club in which I was involved." Having traced the nature of that relationship Ryan indicated there was a break in the relationship of some two or three years, when he did not have any communication with Ellett at all. Ryan then went on to add "I joined another sporting club during the last 12 months and I found out that he was a member also. That is my only involvement with him."

"The Chairman: Is he what one would call a passing acquaintance?

Mr Ryan: He is a business identity like a lot of other people with whom I am acquainted".

When Ryan used the words "I found out that he was a member also", an impression is created that Ryan and Ellett had little or nothing to do with each other within the club, and that Ryan simply became aware that Ellett was also a member of the Club. The addition of the words "That is my only involvement with him" prima facie excludes any other involvement. To some extent however the answer is equivocal.

This evidence does not tally with the evidence given to the Legislative Assembly Committee and in particular cannot be reconciled with the summary of the evidence of their association in the Minority Report of the Legislative Assembly (at p. 199). Counsel has not been supplied with the relevant transcript of the Assembly Inquiry but if this is a correct summary of the relevant evidence, (and I am asked to advise on that basis) I can only conclude that Ryan did not reveal to the Council's Committee the full extent of his association with Ellett, that it seems probable that he did this deliberately, and that there is thus a strong probability that he knowingly gave false answers to the relevant question.

Counsel's attention has been directed to certain questions put to Ryan on the 15th August 1986 by the Legislative Assembly Committee and to Ryan's answers. (See pp 1051-1052). It seems to Counsel that when Ryan said to the Assembly Committee in relation to his friendship with Ellett "it does not extend any further than our being members of the same boat club" he was really indicating expressly that there was no other basis for friendship. When Ryan thereafter said "The only association is the East Fremantle Yacht Club" he was by those words, expressly excluding the possibility of any other association. Further when Ryan later said (at p 1055) "It is the absolute truth", he was in reality indicating to the Committee that there was no other fact or circumstance which qualified in any way what had already been said by him in relation to this association. It should also be pointed out that the Chairman's questions were directed in the context of reference to previous evidence of a witness Cugley, who apparently had asserted that Ryan had purchased bricks from Whitemans when Ellett was manager at Whitemans.

According to the Minority Report (at p 199) Ellett had shown preference to Ryan when Ryan was building his house "by allowing discount for bricks purchased specifically through Mr Ellett by way of transport concessions and other factors". The Report further stated "We also know that both admitted knowing each other socially through a "mutual" friend at the Peel Hunt Club.

Furthermore according to the Minority Report Ryan's boat was being repaired through Ellett during March, April and May 1986 and the accounts for the materials used to repair Ryan's boat were paid through Ellett, who was then reimbursed by the insurance company involved. The Minority Report also suggests that Ryan and Ellett may both have been personally involved in the negotiations of the sale price of the abattoir site and "according to some evidence" even before Christmas 1985.

Counsel also notes that there may have been further evidence relevant to this particular question which was not called before the Assembly Committee. In a statutory declaration tabled in Parliament John Trent deposed "I believe that Mr Ellett

and Mr Ryan gave false evidence about the closeness of their relationship". The form of this statutory declaration is somewhat unsatisfactory in that the deponent does not indicate whether his belief is based on personal knowledge of specific facts or whether it is merely based on hearsay information provided to him by other persons. It is most important to ascertain whether there is other admissable evidence tending to support Trent's belief. If the evidence comes from Trent himself it would have to be scrutinised carefully as his integrity has been challenged by some members of the Assembly Committee. As to whether or not this challenge was justified, Counsel expresses no view.

Although my advice has been sought primarily in relation to what was given in evidence before the Legislative Council Committee, on the material supplied to Counsel it would seem probable that false evidence was given to both Committees and having regard to the questions and answers before each Committee, the apparent falsity of what was said to the Legislative Assembly Committee is more readily capable of proof, primarily because of the more specific nature of the questions asked.

It follows therefore that Counsel is of the view that what has occurred does warrant investigation by the Attorney General with a view to the possible prosecution of Robert Ryan and Peter Ellett under Section 57 of the Criminal Code. Further appropriate investigation should however be made before any charge is laid.

Counsel has also been asked to advise whether there are particular matters which should be directed to the attention of the Attorney General. Unfortunately Counsel feels bound to point out that he believes this sale should now be the subject of some entirely independent and much fuller investigation. The material before me raises a very real possibility of significant impropriety. Whilst I have reached no concluded view, there is a considerable body of evidence which suggests the sale figure was unreasonably low, and that no adequate steps were ever taken to ensure a proper price. When to these possibilities is coupled the further fact that Ryan arranged the sale to a personal acquaintance deep suspicion is inescapable. Furthermore on some other matters I have no confidence whatever that Peter Ellett told the Legislative Council Committee the truth. His explanation for the naming of persons as directors of Prestige Bricks, who were not directors and had never consented to act as such is quite unsatisfactory. The explanation that the word "likely" should have appeared before the word "directors" and was omitted because of a typographical error I personally find unacceptable.

It is possible some of these matters could be explained by naivety or incompetence, but the conflicting Reports of the Council Committee on the one hand and the Assembly Committee on the other hand (coupled with a dissenting Minority Report) inevitably leave these matters in an entirely unsatisfactory situation. The people of Western Australia are entitled to know the truth and not be left (as I assume they are) in a state of bewilderment. If there has been a quite improper disposal of a valuable government property the matter cannot be regarded as a triviality. If there was no close association between Ellett and Ryan, one cannot but wonder whether Ryan was in reality acting under the direction of some higher authority in making the sale to Ellett. There is, however, no direct evidence before me which would support this conclusion.

For these reasons some independent investigation or inquiry in which inter alia the truth or otherwise of the evidence of Robert Ryan and Peter Ellett is made the subject of full investigation, would appear to Counsel to be the only satisfactory course at this stage.

CHARLES FRANCIS
1112 Owen Dixon Chambers
Melbourne.
20th June 1987.

Mr President, I seek leave of the House to table that information.

Leave granted.

(*See paper No 250.*)

Hon. NEIL OLIVER: When there is any reasonable doubt—

Hon. T. G. Butler: You have not established that yet.

Hon. N. F. Moore: I would say he has, overwhelmingly.

Hon. NEIL OLIVER: When there is any reasonable doubt the Attorney General, as the most senior legal officer in Western Australia, should act immediately to determine whether that doubt is justified.

Hon. T. G. Butler: But there is no doubt.

Hon. NEIL OLIVER: Alternatively, should he not support this motion and refuse to take the necessary action, he will be judged as a major party to any one of these alleged offences.

Debate adjourned, on motion by Hon. Fred McKenzie.

ACTS AMENDMENT (LEGAL PRACTITIONERS, COSTS AND TAXATION) BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.58 pm]: I move—

That the Bill be now read a second time.

The major proposal in this Bill is to establish an independent body to consider the manner in which legal professional costs should be fixed and reviewed from time to time.

Costs are the remuneration which a legal practitioner receives for professional services to his client. At present there are various scales of costs relating to different types of legal work.

Most, but not all, courts have their own scales of costs. The Supreme Court scales, which apply to proceedings both in that court and in the District Court, are fixed by the judges of the Supreme Court. The Local Court scale of costs is fixed in rules which are made by the Governor. Other scales of costs apply in other special jurisdictions including, for example, the Workers' Compensation Board.

Scales of costs also regulate non-litigious work, including grants of probate, administration of wills, and general conveyancing matters. These are fixed either by the judges of the Supreme Court or by the judges together with the Barristers' Board.

When considering costs, a distinction is made between solicitor and client costs, and party and party costs. The former are the costs owing by a client to the client's own solicitor. The client has an obligation to pay the reasonable costs of work properly undertaken by the practitioner, although in most cases the scales of costs will limit what may properly be charged. As an alternative to the scales, the amount of costs may have been agreed in writing between the practitioner and the client. Written agreements to charge on a time basis are now common. The agreement may be varied or cancelled if a judge determines that the amount of agreed costs is unreasonable.

A practitioner may not sue to recover costs from a client until a signed bill of costs has been served on the client. If the bill is not itemised, the client can require an itemised bill. If the client is not satisfied with the itemised bill, it can be "taxed" or reviewed by an officer of the Supreme Court.

Party and party costs are those costs which a court may order one party to litigation to pay to another party. The court may fix the amount of costs it orders one party to pay to the other, or the amount of costs may be assessed by a taxing officer of the court by reference to the relevant scale or scales.

A review of the manner in which the scales of costs are established has not been undertaken for many years. Submissions for increases have usually been based on consumer price increases. It has been recognised for some time that the present costs system is not satisfactory from the point of view of either the profession or the public.

In February 1980, the then Attorney General, Hon. I. G. Medcalf, QC, MLC, appointed a committee of inquiry into the future organisation of the legal profession—the Clarkson committee. One of its terms of reference was to report on "the appropriate body to carry the responsibility for fixing and/or promulgating scales of costs for various types of legal work".

In May 1983, the committee recommended that a costs committee should be established comprising legal practitioners and non-lawyers, and with the function of fixing scales of costs in respect of all legal services other than Supreme and District Court scales. In respect of those courts, it was suggested that recommendations would be made by the committee to the judges. The costs committee was also required to reappraise the basis upon which costs are calculated and allowed.

This Bill gives effect to the major thrust of the Clarkson committee recommendations but expands and modifies the proposed arrangements in a number of ways. It is proposed that central to the new system of costs fixing should be a legal costs committee, to consist of a chairman, being a practitioner of not less than eight years' standing, two members who are practitioners in private practice appointed from a

panel nominated by the Law Society, and three non-practitioner members, at least one of whom is an accountant.

The Government believes that it is appropriate that half the committee members be non-lawyers. This reflects the view that there is a need to move away from a completely self-regulating profession. The Bill provides for deputies to be appointed for the chairman and the ordinary members.

As recommended by the Clarkson committee, the costs committee will be funded by the Government. The committee may make arrangements with the relevant Minister and the Public Service Board for the use of the services of Government employees.

Proposed section 58T sets out the matters in relation to which the committee may investigate and report to the Attorney General. It is proposed that the committee not be confined to making determinations relating to costs in particular classes of business. It is also proposed that the committee consider the basis of the fixing of costs, including the use of scales rather than time costing or some other method of costing.

Accordingly, section 58T is widely drafted, but particularly directs the attention of the committee to the question of scales of costs. As well as its reporting functions, the committee is to make determinations set out in proposed section 58W regulating the remuneration of practitioners in respect of both non-contentious business and all classes of contentious business.

The Clarkson committee recommended that one body have power to regulate costs in both contentious and non-contentious business, but restricted the role of the committee to recommending costs in relation to Supreme and District Court matters. The latter aspect of that recommendation has not been adopted. It is proposed, however, that the committee be required to consult with the relevant courts and tribunals when fixing costs in relation to any jurisdiction.

As well as consulting the relevant courts before making a determination, the committee is required to give public notification of its intention to make the determination, and to receive submissions. It is required to have regard to general wage-fixing principles in force for the time being and may inform itself further in such manner as it thinks fit.

Once a determination is made, the Bill provides that either House of Parliament may disallow but not amend the determination—proposed section 58ZA(4).

The committee is to review its determination on a two-yearly basis—proposed section 58X. In addition, the Attorney General may request a determination at any time.

Proposed section 58V provides for a review of the committee's role by the Attorney General in five years' time. A report based on that review is to be laid before each House of Parliament.

In respect of solicitor and client costs, the Clarkson committee recommended that the existing rules were largely satisfactory but recommended a number of amendments. These included a recommendation that the time within which a client might require an itemised bill of costs be extended from one month to three months.

It is proposed that a 42-day period, a common one in revenue Statutes where a person is given a right to challenge an assessment made against him, be provided. There will be a further 42-day period within which the client can seek to have that bill taxed—see sections 65 and 66.

To balance the respective interests of practitioners and clients the Bill makes it clear that the right of the practitioner to recover his money arises from the time the bill is delivered. This would enable a practitioner to sue for recovery where it was thought that a client had no reason to leave the bill unpaid, or was delaying payment.

A taxing officer will be able to stay proceedings for recovery of any costs contained in a bill which he is taxing. This is to ensure that the practitioner does not recover judgment for an amount which is subsequently disallowed.

Where there is a written agreement as to costs, proposed section 66A ensures that the taxing officer will give effect to it, as at present, but allows him to refer the agreement to a judge for review, at the request of the client. At present, a person must institute separate proceedings to have a written agreement reviewed. This provision short-circuit that procedure.

To ensure that the taxing officer, who is an officer of the Supreme Court, has access to all relevant information which might affect the reasonableness of the bill, proposed subsections 68(2) and (3) enable the taxing officer to refer

the bill of costs to an officer of the court for a report or tribunal in which the costs were incurred.

The Bill also provides in proposed section 65(3) that the practitioner should include in each bill of costs a notice of the client's right to require an itemised bill, and of the right to require taxation.

In addition to the costs provisions, the Bill makes a number of unrelated minor amendments to the Legal Practitioners Act. In relation to professional discipline, section 37 of the Act is repealed by clause 7. Section 37 provides that a practitioner who failed to comply with certain trust account provisions could be dealt with under the disciplinary procedure in part IV of the Act. This raises the possibility that by implication breaches of other sections of the Act could not be dealt with under the disciplinary provisions.

Repeal of section 37, and the amendment to section 81 which is effected by clause 19, will together have the effect that any breach of the provisions of the Act by a legal practitioner can be dealt with either under the disciplinary provisions of part IV or be treated as a contempt of the Supreme Court pursuant to section 81.

Clause 8 inserts a new section 37A dealing with the receipt of cheques by practitioners for the benefit of third parties The need for this provision arises from a practice which had been adopted in some quarters in recent years of not placing such cheques into the practitioner's trust account, but rather endorsing them over to the recipient. This practice, which seems to have been adopted for the purpose of avoiding financial institutions duty, is clearly open to abuse, as the accounting and audit provisions relating to trust accounts are bypassed. This section will ensure that the disposition of such cheques is adequately recorded.

Clause 6 recognises the creation of the Office of the Australian Government Solicitor. It also allows the Crown Solicitor of the State, the person acting in Western Australia for the Australian Government Solicitor, and the Director of Legal Aid, to have articled to them a number of articled clerks, which is not subject to limitation by the Act.

I propose that the Bill lie on the Table until the Budget session to allow public and professional comments. I shall arrange for an explanatory memorandum to be provided to members at the beginning of the Budget session.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. John Williams.

LOCAL GOVERNMENT AMENDMENT BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

HON. P. G. PENDAL (South Central Metropolitan) [3.10 pm]: I want to make a brief contribution to the second reading debate on this Bill and in particular to make some remarks on the part of the legislation which envisages paying local government councillors for their services.

I remind members of the House that we were told in an earlier second reading speech on this legislation that many councils have expressed concern that the present system of limited reimbursement of expenses discriminated against certain councillors. My first observation is not unlike an observation made by Hon. Mick Gayfer in the course of his contribution to the debate when he queried the extent to which local authorities throughout Western Australia were expressing views of this kind. We were told that expressions of concern over the reimbursement system had been made by many councils. I think it is worth while, in the first instance, to ask the Minister to tell the House in precise terms the number of local authorities that have expressed concern in this way.

Hon. Graham Edwards: In which way?

Hon. P. G. PENDAL: The payment to councillors. We have been told that many councils have expressed concern. The Government's solution to that problem is to institute a system of payments which we have heard described by the Government and dealt with to some extent by Hon. Norman Moore.

As I understand them, the Government's proposals would commit a local authority to paying a mayor up to $10 000, a deputy mayor up to $3 000, and councillors up to $1 000. There is no doubt in my mind that if we were to accept an amendment of that kind, we would proceed down the road towards fully paid and salaried elected members of local authorities throughout Western Australia.

Hon. Garry Kelly: That would be a quantum leap.

Hon. P. G. PENDAL: Equally, I do not have the slightest doubt that one of the first steps along the way towards reaching that objective would be that next year, or perhaps the year after or the year after that—but somewhere in

the foreseeable future—we would see another Bill come into this place which raised that $10 000 to perhaps $15 000, raised the $3 000 to maybe $5 000, and raised the $1 000 to perhaps $2 000 or $3 000. Again this would be as a means of achieving the ultimate goal of full payment on a salary basis.

Hon. Garry Kelly: Do you think that local councillors should be out of pocket?

Hon. P. G. PENDAL: If the honourable member, who makes his longest speeches by interjection, holds his breath, I will tell him what I think should be done. He may be pleasantly surprised because it may not be far from his own ideas, but he should at least give me the opportunity to express my views.

The first ground upon which I would oppose the payment of councillors is that it is recognised by the vast majority of ratepayers and the vast majority of the 1 500 or so councillors throughout Western Australia that they provide their services in a voluntary capacity. Therefore, any talk about the long-term aim of providing a salary has to fall on that ground alone.

The second reason why I think part of this Bill should fail is a financial one. There are something like 1 500 councillors who voluntarily serve their municipalities and shires throughout Western Australia. Human nature being what it is, the $1 000 maximum that we are talking about will, within a very short time, become a minimum because that is the nature of the beast we are talking about—that is, human beings. By simple arithmetical calculation, one can see that if we were to pass this clause of the Bill, the immediate effect upon local government, and more particularly upon the ratepayers throughout Western Australia, would be that rates would be increased by something in the order of $1.5 million virtually overnight.

Hon. Graham Edwards: Is that contrary to what your amendment seeks to do?

Hon. P. G. PENDAL: I will come to that in a moment. The Minister should not become too excited. I presume the Government wants support for this Bill, but it is going the right way at the moment to ensure that it will not receive any support at all.

Several members interjected.

The PRESIDENT: Order!

Hon. P. G. PENDAL: I would not even bother to make threats to the Government. I am not interested in doing that, but I am interested in putting a point of view forward on behalf of the ratepayers who live in my constituency of South Central Metropolitan Province. Were we to accept this system, within a very short time we would find that ratepayers would be loaded with an extra cost of at least $1.5 million as a result of this clause alone.

If one computed some sort of consumer price index, there is not the slightest doubt in my mind that within five years of passing this Bill, with these so-called limits of $1 000 and so on and even with an incremental rate of 10 per cent in the next five years, one is talking about just under $2.5 million. On that basis alone this part of the Bill should fail because it will be the ratepayers of Western Australia's 140-odd local authorities who will eventually have to dip in and pay that $2.5 million.

There is another way of achieving some of the ends that the Government has outlined for itself. It is no secret now; it has been outlined by Hon. Norman Moore in the amendment he currently has before the House. I want to spend a few minutes on that point because I entered this debate only as a result of a telephone call I received from one of the mayors of a municipality in my electorate. Mr Eelco Tacoma, the Mayor of Canning, telephoned me last week with the request that I support the Bill in its present form. I told him, with the utmost respect for his office, that I would not and I could not support a Bill which would, in my opinion, lead to a position of salaried councillors. I gave him as an explanation of this the two reasons I have advanced in the last three or four minutes in this place. I said to him that I had never objected to local councillors being properly reimbursed for legitimate expenses, and indeed that I support some sort of reform which might make the current system a little more workable.

The Mayor of Canning drew my attention to section 530 of the Local Government Act wherein he sees some difficulties in bringing about the sort of reform that people like myself would be prepared to support. Section 530 of the Act reads in part—

> A council during a financial year—
>
> (a) may expend out of the ordinary revenue of the municipality a sum not exceeding three per centum of the ordinary revenue for the financial year for a purpose connected with,—

And I ask members to underline these words in their minds—

> and for the benefit or credit of, the municipality,

That section, in the way it is drafted, interpreted, and administered, produced two distinct problems for local government. I believe that if a councillor attends a ball in his area as a representative of the council, a legitimate expense for him would be the hiring cost of a dinner suit if he does not own one. That runs into difficulties because the Act states that expenditure should be for the benefit of the municipality. I guess many people would challenge the view that a councillor's hiring of a dinner suit or other similar expenses was for the benefit of the municipality. I repeat that I have no difficulty at all in accepting that that and other similar expenditures are reasonable and legitimate expenses.

A second equally difficult matter to be overcome is payments by a councillor that need to be individually validated by a motion of the council. I believe that, on the face of it, that should not produce too much difficulty or paperwork. However, I am advised that it can become a cumbersome matter for a local authority with active councillors and an active local community.

Hon. Garry Kelly: Especially if the amounts are trivial.

Hon. P. G. PENDAL: I agree. I told Hon. Garry Kelly that, if he waited, he would see that I was getting somewhat closer to the arguments he might advance.

It seems to me that an amendment of the kind put on the Notice Paper by Hon. Norman Moore is a way of achieving the ends of many people in local authorities who have, in the first instance, the fear I have about loading councils up with what will ultimately become a type of stipend or salary. At the same time, however, people believe that it is unfair to ask volunteer workers to bear many of the costs which they currently have difficulty recouping or which produce the paperwork to which I have referred.

If we are able to achieve the ends that Mr Tacoma referred to, I believe that is the way to go. The amendment acknowledges that if people are called upon to serve in this very important sphere of government, they should not be out of pocket for their legitimate expenses and neither should the local authority have to load itself with a lot of administrative nightmares—and innumerable resolutions—merely to legitimise what Hon. Garry Kelly has agreed are trivial amounts of money.

I briefly want to comment on another aspect of the Bill which has been touched on by other speakers—that is, the longstanding aim of the Government to seek to validate, legitimise, and encourage local authorities in Western Australia to enter the welfare field. An organisation in my province took exception to my stand on this matter in the past believing that actions taken by the Opposition in this House several years ago placed in jeopardy some of the programmes administered in the local government sphere. Of course, that is nonsense, because none of the programmes currently organised by Federal or State Governments is in any way prevented from being dispensed by local government. The objection in the past has been to allow local authorities to enter the welfare business in their own right as distinct from being what they have been up till now and I hope they will remain—that is, agents for the Commonwealth and State spheres of Government.

I agree entirely with Hon. Norman Moore's arguments. It makes no sense whatsoever that three spheres of government should be allowed to initiate welfare activities. Like Hon. Norman Moore, I go so far as to say that, far from proceeding down that track, we should be walking in the opposite direction not only in relation to this Bill, but also in relation to other Acts of Parliament and other programmes of both the Federal and State Governments in order to eliminate very costly duplication across the board.

It seems odd to me that the Minister for Budget Management, who is alleged by all and sundry to be very vigilant on matters relating to the expenditure of the public dollar and on eliminating duplication within the State scene and between the State and local government, supports this Bill which will, in the words of Hon. Norman Moore, triplicate a very expensive part of the public purse in Western Australia. It does not make any sense at all. We cannot, on the one hand, claim that we are vigilant with the taxpayers' dollar in areas that Hon. Joe Berinson would claim he is vigilant in, and, on the other hand, introduce a clause which would validate a third-sphere involvement in the very costly business of dispensing welfare activities.

Maybe the way to go is the way suggested by Hon. Norman Moore. Perhaps we should look to see whether there are areas that the State and Commonwealth spheres should be ridding themselves of and asking local authorities to take over. That has a rub at the other end

though, because there are not many local authorities in Western Australia which would accept new responsibilities unless the State or Commonwealth Governments gave them the extra revenue to implement those new responsibilities. Indeed, local councils are doing the right thing in resisting that idea on this occasion because the State Government finds itself in precisely that position any time the Commonwealth Government seeks to offload one of its responsibilities.

One of those classic examples was in the field of dental health which was allegedly pioneered by the Whitlam Government about 15 years ago. The Commonwealth Government pumped huge amounts of money into the dental health system throughout Australia. Of course, in these kinds of situations the inevitable happens. A few years down the track when the few people who dreamed up that grand scheme have gone on their way, or even if that Government is still in power but there has been a change of Minister, or the Government has had a change of emphasis, people look to ways of saving money. They investigate the scheme that may have been instituted three years before and which may be costing in the vicinity of $50 million, and they decide to get rid of it. What do they do? They write to the States—it has been done under Liberal and Labor Governments throughout the course of politics that I can recall—and say, "We in the Commonwealth sphere intend to withdraw the funds for XYZ fancy scheme, and if you want the scheme to continue, you have to pay for it." The States are left with the political odium of having to say to their constituents, "We will close down the scheme," or equally odious, in my view, "We will find money from some other source in order to continue a scheme which was not ours in the first place."

That is precisely the reason that local government resists any moves by State Governments to take over more activities in the local sphere. They simply say that they will not take over more responsibility without a commensurate degree of funding, and guaranteed funding at that.

It is time that Governments of whatever political persuasion came to the realisation that surely programmes can be dispensed more economically by one sphere of government. If that means in the ultimate that we will find a way for local authorities to dispense the welfare dollar of this nation because it can do it more economically or sensitively, why should we not do that? Of course, it would mean that we would then be in a position to come back to this House with a Bill and say, "We will give local government the responsibility of taking over the welfare programmes of this State, but they will do it by themselves and we, in the State sphere, are withdrawing from that in order to avoid duplication and we will do our best to persuade the Commonwealth Government to withdraw from that programme to avoid triplication."

That is the only way that I can see myself as a member of Parliament supporting the extension of the welfare system into a third arm of government in Western Australia. It is something which sounds great if people do not think about it too much. In fact, a number of people have made a lot of nonsenical statements which I have attempted to rebut. If those people want to see those services dispensed at a local level they are able to do that by convincing Governments to give them the exclusive right to do that—to withdraw both State and Commonwealth involvement and transfer the necessary funds to that sphere of government to allow it to achieve that.

With those reservations and with the intention of supporting Hon. Norman Moore's amendment, I support the Bill.

HON. GRAHAM EDWARDS (North Metropolitan—Minister for Sport and Recreation) [3.33 pm]: I thank members opposite for their contributions. Quite obviously, their response is based on philosophical or political standpoints in relation to some of the clauses in the Bill. I am tempted to respond in a like manner, but will refrain from doing so in the belief that it will be better to pursue the Bill as a whole and to pass it as such in the further belief that the Bill attempts to resolve problems that local government is experiencing at the working, nuts and bolts, or service delivery areas.

While my second reading speech did not specifically spell out this Government's or the Minister's recognition of the tremendous job and contribution councillors make, the Bill does, by intent, recognise that contribution and indeed it seeks to complement that contribution.

It has been noted by members opposite that this is a Committee Bill. I agree with them and will deal in more detail with the clauses members have indicated some difficulty with during the Committee stage.

I advise Hon. Norman Moore that I am having difficulty understanding his amendment dealing with reimbursement. I did offer him access to the departmental adviser, but my offer was not accepted. I wish it had been. I wish also that he had taken the time to discuss the amendment with me or the adviser. It may have resulted in an easier passage for the Bill because perhaps he would have understood the intent of the legislation.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. Graham Edwards (Minister for Sport and Recreation) in charge of the Bill.

Clause 1: Short title—

Hon. N. F. MOORE: The Minister implied that I had in some way been lacking in my duty by not speaking with a Government officer about an amendment I have on the Notice Paper. The reason I have not spoken to anyone about it is that I have not had the time.

My amendment was drafted this morning prior to the House sitting at 11.00 am, when it normally sits at 2.30 pm. During the luncheon suspension I attended a lunch hosted by the Minister for Local Government to farewell one of his officers. I have not had the time to discuss my amendment with anyone, and I make no apologies for that.

One of the reasons for having a Parliament, as the Minister will eventually find out, is for members of the Opposition and members of the Government to argue the merits or otherwise of what the Government is putting forward to change the laws of the State. Advisers, or public servants, provide advice to the Government Ministers; and I notice that they all take plenty of that. However, ultimately it is for us as members of Parliament to make the decisions about what is right and what is wrong.

During the debate on the clause to which I have proposed an amendment, the Minister will no doubt tell me why he believes my amendment is incorrect. If he can convince me that there is a better way of amending the clause I will take notice of him.

Hon. GRAHAM EDWARDS: I did not suggest that the honourable member was lacking in his duty. I reminded him that I had extended an offer of assistance that he may not have had in dealing with the Bill. It is as simple as that. The member indicated then that he would discuss the matter in this Chamber during the Committee stage, and I have no difficulty with that. It is simply what I thought would be an extension of good manners.

Clause put and passed.

Clause 2: Commencement—

Hon. N. F. MOORE: Subclause (1) refers to certain sections of the Bill coming into operation on the day on which the Bill receives the Royal Assent. Subclause (2) deals with other sections which come into operation on 1 July 1987. Subclause (3) states that certain other sections will come into operation on such a day as is, or days as are respectively, fixed by proclamation.

I wonder whether the Minister can indicate why some clauses of the Bill will come into operation at different times from other clauses. For example, what is the reason for clause 33 relating to land descriptions coming into operation when royal assent is received, the clause relating to the parking fund coming into operation on 1 July, and other clauses of the Bill coming into operation on such day as is, or days as are respectively, fixed by proclamation?

I refer the Minister to clause 2(3) which clearly indicates that some clauses will be proclaimed on different days from other clauses. How will the Minister decide which clauses will be proclaimed and on what day? In my experience it is customary for the whole Bill to be proclaimed at the same time.

Hon. GRAHAM EDWARDS: The days of proclamation are different because firstly, some clauses deal with financial periods relating to the financial year; secondly, some deal with regulations which have to be put forward; and thirdly, some clauses cannot be proclaimed until after the regulations have been prepared.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Section 12 amended—

Hon. H. W. GAYFER: I move the following amendments—

Page 2, line 17—To insert before "deleting" the following—

(a)

Page 2, line 18—To delete "At least 20" and substitute the following—

A sufficient number of

Page 2, after line 26—To insert the following—

(b) by inserting a new subsection (1a)—

"(1a) in subsection (1) of this section "a sufficient number" in relation to persons who are electors within the district means—

(a) where the total number of such persons does not exceed five thousand—fifty per cent of the total number or fifty, whichever is the lesser;

(b) where the total number of such persons exceeds five thousand but does not exceed ten thousand, one hundred; or

(c) where the total number of such persons exceeds ten thousand, two hundred."

I explained in the second reading debate our wishes as far as this clause is concerned. Clause 4 of the Bill as it now stands provides the power for electors to petition for the division of a city, town, or shire. The only real alteration to the existing Act is the proposed substitution of the words "district" and "districts" for the words "shire" and "shires". I fail to see the significance of that amendment.

The number of electors required to petition the Minister appears extremely small bearing in mind the far-reaching consequences and expense of such action. Accordingly, we have lifted from the existing Local Government Act the relevant part of section 611 and transposed it into this Bill; it gives guidelines on the number of electors required to petition in direct proportion to the number of residents in that particular area.

Sitting suspended from 3.45 to 4.00 pm

[Questions taken.]

Hon. H. W. GAYFER: Our suggested amendment taken from section 611 of the principal Act is really more in direct proportion to the number of electors than the Minister's planned figure of 20. We understand that in another place the Minister suggested that he would have a close look at this provision, and I had expected the amendment by the Minister for Local Government to be on the Supplementary Notice Paper.

Hon. GRAHAM EDWARDS: The Minister for Local Government has indicated that a review of all sections of the Act which specify numbers of persons who can petition will be examined as part of the whole review. In view of this, and other information, the honourable member might like to give some consideration to withdrawing his amendment in favour of waiting until this review has been completed and the whole area has been considered more fully.

As I understand it, nine different sections of the Act provide for different numbers of persons to petition. In some circumstances it is 50, in others it is 20, in others it is the majority of electors, or two-thirds, or 50 per cent, or 100, or 200. That is an indication of the great variations within the Act.

In view of the confusion which could arise, as the Minister has indicated, he should review that whole section as part of the overall review. If we are to do that, it would be more appropriate for this amendment to be withdrawn pending the outcome of that review.

Hon. N. F. MOORE: I have some sympathy with the amendment moved by Hon. H. W. Gayfer, which was also discussed by my colleagues in the other place. The Minister would go some way towards convincing me we should defer this if he indicated whether the Government saw any merit in the graduated scale proposed under Hon. H. W. Gayfer's amendment. At present it is just a question of 20 persons, regardless of the size of the authority, although I should make the point that this amendment seeks, firstly, to allow the division of districts as well as the division of shires, and that is the primary intention of the amendment. What Hon. H. W. Gayfer has sought to do is to agree with the amendment, and then extend that a bit further.

Hon. GRAHAM EDWARDS: I am not in a position to provide the information that the member seeks. However, I come back to the argument that if we are going to review that section as part of an overall review of the whole Act, it is more appropriate to leave it until that stage. As I see it, there are a number of problems with the amendment. In part (c) of the amendment, which states "where the total number of such persons exceeds ten thousand, two hundred" it appears to me that in a local authority the size of, say, the City of Wanneroo, 200 people out of the massive number of residents within that boundary is really next to nothing.

Hon. H. W. Gayfer interjected.

Hon. GRAHAM EDWARDS: That may be the case, but it is still in terms of numbers only a fairly small and insignificant increase, as I would see it. However, I come back to the point that concern has already been expressed about these different categories of electors who may petition, and I think we should address the whole thing in total within the Act.

Hon. H. W. GAYFER: I think the Minister has grasped exactly what we are trying to do. We know that there are nine or 10 sections within the Act which have different figures for different things, and we chose section 611 simply to show that we favoured a graduated system. In doing that, we believed that with section 611 already being in the Act, it was a simple matter just to transpose it. I agree with the Minister that when one looks at the case of the City of Wanneroo, even 200 is chickenfeed compared to the number of people who could be involved in a district or shire. However, we want to establish the principle, and even 200 is better than 20.

We accept that the Minister wants to do some work on this. I know the Minister for Local Government said at the time that he had informed local governments that he was going to have a look at this. That statement does not satisfy this Chamber. We want an assurance from the Minister, on behalf of the Minister for Local Government, that we are going to be satisfied by a review of this particular clause, preferably being conducted in the way we believe it should be done. That is why we emphasise this clause. As Hon. N. F. Moore quite correctly said, we are not actually opposing this clause. We agree with a portion of it—the change from shire to district. However, we want to go a bit further, and we have received an assurance from the Minister that this clause is the subject of revision, and I think my colleagues would be prepared to accept that.

Hon. N. F. MOORE: I go along with the views expressed by Hon. H. W. Gayfer, but I ask the Minister to convey to the responsible Minister that it is the view of those on this side of the Chamber that the graduated scale is more appropriate than just a single figure, bearing in mind that the intention of this amendment is to allow both town and city councils to be split up, as opposed to shire councils, which the current Act delineates.

Hon. GRAHAM EDWARDS: I appreciate the comments of members opposite, and there may well be some real merit in what they are proposing, which needs to be looked at.

Hon. H. W. GAYFER: I seek leave to withdraw my amendments.

Amendments, by leave, withdrawn.

Clause put and passed.

Clause 5: Section 67 amended—

The DEPUTY CHAIRMAN (Hon. John Williams): Clause 5 is consequential upon clause 22,and I am prepared to take the debate on clause 5 after clause 22 has been debated.

Clause thus postponed.

Clauses 6 to 10 put and passed.

Clause 11: Section 191A inserted—

Hon. N. F. MOORE: Clause 11 gives councils a new power to make decisions about fees and charges by resolution, rather than by having to set a by-law. The new laws, while giving local authorities that power and additional responsibility, then seek in proposed section (3) to take the ultimate authority from the councils and give it to the Minister. This is not just giving the councils something with one hand and taking it away with the other; it is in fact a more fundamental change with respect to the way in which the Parliament operates. The situation is that if a council sets a by-law, that by-law is tabled in Parliament, and it is for Parliament to make a judgment about the by-law.

The Minister is saying that that procedure will not now apply and in fact the Minister will take over the power to judge the decision of the council. I support the amendment proposed by Mr Gayfer to delete the power of the Minister, and I draw the attention of the Committee to the fact that, in the Assembly, this amendment was actually moved by my colleague, Mr Lewis, the member for East Melville, and was defeated by the Government. Our view is that it is unnecessary, if we are going to give the local authorities this power.

While these amendments are inherently sensible, they have been designed to ensure that we have less power and that the Ministers have more power. Regrettably that is a trend of Governments, not just here but in other parts of Australia, and we as parliamentarians ought to resist that trend. In this instance I would much rather the council had the authority to make decisions about what essentially are very trivial charges without their having to come back to the Parliament or the Minister.

That is why we support Mr Gayfer's amendment. I will discuss the question of publishing this information in local newspapers when we come to debate my amendment at the end of the clause.

Hon. H. W. GAYFER: I have just noted the amendment that has been moved by Hon. N. F. Moore to delete certain words in proposed subsection (2). I quite agree with him that the same should be published in a local newspaper. Not everybody reads the *Government Gazette*, so few people would know what was happening in this regard.

Our amendment, which follows Mr Moore's, calls for the deletion of the subsection which allows the Minister a veto. That is self-explanatory—we are just saying it must be taken out, and that is all there is to it.

Hon. N. F. MOORE: I move an amendment—

> Page 4, line 13—To insert at the end of the subclause the words—
>
> and the same published within that time in a newspaper circulating in the district.

In support of this amendment I draw the Committee's attention to the words contained in the Bill, and the words that I propose should be added. My amendment needs to be seen in the light of the intention of this Chamber to support the deletion of proposed subsection (3) which gives the Minister a power of veto.

The proposal is that in the event that a local authority seeks to strike a charge or a fee for the various activities for which this clause gives it authority, that decision ought to be conveyed to people within the municipality. The Minister's Bill says it would be reported in the *Government Gazette*. I do not know how many people read the *Government Gazette*, but I doubt that it is one of the most popular best-sellers in our reading library; in fact, as we all know, very few people read it.

If we go down the path required in respect of the Mining Act and a variety of other pieces of legislation, we need a provision to advertise such matters in the local newspaper so that people within the municipality know when charges and fees are going to go up. That is a far better way of advising the public of the changes in local government charges. The requirement for it to go in the *Government Gazette* should remain, however, as that formalises the decision by the council and it is formally reported by the Government. That is important, especially if we agree to Mr Gayfer's amendment and take away the Minister's veto.

Hon. GRAHAM EDWARDS: The Government is prepared to accept the amendment that has been moved, but I foreshadow that we will vigorously oppose Mr Gayfer's amendment (D) appearing on the Notice Paper, with good reason. Certainly there is some value in what Hon. N. F. Moore has said, and we do not oppose his amendment.

Amendment put and passed.

Hon. H. W. GAYFER: I move an amendment—

> Page 4, lines 14 to 16—To delete subclause (3).

I have no need to go into any great detail on this amendment. In the first instance we do not see why the power of veto should have been taken from the Government and given to the Minister, although we know it is virtually the same thing. However, we go a step further; we do not believe the Minister should have the power of veto.

In his opening remarks on this Bill the Minister talked about autonomy, and in the light of those remarks we believe this subclause should be deleted.

Hon. GRAHAM EDWARDS: The Minister and the Government do not have any real difficulty with what has been proposed; we do have difficulty with the timing. We are not prepared to accept this amendment at this stage.

This clause is of a transitional nature and needs to be put in place to give the Minister an opportunity to provide some safeguard, if need be, during that transitional period. The Minister is also considering expanding the category of fees that can be set by resolution.

The power of veto would apply only in cases where fees were seen to be not in the best interests of the public. I can imagine that would happen, if ever, only on very rare occasions; but in case it did happen the Minister and the Government feel that the power of veto should be there for the time being. I imagine that the power would be used as a last resort and only when all else had failed. It is interesting to note, too, that this proposed subsection is in line with the Cemeteries Act, where the same veto applies.

Hon. N. F. Moore: What is the relationship between that Act and the Local Government Act?

Hon. GRAHAM EDWARDS: Simply that the power is there for the Minister.

Hon. N. F. Moore: They are totally different Acts.

Hon. GRAHAM EDWARDS: The power of veto should be used when it is in the best interests of the public that it be used. I reiterate that it is a transitional thing and that it may be that there is not very much difference in our positions but merely in the timing.

We oppose the amendment.

Hon. H. W. GAYFER: The matter comes back to basics. Proposed section 191A is inserted allowing councils to set fees and charges in respect of aerodromes, swimming pools, jetties, depasturing fees, market premises, recreational areas, admission charges, school hostels, rest centres, public baths and wash houses, and lavatories, which are under the control and care or management of the council, by resolution.

As one of my colleagues mentioned, the inclusion of subclause 11(2) in the Bill by the Government means it has given the councils a toy to play with because it has already said it wants them to have as much autonomy as possible; but if the Government does not like it, it will invoke subclause 11(3) and, "by order published in the *Gazette*, amend or revoke a fee or charge set by a council under this section if the Minister considers the fee or charge to be unreasonable".

How unreasonable is the proposition to give complete autonomy to a council to do all those things and then say, "I have given you the toy, now I am going to take it away from you"? Let us be very basic in the realisation of what will happen. If the electors do not like what the council has done they will show that in the ballot box. The electors should be testing the decision made in the best interests of the council. We believe the Minister should not be able to amend or revoke a decision made by council in the best interests of its electors.

Hon. N. F. MOORE: I remind the Minister of his second reading speech in which he said the Bill is in keeping with Government policy to provide local government with more autonomy and wider powers. That is laudable. The Government is on record as saying it wants to give local authorities much more power and autonomy. The Minister in another place was highly critical of the previous Government, claiming it had an entirely different view about local government autonomy.

Here we are saying to local authorities, "We will take away from you the requirement that you set fees and charges by by-laws and we will allow you to make the decisions by resolution." That is a good decision which says that councils, in 1987, are now capable of setting fees in respect of entry to changing rooms, bathing facilities, etc. But then the Government says that if a council imposes an unreasonable fee the Minister will say the council cannot charge that fee.

If a shire council decided to charge $20 a head for admission to a swimming pool, that council would not last more than five minutes. There would be such an uproar that it would not require the Minister's veto to change it.

The Local Government Act bears no relationship to the Cemeteries Act. The Cemeteries Board is appointed by the Government to carry out Government policy. It is quite right for the Minister to veto decisions of the Cemeteries Board, because its members are not elected by ratepayers.

Local government councillors are elected by constituents just as we are and they are accountable to those constituents. If they are to be accountable to constituents in respect of decisions they make, surely those decisions should stick without a Minister's having to say yes or no. The Government has only gone halfway down the path it so laudably seeks to go down. Bearing in mind the triviality of the matter, the Government has changed its mind halfway down the track.

I hope the Government accepts Hon. H. W. Gayfer's proposition because it does not change the situation enormously and will not cause the sky to fall in.

Hon. GRAHAM EDWARDS: The reference to the Cemeteries Board is not irrelevant simply because a number of local authorities in this State set fees for burials and act as the Cemeteries Board. The parallel is there.

There is not much difference in our positions at all except in timing. The Minister wants that interim safeguard so that he can act if necessary. The Government opposes the amendment.

Hon. N. F. MOORE: I understand the Government proposes to provide future amendments to the Act which will allow councils to make decisions by resolution about a variety of other things some time down the track. Could the Minister give us some indication as to whether that is correct and in what areas does the Minister seek to give councils more power? By doing that, can the Govern-

ment mount an argument to suggest that some of these changes down the track will require a veto? The Government might therefore suggest a council is more capable of making the utimate decisions in those areas.

Hon. GRAHAM EDWARDS: There are a number of fees within the Act that the Minister is prepared to look at, including licensing people under the Act and parking. That is not really the issue here. The issue is whether the Minister will have the ability to provide that safeguard under the fees that are identified under this Bill.

Hon. N. F. MOORE: The areas in which we are allowing fees and charges to be set by resolution are quite trivial to the extent that with admission to jetties, use of recreation facilities, admission to swimming pools etc., a local authority can make those decisions without the Minister. If, down the track, the Minister says the local authorities can make decisions about matters of great significance and this veto should not be lifted because of that, the Government might be able to mount an argument to convince me to leave the provision in there.

Amendment put and a division called for.

Bells rung and the Committee divided.

The DEPUTY CHAIRMAN (Hon. John Williams): Before the tellers tell I give my vote with the Ayes.

Division resulted as follows—

Ayes 14

Hon. C. J. Bell	Hon. Neil Oliver
Hon. J. N. Caldwell	Hon. P. G. Pendal
Hon. E. J. Charlton	Hon. W. N. Stretch
Hon. Max Evans	Hon. John Williams
Hon. H. W. Gayfer	Hon. D. J. Wordsworth
Hon. A. A. Lewis	Hon. V. J. Ferry *(Teller)*
Hon. G. E. Masters	
Hon. N. F. Moore	

Noes 11

Hon. J. M. Brown	Hon. B. L. Jones
Hon. T. G. Butler	Hon. Garry Kelly
Hon. Graham Edwards	Hon. Mark Nevill
Hon. Kay Hallahan	Hon. S. M. Piantadosi
Hon. Robert Hetherington	Hon. Doug Wenn
	Hon. Fred McKenzie *(Teller)*

Pairs

Ayes	Noes
Hon. P. H. Lockyer	Hon. J. M. Berinson
Hon. Margaret McAleer	Hon. Tom Helm
Hon. Tom McNeil	Hon. John Halden

Amendment thus passed.

Clause, as amended, put and passed.

Clause 12: Section 231A inserted—

Hon. N. F. MOORE: I commend the Government on this particular clause which gives power for by-laws to be made enabling local government to impose penalties on people who park in disabled persons' parking bays. Quite clearly this is a sensible move and one which is long overdue. The Opposition gives this clause its heartiest support.

Hon. GRAHAM EDWARDS: I thank the member for his support of this part of the legislation. I refer to my earlier comments when I said that I was pleased that we have taken a bipartisan approach to this matter. However, for the information of members who perhaps wonder why we need to do this, I will just explain briefly.

Disabled persons' parking bays are designed in accordance with certain standards. They are, for instance, wider and they are located closer to the major areas of the shopping centres in accessible positions. Quite simply, someone in a wheelchair needs to be able to open the car door very wide to get the wheelchair in and out. It is often the case that people who park in a normal parking bay, not having a car next to them, take their wheelchair out and return from their shopping to find another car parked close to theirs. This means that they cannot get their wheelchair into their car. This happened to me at a hotel once. I told my wife I was staying for an hour and returned to my car to find it hemmed in by another car and I ended up staying at that hotel for 10 hours simply because I could not get my wheelchair into my car. The rousing I received when I returned home first drew my attention to this matter, and I decided then to do something about it. It is a real problem.

However, not all disabled people are in a wheelchair, and indeed, to look at some people who park in these disabled persons' parking bays, and who have a sticker, one might gain the impression that they are not disabled. That simply may not be the case at all. Not all disabilities are visible and some people suffer disabilities such as shortness of breath or other problems which prevent them from parking too far away from the shopping centre or pushing large shopping trolleys. The other aspect is that there are people who may have temporary disabilities; I believe their position has been looked after. In general I support very much the thrust of the clause. I thank the Opposition for its support of the clause.

Clause put and passed.

Clause 13: Section 242 amended—

Hon. N. F. MOORE: This clause relates to stall holders. When I read this clause I was reminded of the days when we argued about buskers and those sorts of people, and what stall holders are entitled and not entitled to do. This clause is quite a simple amendment which seeks to introduce the question of hiring out equipment from a stall. That is added to the sale of goods from the stall. It means that if one sets up a stall and wants to hire something from it, that will not be covered by the Act.

I gather what must have happened in the past is that somebody set up a stall and started to hire something out. The local authority found that section 242 of the Act did not cover the council's involvement in that matter. Could the Minister tell me if that is a correct assessment and whether there are any examples where somebody hiring out some utensil or some product such as a bicycle found that he could bypass the council's by-laws because of the fact that the word "hire" was left out of the definition of stall?

Hon. GRAHAM EDWARDS: The honourable member has accurately identified the thrust of this clause. An example of this would be someone who wants to set up a stall to hire bicycles or deckchairs at a beach. This clause is simply to enable that hiring to take place.

Hon. N. F. MOORE: Is there a case in recent times where somebody did this and the council found that it could not act because of a perceived deficiency in the Act?

Hon. GRAHAM EDWARDS: Not that I am aware of. However, I am aware that the deficiency was pointed out to the Government by local government.

Clause put and passed.

Clauses 14 and 15 put and passed.

Clause 16: Section 401A amended—

Hon. GRAHAM EDWARDS: I move two amendments—

Page 6, line 18—To delete "and".

Page 6, after line 18—To insert the following paragraphs—

(b) in subsection (3) by deleting "or the building surveyor";

(c) in paragraph (a) of subsection (4) by deleting "or the building surveyor";

and

These amendments are necessary following some amendments which were made in the other Chamber. They are generally of a tidying up nature. As I understand it, without these amendments the council could make a particular order but the provision is still there for the building surveyor to amend that order. That could put the building surveyor and the council at odds and could create some conflict. We are simply tidying up that particular section following those amendments.

Hon. N. F. MOORE: I understand this clause was amended in the Assembly.

Hon. Graham Edwards: Yes, and these amendments are consequential.

Hon. N. F. MOORE: So these amendments are additional to amendments that were passed in the Assembly?

Hon. Graham Edwards: Yes.

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 17 to 19 put and passed.

Clause 20: Section 435 amended—

Hon. N. F. MOORE: Will the head of the department be called the permanent head or will he be known by some other title?

Hon. GRAHAM EDWARDS: There are no firm proposals at this stage as to what his title will be.

Clause put and passed.

Clause 21: Section 446 amended—

Hon. N. F. MOORE: This clause deals with the provision of welfare by the local authorities. The Opposition opposes this clause and will seek its deletion from the Bill.

The Government, with this amendment, seeks to allow councils to use their own funds to erect buildings for the provision of welfare services. It then seeks to give local authorities the power to use their own funds to implement and coordinate State and Commonwealth welfare programmes and to provide a variety of services relating to welfare which the councils think desirable.

The last time this Chamber dealt with this matter, it dealt only with the question of buildings and so the question of different types of programmes are additional to that which was sought before.

During the second reading debate, the Opposition indicated its opposition to this clause. That does not mean that it is opposed to local government authorities implementing some welfare functions on behalf of State or Commonwealth Governments. In fact that happens

now. However, we are opposed to local authorities using their own funds for that purpose.

The Opposition believes that it is the reponsibility of State and Commonwealth Governments to spend funds on welfare. If those Governments seek to delegate that authority to local authorities, so be it, provided they make the money available to the authorities to carry out the work.

Statements of accounts of many local authorities indicate how many are involved in the spending and receiving of funds relating to welfare services. The East Fremantle Town Council for the year ended 30 June 1986 received $3 535.90 for welfare services and spent $3 587.41. The East Melville City Council for the same year received $151 624.11 and spent $211 524.41 on welfare services. The accounts of both of those councils were audited and, as I understand it, they were not queried by the auditor.

It may be that the East Fremantle Town Council kept the difference to cover administration costs but the East Melville City Council clearly expended more than it received. Were those funds that the council was not entitled to spend? The Minister may tell me that the East Melville City Council was acting within its rights. If so, why do we need this amendment.

The Belmont City Council received $430 000 for welfare services and it expended $507 000. Was it entitled to spend that extra $80 000 above the amount it received? Statements of accounts for a number of councils indicate the same thing. However, there are many other councils which spend no money on welfare services and do not even have an account for those services.

Is my assessment of the above situation correct? Are local authorities permitted to be agents of the Commonwealth and State Governments for welfare but not permitted to spend their own funds on welfare? If that scenario is correct, I can see no reason for changing the legislation.

Hon. H. W. GAYFER: This clause seeks to amend section 446 of the Act to enable councils to expend money from municipal funds on buildings for the provision of welfare services. It provides also for the implementation and coordination of State and Commonwealth welfare programmes within local government districts and for the provision of counselling and information services, activity, refuge and shelter services, child and youth care, and such other welfare services as the council thinks desirable.

Although it may be considered desirable to alter the Act to provide the power for local authorities to become involved in the provision of welfare services, the National Party has some trepidation about the long-term effect of such a move.

Over the years, particularly the last few years, the local government scene has altered. Local government is continually asked to provide services which were previously the responsibility of State or Federal Governments. It is now proposed to develop a framework whereby local government will become involved in the provision of welfare services. I wonder whether, as the years go by, welfare services will become the function of local government with State and Federal Government support rather than a State or Federal function with local government involvement.

Despite the decline in Government grants to local authorities, the pressure on them to provide non-economical services is increasing and they can ill-afford additional burdens such as the provision of welfare services. The National Party is opposed to this proposition.

Hon. E. J. CHARLTON: While it has been explained to the Chamber that the opinions held by the Opposition parties are not what this clause is all about, the fact is that this clause, together with adult franchise in local government, opens up Pandora's box as far as the future of the provision of welfare services is concerned.

It is important for members to understand that if a council wants to implement a scheme for the well-being of its ratepayers it has the capacity to do that under the Act. To write this provision into the Act is opening the door to a whole host of things. It is not necessary that this clause be included in the Bill.

The exclusion of this clause will not change the intent of the Bill, and it is certainly not in the best interests of local government.

Hon. MAX EVANS: Adult franchise was introduced into the Local Government Act several years ago. The matter was debated by the WA Chamber of Commerce and Industry at length, and at that time concern was expressed about what would be the next step, if people who did not pay rates became involved in the expenditure of local government moneys.

Members will be aware of the debate on the Occupational Health, Safety and Welfare Amendment Bill in relation to the area of welfare, and we are now faced with the issue of welfare in this Bill. Socialism is creeping into this area.

Hon. J. M. Brown: What is wrong with that?

Hon. MAX EVANS: We cannot expend wealth all the time to welfare.

Members may have heard a programme on ABC radio several weeks ago about the city of Liverpool. The local authority had been taken over by a group which deliberately overspent its funds on social welfare. They had no sense of responsibility and they did it to embarrass the Thatcher Government. Cities in the United States have gone bankrupt and some English counties are known to be in debt for up to a total of $26 billion.

Hon. Graham Edwards: In England?

Hon. MAX EVANS: Yes.

Hon. Graham Edwards: It is not surprising given the dictatorial reign that exists over there.

Hon. MAX EVANS: Does the Minister believe that local authorities should sell buildings, vehicles, parking and lease back meters to provide welfare services? Local authorities have long-term foreign exchange debts to repay.

Hon. Graham Edwards: Do you think it should be ignored in the community?

Hon. MAX EVANS: No.

Hon. Graham Edwards interjected.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! Hon. Max Evans has the floor. I remind the Minister that this is a debate in Committee and not a conversation.

Hon. MAX EVANS: All members are aware that local government rates are increasing rapidly. It is the people who can least afford the rates who will suffer in the long term.

The cost of providing welfare services must be passed on to the ratepayers. Local authorities are receiving less grants from both State and Federal Governments, and the grants will decrease in years to come.

The actual construction costs of a building account for only a small percentage of the cost involved for local government in the provision of welfare services. The biggest cost to the local authority are ongoing costs such as the cleaning and maintenance of the building.

Local government can find money for capital expenditure, but it cannot find money for ongoing costs. Local authorities must consider this clause with great caution or they will be confronted with problems.

Local authority rates are becoming too high for a number of people, but the wealthy people who live in big houses will not suffer.

A member: It will result in an increase in rents.

Hon. MAX EVANS: Rents will be increased. People will be forced to sell their properties and as my friend, Hon. Beryl Jones said, people who are paying rents are actually paying rates. I would like it included in the Local Government Act that all tenants pay the rates. A deal should be done between the owner and the tenant making the tenant responsible for the payment of rates and land taxes. They will then be in a position to have a say in how local government funds are expended.

I warn the Minister that this clause will result in local government being confronted with more avenues on which to spend its funds. Those funds will come from only one source, the ratepayers. Less funds will be received from State and Federal Government.

I am not against welfare, but this clause will give an open cheque book for welfare buildings to be constructed from municipal funds, and it will become a real problem in the future.

Hon. J. M. BROWN: I agree with only one thing Hon. Max Evans said, that local authorities must exercise a great deal of caution in regard to this clause. We pride ourselves in enabling local government to be cautious in its dealings. I see this clause as another step towards the autonomy of local government.

Hon. Eric Charlton criticised adult franchise. I advise that particularly in country areas adult franchise has not had a marked effect on the community. In fact, there has not been very much alteration to the workings of local government whatsoever.

Adult franchise has enabled members of the community who may not be ratepayers to take a greater interest in the activities of local authorities. I cite Nungarin which has a population of 332 as an example of a town in which members of the community have taken an interest. The community in this town is working towards social welfare and has implemented training schemes for the unemployed.

Local government grants are not diminishing. There has been an increase, although not as great as in the past, in the funds allocated by the Grants Commission for the 1987-88 financial year. The Grants Commission has established a formula whereby it allocates funds to local authorities. If any local authority believes it has been badly treated by the Grants Commission, it has the right of redress.

When the Grants Commission was constituted there was a great difference between funds allocated to the metropolitan area and those allocated to the country areas. The amount given to country areas gradually diminished and the funds were all given to the metropolitan area. It was not until there was a change in the membership of the Grants Commission that a more equitable situation applied in the country. The Grants Commission has done a great deal for country people and it has closed the gap between the amounts recived by metropolitan and country areas.

A number of local authorities in this State have no community welfare services whatsoever, and these local councils at the grassroots level are the best people to carry out social welfare activities for their communities. Neither community welfare officers nor agencies are readily available for the people in many country areas throughout the State. This clause of the Bill would regularise local authorities' activities in this area.

I understand that local authorities have a far better chance of receiving direct grants from the Commonwealth than does the State Government. It seems the Commonwealth Government is keen to help at the local level with regard to grants and allocations for social welfare.

Hon. N. F. Moore: That is not correct.

Hon. J. M. BROWN: That is my understanding from the Commonwealth Government and from the State Minister for Community Services.

Hon. N. F. Moore: That is not how it should happen.

Hon. J. M. BROWN: Whether it should happen or not, it is happening. I listened in silence to Hon. N. F. Moore's comments about his philosophy in this regard and his lack of interest in giving local authorities more autonomy. The member has suggested that certain restrictions should be imposed, but I am saying that it is another step in the right direction.

We have recently voted for a Bill which will give more autonomy to local authorities. Do members opposite not trust local authorities to decide whether they want to be involved in social welfare? It is hypocrisy to suggest that the funds to provide these services will come from ratepayers' pockets. Do members opposite know what proportion of local government revenue is derived from rates as opposed to other income?

Hon. N. F. Moore: It varies from council to council.

Hon. J. M. BROWN: No, I am sure they do not.

Hon. N. F. Moore: You tell me.

Hon. J. M. BROWN: The member can work it out for himself. Much of the income of local government comes from outside the rates revenue; for instance, through petrol taxes, licence fees, direct Government grants, and main roads grants, which are of considerable support to the community.

The suggestion that members of shire councils will be indiscriminate in the use of funds or involved in something they should not be involved in is discrediting the councils. I know this matter has been considered by the Parliament before, and I have not received one protest from local authorities about its proposed implementation on previous occasions. Neither has any protest been made about its inclusion now. This is part of the overall programme for local authorities.

I was talking to Mrs Jean King, President of the Country Women's Association, who farms at East Perenjori, about this situation. She has a great deal of sympathy for the programme, of which this amendment is part, that will make welfare available in country communities. She was very concerned about the amount of involvement in the community in social welfare and she thought that the proposed amendment was commendable. It is not as though the people do not believe in this concept; it is just that some members of Parliament believe there is something wrong in giving this power to local authorities.

I have a great deal of confidence in the way local governments handle their affairs; I have the utmost confidence in the ability of individual councillors and their administrations in many areas of the State who want to act responsibly in this regard. I trust that the Committee will support the Bill.

Hon. GRAHAM EDWARDS: I am absolutely stunned at the turnaround in the argument within the space of a few clauses. Not too many clauses ago members opposite were arguing strongly for local authorities to have that power of autonomy. I supported giving that power of autonomy and my only query was on the timing.

Members opposite are being hypocritical; they are saying on the one hand that they are prepared to give that autonomy to local governments but, on the other hand, they will not do so. The Opposition is being short-sighted; many of the functions that could be carried out at a local government level in the long term, and perhaps in the short term, would act on the basis of prevention and ultimately decrease the cost of welfare in the community.

I refer, for example, to financial counselling. I know a number of local authorities are already involved in this area and other local authorities wish to become involved. That could be classed as a welfare service and the Opposition might say local authorities should not become involved. Quite simply, the best people in the community to utilise local resources in the provision of such a service are those in the local authority. A bottoms-up approach like that could provide a preventative measure to help people stay out of financial trouble, and it will help to keep them away from the flow-on effects of such difficulties.

Also, there is absolutely no compulsion in this matter. It is, and will remain, a decision of local authorities as to whether they become involved in the provision of such services. I certainly hope that more authorities will become involved in some of these services directed towards the people, which services should, wherever possible, be provided.

If local authorities are to take advantage of Commonwealth and State Government funding, from time to time they will need to make some financial provisions themselves. If they are to take that opportunity, obviously some costs will go hand in hand with that funding, such as employment of staff to help become involved in a Federal or State programme. Quite frankly, I see nothing wrong with local authorities picking up that cost.

Taking this one step further, the Opposition could introduce an amendment to the Act preventing local authorities from being involved in care for the aged, including the tremendous service provided by the meals on wheels programme. Does the Opposition categorise that as a welfare service?

Does the honourable member intend to have that as part of his philosophy of getting local government out of the area of providing such services, or does he intend to remain self-critical in debating this proposal? I support the clause.

Hon. P. G. PENDAL: Just for the record, and because the matter being discussed was central to the second reading debate, I suggest that the nasty turn of events is due not to the Opposition but to the attitude of the Government. Particular Government members, including the Minister, insist upon getting mixed up with a couple of unrelated principles.

This is a diversionary tactic on their part; it was certainly so on the part of Hon. Jim Brown, in drawing a red herring across the path so that we would be diverted from what is at stake here. Hon. Jim Brown has talked passionately, along with the Minister, about the desire of the Government to maintain the autonomy of local government. I remind the Committee that a few minutes ago the Labor Government in this Chamber attempted to impose a power of veto.

Hon. Graham Edwards: Obviously you do not understand the Bill.

Hon. P. G. PENDAL: I do. It is not the first time this has occurred. If anything gets up the nostrils of local government councillors and administrators in this State—because they have said it for years—it is that ultimate power of veto which can be exercised by the Minister under the Local Government Act. In fact local authorities expressed their distaste for this sort of thing so forcibly that only three or four years ago the precise number of cases where the Minister for Local Government exercised the power of veto under the Local Government Act was quoted to me. That is how sensitive local authorities are and have been.

Now they are being told by the present Government that it is committed to a wider exercise of autonomy, yet only a few minutes ago this Government tried to reimpose that attack on their autonomy by that power of veto. I remind Hon. Jim Brown that that power of veto has been removed from this Bill, as it should be, in line with the belief, apparently shared by Government and Opposition alike, that local authorities should exercise a greater level of autonomy.

In reality we should not even discuss the question of autonomy here. The Opposition has been stating consistently that local government is best able to carry out certain functions, the State Government is best able to carry out certain other functions, and the Federal Government is best able to carry out others. We are therefore saying that in those areas which are probably the prerogative of local authorities they should have full autonomy. Nothing is clearer.

In those areas where local authorities do not have autonomy, they are exercising powers on behalf of another sphere of government, therefore it is wrong for the Minister to come back with a self-serving response in the way that he did. It is rank hypocrisy on his part and on the part of the Minister for Local Government to seek to introduce a power of veto when they claim that this Bill introduces a greater level of autonomy.

Hon. GRAHAM EDWARDS: I suggested earlier that Hon. P. G. Pendal did not understand the Bill. The longer he spoke the more apparent it became that he did not. I indicated regarding that power of veto that there was not too much difference between what the Opposition was putting forward and what we were putting forward. The only difference was the timing. I mentioned that on a number of occasions.

What we are dealing with here is the Opposition's philosophy—which the honourable member seeks to deny—that local authorities have the ability to provide a number of services which should really be provided to the community It it not a matter of who should pay for those services. because the cost to local government is minimal. We are talking about enabling local authorities to best take advantage of funds made available by Federal and State Governments.

To say that these areas of concern are of concern only to Federal or State Governments is unacceptable to me. While it sits well with the Liberal philosophy, I cannot understand it. Difficulties are being felt in the community by a range of people. We should all work together to ensure that those difficulties are minimised.

Hon. E. J. CHARLTON: If Federal and State Governments want to spend a greater proportion of the present amount of finance on welfare. in the broadest sense of the word. by all means let those two areas of government make available, both in terms of finance and responsibility. that sort of assistance to local government. If local government wants an increase in the say and the means of distributing that assistance to people within its responsibility, let those three spheres of government become involved to see that that is done.

I think everyone agrees that at present individuals in this nation are being taxed out of all logic.

Hon. P. G. Pendal: That is the point.

Hon. E. J. CHARLTON: That is the point. They are being taxed beyond survival. We are suggesting here that some people, for the good of the community, should be given an opportunity to tax other people in order to help those less fortunate within their community.

We do not want to look at this from that defeatist attitude. We should ask what we can do in this nation and in this State to enable the sort of people who require that sort of assistance to get up from where they are instead of everyone running around trying to find another avenue for someone to help them.

In the last few weeks, as most people know, I have been involved in doing just that in Tammin where I live. I have seen what has happened over the last few years. If we take that approach and say, "Let us see if we can raise more money and give it to people to try to help their cause in one way or another," we will get nowhere. We must try to give people an incentive to become active and a part of their community, and that cannot be done by putting forward this sort of proposition.

Members of the Government are no doubt sincere in saying that they can see these terrible problems confronting people. Only yesterday the Prime Minister said he would help the poor; nobody would be worse off by 1991. I do not want to get away from the clause we are talking about, but that statement is directly related to this provision.

That sort of mentality seems to be overflowing in our nation these days. We see people looking for avenues to raise funds to provide handouts. I know the Minister will not agree with my view because he is looking at it from another direction. The simple fact is that many people in our society, of all political persuasions, see their role in life as taking advantage of this money, and having some say in seeing how it can be raised and spent. We all see it every day.

We see repeatedly how local government is expected to assist people and to implement certain things that are of benefit to the community. The clause contains a very open-ended

description of how those services might be extended by a local authority, and I am concerned that it opens up a Pandora's box to those people who may wish to take advantage of the situation in a way possibly not envisaged by the Government.

I think we are going about it the wrong way. What we seem to be doing in this nation is coming forward with a lot of reasons for bringing everybody down to the one level, instead of trying to uplift the people who are down. I can give some instances where people have been assisted, but when they get off the floor, the assistance goes out the window, and they are financially and materially persecuted after that. For example, if an unemployed person is renting a house, and seeks employment and gets a job, as soon as he gets that job he pays the full rate for his rental accommodation, to the point where he is worse off than when he was unemployed. That is just one example of what can happen when we try to look for all sorts of ways to assist people.

Clause put and a division called for.

Bells rung and the Committee divided.

The DEPUTY CHAIRMAN (Hon. John Williams): Before the tellers tell I give my vote with the Noes.

Division resulted as follows—

Ayes 11

Hon. J. M. Brown	Hon. B. L. Jones
Hon. T. G. Butler	Hon. Garry Kelly
Hon. Graham Edwards	Hon. Mark Nevill
Hon. Kay Hallahan	Hon. S. M. Piantadosi
Hon. Robert Hetherington	Hon. Doug Wenn
	Hon. Fred McKenzie *(Teller)*

Noes 12

Hon. C. J. Bell	Hon. G. E. Masters
Hon. J. N. Caldwell	Hon. N. F. Moore
Hon. E. J. Charlton	Hon. P. G. Pendal
Hon. Max Evans	Hon. John Williams
Hon. H. W. Gayfer	Hon. D. J. Wordsworth
Hon. A. A. Lewis	Hon. V. J. Ferry *(Teller)*

Pairs

Ayes	Noes
Hon. J. M. Berinson	Hon. P. H. Lockyer
Hon. Tom Helm	Hon. Margaret McAleer
Hon. John Halden	Hon. Hon. Tom McNeil
Hon. D. K. Dans	Hon. Neil Oliver
Hon. Tom Stephens	Hon. W. N. Stretch

Clause thus negatived.

Clause 22: Section 513 amended—

Hon. N. F. MOORE: I move an amendment—

> Page 9, lines 3 to 31—To delete the lines and substitute the following—
>
> > (hb) pay to a member, including the mayor, president, deputy mayor or deputy president, by way of reimbursement such expenses of an actual or reasonable nature incurred in the course of performing a member's duties, as the council may determine from time to time;

The Government's proposition in clause 22 provides for a number of matters. First, the amendment seeks to increase the number of people who may attend local government conferences and have their expenses paid by the council. The Opposition will not oppose that proposition; it is a sensible proposition. We agree to the retention of that part of clause 22, but I am seeking in my amendment to delete the rest of the clause so that other words may be substituted. We are opposed to that part of clause 22 which seeks to provide allowances for members, deputy mayors, mayors, deputy presidents and presidents, as prescribed. We are told it is envisaged that the maximum annual allowances which the council may pay to its members are as follows: $1 000 for a member; $3 000 for a deputy mayor or deputy president; and, $10 000 for the mayor or president.

As we argued in the second reading debate, the question of this being the thin end of the wedge is foremost in our minds, and we have expressed the view that we do not believe local government should ultimately be a place in which full-time salaried politicians run councils. The spirit of the volunteer must persist, and the nature of local authorities is such that it promotes a contribution by volunteers, for the well-being of their local community.

We are mindful of the fact that there are some problems in the current Act in respect of reimbursement of expenses. We are not opposed to councillors being paid or reimbursed for those expenses which are legitimately incurred in going about their business. Therefore, we propose to delete all reference in the Bill to the payment of allowances, and to insert in its place new papagraph (hb). I look forward with interest to hearing the Minister's criticism of this new paragraph.

The council should have the right to make its own decisions about what it considers to be reasonable expenses and should itself make the decision about reimbursement of those expenses. That is a fair system. It did cross my mind that we should prescribe these expenses, but in the spirit of the Bill—that is, to give the local councils some opportunity to make their own decisions about their own actions—I believe we should leave it as a decision of the council to be made from time to time.

It will be suggested that there are other sections of the Act which allow councillors to be paid expenses. Section 513(1)(g)(ii) provides—

> reasonable expenses necessarily incurred by a member in carrying out a duty or performing an act under express authority of the council;

It is suggested that entitles the council to pay reasonable expenses, but I am led to believe by advice given to us that there is some difficulty with the interpretation of that section. Some councils use it to pay expenses and others do not.

While there is some confusion in the minds of councils it is my view that we should clarify the position, and that is why new subparagraph (hb) has been suggested. I hope it will clarify the matter ultimately and finally.

Section 530 of the Act talks about a council expending funds and about the three per cent being available from the ordinary revenue of the council, and says that this can be used in part for the payment of an entertainment allowance to the mayor or president. I am told that this section is used by some councils to pay allowances to their president or mayor and that in some cases these allowances are relatively high. For example, I think the figure for the City of Wanneroo is $18 000, and for the City of Stirling I think $15 000 was the figure given to me.

Hon. Garry Kelly: Do they pay an entertainment allowance?

Hon. N. F. MOORE: They are using this section of the Act to pay themselves sufficient money to cover their expenses. I would think, as everybody would, that $18 000-worth of entertainment may be more than is necessary, although I do not argue whether in fact it is spent on entertainment. I do not know.

Hon. Garry Kelly: Some councils pay their mayor an allowance, others do not, but rather pay the entertainment allowance.

Hon. N. F. MOORE: That is one of the problems. I am saying that some councils may be paying the mayor or president an entertainment allowance and he may be using it to cover legitimate expenses in addition to entertainment. In my view that would not be in the spirit of this part of section 530. Maybe if we were to agree to my new paragraph or some variation of it we could overcome the problem in respect of entertainment, and entertainment could be seen as a separate expense. Under my new subparagraph the mayor and all other councillors would be entitled to be reimbursed for all other expenses incurred in carrying out their duties as councillors.

Hon. B. L. Jones: Would you consider baby-sitting fees a legitimate expense?

Hon. N. F. MOORE: I would, but I would prefer councils to decide for themselves what they regard as legitimate. I think it is legitimate but some councils may not. The decision is for the council to make. As I said earlier, I did think about our saying we should write in the sort of expenses which are prescribed—in other words, we could actually make a list by way of regulation of the sort of expenses that were allowable—but I do not think it is our job to do that. Hon. B. L. Jones and I might argue about some aspects of that; she might think baby-sitting is more important than I do, although I have a baby and she does not.

Hon. B. L. Jones: You probably do not have to miss council meetings to stay home and look after it.

Hon. N. F. MOORE: I understand that, and I agree with the honourable member that is one of the items that should be considered a legitimate expense. Hon. Phil Pendal talked about hiring a dinner suit.

Hon. B. L. Jones: The sum of $1 000 a year might allow more women to become involved in local government.

Hon. N. F. MOORE: But what happens if it costs $2 000 a year to pay for baby-sitters and other expenses? A councillor would still be out of pocket. Under my proposition, if it costs $2 000, that is what that councillor will get; if it costs $200, that is what he will get. That is a far more legitimate use of the ratepayers' money because the money is being spent for the purpose for which it is designed. It is not given to somebody as a lump sum salary or allowance regardless of how much he needs. I think Hon. B. L. Jones' argument supports mine, and I would appreciate her support when we come to vote on it.

Hon. B. L. Jones: I doubt that.

Hon. N. F. MOORE: Philosophically the Liberal Party opposes salaries being paid to councillors. It will be argued that these allowances are not a salary; I argue that it is the beginning of a salaried situation and we are opposed to that. As well, we agree there are problems in respect of the proper payment of legitimate expenses and there are some questions in the minds of some councillors about their legal rights and entitlements. Therefore we propose that in place of the allowance proposed by the Government we insert a clause that gives councils the power to make their own decisions about what is payable to councillors by way of reimbursement for expenses incurred.

I ask the Committee to support my amendment.

Hon. GARRY KELLY: I have listened to the comments made by Hon. Norman Moore and I appreciate the problem the Opposition has in terms of thinking that by agreeing to the limits set by the Government as proposed in the Bill that will somehow cause a trend to be established whereby salaries would be paid.

Hon. N. F. Moore: We do not have a problem; it is a view.

Hon. GARRY KELLY: That is in fact a quantum leap and special legislation would be required for salaries to be paid to local government councils. As such, the proposition put forward by the Opposition is nonsense. I am concerned about the amendment moved by Hon. Norman Moore. At least the Government's proposal sets a limit on how much councillors can get—that is, $1 000.

Hon. N. F. Moore: You are talking about autonomy. Don't give me autonomy and then say that.

Hon. GARRY KELLY: One of the concerns of Hon. Norman Moore in moving his amendment was the expense pushed onto the ratepayers of the local authorities. Under Hon. Norman Moore's proposal the potential expenditure is unlimited.

Hon. N. F. Moore: The ratepayers will judge, based on what they spend.

Hon. GARRY KELLY: Given that the potential expenditure is unlimited, I cannot see what misgivings members opposite have about the Government's proposal which places a limit of $1 000 on what councils may pay to their members by way of an allowance. Members should bear in mind that the Government has never proposed that the councils have to pay their councillors an allowance of $1 000 a year, or the mayors and presidents the appropriate allowance. It was up to the council to decide whether it would pay those allowances.

Hon. N. F. Moore: That is what my proposition is.

Hon. GARRY KELLY: If a council paid those allowances and the ratepayers did not like it, the councillors would suffer the consequences. I cannot see the logic of the Opposition's argument.

Hon. H. W. GAYFER: The National Party is opposed to the payment of the scale of allowances indicated by the Minister. We do not deny the right of councillors to be paid a reasonable allowance for the duties that may be performed in their office, such as telephone calls and things like that, which are put down in many cases—by many boards and other instrumentalities—as part of reasonable expenses associated with the office. However, I certainly do not agree with the question of total payment, especially on the figures mentioned—$10 000 for a mayor, $3 000 for a shire president, and $1 000 for a councillor.

Hon. Garry Kelly interjected.

Hon. H. W. GAYFER: Did the honourable member not just speak? I did not hear him say that when he spoke. Why does he not include everything he wants to say, rather than waiting for someone else to speak and then having another go?

The DEPUTY CHAIRMAN (Hon. John Williams): Order! Order!

Hon. H. W. GAYFER: We are not against reasonable expenses being paid, but "reasonable" is the key word.

In my travels through the bush and to the 28 shires that I represent together with Hon. Eric Charlton, the question of salaries has never been raised. It may have been raised at the executive council level but certainly not to me. As a matter of fact, the reverse is the case. I was at Tammin last Friday and the people there were not in favour. We are opposed to the introduction of statutory payments to mayors, presidents, and councillors.

Hon. MAX EVANS: I refer to the amount of $10 000 that is being paid to some mayors. How can they be paid under section 530 which stipulates that the payment must be to the benefit and credit of the municipality. Donations can be made. If that is the case and this has been done in the past, there is even more

reason why this amendment should be passed. The amendment will make it quite clear that the councillors or mayors only receive reimbursement of expenses and not up to $10 000, as an entertainment allowance from the three per cent which comes out of the council budget for entertainment expenses. It is an indirect payment for services—not entertainment—which in the past has been non-taxable. It will be taxable in the future and cut down the benefits to them.

Hon. GRAHAM EDWARDS: That amount is prescribed under section 530 but it is limited to mayors and presidents.

I cannot for the life of me understand why this amendment has come forward. Having served in local government, I know only too well the number of times that one incurs a legitimate expense in the service of the local authority. One is entitled to claim it but often one does not for a number of reasons. The chit may have been lost or a councillor may forget about it.

Our provision seeks to allow a local authority the discretion to pay an allowance of up to $1 000 to a councillor. In no way can we stretch that to the point where it is seen as being the thin end of the wedge which will tomorrow lead to councillors being paid a full wage. That is simply a red herring which is often drawn across the trail of this debate in order to camouflage the real intent of what the Opposition seeks to do. That intent is to prevent people, who may have much to offer but who may not be financially independent, from contributing or serving their local authority in a way that many people with that financial independence now enjoy.

There is nothing in the clause put forward by the Government that cannot be fully supported by this Chamber in recognition of the tremendous amount of work that local councillors do on a voluntary basis and at some cost to themselves.

This Chamber should be big enough to allow a local authority the decision to implement, at its discretion, an allowance up to the prescribed limit which would not necessitate those councillors having to run around, collect chits, and identify incidental expenses that they incur from time to time in the process of serving the local authority.

Unfortunately I did not identify whether the National Party members support the amendment put forward by Hon. N. F. Moore. I would hope they will not support it but instead support what is contained in the Bill because it is appropriate that we give local authorities that discretion.

Hon. H. W. GAYFER: The National Party makes it perfectly clear that it intends to support Hon. N. F. Moore's amendment.

Amendment (deletion of words) put and a division called for.

Bells rung and the Committee divided.

The DEPUTY CHAIRMAN (Hon. John Williams): Before the tellers tell I cast my vote with the Ayes.

Division resulted as follows—

Ayes 12

Hon. C. J. Bell	Hon. G. E. Masters
Hon. J. N. Caldwell	Hon. N. F. Moore
Hon. E. J. Charlton	Hon. P. G. Pendal
Hon. Max Evans	Hon. John Williams
Hon. H. W. Gayfer	Hon. D. J. Wordsworth
Hon. A. A. Lewis	Hon. V. J. Ferry *(Teller)*

Noes 11

Hon. J. M. Brown	Hon. B. L. Jones
Hon. T. G. Butler	Hon. Garry Kelly
Hon. Graham Edwards	Hon. Mark Nevill
Hon. Kay Hallahan	Hon. S. M. Piantadosi
Hon. Robert Hetherington	Hon. Doug Wenn
	Hon. Fred McKenzie *(Teller)*

Pairs

Ayes	Noes
Hon. P. H. Lockyer	Hon. J. M. Berinson
Hon. Margaret McAleer	Hon. John Halden
Hon. Tom McNeil	Hon. Tom Stephens
Hon. W. N. Stretch	Hon. D. K. Dans

Amendment thus passed.

Amendment (substitution of words) put and passed.

Clause, as amended, put and passed.

Sitting suspended from 6.00 to 7.30 pm

Postponed clause 5: Section 67 amended—

Hon. N. F. MOORE: I move an amendment—

> Page 2, line 31—To delete the expression "(hc) or (hd)".

This is consequential on our previous decision in respect of the payment of councillors. Therefore, in the light of our previous decision, it should be supported.

The Minister made the point prior to the dinner suspension that if we were to reimburse councillors they would have to run around getting chits to substantiate their claims. I remind him of the difficulty we have as members of Parliament in respect of our electorate allowances, which are subject to substantiation requirements under the taxation laws. The same

thing would apply to councillors under the proposition put forward by the Government. In fact if they did not spend the whole $1 000, or could not substantiate it, they would pay tax on the rest. Under the proposal we put forward, they would be reimbursed for what they spent and there is no question of taxation coming into it.

Hon. GRAHAM EDWARDS: It is of little value to debate this amendment because it is simply consequential and technical.

Amendment put and passed.

Postponed clause, as amended, put and passed.

Clause 23: Section 522 amended—

Hon. N. F. MOORE: This clause relates to the Government's decision to abolish the parking fund. The Act requires that where appropriate local authorities are to keep a parking fund. In effect there is a separate section of the Act to cover income and expenditure in respect of parking. For some reason the Government has decided to abolish the parking fund requirements and at the same time has not given any explanation during the second reading stage of the Bill as to why it wants to do this.

Before I ask any further questions about some of the technicalities associated with this clause, the Minister might tell me the rationale behind abolishing the parking fund. He might also tell me, if possible, which councils actually keep a parking fund. I expect there are not many because not many councils would be involved in receiving income from parking.

Hon. GRAHAM EDWARDS: Strict interpretation of the Local Government Act would require any local government which engages in parking activities to establish a parking fund. Having done so, councils are required to keep all charges and certain fines and penalties in that fund, but other parking-related fines and penalties are regarded as ordinary revenue and form part of a municipal fund. The association and the councils mentioned have rightly drawn attention to that anomaly and have expressed the view that parking should be accounted for in total through the municipal fund. This was actually drawn to the attention of the Government by the Local Government Association, the Cities of Nedlands and Subiaco, and the Town of Claremont. They are simply proposing these amendments in respect of the method of accounting. This is separate from the Perth City Council, which has a separate Act to control its parking.

It is in respect of some local authorities and the association—

Hon. N. F. Moore: Do you know which ones have a parking fund?

Hon. GRAHAM EDWARDS: Those that deal with parking as such. I am advised that it is only half a dozen. As I understand it, it is a pretty straightforward thing that the Government seeks to do.

Hon. N. F. MOORE: I beg to differ. It is not a straightforward thing at all. The Local Government Act says in respect of the parking fund that a council which receives funding through the parking fund must keep that money in a separate account and must spend it according to the Act. The Act requires the money kept in the parking fund to be spent in a way which is determined by the Act. This change means in effect that not only are we getting rid of the parking fund but we are getting rid of the requirement of councils to spend money on parking facilities because we are seeking to delete quite a large section of the Act—that is, section 525A.

That section describes how the parking fund shall be spent and through clause 25 we will be deleting that as a consequence of any decision we make in respect of clause 23. It is not inconsequential because one could have a change from the existing system whereby councils—I should make the point that the Perth City Council is not involved in this because it has a separate Act, the City of Perth Parking Facilities Act—but I would ask the Minister whether the Local Government Act overrides that or vice versa.

Hon. Graham Edwards: I am advised that it will not override it.

Hon. N. F. MOORE: There was an amendment earlier on which took into account the peculiar nature of the City of Perth. The amendment is not inconsequential because it means that a city council or a town council which derives revenue from parking will be no longer required by the Act to spend that money in parking-related areas.

Section 525A gives a complete description of the sorts of things on which a council may spend the money. We need to look at the amendment in clause 25 in conjunction with that in clause 23. We could have a situation where the money which a council gets from parking revenue may be used on some other facility, so it becomes almost a taxing measure and the people who park in Fremantle could be paying for community facilities—and if we had

passed the welfare clause they could be paying for the welfare component of the City of Fremantle's budget.

I understand the amounts of money involved are quite considerable. I do not have the City of Fremantle's budget, but in the year ended 1985 the City of Perth parking fund had revenue of $11 million and expenditure of the same amount, although there was a credit carryover of $2.6 million in the parking fund. So it was a considerable sum of money. I wonder whether we should say to local authorities that they can spend the parking revenue as they like without taking into account future requirements for parking facilities. Perhaps the Minister can give a further indication why the Government is doing this.

Hon. GRAHAM EDWARDS: I believe it is inconsequential. I thought we were trying to give local authorities some autonomy and the ability to make some decisions about their own operations. I have already pointed out two things to the honourable member: First, the City of Perth's parking has nothing to do with this Bill and will not be overridden when it becomes an Act. Secondly, approaches have been made by the Cities of Subiaco and Nedlands and the Town of Claremont, supported by the LGA. They can see good reason why this should happen. Even when this section is repealed councils can account separately for these moneys in the municipal fund. I cannot see any difficulty with that, and I do not see why we should try to dictate to them how they should proceed in this matter.

Hon. N. F. MOORE: I am pleased we are now interested in local authority autonomy.

Hon. Graham Edwards: This whole Bill is about that. Tell me one Bill before 1983 which offered any autonomy.

Hon. P. G. Pendal: Have a look. There are three.

Hon. N. F. MOORE: I do not want to get into an argument about what happened before 1983.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! Honourable members on the front benches who are engaged in continual cross-fire make it difficult for both the Minister and the member on his feet to be able to develop their arguments satisfactorily. It is not always possible for me to see who is doing it, but I shall take the necessary action on the next occasion.

Hon. N. F. MOORE: What happened before 1983 is history. We lost Government because we did not do the right thing. Maybe one of the things we did not do was to give local government as much autonomy as it should have. There has been a bit of give and take in respect of this legislation, and it is not providing that sort of autonomy in every area which the Minister would have us believe if we read his second reading speech.

The Local Government Act says that councils which derive income from parking shall spend that money on parking. Now we are going to change that to say that money derived from parking can be spent in any way the council deems fit. It is a significant change; maybe it is the sort of decision-making power we should give to local government, but it is more significant than the Minister would have us believe.

Clause 37 is the transitional provision relating to the parking fund and indicates that any revenue in the parking fund at the time of proclamation, which is 1 July 1987, will be transferred into the municipal fund. I am not sure how much money is involved. If it was the Perth City Council, which it is not, it could be several million dollars. Is the Minister satisfied that the parking requirements of all the people of the metropolitan area—because that is what we are talking about—will be satisfactorily met by giving each council the right to make parking a revenue-raiser to be spent in whichever way the council deems fit?

What if the City of Fremantle says it will use parking to fund its health programmes, and 10 years on we find Fremantle is without parking facilities because no provision has been made? Is that the sort of decision the Government is prepared to make? If it is, I will go along with it. However, parking revenue will become part of a council's general revenue and can be spent on whatever project the council wishes. We may end up with a situation where a local authority spends the money in such a way that it deprives people from other parts of the authority of the capacity to park their vehicles. If the Perth City Council was involved I would have more to argue about because the city belongs to the whole of Western Australia. I guess that is why the Act was written in this way—so local authorities do not take money off people and spend it as they like without providing facilities.

Does the Minister realise the extent to which the change will apply?

Hon. GRAHAM EDWARDS: Of course the Government realises exactly what it is doing in responding to this request from local government. Just because we do not have a special account for dog control, litter control, or recreational purposes, does not mean to say those services are not provided efficiently and in line with the requirements of the council of the day. Allowing councils to have a parking fund within the municipal fund does not mean councils will stop spending money on the provision of parking facilities. If they did, as was pointed out on an earlier clause, and it was to the dissatisfaction of a sufficient number of ratepayers, those people can effectively voice that dissatisfaction through the ballot box.

Hon. N. F. MOORE: The Minister misunderstands me to a certain extent. I understand one can have a parking fund within the municipal fund; there is no argument about that. However, the Government is not just getting rid of the fund as a separate fund, it is taking away the obligation on a council to spend the funds in the way which is specified. We will remove that when we come to clause 25. We are not just saying that a council does not have to have a parking fund. We are saying it is no longer obliged to spend the funds on parking according to the obligation now contained in the Act. I think the Minister has missed the point.

Hon. GRAHAM EDWARDS: I did not miss the point at all. I am quite happy to accept the request that these local authorities, supported by the Local Government Association, have made.

I do not believe that as a result of making this facility available to them they will turn away from their responsibilities in the area of parking.

Hon. N. F. MOORE: When we pass the Government's amendment we will remove the requirement for a parking fund and for councils to spend money on parking-related facilities, but the City of Perth Parking Facilities Act imposes obligations on the City of Perth almost identical to those in the Local Government Act before we amend it.

Does it mean that even though the Local Government Act does not require it, the City of Perth Parking Facilities Act will override this clause and it will apply to the City of Perth only in the form of an amendment to that Act?

Hon. Graham Edwards: It remains totally separate.

Hon. N. F. MOORE: Is there a proposal to amend it?

Hon. Graham Edwards: No, I am not aware of any proposal to amend the City of Perth Parking Facilities Act.

Hon. N. F. MOORE: The Minister is saying that the City of Perth will be treated differently in regard to this clause.

Hon. Graham Edwards: It would be treated in accordance with the City of Perth Parking Facilities Act.

Hon. N. F. MOORE: Which is different from any other local authority.

Clause put and passed.

Clauses 24 and 25 put and passed.

Clause 26: Section 530 amended—

Hon. N. F. MOORE: According to my notes, this clause relates to the previous decision about allowances.

Hon. H. W. Gayfer: If you vote against the clause it will leave the expenditure for an entertainment allowance to a mayor or president in the Act.

Hon. N. F. MOORE: I think that is what we have to do.

Hon. Graham Edwards: I am not aware of any amendment to this clause.

Hon. N. F. MOORE: There does not need to be an amendment. The Opposition can oppose the clause.

Hon. H. W. GAYFER: This clause deals with the three per cent provision. What we said previously in relation to another clause is that we believe the mayor, president, and councillors should not be paid, but should be given every right to claim reasonable allowances.

The National Party believes that having denied mayors, presidents, and councillors the right to be paid $10 000, $3 000, and $1 000 respectively, the three per cent provision, as it is commonly known, should be taken out of the Act. Accordingly, this clause refers to section 530 of the Act and by this clause it is amended by deleting the provision pertaining to expenditure for an entertainment allowance to the mayor or president.

If we vote against this clause the Act will remain as is.

Hon. N. F. MOORE: Hon. H. W. Gayfer is quite correct. The clause is consequential on the assumption that the mayor or president and councillors would be paid, and it deletes the

provision which allows a mayor or president an entertainment allowance under the three per cent provision.

As we have not gone down the path proposed by the Government to pay mayors, presidents, and councillors, but have included a clause which allows the reimbursement of expenditure incurred by them, it is appropriate for a mayor or president to have an entertainment allowance under section 530 of the Act.

It is my view, and I hope the view of the Chamber, that we should oppose this clause, which will have the effect of leaving in the Act the ability for the council to provide an entertainment allowance for the mayor or president. I hope members will vote against the clause.

Clause put and negatived.

Clause 27: Section 540 amended—

Hon. N. F. MOORE: This clause relates to the question of extending the right of electors with respect to ratepayers. It will allow electors to inspect the council's valuation register or its rate book.

We spoke about this clause briefly during the second reading debate. It is a question of principle. The Government's policy is that ratepayers and electors should be treated identically.

There will come a time when ratepayers should be treated differently. Ratepayers pay more money to local authorities than do electors. In some cases, electors do not pay anything to local authorities and they do not pay tax.

I have already given the example of councillors of the Wiluna Shire Council who do not pay rates or taxes, but they are electors.

Ratepayers are becoming disadvantaged in the way in which the Government is attacking local government. This Government believes that everyone in the municipality should be treated in the same way. Some people will pay taxes and rates and some will pay neither, yet they will be treated the same. I wonder if we are going too far.

Is the Government saying that a ratepayer who owns a property in a municipality, has his roots in that municipality, invests money in it and becomes part of it, should not receive some benefits by virtue of his commitment? Is not his commitment significantly greater than a commitment made by others who contribute nothing to the municipality?

Hon. B. L. Jones interjected.

Hon. N. F. MOORE: I wonder whether people who do not pay taxes should be treated in the same way as taxpayers? That is another argument.

I do not intend to oppose this clause, but I record my view. The Opposition is being put off by the continual attack on the status, and slightly privileged position, of ratepayers as opposed to electors.

Hon. H. W. GAYFER: The National Party will not divide the Chamber on this clause.

Section 540(6) is amended by this clause so that electors, not just ratepayers, may inspect the valuation register at any reasonable time, free of charge; but if no valuation register is maintained the council shall permit any such elector, previously the ratepayer, to inspect the rate book at any reasonable time free of charge.

I will not repeat what I said when I spoke on two previous occasions. The National Party is of the opinion that the inspection of the valuation register should be the province of the ratepayers only. It believes also that the details of the current budget, which is the subject of the next clause, should not be available to other than ratepayers.

The National Party registers its disapproval of this clause.

Clause put and passed.

Clause 28: Section 547 amended—

Hon. H. W. GAYFER: This clause will allow not only ratepayers but also electors to inspect, free of charge, copies of current budgets of the municipality and the details of the rates and charges imposed in respect of them.

The National Party objects to this clause very strongly. It is coupled with the previous clause and we register our objection to it.

Clause put and passed.

Clause 29: Section 626 amended—

Hon. H. W. GAYFER: This section is amended so that electors may inspect and take copies of extracts from the books of account of the council at reasonable times, free of charge. These people do not even have to be ratepayers. I think this clause is dynamite and have never heard the like of it. I do not think an elector of members of State Parliament can come to this place and demand to see the Budget papers or books of accounts that are put in front of us. I do not believe we would allow that to happen. If that were the case, we should be able to go into the Treasury Department or the Minister's office and inspect their books and take copies.

Hon. MAX EVANS: This is an amazing clause. Has the Country Shire Councils Association recommended the terms of this clause? I would be amazed if it has. Auditors cannot enter offices at any time they like to inspect books. They have a responsibility to make appointments. I suppose, as Hon. Mick Gayfer said, if this is passed, we should also be able to obtain that sort of information from the Treasury Department.

Will the Minister also explain which books can be inspected. The definition is pretty broad. What about commercial confidentiality? If I were competing with another person for a job, under this clause it would be very easy for me to go to the council office, open up the books and find out the price my competition had tendered for that job. If this clause is passed there would be no such thing as commercial confidentiality.

Hon. GRAHAM EDWARDS: Again we see the hypocrisy of members. The section has not created problems in the past and we should remember that most ratepayers are electors. I am not aware of any local authority in this State that has had problems with this section. All of a sudden because we attempt to extend the same privilege to electors, it becomes a problem.

Hon. N. F. MOORE: I accept the Minister's explanation. However, I am concerned that electors will now be given the same rights as ratepayers, not having contributed, in some cases, to the income of the local authority.

Hon. GRAHAM EDWARDS: I do not see there is any reason for further debate on this matter. We have debated it in the past. The clause simply extends to electors who, in the main, are ratepayers anyway, a privilege which exists already for ratepayers.

Clause put and passed.

Clauses 30 to 32 put and passed.

Clause 33: Part XXVIII amended—

Hon. N. F. MOORE: Subclause (2) contains a retrospective element. The clause relates to being able to make land descriptions by the use of a map rather than by a verbal description. Subclause (2) validates any such occasion where this description has been used in the past contrary to the requirements of a verbal or narrated description. I draw the attention of the Chamber to the fact that we have some retrospective legislation here. The Chamber should bear in mind the views some of us have about retrospectivity.

Hon. GRAHAM EDWARDS: It has been the practice for the department to use these measures, and this simply validates the action. I do not think there is any difficulty with the situation described.

Clause put and passed.

Clause 34: Section 679 amended—

Hon. H. W. GAYFER: This clause allows a council to make ex gratia payments or to provide benefits where it is considered that a person has suffered an injustice as a result of council's actions, regardless of the legal obligation to do so.

In the second reading debate I dwelt at some length on this point, and cited a person who broke his leg in circumstances where the council took pity. That person's family—finding other physical things are going wrong, perhaps even a death—then comes in and says, "You made the first payment so you must have known you were in the wrong." And so it goes on.

This is a terrific step to take. I do not know of anybody in his right mind who would pay other people's money for which he is the custodian where there is a legal doubt about liability. I do not know if you, Mr Deputy Chairman, would pay out other people's money when a person's right to have that money is legally doubtful. We are giving a right which should not be in the Bill.

Hon. GRAHAM EDWARDS: During the dinner suspension I chased up some information. While I was not able to find any individual examples for the honourable member, I was able to obtain the Parliamentary Commissioner's report to Parliament in 1983, where he dealt with ex gratia payments. I will read it out and have a copy made for the honourable member, and seek leave to table this copy. It reads—

> Ex gratia payments
>
> The expression "ex gratia payment" is used in cases where a payment is made as an "act of grace" or "as a favour" where there is no legal liability to make it. It is also used in cases where legal liability may be in dispute but a sum of money is paid in settlement of the claim with a denial of liability.

The denial of liability is important. To continue—

> In more than one investigation during the year, I found that Councils were not unsympathetic to making ex gratia pay-

ments where the equity of the case required, but acting on legal advice, found that there was no power in the Local Government Act to do so.

The Parliamentary Commissioner then went on to say—

I intend to take this matter up with the Hon. Minister for Local Government.

It is as a result of his taking it up with the Minister that this clause appears.

The money is paid in settlement of the claim, together with a denial of liability, so there is no ongoing situation such as that to which Hon. H. W. Gayfer referred.

Hon. N. F. MOORE: The Minister's explanation and his reference to a recommendation of the Parliamentary Commissioner for Administrative Investigations shows up some problems which flow from this clause. However, we should watch any implementation of this clause very closely to see that it is not used in a ridiculous way, although I would not expect that to happen. We have been giving local authorities considerable power in some areas, and I guess this is a power they should have.

Bearing in mind this is ratepayers' and taxpayers' money, it would need to be used in a very careful way. We should bear in mind also the fact that this ex gratia payment is being made, and there is no legal obligation on the council to do so. In other words, the legal processes have been exhausted, and the council decides, even though a particular person is not entitled to be paid that money, it can be given. This power would have to be used sparingly and only in extreme cases.

Hon. E. J. CHARLTON: To clarify the point regarding insurance, if there is no liability, there is no insurance forthcoming to the individual, so the council is left in the clear. It is in a concise, uncompromised position to make a payment in lieu.

Hon. GRAHAM EDWARDS: It has no ongoing admission of liability. That seems to be the point Hon. H. W. Gayfer made.

Hon. J. N. CALDWELL: I draw the attention of the Minister to a case involving the Albany Town Council. Perhaps this clause might relate to that case. An employee of the Albany Town Council has been given extended leave of absence, owing to sickness—something to do with the mental stress of the job. I wonder if, under this clause, he might expect payment ad infinitum or at least for an extended period.

Hon. B. L. Jones: Industrial relations!

Hon. GRAHAM EDWARDS: That situation is best left to the council to determine. There are numerous situations where the clause may be applied. Never would it be applied, as far as I can see, without careful consideration being given to the matter.

Clause put and passed.

Clause 35: Part XXX inserted—

Hon. N. F. MOORE: This clause seeks to include the associations of local government within the Local Government Act. I have not had time to discuss the implications of this clause with a constitutional lawyer or someone with a greater legal background than I have, so my comments might be right off the beam and have no validity in law, but could the Minister explain why we are writing into the Local Government Act a section relating to the associations of local government?

I would have thought the associations of local government are separate from the Act because they represent the various local authorities that come within their jurisdictions, and their activities are quite separate from the Local Government Department and the Minister. The associations of local government are independent associations which conduct their own activities and draw up their own constitutions as they deem fit.

What we are writing into the Act is that there will be a Local Government Association of Western Australia; there will be a Country Shire Councils Association of Western Australia; and so on. Does this mean there will be a problem down the track in that if two associations wanted to combine, it would be necessary for us to amend the Act to allow that amalgamation? I would have thought if they decided to amalgamate, that is their business, not ours. Does this mean that if they want to change their constitution, the Act has to be changed to allow that? I understand from the proposed section which talks about amendments to the objects of their constitution, that they have to forward their constitutional changes to the Minister for his approval. Why is that necessary?

What is the relationship between the local government associations, the Local Government Department, and the Minister? Is there a direct relationship, where one is beholden to the other in some way, or are the associations independent and separate from the legal and constitutional position of the Local Government Department?

I hope the Minister can clarify these matters for me and put my mind at rest, because I wonder why on earth an association would want to have itself included in an Act of Parliament when it does not have to be.

Hon. GRAHAM EDWARDS: As I understand it, this applies to similar associations in the eastern States. I believe, following discussions they had with those bodies, that without exception the three groups have come together and approached the Minister on this matter, seeking his action to achieve what is actually put forward in this Bill. This Bill will give them some status in line with that which already occurs in the Eastern States. If they decide they want to amalgamate and come within one association, that would have to come to Parliament, via an amendment of the Act. and if they were individually incorporated, for instance, and sought to change their objects, they would go to the Attorney General. However, this Bill gives them the ability to come straight to the Minister for Local Government, who is the person they would mostly work with. I do not think there is any difficulty with anything that is proposed, and it is strongly supported by the associations as something they want to achieve for themselves.

Hon. N. F. MOORE; I must confess I am now not only confused but bewildered. If Hon. A. A. Lewis were to say that the Machinery Dealers Association ought to be included in the Machinery Safety Act, then I would wonder about his intentions. The membership of local government associations is made up of the constituent local authorities within their areas of responsibility. In my view, they are not part of the legal structure of local government. These associations stand outside the legal framework and represent—as does a lobby group, to a certain extent—the views of their constituent members.

So even though there is a strong legal and constitutional relationship between the Local Government Department, which is a department of the State Government, and the local authorities themselves, I would have thought their associations are outside that framework, that they are in fact lobby groups, for want of a better expression. It amazes me that those associations are prepared to have the requirements written into an Act of Parliament that if they want to amalgamate, they have to get parliamentary approval. That would be like saying that if the Machinery Dealers Association wanted to amalgamate with some other association that sells motor cars, it would have to come to Parliament to get approval. I cannot think of any reason why this should happen unless there is some constitutional, legal requirement that these associations are bound in with that framework I talked about.

I draw the attention of the Chamber to new section 736, which provides—

> (2) Subject to subsection (3), an Association may from time to time, with the approval of the Minister, alter, vary, rescind or add to the objects for which it is constituted.

In other words, if one of these associations wants to amend its constitution, it has to go to the Minister for approval. This would be like Hon. A. A. Lewis having to go to the Attorney General every time he wants to change the constitution of the Machinery Dealers Association. I wonder why that ought to happen, but I am just a bush lawyer and cannot understand everything.

Clause put and passed.

Clause 36: Transitional—Associations—

Hon. N. F. MOORE: This clause concerns the transitional provisions relating to associations. The Minister may be able to use this occasion to give me an explanation, simply for my own edification, as to why I had it all wrong in the previous clause.

Hon. GRAHAM EDWARDS: I am not suggesting that the member had it all wrong, except that he is very suspicious by nature, and it is difficult for me to erase and come to terms with those suspicions when the realities simply do not exist. It is to the benefit of the associations, and I would think also to the benefit of their member authorities, to come together within the Act, and they requested the Minister to provide for them in this way. There is nothing untoward which should cause concern for anyone.

Hon. N. F. Moore: The Minister will find that when he has been here a bit longer and he actually gets to spend some time on this side of the Chamber—

Hon. GRAHAM EDWARDS: I cannot see that happening for ages.

Hon. N. F. MOORE: It will happen in a shorter time than the Minister imagines, because I can see the cracks starting to appear. When one sits on this side of the Chamber, as I have for four years, and on the other side of the Chamber for six years, I have to say my suspicions have been aroused more often and to a greater extent when sitting on this side of the

Chamber than when I was over there, because that is what happens, depending on where one sits. I suggest the Minister's suspicions would also be aroused if he were to spend some time on this side of the Chamber, because one does not always know the background of the decisions that are taken.

The Minister's explanation does not satisfy my problem. I will rush off and see a constitutional lawyer tomorrow to find out whether there are any problems with this. If there are, I will be writing rapidly to each local government association; if not, I will drop a note to the Minister and say there is no need for me to be suspicious. But I am concerned and I do not think his explanation in any way adequately covers the problems I raised.

Hon. MAX EVANS: Part of this clause seems to revolve around the fact that it will cease to be incorporated under or be subject to the provisions of the Associations Incorporation Act, under which it was incorporated before. When it says there that it is incorporated it means we are going to improve that Act in any case. I cannot see why we have to do this. I do get tired of the fact that everything we do in this Chamber seems to be done because it has been done somewhere else. We receive no explanation except for the fact that some other State does it. Was the Associations Incorporation Act insufficient? It would have come under that and should have been quite all right. I cannot understand the reasons for this change.

Hon. GRAHAM EDWARDS: I suppose it requires a good understanding of the local government associations and the relationship between the three of them and what they seek to achieve. It is as simple as that.

Hon. N. F. Moore: It is the relationship to the Act.

Hon. GRAHAM EDWARDS: It is not simply a case of people falling over themselves to do what has already been done in the Eastern States. But there are benefits that can be achieved through this entwining within the Act, and those associations seek to get those benefits for themselves and for their member associations.

Hon. MAX EVANS: Now they have to lodge everything with the Commissioner for Corporate Affairs. I think there was more restriction under the Associations Incorporation Act than is proposed by this Bill. I would be interested to know why the change was made. They do not have any liability; they are not running a business or anything like that.

Clause put and passed.

Clause 37: Transitional—parking fund—

Hon. MAX EVANS: This is a personal problem. My electorate office is on the boundary of Subiaco and Nedlands, in a very popular shopping area with absolutely no parking at all. Here is an example of two local government authorities which are not putting in any car parks, although they have money in the parking fund to spend on parking. If they are going to put all the money into consolidated revenue—the municipal fund—when will we ever get parking? If they have money earmarked for parking purposes and do not use it to provide parking, what chance will we have when those moneys are removed from the parking fund? I know why the parking fund stands at $379 000; our staff and others in the building are paying fines every other week. That is obviously where the money is coming from.

I request that the passing of this Bill be conditional upon the local government authorities in both Subiaco and Nedlands providing parking facilities on each side of Hampden Road before they put their transitional funds into the municipal fund. If the Minister can help me in that respect, it would be greatly appreciated.

Hon. GRAHAM EDWARDS: I would like to help resolve Hon. Max Evans' problem. One of the ways I found to do that was that when I had a difficulty with the local authority in whose area I lived I stood for that council, became a member, and rectified the problem. I suggest to Hon. Max Evans that the way ahead for him quite clearly is to resign as a member of Parliament and stand for the council, win his seat, and resolve his problems that way.

Hon. N. F. MOORE: I do not know whether Hon. Max Evans was here when the Minister explained to the Chamber that the lobbying for that change to the parking fund came from the Nedlands and Subiaco councils.

Hon. Max Evans: I know it did.

Hon. N. F. MOORE: We can see quite clearly why they did the lobbying. It is a nice little revenue spinner. They do not have to provide parking facilities by virtue of the Act; they can continue to tax their constituents by way of parking fines and use that money to pay for other things, none of which have to do with parking.

Bearing in mind that we will not be sitting on 1 July, would the Minister be kind enough to ask the Minister for Local Government to provide me with a list of the local authorities which have a parking fund, and what will be the assets to be transferred to the municipal fund in each case, so that I will have an idea of the funds being transferred from the parking to the municipal fund?

Hon. GRAHAM EDWARDS: There is no difficulty with providing that list. However, as to the matter of parking, it seems to me that local authorities get themselves into difficulties by too often agreeing to commercial developments within their boundaries without applying the proper ratio of parking bays. That is certainly something that local authorities are attempting to deal with, and I hope they deal with it much more efficiently in the future than they have done in the past. That is probably where the problem mentioned by Hon. Max Evans originated.

Hon. MAX EVANS: Just to put the facts straight, those shops were there before the Minister was born.

Hon. Graham Edwards: But certainly the level of activity was not.

Hon. MAX EVANS: There are just more people working there.

Hon. Graham Edwards: I thought you were where the markets are.

Clause put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. Graham Edwards (Minister for Sport and Recreation), and returned to the Assembly with amendments.

SHEEP LICE ERADICATION FUND BILL

Second Reading

Debate resumed from 18 June.

HON. C. J. BELL (Lower West) [8.38 pm]: The Opposition supports this Bill.

The Bill has generated quite a bit of discussion in country areas. It really is the result of the pilot trial which has operated in the Geraldton region and which was promoted by what was then the Primary Industry Association and is now the Western Australian Farmers Federation. It is the considered opinion of the federation, in conjunction with the Department of Agriculture, that eradication of lice is an achievable objective, and it has sought the support of the Parliament to bring forward this Bill which really has nothing to do with the methods of sheep lice eradication but rather deals with the method of funding the additional effort which the federation believes is required to achieve the objective.

Sheep lice infestation is a problem in flocks in Western Australia. The figures I have indicate that between 14 and 20 per cent of flocks are infested. I am sure other members will give more information than I can, but I understand that in the trial area the incidence of flock infestation now is at a very low level.

The Western Australian Farmers Federation is absolutely convinced it can make this work. I have a few doubts. I do not think it will find it as easy in some areas to control this particular pest. The fund has been clearly set up to terminate after a five-year period. It is not a matter of having a review. It is a complete and proper review of the progress and the effectiveness of the programme to be funded by this Bill.

Many farmers must be very concerned about how they will attack the problem, especially that created by hobby farmers, who are particularly prevalent throughout the south west where there are many small non-commercial flocks and many people keep sheep as pets. Yet they are a potential source of contamination. A major part of the programme will consist of tracking down many small flocks. If it is not done effectively, the efforts of the people involved in this fund will be wasted.

The pastoral area needs more effort because there are huge areas of land where clean musters are not the norm. They will be difficult to control effectively. However, one person I spoke to, who is on the current advisory committee, said he eradicated lice from the flocks on his former pastoral land.

The Bill is concerned only with raising money and does not give much detail. The money is to be used for the employment of persons on a contract basis to assist in the running of the programme. That is a very good way to go about it. It is a finite job so obviously we do not want people left hanging around at the end of the programme. It is a worthwhile endeavour.

One of the areas of contention has been at what level should people be told they do not have to make a contribution. There is the natural philosophical argument that everyone should make a contribution but the practicalities are that is it fairly difficult to achieve. The advisory committee and the Government have decided that three bales of wool should be the minimum for the assessment of a levy even though the Bill itself has set out to identify lots for sale from one bale up. There is some conflict if a person is assessed or levied for selling three bales or more.

There are some occasions when properties will sell wool with several brands. I will be pleased to hear from the Minister the reason why one bale lots are identified and why the Government does not seek to impose levies on all flocks. It could be argued that a levy of up to $75 on one bale would be a disproportionate amount of the fund which would be available to that small flock for control of the problem. Yet, it is argued strongly around the agricultural community that those small flocks are a disproportionate amount of the problem. Perhaps they should be compelled to make their contribution even if it might appear disproportionate.

At the other end of the scale we could have producers producing 600 or 700 bales, yet they will be making the same contribution as someone with three bales. That needs to be taken into account. I understand the reason we have gone for this structure but I would like the Minister to comment on the levy. It is like the skeleton weed fund where a single levy was structured because everything is construed as an excise and therefore would not be permissible under the Constitution.

I hope the Minister has taken my comments on board. I indicate my party's support for the Bill. I know the producer organisation has strongly emphasised its wishes and did not seek any changes. For that reason we will not seek to change the Bill.

HON. E. J. CHARLTON (Central) [8.47 pm]: Most of the questions about the introduction of this levy and the eradication programme have been covered in the other place. I wish to make a few comments about eradication.

The eradication programme has come about as a result of extensive research to try to control lice in the Western Australian wool industry. The programme that was established in Geraldton and, to a lesser extent, the Kojonup area has identified a couple of fairly important points about controlling lice. I have discussed the problem with many people at various meetings of the Western Australian Farmers Federation and I have heard people involved in the committee who work on this programme. We hear of the results of the wool being tested by the wool testing authority to determine lice content. The programme is about 80 per cent effective in detecting lice in the wool. The very fact that this lice testing will take place will mean that many people involved in the industry will try to make sure they have clean flocks and clean clips when the shearing takes place. As a consequence, we will have a better wool industry.

In a number of pieces of legislation recently, we have talked about welfare and about helping people who are less fortunate than others and face problems. Here we have another problem. The producer has to carry the cost of any sheep that go into quarantine.

In this case the grower will pay totally for the costs incurred in controlling this operation. That is okay; a lot of growers, I dare say, are not aware at this stage that this programme will be put into place when this legislation is passed. They will become aware that they will have to participate and will have moneys deducted from their woolclip to control the lice. It is most important that these farmers receive a guarantee from the Minister and the Government that the funds raised under this Bill will be used for the job of eradicating sheep lice.

Mr House, the member for Katanning-Roe moved an amendment in the other place which was not supported by the other parties but in which it was suggested there should be a committee to oversee the Minister's control of this proposition, in order to ensure that the revenue raised through the sale of the wool was used totally for the purpose stipulated and not directed to other activities being undertaken by the Department of Agriculture or used indirectly in some other way. I want to hear an unqualified undertaking from the Minister handling this Bill that the Minister for Agriculture of the day will make sure that the money raised by this levy will be used totally for the eradication of lice.

I think everyone is in agreement in principle with what is being proposed. As I mentioned earlier, the National Party believes that this is the best of a number of proposals which have been put forward. There has been a certain amount of conjecture by many growers as to

whether this is the best way to deal with the problem, but in the final analysis, with the experience which has been gained by farmers in particular areas, they will accept the fund and give it a go. The fund has a given period in which to run so we will see what sort of success it has. When that has happened, we will be able to look at the situation.

An important and acceptable principle has been put in place. It could be utilised in a number of other pieces of legislation which have gone through this place. However, in this case we should support what has been put in place, as has been stated by the previous speaker, and the National Party wholeheartedly supports that. Our main query is in respect of how the revenue—which is in the order of $500 000 a year—will be spent. Hopefully it will be spent wisely and directly.

Another matter the National Party will comment on later—I notice there is an amendment on the Notice Paper—is the taxation side of this issue. The National Party is certainly not too happy about the opportunity for someone from the Taxation Department or some authority, under this Bill, to go onto a farm to establish whether the fund is being raised and whether people are participating. This Government seems to go overboard when increasing the opportunities for people to look at the operations of farming or commercial enterprises. I believe we have to restrict this sort of thing. If we put the legislation in place, we have to accept the fact that the mechanism by which it is introduced and implemented should be watertight and encourage everyone to participate in the fund. I do not take too kindly to some piece of legislation, such as the Dog Act and the tobacco legislation, which give Ministers or people from Government departments more authority to check up on other people in their day-to-day operations. After all, these people are trying to run their businesses in a very difficult and competitive environment.

The National Party supports the proposal on the understanding that the Minister assures us that the money will be spent in the way in which it is intended to be spent.

HON. D. J. WORDSWORTH (South) [8.55 pm]: I do not wish to speak for very long except to say that I have been farming for some 30 years. When one started off, it was traditional to dip one's sheep annually in a plunge dip.

At that time, in countries such as South America, powder dips were being used where sheep went through a gate and were covered in powder. I understand that was not very successful; generally speaking, dipping controls lice but does not eradicate them. When I was farming in Tasmania 25 years ago, the Department of Agriculture there offered certain farmers, particularly those who had big clips, the opportunity to refrain from dipping every two years out of three. It saved a lot of money; dipping is not a cheap game. The chemicals are expensive and there is a lot of work involved in the process.

In those days sheep had to have a certain amount of wool on them so one could not dip at shearing time. In Western Australia farmers have traditionally done very much the same as the pastoral industry where they dipped after shearing. That saved bringing the flocks in twice, but it meant that the sheep were not turned out as quickly for a feed as they usually would have been. This meant that the sheep had to spend a couple of days around the shearing sheds and this put more strain upon the stock.

I think 12 years ago the Department of Agriculture said that farmers could refrain from dipping sheep but if the sheep were found to have lice, they had to be dipped as usual. In fact I think they had to be dipped twice. The difficulty with that is that the stock inspectors were not able to get on top of the situation. In some areas there were very good stock inspectors. The inspector on the Nullarbor, for example, turned up wherever there was shearing going on and he became a legend. That is really what should have happened everywhere else, but of course when one is out in those big pastoral stations, there is a huge number of sheep to be shorn and it is not hard for the word to get around when certain properties are shearing.

It is a different matter in the smaller areas, particularly in places such as Esperance where we broke away from the Australian Workers Union and shearing on a Saturday became quite common. Of course one had to ensure that not too many people knew one was shearing. Now and again the AWU would come along, break the shed up, and throw the handpieces out into the crops. I remember on one occasion, as a member of Parliament, being somewhat embarrassed to have to roar across a paddock being chased by an AWU member who was trying to get my name because he knew I owned a shed where shearing was going on. I think that situation made it a little harder for the stock inspectors to know

where shearing was going on, because little effort was made by those officers to go and look at the sheep when they were being shorn.

It is remarkable that the shearers always knew where the lice were. It was quite common but no action was taken. That whole principle failed. Its objective was to control lice rather than eradicate them. Now, after research, a plan has been put forward for lice to be eradicated. That would be a great thing, but I am afraid I have to say I have little faith. I guess that is one of the troubles of being an old-timer.

Parasites have been with the world for a long time, not just in the agricultural industry, but in the fishing industry and whatever industry one likes to name. They are quite common, and I do not believe we can just wipe them out. They have a habit of being there in ones and twos not greatly affecting their host—that is the natural thing—until something goes wrong with the host such as lack of feed, or drought, or stress through lambing. The parasite builds up numbers and overpowers or affects the host in some way.

The wool buyer among us says he has never heard a wool purchaser complain about lousy wool. In other words, it did not make a lot of difference to the industry which bought the wool, but it affected the industry which grew it because it reduced the quantity, and once one had an outbreak of lice one was in big trouble, particularly if the sheep had a big quantity of wool on their backs.

Under this proposal wool will be tested. It is relatively easy to detect whether a flock has lice from a sample, and it will be traced back, and a committee of farmers will enforce the dipping. The Department of Agriculture and the stock inspector will not be relied on as much as they were in the past. That sounds all right in the wool growing areas such as Kojonup, or the pastoral areas, but I wonder whether it will work in the dairying areas. I believe there will be difficulty in getting a vigilante-type committee there, and it will have trouble enforcing the dipping of sheep.

I have one property on which we run fine merinos and make a practice of growing good wool, and another property which carries all cattle. On that we keep 20 or 30 killers and sell the wool through a private buyer. I wonder how that will be traced.

Hon. E. J. Charlton: For cash?

Hon. D. J. WORDSWORTH: For cash. I raise this matter because the National Party feels the small woolgrower ought to pay and that this $75 levy on three bales ought to be paid by everyone. I disagree because I think I have experience at that end of the line. A man who has 20 sheep or thereabouts has to be encouraged to dip his sheep. I will be quite honest about this. I said to my man, "You had better dip the sheep", and when I got my account I saw that the can of pour-on dip cost $150. I said to him, "You only gave me $40 as my share of the wool off the sheep." He said he had to pay the shearers, and this and that, and cart the sheep to a shearing shed. Members can see why a small flock owner does not dip his sheep.

Hon. A. A. Lewis: Would you like a clean handkerchief, Mr Wordsworth?

Hon. H. W. Gayfer: You have broken my heart!

Hon. D. J. WORDSWORTH: I am being honest enough to say what can happen under certain circumstances with certain size flocks.

Hon. E. J. Charlton: I will get someone down there tomorrow to look at it.

Hon. D. J. WORDSWORTH: My neighbour is not much better because he has lousy sheep and there are always sheep wandering down the road. I do not know who owns them. When sheep are not worth much, no-one worries when they get out on the road.

I believe the approach in this Bill is correct. The three-bale limit is the right number on which to levy the growers. The big woolgrowers are getting off a bit lightly, but we cannot put a tax on wool; it has to be on growers. All in all I wish the project well. I have to admit that in my heart I have the gravest doubts as to whether it will succeed. Perhaps it will work in concentrated woolgrowing areas where there are no cow-cockies or beef producers around them. It will save them dipping, and if a property in those better woolgrowing areas is found to have lice infestation the owner can always use a concentrated pour-on dip even if the sheep have quite a lot of wool.

The question of pollution is another of my concerns. The wool which is dipped late will have a high concentration of chemicals in it, and in future countries could start to object because obviously when they scour the wool in their countries they will have to get rid of the water or solvents used in that process, and they will carry some of the dip. At least with the dip off shears it had 12 months of weathering in

which to disappear. That is not a major concern at this stage, but it could be in the future. I have to admit that what we did did not work perfectly. When everyone dipped every year it kept lice at bay, but it was quite expensive for the nation. If growers have faith in this new system they are entitled to give it a go, and I wish them well.

HON. W. N. STRETCH (Lower Central) [9.08 pm]: The eradication of sheep lice has been a long-cherished dream of the Australian wool industry, and I hope this scheme will go some way towards achieving that. Many schemes have been tried over the years, and for various reasons have met with limited success. It really boils down to the ability of this parasite to survive in harsh conditions on small numbers of sheep.

That is where I believe the scheme will run into trouble. I agree with Hon. Mr Wordsworth that we have to make it easier for the small flock owner to control his few sheep. That will be the responsibility of the Department of Agriculture. I think the container of dip to which my colleague referred is capable of dipping about 2 000 sheep, so I think he was going for overkill in buying that size container.

Hon. D. J. Wordsworth: There are no smaller containers.

Hon. W. N. STRETCH: The member is quite right. It will come down to the itinerant sheep contractor who is handling large numbers of sheep; he can always do those few, so it will be the responsibility of the department to see they are treated.

I know from experience with our own flocks that lice will not be eradicated while there are sheep which escape the treatment. We were part of the Kojonup trial scheme some years ago which met with reasonable success. The difficulty is in obtaining a 100 per cent clean muster, and where one has large pastoral properties or properties with a lot of bush, or breakaway country, where it is difficult to get a 100 per cent muster, there will be trouble.

The other day I read the speech of my colleague the member for Greenough during the second reading debate in another place and he pointed out that in the Geraldton area they had mustered difficult areas on foot to make sure that they got a 100 per cent muster. Where it is easy country to muster, and with that sort of dedication they have achieved good results. The scheme will work on country of that kind. My concern lies more with the heavier rainfall areas because that is the situation which prevails in my constituency and in my personal farming operation.

Hon. David Wordsworth touched on the chemical residue in wool and it is of even more importance than he emphasised. I have spoken to some people who say that Europe is becoming very pesticide-conscious and we can accept that. The scouring of wool, which is a glorified washing process, brings out large quantities of any chemical residues into the water which, in some cases, causes pollution. As my colleague rightly pointed out, if sheep are treated close to shearing time and the scouring operation, the greater is the concentration of chemical residue in the wool and, as a consequence, there is a greater proportion of that residue in the wool sent to the European mills.

It is not such a great difficulty in Australia because the amount of wool processed is less. We also have a lower concentration of people in our industrial areas. But as I said, it is becoming a major problem in our customer countries.

I have spoken before in this House about the problems of the contamination of the Australian woolclip and the need to keep it clean. Chemicals are another form of contamination and one against which we must guard.

I thank the Minister for clearing up one question early in the piece. He was most diligent in obtaining the answer for me. I asked whether goats were exempted from this legislation and whether there was any chance of the parasite being transferred from goats to sheep and vice versa. As some members are aware, there is a move to run up to 10 per cent of goats in sheep flocks to aid pasture utilisation and to give farmers a diversification of income. It can be extremely profitable to farmers. I am glad that the Minister was able to assure me that the insects do not transfer from one host to another permanently. They have been known to transfer from one host to another and survive, but they do not breed. We can be thankful for that small mercy.

Another matter of concern to me is the financial aspect of this legislation. On reading the Bill I was happy about the charge to growers until I reached the definition of "woolgrower". I advise the Minister that there are countless dozens of family partnerships throughout the farming and pastoral areas. I would have thought that in regard to a partnership, a clip would be regarded as one clip and that only one charge would be levied. The definition states that "wool grower" includes the legal representative of a deceased woolgrower, a trustee, the liquidators of a company, and then a person entitled to a share of the wool and a corporation, etc. I wonder whether a per-

son entitled to a share of the wool includes a person entitled to a share of the proceeds and whether he becomes a woolgrower under that definition. It is a small point, but it is of significance. Members could imagine a family partnership consisting of six members paying six levies. They may not be as happy as they would be if they thought they were to pay only one levy of between $40 and $75. I will deal with this matter in more detail during the Committee stage, but I advise the Minister of my concern.

A woolgrower who delivers more than three bales of wool in a financial year to a dealer pays a contribution, and the question of multiple shearing was raised earlier. For argument's sake, we shear wethers in the spring, lambs in late spring and early summer, and ewes in late summer and early autumn. In effect, we have three separate clips in one financial year. It could be construed that we were delivering three clips and not just one. I would like the Minister to clarify the matter for me. I hope it will be in favour of people like us.

The sunset clause in this Bill is a good clause. The scheme will go a long way towards eradicating lice in many shires. I echo my colleague's warning that unless we get down to the small flocks we will not eradicate lice. Unless we do that, the title of this Bill is meaningless. It will not be a sheep lice eradication fund, it will be a sheep lice containment, which is what we have now.

Between all of us we have to bend our minds to this major problem of ridding the industry of lice altogether. It will not be done by including only three bales or more.

As I said earlier, I accept the argument that we cannot expect small farmers to contribute on a large scale. My personal preference would have been to bring it down on one bale. That is what was referred to earlier by one of my colleagues; that is, that the mechanism will be there to identify deliveries of one bale upwards.

I believe that in time it will come down to the one-bale level and only flocks under that will be left to the department and individuals to work out on some basis of their own.

As in all these schemes, it will be a matter of goodwill between the growers and their neighbours. As Hon. Colin Bell pointed out, the industry wants this. I might say that it resulted in a heated debate by both organisations concerned and by no means was the decision unanimous. However, they have come down on the side of this Bill. It is a step in the right direction and I am hopeful that with the goodwill of growers and the Department of Agriculture we can get on top of this problem. It is an area in which the industry can make considerable savings.

The advent of new chemicals has given us new hope in controlling this problem. By the same token, we have a cloud hanging over the processing of chemical residue in consuming countries and that is something which members must bear in mind.

I will certainly do my best to promote this Bill in my electorate. It will go a long way towards getting this costly pest under control and making the industry more profitable.

I support the Bill.

HON. GRAHAM EDWARDS (North Metropolitan—Minister for Sport and Recreation) [9.19 pm]: I thank members opposite for their contributions and for their indication of support of the Bill and that which it seeks to achieve. In relation to some of the queries that were raised I understand that it is necessary to identify one-bale lots simply to help in the purpose of eradication.

As has been pointed out these lice can, and do, survive in small numbers of sheep. It is very important that they are identified throught the one-bale process, but for the purpose of the financial contribution, the decision has been made that three bales will become the minimum.

I advise that without exception the moneys raised through contributions will be spent on the programme. It is also possible that the maximum amount payable will be $50 rather than $75. The Minister is pursuing that particular recommendation from the committee at the moment.

In relation to the point raised by Hon. Bill Stretch, I am advised that the intent of the Bill is to ensure that owners of flocks pay only once. That may require some clarification later on, but that is the intention of the Bill.

I am pleased to see there is strong support by the industry associations for this Bill. I think it is important that people are optimistic and supportive of the things the Bill seeks to achieve. Despite the fact that there was strong debate within the industry associations, the important thing is that they strongly favoured this move. If the industry wants this Bill to achieve eradication of sheep lice, all sections of the industry and community will have to work together to ensure that it happens, and hopefully it will happen.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Hon. Garry Kelly) in the Chair; Hon. Graham Edwards (Minister for Sport and Recreation) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation—

Hon. W. N. STRETCH: The Minister indicated in his reply to the second reading debate that his comments would require further clarification. I wonder whether he could provide that now. Is it intended that the flock owner will pay only once and does that provision extend to people operating as a partnership?

Hon. GRAHAM EDWARDS: The Bill intends that a partnership would pay only once.

Hon. C. J. BELL: Will the Minister extend that clarification to include share farmers? They are separate entities operating in the same flock but are each entitled to a share.

Hon. GRAHAM EDWARDS: The principle is one flock, one payment.

Clause put and passed.

Clause 4: Fund established—

Hon. E. J. CHARLTON: I thank the Minister for his assurance that the fund will be administered for the purpose for which it is being established.

Hon. GRAHAM EDWARDS: That is correct. At the end of the five-year period, any residue moneys will be carried forward for the purposes of eradication, given the fact that the programme is to last for nine years.

Clause put and passed.

Clauses 5 to 7 put and passed.

Clause 8: Liability of wool grower to pay contributions—

Hon. W. N. STRETCH: Will the Minister expand his earlier explanation and tell us that the payment will be made only once per year irrespective of the number of deliveries and the sectionalisation of that clip into three or four deliveries?

Hon. GRAHAM EDWARDS: It is three bales, not the frequency.

Clause put and passed.

Clause 9 put and passed.

Clause 10: Returns to be furnished—

Hon. GRAHAM EDWARDS: I move the following amendment—

> Page 4, lines 5 to 9—To delete the passage commencing with "A" and ending with "dealer;" and substitute the following—
>
> A dealer shall furnish to the Commissioner of State Taxation not later than 31 August of each year or such later time as is approved by the Commissioner of State Taxation such information as is available to the dealer and recorded by him in the normal course of his business relating to—
>
> (a) the name and address of every wool grower who in the previous financial year delivered one or more bales of wool to the dealer and the number of bales so delivered;

In the normal course of business, some wool buyers record a number of deliveries on a cash basis. The name and address of the relevant woolgrower is then not available as a matter of record. It is not the intention of the Bill to require dealers to investigate or furnish information beyond that already available to them and recorded in the normal course of business.

The amendment of clause 10 ensures that dealers are not in contravention of the Bill as long as they furnish required information which is available to them and recorded in the normal course of business. Dealers are not required to further investigate and furnish names and addresses in the case of cash purchases. The information to be furnished has been discussed in detail with brokers and private-treaty wool merchants.

This amendment follows a deputation made to the Minister, and I gather everyone supports it.

Hon. E. J. CHARLTON: I think the amendment lays to rest a number of concerns of people in the industry, and I believe the amendment is supported.

Amendment put and passed.

Hon. GRAHAM EDWARDS: I move a further amendment—

> Page 4, line 17—To delete "a return" and substitute the following—
>
> the information required

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 11 to 15 put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. Graham Edwards (Minister for Sport and Recreation), and returned to the Assembly with amendments.

SUPPLY BILL

Second Reading

Debate resumed from 23 June.

HON. V. J. FERRY (South West) [9.30 pm]: The Opposition supports the Supply Bill in the traditional way. Supply has never been refused in this House since the Legislative Council was first established, and I hazard a guess that it will be many a long day before that action is contemplated. There was an occasion a few years ago when pressure was put on this House to stop Supply, but that never eventuated. I was one of those members who stood firmly by the view there was no cause to stop Supply, and there is no cause today.

As is customary with a Supply Bill, honourable members have licence to talk on any topics, so I will take the time available to me tonight to talk about a few matters which affect the south west part of the State especially.

Since the Burke Government took office in February 1983, a false assumption has spread around the community that everything good in the south west has happened since then. That is a completely false perception, but it has been bandied around from time to time by Labor supporters. With the "Bunbury 2000" thrust and the establishment of the South West Development Authority, this thought is still alive in the community. It is really an insult to the citizens of the south west, particularly those who lived there prior to 1983. It does not do credit to Governments of all political persuasions which have governed this State between 1890 and 1983.

It is well known that a great deal of progress occurred during those many years. I want to record some of the things with which, in the main, I have been involved, either directly or indirectly, during the time I have been a representative of the south west and a member of this Parliament.

I want to refer particularly to the establishment of the Bunbury inland harbour, which is well known and is serving the community especially well, particularly heavy industry. That harbour was mainly the responsibility of Sir Charles Court when he was Minister and Premier. The land reservations are available for further expansion of that facility, bearing in mind it is an inland harbour which was carved out of the land mass. A reservation of considerable size has been set aside for that expansion. I have forgotten the number of berths which will be available, but I think roughly 19 could be established over a period of time.

This harbour serves the aluminium and woodchip industries. General cargo facilities are available, and others will no doubt be established. It is the outlet for the raw materials of the area, and it is serving more and more as a port of receival for goods coming into the south west of Western Australia. Coupled with that, we still use the land-backed wharf, particularly for the mineral sands trade, occasionally for wheat, and for materials for the superphosphate works at Picton Junction. So the port is very important to the whole region, not just Bunbury.

Another facility of which honourable members will be aware is the Bunbury Regional Hospital. That has served the area well. It is crying out for further upgrading and additions; modernisation and further equipment is required. I have made representations in that regard to the present Government, and I am hopeful that in the near future it will see its way clear to supplying further amenities and facilities for the regional hospital.

I make special mention of the permanent care unit, which is alongside the Bunbury Regional Hospital. This unit is very dear to a former member for South West Province, Hon. Graham MacKinnon, who not only represented the area but was Minister for Health for a number of years. It was through the efforts of Hon. Graham MacKinnon that the unit was established, and it is serving the community extremely well.

I could mention a number of schools. Specifically I can mention the Newton Moore Senior High School, which was named after a former Premier of this State, later to be Sir Newton Moore. In his later life, after leaving Western Australia, he served for some 18 years with distinction in the British Parliament, and then went to Canada where he was eminently successful in a private business. The Newton Moore Senior High School has been established

for about 16 or 17 years, so it was certainly there before 1983. Another school is the Withers Primary School, which was established a few years ago.

The Bunbury courthouse was begun by the previous Government and would have been built a little earlier had not the Tonkin Government, when taking office in 1971, rearranged the financing of that facility. A new courthouse was built at Kalgoorlie, so Bunbury was denied that courthouse during the time of the Tonkin Government. That was a shame, because there was a need for a new courthouse in Bunbury. However, when the Labor Government was defeated the courthouse was finally funded. Although it was completed just after the Burke Government took office in 1983, it was in fact a project established by the previous Government and it is serving the area very well.

I make special reference to the endowment lands, which was a creature of special significance to the Bunbury area. Way back in 1884 special land was set aside by the Government for the benefit of Bunbury. It was recognised even then that Bunbury would play a role by providing services and facilities, not only for the people living in the Bunbury area, but also for the surrounding districts; therefore a far-sighted statesman set aside lands which were not given freehold to the local authority at that time but were conditionally made leasehold. As the years have gone by that land has been made available at a peppercorn rental for specific purposes; for community needs. I may perhaps mention some of the benefits which have flowed to the community as a result.

One example was the construction of Blair Street, now a main thoroughfare in Bunbury, and $618 244 of the cost of Blair Street was expended from the endowment land surplus to acquire land to place Blair Street into an overall road system. So that was one advantage of the proceeds of this land going towards a community benefit.

Other examples of projects were $80 000 to Elanora Villas, a retirement village, and that amount assisted in attracting a Federal subsidy of a further $160 000; an amount of $10 000 to the South West Homes for the Aged; and $74 000 to acquire land to develop Big Swamp as a wildlife park. That gives members some idea of the value of this land to Bunbury. I just make passing reference to the fact that Lot 574, of 35.7 hectares, was made available for the princely sum of $4, and other lots were made available for the nominal sum of $2, so the people in the region of the Bunbury City Council have benefited from that type of funding.

This is not peculiar to the Bunbury area, because the City of Perth Endowment Act 1920 released land to the City of Perth, and the same occurred in respect of the City of Fremantle. Not many areas in the State have benefited from endowment land, but Bunbury and its region certainly have, and that has been honoured by Governments throughout time.

I make a passing reference to the pre-election campaigning that went on in late 1976 and early 1977 when the Labor Party produced maps and posters indicating that the conservative Government of the day was going to deny Bunbury the advantage of the remaining endowment land. The Labor Party suggested that if the then Government was returned, all sorts of dire things would happen, and the local people would not have the benefit of that endowment land. That was nonsense, because afterwards the Government of the day continued to honour the spirit of the release of that endowment land for specific needs. However, that is politics.

Another facility which was established in Bunbury several years ago was the technical college, now known as the South West College. That has served the region extremely well, and will continue to do so. There has also been a commitment—and I have no doubt the commitment will be renewed—that when the Liberal Party resumes Government again, it will honour its pledge to maintain the Busselton Jetty from the shore to at least the first head, and provide a landing at that head for the benefit of people who love to go out on the jetty.

I now turn to consider hospitals in the region. It has been my privilege to represent over the years an area from the Waroona Shire to the Denmark Shire, down to Cape Leeuwin and Augusta. I have jotted down a few things that have happened during my stay as a representative in this place. I refer firstly to a new hospital at Augusta, which was recently extended, and I thank the present Government for recognising the need for those extensions. That hospital was in fact established by another Government. A new hospital has also been built in Busselton in recent years. There have been extensions to the Harvey Hospital, and when I represented that area I was closely involved with the Harvey Hospital Board and the staff, and made numerous representations to the

Government at the time, and I must say very thankfully that those representations were fruitful.

Hon. C. J. Bell: People in the town still speak very appreciatively of your efforts.

Hon. V. J. FERRY: That is very kind.

The old Bridgetown Hospital was located on a sloping site, and it was very difficult to build on that land. I remember tramping over what was then a paddock, with officers of the Health Department—and Mr Graham MacKinnon was then the Minister for Health—trying to determine the best site for a new hospital there. As a result of that inspection and other negotiations, particularly with the local authority, the site was procured and a new hospital was built. I cannot remember the actual year when that occurred, but I think it was in the late 1960s.

I was privileged to be on the board of the Manjimup Hospital for a number of years, and had a close association with that institution. A number of improvements and extensions were made to the hospital over the years, such as the building of nurses' quarters.

Donnybrook Hospital was built prior to the Burke Government taking office. It is only a small hospital, but it serves that community very well. The hospital at Yarloop has had a very interesting history as far as medical care is concerned. The hospital started out under the wing of the timber company then operating in the area, Millers Timber and Trading Company, and by an arrangement, the mill in fact ran the hospital and employed the local medical officer. I must pay tribute to Dr Knight, who served that community extremely well for many years, and was highly respected. The Yarloop community was richer for his attendance. The hospital facilities needed to be upgraded, and I was pleased to be able to assist in that regard when I represented that area some years ago.

I now come to the question of police stations throughout the area. Before 1983, new police stations were established at Donnybrook, Pemberton, Manjimup, and Busselton. In addition, a new courthouse was built at Busselton.

Progress has occurred, and one does not need a "Bunbury 2000" concept to put these things in place. These things have happened for all to see, which proves that life did occur before 1983.

I refer to a number of other schools in the south west that have either been newly built or had extensions made to them: and I have just jotted these down from memory, but there could well be others. New primary schools have been built at West Busselton, Vasse, Capel, Boyanup, and Dardanup, and there have been additions to the Busselton Senior High School, the Margaret River High School, and the Margaret River Primary School. One can go on to show that over the years a lot of services have been given to the people in the south west by all Governments prior to the Burke Government.

It is interesting to hear Hon. Tom Butler, a Labor member, laughing. It shows how hollow his thoughts are in this regard.

I recently made representations to the present Minister for Education, Mr Pearce, to have consideration given to covered areas at the Cooinda Primary School at Bunbury and to the Adam Road Primary School at Bunbury.

These are probably the last two primary schools in the Bunbury area not to have been supplied with covered areas. There may be one other, I am not sure about that; but I hope that in the forthcoming Budget the Government sees fit to provide funds to establish covered areas for these schools, because no matter what the weather, it is absolutely essential that staff and students have the benefit of open areas covered from the elements. As we all know, education does not take place entirely within four walls. There are all kinds of education today—musical appreciation, gymnastics, and other things—which can be done in a semi-open area so long as it is covered.

I now turn to some of the major industries that have been established in more recent years. Firstly, I refer to bauxite mining and the alumina industry. I witnessed some activity by protesters when the Wagerup site between Waroona and Harvey was being prepared for building operations. Protesters threw themselves in front of bulldozers. Many of them were Labor supporters, and one gentleman associated with that protest was a very prominent member of the Labor Party and I believe is now a Government adviser. How things have changed! There have not been any protests lately. That sort of development was hotly contested by Labor sympathisers and supporters, and that did them no credit.

Despite the tardiness of the bauxite industry at times—and no industry is perfect—it has continued to serve the State well. It is creating

a tremendous amount of employment, and one has only to travel through Mandurah, Pinjarra, Waroona, Harvey, Bunbury, and Collie, all areas which benefit from alumina establishments, to see what it has meant to the south west to develop our bauxite mining industry.

I refer again also to the inland harbour at Bunbury. Incidentally the alumina industry was obliged, by an agreement entered into by the Court Government and ratified by this Parliament, to export a certain tonnage through the Port of Bunbury rather than through Kwinana or Fremantle. That was a deliberate act by the Government to ensure that the product went out through that inland harbour.

The woodchipping industry is an interesting one. I can recall in 1965 and 1966 when the very first moves took place in Manjimup. I happened to be living there. Representatives of Japanese milling interests called on me and acquainted me with their interest in the woodchipping industry, and I had great pleasure in being with them for quite some time in the Manjimup area, discussing the possibilities of establishing a woodchipping industry. I recognised the great value of that industry to the timber industry as a whole because it would allow the industry to salvage a lot of hitherto unmillable and unprofitable timber and put it to good use. The industry is there for all to see. We have a flourishing woodchipping industry which I hope will continue, subject to the renewal of its licence. That has not only helped the Manjimup and Pemberton areas but also, certainly, the Port of Bunbury.

Woodchipping still has its critics and it always will, but I say this for the industry as it is established in the Manjimup area: It is extremely well managed and well monitored and I invite anyone who has any doubts about this operation to visit the area personally and take advantage of the offers from the company involved in woodchipping and also from the Department of Conservation and Land Management to show people around and acquaint them with the methods used. I am certain they would appreciate the opportunity of seeing this industry and having the whole deal explained to them. I believe that the industry will survive all its critics. I think the critical time has passed because the evidence is there that the industry is doing an extremely good job.

Previous Governments have supported the coal industry based at Collie; that must be acknowledged as well. All Governments have assisted the coal industry. It is an important part of our Western Australian economy and despite the stockpile of coal that is accumulating there now I believe the difficulties will be overcome and that the coal industry will continue to be of great value to this State.

I refer again to the timber industry, and I want to pay an especial compliment to the professional officers of what was previously the Forests Department but has now been absorbed into the Department of Conservation and Land Management. It was under the expertise of those officers that the timber industry in the last 50 years or so has been more orderly and productive. I do not think that individual recognition has been given to those professional officers over the years for their valuable service to the State. Whereas a number of conservationists may have other ideas about their work, there is no doubt in my mind that these officers are the experts in their field and should be allowed to do their jobs and give advice, and have that advice heeded by the people who need it.

The hardwood timbers have been heavily cut over in the past. That has been changed by the introduction of different programmes, and by the introduction of the softwood industry. As a result of the softwood industry's being introduced we have the Wesfi particle board factory based at Dardanup, which was put in several years ago. It has been extremely successful, selling in the Eastern States and overseas against world competition. That just goes to show what the south west can produce, given the right conditions, encouragement, and the correct expertise.

I refer to the agricultural industries, of which there are so many throughout the south west because of its rainfall and its soil. All Governments have assisted the industries such as beef, dairy, fruit, vegetables, sheep, fat lambs, and so on. All these industries have had their problems over the years, and that is the way of all agricultural industries; they must contend with seasonal conditions, marketing problems, diseases, and the like. Notwithstanding that, all Governments have supported these industries and I hope they will continue to do so. Certainly a number of the industries have changed drastically since I came into this House in 1965. I refer especially to the dairy industry, where the bulk of the whole milk industry has shifted from the Pinjarra, Harvey, and Waroona areas to the Busselton, Margaret River, Pemberton, Manjimup, Northcliffe, and Denmark areas. That move took place a number of years ago. The fruit industry has suffered

grievously from the entry of Britain into the European Economic Community. Previously most of the export apples were shipped to the United Kingdom, but these days very few reach that market because of the competition from the Continent. So that has changed; but never mind, the industry is still there.

The vegetable industry has its problems. The potato industry at the moment is going through some trauma. I hope for the growers' and the consumers' sake that it gets sorted out fairly soon.

Last week we debated a Bill dealing with SCM Chemicals Ltd, previously Laporte. This industry is part of the development of the south west and has been for some years. The Laporte factory was first established in 1961 and is based on the mineral sands industry under an agreement first drawn up with the State Government of Sir David Brand and Mr Court—as he then was—who was the then Minister for Industrial Development. That agreement was supported by John Tonkin who was the spokesman for the Labor Party at the time. That industry has served the area extremely well. It has provided between 300 and 400 jobs in the Bunbury area over the years. It was taken over by SCM Chemicals Ltd a couple of years ago and that plant, with its new processing system, will move to Kemerton. It will expand and provide further employment for 36 people. That industry has my support.

I refer to the mineral sands industry which has meant a tremendous amount to the towns of Busselton, Capel, Bunbury, and Waroona. The mineral sands industry has been under siege from time to time by, I would charitably suggest, well-meaning people, although I do question their actions. It has certainly been under siege by some members of the Press with respect to health, safety, and radiation matters. The hyped-up concern regarding the industry was grossly overplayed by the media and some people who, for their own reasons, have seemed to want to cause unnecessary trouble. They have certainly caused unnecessary trauma for the people of Capel, the town most affected by this action. Remedial action has been taken in some cases to overcome a number of difficulties in some blocks of land as a result of the mineral sands mining. The industry is now flourishing better than ever. World markets are at its bidding. I am very pleased to see the industry is taking advantage of the opportunities available to it.

Western Australia produces over 90 per cent of mineral sands in Australia. It is worth noting that the mineral sands industry in some parts of the Eastern States was choked out by hostile forces and it was forced to close. I hope that does not happen in Western Australia. There are heavy mineral sands deposits on the south coast. Some of those deposits appear likely to be locked up in national parks and other reserves. I hope good sense prevails and selected areas can be mined in the future for the benefit of the industry and the State as a whole.

Tourism has played a significant part in the south west for many years. It received a shot in the arm under the stewardship of Sir David Brand, when he, as Premier, recognised the importance of tourism to the State, took that portfolio, and promoted Western Australia at every opportunity. From that point on tourism has accelerated. A prestigious award, known as the Sir David Brand award, is presented annually to those tourist facilities which are creditable enough to be at the pinnacle of their particular industry. Tourism is continuing to attract the attention of the present Government. I commend it heartily for that. I hope it is promoted in a steady and sensible way.

I refer to the South West Development Authority, and its director, Dr Manea. A few years ago he suggested there should be five 5-star hotels in the south west and he predicted they would be there in a short time. Quite obviously that was a mistaken impression, backed up by the Government. The Lord Forrest Hotel is a fine hotel with a 4-star rating. I believe if it had another two storeys it would qualify for a 5-star rating. I congratulate the people who run it. They also received a tourist award recently. Dr Manea suggested the other 5-star hotels should be located at Dunsborough, Busselton, and Margaret River. That is a long way down the track. Dr Manea has a tremendous capacity and ability. I admire him for the good work he does.

I refer to *The West Australian* of 18 June 1987 which gives a report on the south west tourism conference at Bunbury. It says—

> A bid to attract Perth residents to the south-west under the Bunbury 2000 scheme is failing, says the director of the South-West Development Authority, Dr Ernie Manea.
>
> "We set out to create an alternative capital to Perth but to date we have failed miserably," he told the seminar.

> "More people are going to live in Wanneroo. We will never succeed till the Government stops the urban sprawl in Perth."

It further states—

> While there had been some population growth in Bunbury it was nowhere near that in Wanneroo and Perth's northern suburbs.

That report is absolutely right. When the Government introduced the "Bunbury 2000" concept in 1983 and renewed it in 1986, it gave special emphasis to creating an alternative city, which was very commendable although, as I have often said, one cannot artificially create growth; it must be based on natural resources of an area. Unfortunately, that growth has not been there in the last four years. As Dr Manea points out, some growth has been recognised but it is not spectacular. Bunbury will continue to grow steadily because it is that sort of place. It is attractive and has many things going for it, but it is not growing at the rate that was first envisaged.

Although I commend the Government and the South West Development Authority for doing what they have done, some of the hyped-up projections have caused harm. A number of people bought properties and the values of those properties dropped because expectations were not reached. There were false expectations regarding the aluminium smelter which the Premier suddenly decided was not on and made an announcement to that effect.

The expectation of an aluminium smelter caused a lot of business and private people to have high hopes which were never fulfilled. I have no doubt that in the future an aluminium smelter will be established somewhere in the south west, whether it be near Bunbury or in the Collie region, but until it is fairly definite, I hope the Government and the South West Development Authority do not run around trying to sing a song that it will happen tomorrow morning, because life is not like that.

Another false start, of which I was a major critic, was the suggestion that there should be a south west regional zoo. The site proposed was the Wokalup Agricultural Research Station, just a little south of the town of Harvey. I cannot imagine why Dr Manea and the South West Development Authority, backed up by Mr Grill, the Minister for The South West, were so keen to take over that property for a regional zoo. Firstly, agricultural industry is still paramount in our economy, and it is pertinent to have a research station in the irrigation country at Wokalup. There is not a great deal of irrigable land in Western Australia which is economically viable, but that particular strip from Pinjarra down to Dardanup and indeed to Capel is ideally suited to irrigation. It is very appropriate that there should be an agricultural research station there and it should not be dispensed with lightly.

I suggest that if a regional zoo were to be established, it should be established alongside the research station on private property purchased for that purpose. The station could assist in the running of that regional zoo; however, owing to representations that Hon. C. J. Bell and I made, along with strong opposition from the Department of Agriculture and the farmers' organisation, that scheme was suddenly dropped. Obviously it could not be viable. Another impediment was the fact that the regional zoo was most likely to be a financial liability. Here again we need people because the only way one gets money out of a zoo is by a throughput of people. Members well know that the Perth Zoo runs at a loss each year; indeed the Government has to subsidise its operations. There is no way in the world that a south west regional zoo could be financially successful.

There has been continual upgrading of the roads throughout the south west region. I will quickly run through a few of those which come to mind over the last 20 years—the widening and upgrading of the Busselton-Augusta road; the Brookman Highway between Nannup and the Alexander Bridge; the Bridgetown-Pemberton road and the Bunbury Ring Road—which is not to be confused with the bypass road that is now under construction, and which I fully commend—and many others. In the fullness of time there will be a four-lane highway between Mandurah and Australind. The traffic is building up rapidly in that area year by year. It is a matter of progression. The Mandurah bridge over the estuary has been completed and I have no doubt the traffic flow will force the extension, section by section, of a four-lane highway. That will happen in the normal course of events, no matter what Government is in power.

I refer now to the State Energy Commission and its role in Western Australia. When I first came to Parliament over 22 years ago I received endless representations—and I made representations—on behalf of hundreds of people in rural areas who wanted to have the benefit of SEC power to their properties.

whether they were domestic properties, industrial properties, or farming properties. Through the contributory extension scheme, which was implemented by the Brand Government, people who wished to have power extended to their properties paid a certain amount of money and worked out a group scheme, which might have contained 19 or 20 or whatever contributors. A rate was struck and the SEC would contribute so much of that money. In some cases that was extremely costly to people but it was a way of getting power.

Today there would hardly be a dwelling anywhere in the agricutural regions of Western Australia that does not have electric power fed by the SEC grid system. Indeed in recent years we have seen that grid extend to the goldfields area, and so it should. I hardly ever receive a request these days to assist in the supply of electricity to a property. I think I had one last year, but that is an indication of how times change.

Another fascinating feature in the change of events over the years is the comparative lack of requests to assist with housing these days. Twenty-odd years ago it was common for all members of Parliament, including me, to receive numerous requests for housing every week. Every week people wanted assistance in getting State Housing Commission homes, as they were then known, or some sort of shelter over their heads. There were some heart-rending cases of families being very poorly housed or having no housing at all. Since that time the housing situation has improved enormously and members of Parliament do not get that sort of request so frequently.

Health centres have been established throughout the area. Dental clinics have been established. When I was living at Manjimup there was no resident dentist there, nor was there one at Bridgetown. I am happy to say that through some negotiations, with which I was associated, we managed to get a private dentist to come to Manjimup; he also served the Bridgetown area. That was very good because he brought in a partner and another dentist followed, but that was the big breakthrough. It was not easy to get someone to come into the area. The school dental scheme was also implemented under the reins of Hon. Graham MacKinnon, who was the Minister for Health at the time. I took it upon myself to go around selling the idea to the communities there, particularly in the schools, that this was the way to go. This scheme has been eminently successful; there is no doubt about that.

The provision of swimming pools in country areas was another innovation of the Brand Government. Initially swimming pools were established at inland towns rather than those on the coast, for obvious reasons. It was apparent that towns near the coast had access to swimming areas while the inland towns did not. Now swimming pools are built at towns all over the place. That is a great thing although they are not always viable and local authorities may have to subsidise them.

I cannot help but make some reference to the naming of the new passenger train which is to run between Perth and Bunbury. I referred to this matter in the House last night. The name *Australind*—the name of the old train—was chosen. However, when the committee set up by this Government and headed by the Lord Mayor of Perth and the Mayor of Bunbury and other eminent people chose the name "John Forrest", this was overturned by the Government, which said, "No, it will be *Australind*, the same as the old train." I have been in touch with the Mayor of Bunbury, Mr Dick McKenzie, and a number of people in the south west have telephoned me in this regard, and they are absolutely disgusted that the Government has chosen to ignore the work of this committee. I understand from the Press that there were some 6 000-odd entries in the competition to suggest the name of the train, but despite the committee's choosing a name, the Government has overturned that decision. The members of the committee have every justification to feel disgusted and insulted by this turn of events. I understand that the Mayor of Bunbury has coined another name for the train, but I will leave that for another time.

I will briefly raise another issue but I do not wish to extend my speech at this particular time. I will leave this as a special mention, and I hope it will only take six or seven minutes. I want to refer to the projected provision of a water supply for Gracetown, on the coast near Margaret River. At present it does not have its own water supply, and investigations are under way to overcome that problem. My concern is that it is proposed to dam Ellen Brook, and that will affect the pioneer homestead called Ellenbrook. The National Trust is particularly concerned at this turn of events, and I hope the Government and the Water Authority do not proceed along those lines. The National Trust is planning the conservation of Ellenbrook homestead to demonstrate the means by which settlers to the Sussex district in the 1850s used the requirements of the land regulations and

their knowledge of the environment to establish a farming and grazing enterprise. The conservation of Ellenbrook will add to the understanding of our colonial heritage.

The National Trust has done a lot of research into this which reveals the reasons for the choice of the 10 acres upon which the homestead is placed. It also has revealed the reasons for the choice of the site on Ellen Brook, and the Trust has discovered the type of materials used in the construction of the house and farm buildings, and the methods of construction. The Ellenbrook homestead is a very historic and valued homestead, having been built by Mr Alfred Bussell and his wife Ellen in about 1850. I have been there; it is graceful place which has been taken under the wing of the National Trust. The trust has spent a lot of money on it; in total it intends to spend $85 000 to restore it for posterity. If the dam is built on Ellen Brook nearby, it is the trust's view, and I concur, that it will spoil the natural environment of the homestead and detract from its intended development as a pioneer homestead.

I am mindful that water supplies in the Margaret River area are not easy to find. Margaret River township itself obtains water from the weir on the Margaret River, and that has limitations. Prevelly Park, another community near the coast, has no water supply and the people have their own tanks and other means of obtaining water. Cowaramup, another small settlement north of Margaret River, has its own reticulation scheme, but that is a poor supply from the Cowaramup Brook.

Hon. G. E. Masters: Is that the Gracetown area?

Hon. V. J. FERRY: No, it is near the coast, and it is proposed to serve it by damming Ellen Brook.

The question of supplying water to Gracetown is only a drop in the bucket, if I may use that phrase. It is not sufficient. I know the nature of the area through Margaret River, Cowaramup, Prevelly Park, and Gracetown. There needs to be a totally new scheme to serve all those areas. They are growing steadily, and Margaret River will become a major centre in the future. It is a delightful place, and the Government should take the bit between its teeth and ensure this area is serviced by one big scheme. I know water is not easy to come by and there are salt problems in some schemes. Although it is a high rainfall belt, the holding capacity of the ground is not always satisfactory and there are not easy catchment areas to dam.

Notwithstanding that, now is the time to tackle the problem. The water supply to Margaret River, the biggest town in the area, has limitations and must be tackled. I ask the Government to take this on board as a major undertaking and supply water to the whole region. It would not be a parochial move but a statesmanlike stance if the Government did that. The problem must be tackled because water is the most vital resource we have, and this area has great difficulty in harnessing water and retaining it in catchment areas.

The Government should adopt this approach rather than proceed with damming Ellen Brook. I hope that will not happen. I believe the Water Authority is looking at the Cowaramup Brook, but I have a little knowledge of that area and I think it would be a temporary expediency. There are also salinity problems there. That is not good enough; the whole area needs to be assessed and a permanent, adequate water supply put in for well into the future.

I ran through all those items to place on record something of the south west in the knowledge that it will not be long before I leave this Parliament of my own volition. I felt it necessary to place on record some of the things that have happened during the time I have had the privilege to represent the south west, which is now over 22 years. As I said at the beginning of my speech, life did not commence in 1983. It began well before that, and it will go on. This Government has done some good things, and when it has done others which I did not believe were in the interests of the community I have not hesitated to speak out. I have no doubt I will make my voice heard in the future.

I thank members especially for their friendship and for allowing me to share this very public forum with them. It has been a tremendous experience. It is a well-known saying that "You can't win them all", but if one wins some, one is in front in a place like Parliament. I am delighted and humble to think that the people of the south west over such a wide area, and with changing boundaries from time to time, have seen fit to support me by returning me to Parliament, for better or worse. I have done what I could in my humble way to represent their ideals and aspirations.

Mr President, you and I were elected on 20 February 1965, and when I put in my resignation in a few weeks' time and leave I have no doubt you will carry on the good work we tried to start together. We have had our arguments in private, but we have argued for the benefit of the State and not in a personal way. It is a way of doing things, I guess, and that applies to all of us. It has been an enlightening and rewarding experience, and I have been privileged to be part of what has happened in Western Australia, not only in the parliamentary Chamber, but in other districts from Wyndham to Esperance and Augusta. That is something which does not come to everyone. People here are very privileged to have that opportunity, and it is up to us not to abuse that privilege. I wish everyone well for the future.

Honourable members: Hear, hear!

HON. H. W. GAYFER (Central) [10.29 pm]: I take this opportunity of wishing Hon. Vic Ferry all the best and to express to him, especially from my wife to Doris and him, thanks for many years of close friendship between our families.

The Supply Bill deals with the grant of Supply of $2 billion pending the passage of the Appropriation Bill for the next financial year during the Budget session.

It was particularly noticeable in the Minister's second reading speech that the 1986-87 Budget, presented to Parliament on 16 October 1986, planned a balanced Budget with revenue and expenditure estimated at $3.3 billion. He said also that indications now are that outlays, on the one hand, will be below Budget while, on the other hand, revenues are expected to exceed the estimate. The Government is confident of achieving a surplus for the third year in succession and that is despite the fact that revenue of $31.8 million will be lost to Western Australia in Commonwealth funding.

It is quite easy to understand that the Government, by altering a little bit here and a little bit there, is able to balance its huge Budget of in excess of $3.3 billion. I do not believe it is a feat that anybody else could achieve without a great deal of manipulation. It would not have been easy for the Government, which was travelling along a certain plane, to suddenly find out three weeks ago that it would be down the drain to the tune of $31.8 million, yet still balance its Budget.

I become concerned when I think of all the taxes and charges that have been implemented in this society, particularly during this last session of Parliament, and even without $31.8 million the Government can still balance its Budget.

It is quite understandable that other organisations are finding it very hard to balance their budgets. For example, I found out recently from correspondence from several shire councils, in particular the Shire of Mullewa which has written to every shire in this State, that the general story is that the general purpose grants are not serving the purpose for which they were originally intended.

The general purpose grants are allocated to each shire council according to formulae set out by the Grants Commission. The Minister for Local Government recently received a report from the commission which set out the scale of triennial grants that will be made to various shires between 1987-88 and 1990-91.

The Narembeen Shire Council pointed out that the commission advised the Minister for Local Government as follows—

> We believe that the adoption of these principles and methodology will allow a more equitable sharing of the funds available for general purpose financial assistance to local government.

Futher on the shire stated—

> Also, the underlying principle that has existed in the past, "that no Council shall receive less in any one year than was received in the previous year", has been discarded as part II of the Report "model Run Grant Allocations and phasing in proposals" clearly illustrates.

The Corrigin Shire Council has provided me with a scale of shortfalls that some 29 shire councils in this State will incur this year because of less funding from the Grants Commission. I remind members that the Grants Commission's policy is that no shire should receive in any one year less than what it received the previous year. The shortfalls to which I have referred go as high as $293 000 and as low as $5 000. The local authorities affected by these terrific shortfalls are Broomehill, Bruce Rock, Capel, Corrigin, Dalwallinu, Donnybrook-Balingup, Dumbleyung, East Pilbara, Gnowangerup, Goomalling, Harvey, Kent, Kojunup, Kulin, Lake Grace, Mingenew, Mt Marshall, Mukinbudin, Mullewa, Narrogin Town, Narrogin Shire, Narembeen, Perenjori, Quairading, Serpentine-Jarrahdale, Victoria Plains, West

Pilbara—which has a shortfall of $293 000 on the last grant it received—Wickepin, Williams, and Wongan-Ballidu.

Is it any wonder that these shires are getting uptight because their collective budgets will be out to the tune of $1.5 million when, in fact, to the knowledge of the shires no minus-budgeting has ever been put through in the past? It will mean that apart from the shires having to increase their rates for road purposes they will have to have very stringent controls over their expenditure.

While this Government has said that it can still balance its Budget, despite a loss in Commonwealth funding of $31.8 million, these 29 shires that are receiving collectively $1.5 million less than they received last time—over a three-year period—will certainly find it very difficult to balance their budgets.

The philosophical remarks that have been made in the Minister's second reading speech really stick in the craw of most people who have read them.

Last year in this place we discussed in detail a transport Bill. We agreed to acknowledge the fact that the Government was increasing the levy on fuel by 2c. At that time it was estimated that the 2c levy on fuel would bring in an expected additional $40 million and this would realise, in one year, the sum of $82.5 million.

The legislation also abandoned the previous principle that all levies collected on fuel would be put into roadworks. The Government estimated that the total amount received would be $85 million, of which only $42.5 million or $3.5 million less than last year would be allocated to roads. The balance of $40 million was to be allocated to other areas of transport. I would like Mr Masters to listen to this.

Hon. G. E. Masters: That is why I came back.

Hon. H. W. GAYFER: I appreciate the member's close attention.

The Bill was deemed by the former Leader of the House, Hon. Des Dans, to be a money Bill. There was argument about that between the Opposition parties and Mr Dans at the time. However, it was not the monetary content of the Bill that we were prepared to vote against, but the alteration of the expenditure of the total moneys, to wit $85 million, to which we objected. My party, on the other hand, fully expected that some of the $40 million extra that was collected would service other sections of the transport industry which were financially embarrassed.

In October last year, the grain freight steering committee tried its hardest to work out an equitable rate for Westrail to charge for the incoming grain harvest, a rate that would be acceptable to Westrail and to the farmers, particularly in the far eastern areas beyond Merredin. This was causing some trauma behind the scenes. The committee firmly believed that something had to be done for the area between Bodallin and Southern Cross, with Southern Cross paying the rate of $25 a tonne, the highest freight rate of any siding in Western Australia. One suggestion was that there should be a levelling out of the ceiling to a figure of about $20 a tonne maximum. That would have meant subsidising the rate beyond that point to the tune of $840 000 on an average harvest. That system would have been unique in the world and would have set a ceiling such as Hon. Jim Brown will see when he goes to Canada and studies rail freight principles in that country.

At the time that we were discussing the holding back of the $40 million from direct road expenditure which was raised by an extra 2c levy, other areas of the transport industry were being considered. I was a member of the grain freight steering committee and was, therefore, privy to what went on in the meetings. I was very intrigued with the $40 million surplus that was to be transferred to general transport areas. I, rather stupidly, thought that an area to which some of the money may be allocated was an area that the Government was most interested in and which was causing so much heartburn to it and to everybody else. I believe that area would have been satisfied with a small grant or portion of the $40 million. That is what I would have done had I been Minister. However, nothing was done or even suggested at the time.

When the Bill came before the House, we should have divided on it, regardless of the Minister's saying that it was a money Bill. We did not object to the amount of money being allocated or raised by that Bill; we objected to the money being taken out of the total expenditure for the road system as has always applied and for which the first levy was introduced. We should have insisted that the money be allocated to roadworks.

I was naive because I thought that the money would be spread over other areas that would help struggling people who had made representations to the Government for some kind of relief in their areas and for which a fairly sen-

sible plan had been put forward, not just for a ceiling of $20 for those people at Southern Cross, but to help people further out.

As I said, we expected something to be done in that area and did not divide the Chamber. I, as leader of my party, thought that money would be allocated to an area about which I had some concerns. I have seen no moves or any indication at all in the period since to do anything for those people who are struggling to make ends meet. Instead, that money will be used to electrify the metropolitan railway system, which I have been told will be completed by 1989. I read somewhere that it will cost about $120 million to electrify the system. I am sure members know where that money is coming from. I believe that it is coming from the 2c levy that we thought would be generally applied to transport needs. It will be allocated to a transport system which is running at a loss anyway.

If ever I have been hoodwinked and swindled, having had great expectations of a statesmanlike attitude being adopted, it was in connection with this Bill. I can assure members that no mention of it was made in this Chamber because committees work rather secretly outside even though they are working for the Government. Members can imagine my disappointment after I had believed that the money would go to level off a certain inequity; and then I had to confess to my colleagues in this place that I was wrong and stupid to have believed that some of the problems of which we are all aware would be alleviated and some recompense made. We are closely associated with those problems, particularly in the eastern part of this State.

I make it very clear that we should definitely have divided the House on that issue and prevented the money from being taken away from road usage. We should have prevented it and we did not; therefore, we were wrong at the time because we knew we were not voting against a money Bill. A money Bill, of course, relates to the collection of money. We indicated that we would support the Bill provided the money went into certain areas which really deserved it. When one considers the amount of royalties—I will call the levy a royalty—being collected from, but not going back into, country areas, it is easy to understand the concern of the people in those areas. They pay more than $20 a tonne for rail or road freight—my ceiling covered road and rail—and then find that their great expectations will come to nothing. I want the Legislative Council to realise that there was a little more behind that Bill, and I was stupid enough to be sucked in—to use a colloquialism. I thought that the funds would be for general application.

The electricity supply to these suburban railways will be to the advantage of a few and will be paid for by many. I hope the scheme will do some good for the people in the metropolitan area who have the benefit of cheap transport—and transport is certainly cheap in the metropolitan area compared with the prices paid by the poor devils in the country who have to pay $25 or $26 a tonne for freight. In every four-year period the freight costs paid by farmers are equivalent to the income from one year's harvest; in other words the farmer gives away one harvest in four. That situation is of great concern to the many friends in the country of members of this Chamber. It is no wonder that they get uptight and make such a lot of noise about this issue.

Another aspect of the Supply Bill is that the Government, in spite of receiving $31 million less in Commonwealth grants, will still balance its Budget. What an amazing feat. If the Government knew it would balance its Budget, why did it increase the taxes and why has it consistently increased its charges and slated the industries for which it should, in fact, be shedding a tear in sympathy? I would love to see a tear roll from the Minister for Budget Management's glass eye, to which reference was made the other night. I worry about the way this Government is going; it is introducing more charges all the time because it has to balance a Budget.

On 9 June a letter was handed to the manager of the Albany works of Co-operative Bulk Handling Ltd; it was not sent to the head office, nor addressed to the general manager, the chairman, or the board of directors. The letter was sent by the Albany Port Authority and it stated—

> INCREASE IN PORT CHARGES FOR 1987-88
>
> The total port trade from the Albany Port Authority for the year 1986/87, particularly grain and rock phosphate, will be less than initially budgeted for when setting port charges for 1986/87 and this Authority will therefore not achieve financial self-sufficiency for the year without re-arranging some capital repayment commitments.

> The port trade for the year 1987/88 is anticipated to be no better than for 1986/87 therefore, by necessity and with great reluctance, this Authority must increase its port charges by varying percentages as from and including 1st July 1987.

That is in five days' time. It continued—

> Cabinet of State Government has approved port authority rates and charges for 1987/88—

I have not seen them gazetted but apparently they have been approved. It continued—

> —which will increase by an average of 5% in most instances—

That would be throughout Western Australia. It continued—

> —with no increase to exceed 7.5%. As a consequence, although this Authority will seek achievement of financial self sufficiency for the year, factors beyond its control may prove otherwise.
>
> The schedule attached hereto identifies rates and charges for the Port of Albany commencing 1st July 1987. Additional copies are available on request.
>
> Signed: B. J. E. Hudson, Managing Secretary.

Mr Deputy President, the port authority did not have the decency to offer a copy of that letter to the company which handles the grain; it was sent only to the local manager.

In the Co-operative Bulk Handling statements of account ending 1985-86—that is 12 months ago and there have been many increases since—it can be proved that for the six years 1980-81 to 1985-86, port authorities have made the following increases, in rounded off figures: Geraldton—1980-81, $314 000; 1985-86 $989 474: Albany—1980-81, $241 000; 1985-86. $1 070 000. Those are the wharfage charges collected at these various ports. At Esperance in 1980-81, $117 700; 1985-86. $455 700. There was a lot of throughput that year in Esperance. The figure for the previous year was $60 300.

Albany has indicated we may expect an increase of five per cent to 7.5 per cent in every port in Australia. That is indicated in that letter. That was without any consultation whatsoever with the company which handles all this grain; without any consultation with the Grain Pool or the Australian Wheat Board, which ultimately pays to CBH on behalf of the growers the money to recompense the wharfage sent out. This has never happened before in the history of this State.

Treasurers have always consulted with these great companies to explain why these things are happening, and an increase is necessary. A former Premier, Sir Charles Court, went seven years between increases at ports because he realised that most of the port development was put through by the farmers anyway. Wharf upgrading generally is covered in berthage, which the ships pay for, and indirectly the growers again.

Why this sudden change? What is happening? I will tell members what is happening. Two years ago, when Mr Grill was Minister for Transport, he made a decree, and Cabinet endorsed his decision. Instructions went out that all ports had to stand on their own feet; the Government would no longer assist. The costs incurred by the ports had to be charged to whoever was using them.

The port buildings at Albany are being refurbished with new carpets, and these must be paid for by somebody. There will be no Government subsidy or handout to any of the ports ever again, so costs will have to be recovered directly through wharfage charges. That was the decree. The Minister, Kay Hallahan, has a slight hint of a glare.

Hon. Kay Hallahan: Never a glare!

Hon. G. E. Masters: She is embarrassed.

Hon. H. W. GAYFER: That was decreed following a Cabinet decision which said that all costs have to be recovered at the port.

What is happening at Albany? I will come to Esperance in a moment. We have just heard on the radio and the national news that Albany is no longer to be considered a wool port. The rail subsidy will be removed and used for Perth, so it looks as if Albany will be by-passed permanently.

Who will cover the increased costs? The port is used only by the grain growers of this State. Nobody else uses it. There is no livestock—nothing at all to share the costs. Nobody is left to pay for the new carpets and new furniture except the grain growers of Western Australia.

Hon. D. J. Wordsworth: That is why they put them there.

Hon. H. W. GAYFER: That may be so, but the stupid part about it is that as the harvest goes down in the hinterland, because of the farming situation, so the wharfage will go up. It

will never go down when the harvest comes back. It has never gone down since it was first brought in about 1965.

Lovely little Esperance suddenly finds a dredge operating somewhere in the northern part of the State. Esperance wants to attract larger ships into that port. That in itself is a good argument, the argument being that the Wheat Board wants to bring larger ships into Western Australia, remembering that the top-up vessels in Western Australia last year, with the depth of water at Kwinana, worked out at 30c. a tonne, which is not a bad charge when worked out on the basis of a conveyor belt running from Kwinana to Esperance.

Nevertheless Esperance has wanted to deepen the harbour for a long time, as Mr Wordsworth and I know. But I do not think the climate is exactly right. Because a dredge is going past the door it should not be hassled in. The cost will be somewhere between $10 million and $14 million. It may be a bit less; let us call it $8 million to be on the safe side.

It is hardly right that that should happen now. If they borrow the money they will get it back by increasing wharfage by 40c and berthage by another 40c. That is an extra 80c at Esperance for the use of the port. On top of that it has been suggested to CBH that it should put in a new gantry, which will cost $14 million, the same as the blue one at Albany. We are trying to say that this is not the right time to do that.

Hon. D. J. Wordsworth: You realise they have to pile it up, do you?

Hon. H. W. GAYFER: That is why I said the figure is between $8 million and $14 million. The Esperance Port Authority wants CBH to move on to No. 2 and get away from the other place. I do not mind that authority having a brilliant idea to do this, but why should the farmer of today be charged to recoup loan moneys like that? The Esperance Port Authority is forcing the farmer to pay because the Minister says that all charges have to be recouped by the port authorities.

I am not blaming the port authorities. They have their long-term vision, but it should be spread over many years. The loan should be made available at low rates from the Government of Western Australia to allow these ports to operate, not siphoned back from one industry. Only one industry is there at the present moment. This is the sort of thing which makes us very upset.

This morning Mr Ron Hesford from the Grain Pool, Mr John Crosby of the Australian Wheat Board, Mr Swan of the Grain Pool, Mr Delmenico, the General Manager of CBH, and I had a meeting on this very point. We are frankly upset and alarmed to know from our manager at Albany that charges at all ports—Geraldton, Albany, and Esperance—will be going up by between five per cent and 7.5 per cent. We have not been given the reasons, or anything else.

While that does not exactly apply to Kwinana, because we own our own jetty, we are interested to know what the agreement will be in that area, and their excuse for charging us a sum equivalent and akin to wharf fees. The scream went up last year, and Mr Grill, the Minister for Agriculture, said that CBH must make every endeavour to contain its charges; yet the Government is ramming in more charges through the back door—charges that have to be absorbed by the company and kept away from the growers if at all possible.

For the year 1984-85, electricity costs incurred by CBH—which is owned by the growers of Western Australia—increased by $360 000 to a total of over $3 million. During the same period, payroll tax increased by $338 000, with a total of $1.6 million being paid on a total payroll of $33.8 million.

If a golden goose is being killed at the moment, it is the growers of Western Australia. I get particularly upset when I see these increased charges, because the Government has decreed that the port authorities in particular—and this is the point I emphasise—must recover what they estimate to be their costs for the ensuing 12 months, or whatever.

Another matter I refer to is the concern of the Shire of Wongan-Ballidu about the spread of Mossman River and spiny burrgrass. I do not know whether Hon. David Wordsworth knows about this problem, and I must confess my own ignorance until I received the following letter—

> The Agriculture Protection Board has advised that these weeds cause the below-listed problems—
>
> Burrs cause health problems in livestock by injuring feet and mouths and causing swelling and ulcers.
>
> Burrs cause wool contamination and penetrate the skins of animals reducing the value of both.

Burrs cause inconvenience with wool handling and shearing. Penalty rates may apply in the presence of widespread burr contaminaton.

Contamination of dried fruit.

Inconvenience and discomfort to workers in irrigated crops, such as vegetables, maize, cotton, peanuts, tobacco, vines and orchards.

Occasionally contaminates lucerne hay.

The letter continues—

To protect the Wool Industry and the farming industry generally, your assistance is sought to having—

(1) Mossman River and spiny burrgrass weeds declared a pest plant and—

(2) The Agriculture Protection Board to implement immediate plans for the eradication of these weeds.

I was interested enough in the subject to find out where the affected properties are. Thirty-eight properties are affected with spiny burrgrass in the Shires of Northampton, Greenough, Irwin, Carnamah, Perenjori, Dandaragan, Cunderdin, Capel, Woodanilling, Wagin, Lake Grace, Kent, and Rockingham. Twenty properties are affected with Mossman River grass in the Shires of Mullewa, Irwin, Mingenew, Gingin, Toodyay, Goomalling, Northam, Cunderdin, Tammin, Kellerberrin, and Ravensthorpe.

I sincerely hope the Agriculture Protection Board will take note of what I am saying to see if anything can be done. I am inclined to agree with Hon. David Wordsworth that it sounds as though it is too late; but nothing ventured, nothing gained.

Members in this Chamber amended a Bill the other day to exempt from the provisions of the Machinery Safety Act in respect of rollover protection bars those tractors manufactured prior to a year after the promulgation of the legislation, which would have made it 1 September 1989. I appeal to members that if this is disallowed in another place, they hold fast to this amendment in this Chamber. Members should not allow a regulation to be possible that may have certain undesirable effects, because regulations have a habit of going astray.

I was intrigued to find out the other day—and I am sure none of my farmer friends in the Chamber would have realised this either—that distinctive red and yellow rear marking plates must be fitted to all vehicles and combinations of vehicles exceeding 12 tonnes in Western Australia, as from the last week in June.

Hon. D. J. Wordsworth: Have you seen them anywhere?

Hon. H. W. GAYFER: No. I rang up Altona Engineering and asked for some of these plates. They said, "We are manufacturing as many as we can, but there is none at the present moment. Certainly, all the $19-a-pair ones have gone. We may possibly be able to squeeze you a set for $25." I asked, "What is the difference?" They told me they are basically the same. I have a truck and a dog, and I would need two sets. If I had a semi-trailer, I was told I would need only one set in those circumstances. If I needed two sets, that would be $50.

Hon. A. A. Lewis: Plus the cost of fitting.

Hon. H. W. GAYFER: Yes, and fitting would not be an easy matter, because the plates cannot just hang down the back, because if the vehicle is a tipper, the plates will be wiped off.

Hon. A. A. Lewis: It is double the cost.

Hon. H. W. GAYFER: Yes, and this regulation has now come out, and it must be done within a few days.

I believe none of us—and I am a member of Parliament—realised until we read in the *Sunday Times* only a week ago, on 14 June, that this would become law in the third week in June. Certainly it was too late to disallow it as a regulation, which gets me back to the point I was making. For goodness sake, whatever members do they should not allow that amendment to be rejected by the Assembly and rely on a regulation. It may be introduced once every year; that is, three times—or four times now—in the life of every Parliament. I put that to the Chamber as a distinct warning.

On 23 June there was an article in the *The West Australian* concerning the Mickelberg case. It read in part—

RAY and Peter Mickelberg will have to wait another 6½ months before their historic appeal against their Mint swindle convictions gets a hearing in the Court of Criminal Appeal.

The article goes on to say, and I will paraphrase it, that the reason for that is that the court cannot get three judges to sit collectively on the bench for a case that is expected to take three weeks and involve a string of international witnesses.

So these poor devils, who have been sweating on the case for some years and have actually been told that the facility of an appeal is to be made available to them, have to wait a further 6½ months in gaol before they can even have it heard. That is a bit tough, and is making them dangle on the end of a noose for an unnecessarily long time. Surely there are enough avenues for justice to be seen to be done in this case. We have said before in this place that it does not matter to us whether or not the Mickelbergs are innocent or guilty at the end of this trial, but we want to see them have the chance to have another trial because there is reasonable doubt about the first one. That is all Messrs Lockyer, Pendal, Charlton, and I have said.

I am very cross indeed to think that these two chaps, who have virtually sweated on having the case reheard immediately, now find themselves having to wait another 6½ months. I sincerely hope the article from which I have quoted has been read by many people, and that somebody will hear my plea. With all the material, and facts, and hopes they have, they will have to sit down and worry for another 6½ months before they get out of the starting blocks. Not one of the members in this Chamber would like to be in that position if they were given the chance of a rehearing.

Finally, I refer to the retirement from Parliament House of the principal attendant, Mr Alan Harding. I have known Alan Harding for as long as he has been here. He came here on 23 February 1970 and was appointed principal attendant on 5 January 1976. He will retire during this recess, on 10 July this year.

Prior to joining this place Alan Harding was employed at the Government Printing Office from May 1961 to February 1970. He is a very proud ex-serviceman and is the State Assistant Secretary of the Korea & South East Asia Forces Association (WA Branch). As a mark of respect for his work he was appointed a justice of the peace in 1980 and has been, and is still, a very valuable servant of this place.

At present Alan Harding is involved with freemasonry. As would be known by those who know something of it, he has been progressing through the chairs to take office at a great height in that organisation. He is very proud of the work that he does for the poor, the distressed, the widowed, and the orphaned, for which that organisation is celebrated, as some people in this Chamber know full well. He will continue to carry that torch and hopes in his retirement to give greater service to the poor and needy, and especially to widows and orphans, not only of Freemasons but also of any religious sect or any other walk of life so they may be placed in one of the homes set up by that excellent organisation.

I pay a great tribute to Alan Harding. I have travelled to the Eastern States with him; my wife and I consider him to be a great person and a friend. He is always cheery and before I shifted my office it was a great delight to speak to Alan Harding every day. As well, if the tree under which I used to park my car—

Hon. A. A. Lewis: Illegally!

Hon. H. W. GAYFER: It was not illegally parked, but if the tree looked like blowing down I used to notice that my car was always shifted somewhere else within the grounds, and that was a secret between him and me.

Mr President, I did not want to pre-empt you by making reference to this, and I am sorry I have. I have to go overseas early next week and this is my last opportunity to pay tribute to Alan Harding as was my wish.

May I wish everybody the best in the next month. On 8 September we will resume in this place and be together again as one big, happy family. I trust that wherever life may take members during the period between now and then—and I know some members will be taking their annual holidays during this period—I wish them a happy time, safe travel, and a safe return to these their own native shores.

HON. GARRY KELLY (South Metropolitan) [11.27 pm]: It is now some 14 years since we were faced with the first oil shock that the Organisation of Petroleum Exporting Countries visited on the world, and I do not think the world economy has quite recovered from the changes—the vast increases in oil prices of the time and the effects that had on energy prices generally.

We experienced the problem of rising oil prices then, and in recent years we have had the problem associated with their very rapid decline. I have often wondered why the Arabs raised their oil prices and why the prices changed so markedly some 14 years ago. It was not until I read *The West Australian* some weeks ago, on Saturday 16 May, that I actually discovered the reason.

A chap who lives in Bayswater—his name is P.W. Sayers; I assume it is a man—wrote a letter to *The West Australian* which was

published on Saturday, 16 May. I will read one paragraph of the letter and then seek leave to incorporate the whole of the letter in *Hansard*. The second paragraph of the letter, which is entitled "Yakety-Yak" reads—

> Some years ago, I decided to replace my wood stove and boiler with cheap, efficient, oil appliances. Somehow or other the Arabs got wind of it and oil prices went through the roof. Millions of innocent Australians suffered in consequence. The economy was shattered overnight; billions of dollars went down the drain as power stations re-converted to coal. Mea culpa.

The author of the letter is taking the blame for the world energy crisis. In fact, he takes the blame on three separate occasions—this is a multiple mea culpa. It is a very witty letter that deserves to be brought to the attention of the House and to be enshrined in *Hansard* so that future generations can read through the *Hansard* records of this Chamber and find out why the energy crisis hit the world in 1973.

The following material was incorporated by leave of the House—

YAKETY-YAK

I HAVE an awful confession and apology to make for all the hardships and inconveniences I have caused your readers.

Some years ago, I decided to replace my wood stove and boiler with cheap, efficient, oil appliances. Somehow or other the Arabs got wind of it and oil prices went through the roof. Millions of innocent Australians suffered in consequence. The economy was shattered overnight; billions of dollars went down the drain as power stations re-converted to coal. Mea culpa.

Verging on bankruptcy, I reverted to wood burners. The Woodgatherers Association somehow got wind of it, and firewood leapt to $80 a tonne. All the hapless souls who had stayed with the devil they knew were now caught up in the disaster. Mea culpa.

Recently I succumbed to the blandishments of the SEC and arranged to become a "dear new gas customer."

During the past three months, I have become the proud possessor of a gas-pipe trench quagmire, which effectively seals off my house to all vehicles except the odd Centurion tank; an unconnected hot water system clinging forlornly to a back wall, yards of copper tubing which goes nowhere, a meterless meterbox, and a dangerous case of high blood pressure. But May 4 was to be 'G'-Day. That Monday the SEC men imposed bans on gas fitting work. Mea maxima culpa.

It's only fair to warn you all that I am negotiating with a gentleman in Tibet for a regular supply of dried yak dung. If any of you have beaten me to it, I suggest that you start looking for alternatives. The yak dung market may be falling out of the bottom now but, with my record, the bottom will soon be falling out of the yak dung market.

Debate Resumed

Hon. GARRY KELLY: That letter will certainly provide some information and amusement to the people who read it.

I concur with Hon. H. W. Gayfer's comments regarding Alan Harding. I have not known Alan anywhere near as long as Hon. Mick Gayfer has but I have been here for five years and I have always found him to be very cooperative. I wish him all the best in his retirement. I can assure Alan that I will be here on 10 July to attend his farewell function.

I support the Bill.

HON. A. A. LEWIS (Lower Central) [11.31 pm]: I think I have been upstaged by Hon. Mick Gayfer and Hon. Garry Kelly in making some remarks about Alan Harding. Alan, and his great mate John—who retired last year—are probably the only two principal attendants who are enshrined in Federal *Hansard*. Another retiree commonly known to most of us in politics as the "toe cutter," Senator Reg Withers, happened to be talking about security in Parliament House in Canberra. In the course of his speech he said, "I do not know why you are not like Perth, they have Alan and John on the door, they know everyone who goes into Parliament House and if they do not, they soon do." Their attitude has been a lesson in discipline as well as good manners from which some of us could benefit greatly. They have always been extremely good to me and I wish to join my remarks with those of Hon. Mick Gayfer and Hon. Garry Kelly.

I pay tribute to Hon. Vic Ferry, because he may not speak in this Chamber again. I say to Hon. Vic Ferry, as he said to you, Sir, that there have been times when you and he have

not agreed and there certainly have been times when Hon. Vic Ferry and I have not agreed. I think the first time was at his endorsement. Hon. Vic Ferry has served much of the area that I have served in the past. We have had an extremely good working relationship, especially when Hon. Fred McKenzie, Hon. Vic Ferry, and I were serving on an Honorary Royal Commission together. I know the amount of work that Hon. Vic Ferry put into the job. He has done that right throughout his parliamentary career. I may get old enough one day to play a game of bowls with him.

Hon. Vic Ferry has served South West Province with distinction, just as he did in the armed services. I wish him and his wife, Doris, a very happy retirement.

HON. T. G. BUTLER (North East Metropolitan) [11.35 pm]: I also join Hon. Mick Gayfer, Hon. Sandy Lewis, and Hon. Garry Kelly in wishing Hon. Vic Ferry well. I have not known him any longer than I have been in this House, but I did have the opportunity of travelling with him and others to Hobart early this year to play bowls for the Western Australian team in the parliamentary bowls carnival. Hon. Vic Ferry has much experience in bowls and was able to assist me in my inexperience. During that period and on the train trip over to Hobart, we found we had a lot in common and had a very good time. I thank him for that and I ask him to pass on my best wishes to Doris for a happy retirement.

I also place on record my best wishes to Alan Harding in his retirement. I have been coming in and out of Parliament House fairly consistently over the last four or five years. I got to know Alan and John very well and, as Hon. Sandy Lewis says, if they did not know a person, it would not be long before they did. The security was very good and they were very keen. I, too, will be at his farewell function on 10 July.

I wish to bring a matter to the House's attention in the hope that I will get some community interest. It concerns a Mr David Brosnan who expects to be released from gaol in Hong Kong in August. Mr Brosnan will be known to most as a leading international jockey who was based in Hong Kong and was originally from Western Australia. I do not know the man but we were both escorted off an aeroplane at Perth Airport because of a bomb scare. We were both passengers on that plane and I recognised him because I have a minor interest in racing—until last year my son was a jockey. David Brosnan was also a successful apprentice jockey in Western Australia. After he had finished his indentures he was one of the leading riders in the State.

The reason I raise the question of David Brosnan is the fact that he received an unusual penalty for offences against the Hong Kong Turf Club rules. It is probably the only occasion I can recall that a jockey has ever been gaoled for a breach of the racing rules or the rules of any turf club. He was found guilty of an offence and I understand he was charged in a civil court. Not only was he sentenced to one year's gaol, he was also fined $300 000. I believe that was in Hong Kong dollars and that would equate to something like $A60 000. He was suspended from riding in races for 15 years.

That is a fairly heavy penalty. He was gaoled and fined, and on completion of his sentence he will be disqualified basically for the rest of his life from following his trade. I will return to that in a moment, but dealing with the question of disqualification, the rules in racing are pretty strict. I do not intend to be critical of turf clubs or the way they are administered in Western Australia; nor do I deny them the right to ensure that they impose penalties on people who breach the rules sufficient to fit the offence. I have no argument with that.

However, I do have argument with the way in which some of those rules govern the lives of people connected with the racing industry. To my knowledge—and once again this is through my son's association with it—the racing industry is a very close-knit one in which everyone knows everyone else. I think 60 per cent of racing people would be on very close terms. They all live in particular areas that seem to have been established for racing stables. They mix socially and at work. They are together most mornings of the week for trackwork. Inevitably they build up a very strong bond among themselves.

The disqualification of a jockey, a trainer or an owner simply means that during the period of that disqualification, the disqualified person cannot mix or associate with anyone connected with the racing industry. Every country which has organised racing maintains reciprocal agreements, which means for example, that this disqualification in Hong Kong of David Brosnan will also apply in Western Australia. That means that after David Brosnan has completed his gaol sentence and paid his fine he will come back to Western Australia and will

not be able to associate with any person connected with the racing industry.

There are a couple of examples of what this means to people and I will draw them to the attention of the House. One example is the case of an apprentice jockey who, about four or five years ago, was disqualified. I will not mention his name but he comes from a well-known racing family. His father is a jockey; his mother and his grandfather are trainers; and several of his uncles and cousins are involved in the racing game. He committed an offence, and was disqualified at 15 years of age for 10 years. It suddenly dawned on everyone that this 15-year-old lad would no longer be able to associate with his father, mother, grandfather, his brother who is a jockey, or any of his uncles or cousins who are involved in the racing industry. I am not too sure how they got over that one. He has since finished his apprenticeship and is still riding. I think the turf club changed the disqualification to suspension and shortened the period of his suspension.

That is an indication of the seriousness of this matter and the implications of disqualification in the racing industry. Another example is that of a horse trainer, whom I happen to know, who about 10 years ago was disqualified for five years. He lived about 200 metres from the Ascot racecourse and all of his neighbours were horse trainers who had stables connected to their properties. His father-in-law was also a horse trainer. The disqualification law again applied and he could not associate with any of his neighbours and could not visit them; his father-in-law could not visit him to see his grandchildren, nor could he take them to see their grandfather. That is another example of the way in which the disqualification rule governs the lives of people associated with the racing game.

I have no argument at all about the way the Western Australian Turf Club administers racing. I do not know enough about this matter, nor do I have any argument about the fact that turf clubs can impose penalties on people for malpractices simply because it is an industry in which the public both participate and risk their money. I have no real argument about that but I do argue about the fact that they can govern one's life to the extent that I have just outlined.

Returning to the case of David Brosnan, he will come out of prison and I believe he will return to Western Australia, but he will not be able to mix with any of his friends or family who may be involved with the racing industry because of this 15-year disqualification which was imposed on him in Hong Kong. I hope that the terms of reference for the inquiry into horse racing are wide enough for its members to investigate this rule. I have some sympathy for the argument put forward by Hon. Mick Gayfer in respect of people such as the Mickelbergs who have been put in prison and are still waiting to know what the result of their appeal will be, but I believe that the sentence imposed upon David Brosnan—and I am not prepared to argue about whether the year's imprisonment, the $60 000 fine and the disqualification were too strong—has meant effectively that he has been penalised far more than anyone who commits a much more serious offence. Not only has he been gaoled and fined a substantial amount of money, but also he has been disqualified virtually for the rest of his life from following his chosen profession.

I hold no brief for David Brosnan but I believe that the Western Australian Turf Club should consider very strongly any approach by David Brosnan for a review of his situation. While there is reciprocity between nations which have organised horse racing, I believe the Western Australian Turf Club is able to approach the Hong Kong Turf Club and seek a lifting of David Brosnan's disqualification. Then at least he can return to his chosen profession. Whatever offences he may have committed he has suffered a far tougher penalty than people would incur for much more serious offences.

I make those remarks because I feel fairly strongly about this matter. As I have said, I hold no brief for David Brosnan, but if at any time I was approached by him or a member of his family to make representations on his behalf to the Western Australian Turf Club in an endeavour to get the disqualification lifted, I would be only too happy to do so.

HON. G. E. MASTERS (West—Leader of the Opposition) [11.52 pm]: I want to make a brief comment about the Bill. We have discussed at length today legislation dealing with liquor, local government, sheep lice, and animal protection, and suddenly out of the blue up pops a Bill which deals with the appropriation of $2 billion. Somehow things do not seem to be balanced, but I guess that is how life is in Parliament.

This Bill seeks to supply funds to the Government so it can proceed with the business of governing pending the passage of the Appropriation Bills in September or October.

Without going too deeply into these matters I want to refer to the Minister's second reading speech on page 3 where he said—

> Although from a budgetary viewpoint it would make our task easier to see the present Commonwealth funding levels continue into 1987-88, the need for restraint in the public sector outlays and Government borrowings is acknowledged in order to provide room for private sector growth and to ease upwards pressures on interest rates. For our part, therefore, some adjustments will be necessary to accommodate the macro-economic realities confronting the nation and to expedite a soundly-based and sustained economic recovery.

I refer the House to some of the words in that passage, namely "restraint", "provide room for private sector growth", "interest rates", and "realities confronting the nation". The main problem in business and throughout the community and society today was referred to by Hon. Mick Gayfer when he talked about increased Government charges and the imposition of Government taxes and charges on the public. He referred to the effect on wheat growers in terms of millions of dollars, and that is very important. I want to refer to the massive burden placed on the ordinary man in the street as a result of increased Government taxes and charges.

We have had a fair indication that this Government intends to increase Government taxes and charges. That has been its record over recent years, and it has been at a far higher level than when the Liberal Party was in Government. As a consequence we can expect, no matter what Mr Burke says and what excuses he gives, that we will get more of the same. Government charges are becoming a greater burden on the community and people simply cannot manage. Wage levels have decreased in comparison with the inflation rate, as I think the Labor Party would agree.

It means that people are having more difficulty in meeting their obligations and paying their bills. Anyone these days who is earning $400 a week is probably paying $100 in tax and is left with $300 to pay for his home, children, running a car, and for food. It is impossible. That level of taxation is making life difficult for people. If the Government continues to increase charges as it has over the last few years, those people will not survive. They will have to get out of their homes and rent properties, if they can, or find more suitable accommodation. It is a desperate time for many people in the community. I was talking to a couple the other day who have a couple of children and who are struggling to pay their bills. I asked what the man earned and he told me, and I could see that he has a great problem. They do not know which way to turn.

I put it to the Government and the Treasurer that what we are looking at today is a situation in which Government charges are becoming too great a burden for the community. One way or another we have to reduce the size of Government and, as far as possible, keep Government charges at a set level.

I will refer briefly to an advertisement which was inserted in *The West Australian* of 26 May 1987 by the Retail Traders Association of Western Australia. Although I had prepared a fairly lengthy speech I decided that perhaps this advertisement said it all. It is headed, "Whose prices really need watching?" It states that food prices in Western Australia increased by 52.5 per cent between 1981 and 1986. In that time inflation—that is, the CPI figure—went up by 56 per cent. The article goes on to say that Government charges in Western Australia—total tax collections—went up 67.7 per cent between 1981 and 1986. I remind members that food prices went up by 52.5 per cent and the CPI by 56 per cent.

The advertisement went on to point out that land tax collections were up 81 per cent; stamp duty up 62 per cent; and tobacco tax up 1, 346 per cent. That was an enormous increase—quite unbelievable. Car registration went up 92 per cent and sewerage rates for the ordinary householder went up by 100 per cent. No matter what political party is in Government, it cannot continue to increase charges to the community and expect people to survive and be able to meet their commitments. I have indicated that food prices and the like have gone up at a lower rate than Government charges. If business and industry can achieve that sort of result, Governments must come up with the same result.

The stupid Price Watch scheme which the Government introduced as a cover and a gimmick is not fulfilling its proper task.

Hon. B. L. Jones: It is working: prices are coming down.

Hon. G. E. MASTERS: I despair when I hear a comment like that. I just pointed out that the real problem and the real culprits in this inflationary trend are Government charges and costs and the size of Government. I have just gone through those figures. As this advertisement says, whose prices really need watching? The truth is it is the Government's charges which need watching.

Hon. T. G. Butler: Whose advertisement is that?

Hon. G. E. MASTERS: It was inserted in *The West Australian* on 26 May by the Retail Traders Association of Western Australia.

Hon. B. L. Jones: Who else!

Hon. G. E. MASTERS: I ask the honourable member who interjected whether she thinks Government charges are too high, whether they are reasonable, and whether she thinks any Government is justified at present in increasing costs at the rate they have increased in the last few years. Does she suggest it should continue?

Hon. B. L. Jones: The Government has given an undertaking to keep them at or below the inflation rate.

Hon. G. E. MASTERS: I have all the documents, and I am tempted to give an indication of what the Government has done over those years.

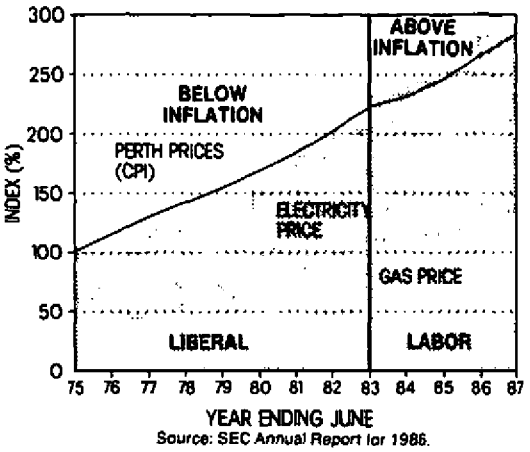
Government charges have been well and truly above the inflation rate. Rather than go into detail I will give the example of SEC charges which can be extracted from the SEC's annual report for 1985-86. It contains a graph which shows Government charges under the Liberal Government did not increase by above the inflation rate, but that since the Labor Government took office in 1983 those charges have been above the inflation rate every year.

I seek leave for that document to be incorporated in *Hansard*.

The PRESIDENT: Order! Before I do that, I remind members that it is wrong for them to seek to have material incorporated in *Hansard*. I contend and have said many times that *Hansard* is supposed to be a record of the spoken word. As this House has seen fit to grant leave to every member who has sought it, I am not suggesting that they do not give leave now. However, I remind members of my feelings in case they have forgotten.

The following material was incorporated by leave of the House—

TARIFFS
RELATIVE PRICES OF DOMESTIC ELECTRICITY, GAS AND THE CONSUMER PRICE INDEX



Source: SEC Annual Report for 1986.

Debate Resumed

Hon. G. E. MASTERS: I want to draw a few figures to the attention of the House. I had not intended to go into them in depth but Government members appear to misunderstand the situation and believe that Government charges have been kept below the inflation rate over recent years. The inflation rate between June 1983 and 1987 is 32.6 per cent.

Hon. B. L. Jones: That was after we came to power and had to pick up the biggest deficit on record.

Hon. G. E. MASTERS: This Government has been in office for four years. It cannot continually blame the previous Government for all of its ills. As I said, the inflation rate between June 1983 and 1987 is 32.6 per cent. This Government, over the same years, has increased electricity charges by 46.8 per cent, gas by 47.47 per cent, metropolitan water by 38.3 per cent, country water by 37.9 per cent, bus and train fares by 77.8 per cent, and sewerage by 33.8 per cent. All of those increases are above the inflation rate. Members' saying that those increases are the fault of the Liberal Party is a load of rubbish. This is now the highest-taxed State in Australia and it is all through our having a Labor Government.

Hon. Graham Edwards: Tell us about your Federal tax proposal.

The PRESIDENT: Order! The Minister knows he is not allowed to talk about that in this debate.

Hon. G. E. MASTERS: I realise this matter is of great concern. An election advertisement that appeared in *The West Australian* on 26 January 1983 stated that Labor would stabilise water, electricity, and gas charges. It soon forgot that.

Hon. S. M. Piantadosi interjected.

Hon. G. E. MASTERS: In *The Geraldton Guardian*—

Hon. S. M. Piantadosi interjected.

The PRESIDENT: Order! The member has to stop interjecting.

Point of Order

Hon. S. M. PIANTADOSI: The Leader of the Opposition should be at least honest enough to tell us the truth.

The PRESIDENT: Order!

Hon. S. M. PIANTADOSI: I want to explain, Mr President.

The PRESIDENT: Come to your point of order.

Hon. S. M. PIANTADOSI: A point of clarification.

The PRESIDENT: No, a point of order.

Hon. S. M. PIANTADOSI: The Leader of the Opposition stated that the information he was presenting to the House was for the period 1981 to 1987. The figures before 1983 have no relevance. I think he is misleading the House.

The PRESIDENT: Order!

Hon. G. E. Masters: There is no point of order.

The PRESIDENT: Order! I know whether there is a point of order or not. For goodness sake, the member knows that is not a point of order. He does not have to agree with the honourable member. Just because he disagrees is not a reason for him to raise a point of order.

Hon. S. M. PIANTADOSI: But, Sir, I have taken offence at the way the member presented the information because I believe he attempted to mislead the House.

The PRESIDENT: Order! That is not a point of order. That indicates that the member disagrees with the Leader of the Opposition. That is a point of view which the member will have an opportunity to raise. However, he cannot raise a point of order because the honourable member is saying things that he believes are incorrect. I do not want to have an argument with the member, but he cannot keep doing this.

Hon. S. M. PIANTADOSI: The record will show that the period being referred to by the Leader of the Opposition is from 1981 to 1987.

Hon. G. E. MASTERS: A point of order, Mr President.

The PRESIDENT: Wait a minute. This is becoming farcical. If the Presiding Officer had to ensure that everything every member said was authentic, very little would be said.

Debate Resumed

Hon. G. E. MASTERS: This is authentic, Mr President.

In January 1983 the Premier said that Labor would stabilise water, electricity, and gas charges. *The Geraldton Guardian* of 28 September 1982 carried an article stating that Labor had no plans to increase the State fuel tax in the next year. In 1983 the fuel levy was increased by 1.85 c to 2.17 c per litre and has increased ever since.

For every $100 paid by Perth people for electricity, Melbourne people pay $75, Adelaide people pay $77, Brisbane people pay $80, Sydney people pay $63, and Hobart people pay $78. Electricity charges in Western Australia are the highest in Australia. The State fuel tax is the second highest in Australia. The State tobacco tax is the highest of the mainland States, and the State liquor tax is scandalous; it is equal to the highest.

Mr Burke makes all sorts of statements which he forgets the next day. *The Australian* of 31 March 1983 quoted Mr Burke as saying that the total Government burden is at a maximum. He said he could not see how the Government could introduce any charges or increase existing ones, because he did not think the people had the capacity to pay. The man has been putting up taxes ever since. He made that claim prior to the last election. He used false figure-work to mislead the public. In a pre-election advertisement he claimed that country water charges had gone up by 24 per cent. However, the increase was in the order of 84 per cent.

When the Opposition said that it would like to take him to the Advertising Standards Council, Mr Burke refused to let it adjudicate. The advertisement was an out-and-out lie.

I will not delay the House by going through the figures because members know the truth of the matter. They know that this Government has the record of being the highest taxing State Government in Australia and it will continue to have that record.

I implore Government members to get my message through to the Minister for Budget Management; that is, that when considering the final Budget papers in September or October this year, the Government take into account the plight of the ordinary people in the street with whom it seems to have lost touch in recent times.

I need to raise another matter which has been drawn to my attention, because Parliament is soon to rise and I will be unable to raise the matter with the Minister concerned in another place through the medium of questions in this House so that the Minister can, in her own time, respond. I refer my question to the Minister for Racing and Gaming who is in charge of the Lotteries Commission.

It has been suggested to me, by way of a number of telephone calls in recent days, that there is a racket going on over the appointment of Lotto agents. The information suggests that the Minister may be attempting to influence the appointments of Lotto agents by insisting on certain people being appointed. I hope that is wrong.

I just want to place this information on the record. As I understand, eight new Lotto agents have been appointed by the Lotteries Commission as a result of direct instructions from the Minister, Mrs Beggs, despite recommendations that no other appointments be made.

Hon. Graham Edwards: What evidence do you have to support that?

Hon. G. E. MASTERS: I will advise the House of the information I have received, but I will not name the people concerned. I am quite happy to provide the Minister who interjected or the Minister for Racing and Gaming with a copy of the information, but I am making this statement now.

All the appointees were named individually by the Minister, also against the advice of the Lotteries Commission staff. Two individuals are active members of the Australian Labor Party.

Some weeks ago the Lotteries Commission was told by the commissioners to recommend a list of 20 agents from applications that had been received. The staff advised that the appointment of some agents could not be justified, but nevertheless they were told to proceed. A list of 20 names was produced, together with advice that appointments could be justified for no more than four of those people. The response was that it did not matter because the Minister had her own list anyway.

Subsequently, a must-be-appointed list was received from the Minister and numbered eight people, two of whom appeared on the commission's list of 20. The other six names were of people tendered by the Minister.

I have a list of the people concerned and I am happy to pass it on to the Minister, but I do not intend to do that now.

Hon. Graham Edwards: Why not?

Hon. G. E. MASTERS: The Minister can have a copy later.

Hon. Graham Edwards: May I have a copy now?

Hon. G. E. MASTERS: The Minister can have a copy after I have finished my speech, and in my own time.

Hon. Graham Edwards: I simply do not believe it.

Hon. G. E. MASTERS: I do not care whether the Minister believes it. He can refute it but the information has been given to me.

The cost of installing validating machines in these agencies is at least $10 000. The important point is that anyone who is given an agency can quite often double the value of his business. It is one way for people to make a profit if something has gone wrong with their business. I am told that one person who received an agency sold the business before the validating machine had been installed. Another agent has made a statement that he intends to sell his business as soon as he receives his licence and the validating machine has been installed.

Hon. Fred McKenzie: Where did you get this information from?

Hon. G. E. MASTERS: I have the information and I am suggesting to the Government and to the Minister that if there is any truth in it I would expect an answer from the Minister. Certainly, I would expect that those people whose businesses are being affected as a result of these new agencies which may be nearby, will obtain some sort of reassurance and protection.

If my understanding of what is taking place is correct, it is quite wrong and it seems that some favours are being given to certain people.

Hon. Graham Edwards: It would be inconsistent with the Minister's actions.

Hon. G. E. MASTERS: The Minister can tell me that herself.

Hon. Vic Ferry will probably not be in this House when Parliament resumes in September. I would like to place his achievements on record.

Hon. Vic Ferry was born on 11 January 1922 and was educated at Hale School, Perth. Before entering Parliament he was a bank manager in Western Australia and Queensland.

In 1941 he graduated as a pilot in Australia and then went to England to join the Royal Air Force, flying many day and night missions in Europe. He carried an RAF rating of "above average night pilot". He won the Distinguished Flying Cross after missions over Germany. It was a dangerous time and, as Hon. Vic Ferry knows, the casualty rate was very high.

He was a member of RAF Bomber Command and flew twin-engine and four-engine warplanes in North Africa, the Mediterranean, Italy, India and Burma. He flew over the D-Day landings at Normandy in 1944 and his squadron was specially praised by Monty—Field Marshall Montgomery.

On 8 February 1947 Hon. Vic Ferry married, and he now has two daughters. He gained preselection against 21 candidates for the province of South West and was elected at the conjoint general election in 1965. Hon. Vic Ferry was chairman of the Select Committee which inquired into the potato industry in Western Australia in 1971 and 1972. From 1974 to 1977 he was Government Whip in the Legislative Council.

In 1976 Hon. Vic Ferry represented the Western Australian branch of the Commonwealth Parliamentary Association as delegate to the third Australian parliamentary seminar which was held in the Eastern States.

From 1977 to 1983 he was Chairman of Committees and in 1981 he represented the Western Australian branch of the Commonwealth Parliamentary Association in Sri Lanka.

Hon. Vic Ferry has a keen appreciation of aviation and lawn bowls and he is a life member of Torchbearers for Legacy.

I want it placed on record that I do not know of any other member in my party who has demonstrated a greater loyalty and a commitment to the Liberal Party. He has served the party in many capacities. He has always shown a very high regard for the institution of Parliament and has performed well. It is interesting that although he announced his retirement some time ago, he has been working like a beaver over the last few weeks and has had a few wins. He is acting Opposition Whip today. I cannot say enough about him.

Behind his quiet exterior is a determined person. Hon. Vic Ferry is a true gentleman and I am very honoured and pleased to be able to call him a friend. We wish him and his family well and hope that he enjoys his retirement. I have a high regard for this man and I am sorry he is leaving this Parliament.

I would now like to pay tribute to Alan Harding, who has been here since I have been in this Parliament. He is one of the people who contributes to the smooth running of this House and I guess that the success of the running of Parliament House is due to people such as Alan.

As Hon. Tom Butler mentioned, he is available when we need him and he is a friend to all. There is nothing one asks of him that he does not do. He is honest and has a great respect for the institution of Parliament. He is a credit to Parliament House. Alan is well-mannered and courteous and we will miss him greatly.

I support the legislation before the House and will obviously make more detailed comments when the Government introduces its Budget in September or October.

HON. S. M. PIANTADOSI (North Central Metropolitan) [12.20 am]: It was not my intention to speak this evening but after hearing the attack made by the Leader of the Opposition on the Government and some of its Ministers, I felt the need to clarify some of those issues. I attempted to do so earlier but I accept that I was out of order on that occasion.

This House has been misled because the figures which Hon. Gordon Masters quoted—as he stated, they are recorded in *Hansard*—covered the period from 1981-87, although he referred to the period 1983-87. I remember very clearly the year 1980-81 in which rates and charges increased considerably, putting members of the public under great stress by increasing their burden. Mr Masters was a Minister in the Liberal Government at that time. He has said that during the period of the Burke Government rates and other charges had stabilised; that is more than can be said for the period 1980-83 during the time of the Court and O'Connor Governments.

Hon. Mark Nevill: They cut the water off.

Hon. S. M. PIANTADOSI: Yes, that is right. People were denied basic rights; water was cut off to pensioners and to families with sick children who needed a water supply. Where were

Mr Masters' feelings then, the feelings to which he referred when speaking of the problems facing a couple with young children? Many couples in 1980-81 had similar difficulties, but Mr Masters did nothing to counter his Government's action of cutting off their water supply.

Hon. G. E. Masters: What are you going to do?

Hon. S. M. PIANTADOSI: We turned the water back on again. We made sure that the Liberal Government would not get away with it and that at least people would have the basic commodities of life.

Several members interjected.

The PRESIDENT: Order! The Leader of the Opposition was not interjected on when he was speaking, and I recommend that he allow the honourable member on his feet to speak.

Hon. S. M. PIANTADOSI: Thank you, Mr President; I agree wholeheartedly. I restrained myself from interjecting even though it was very frustrating at the time. I gave the member every opportunity to come out with his usual nonsense; we have been listening to it for the last four years and nothing much has changed. One would have expected Mr Masters to pick up a few tips and learn something during the course of the session. Quite obviously, he has not. Let us hope that he will take stock of himself during the recess and will be a different person at the beginning of the spring session.

I am attacking the man because he attacked the Government which has done a good job in keeping increases in charges below the inflation rate. That fact was not mentioned by Mr Masters. When he could not win the argument, he persisted in attacking a Minister of the Government for doing favours.

A couple of the members who sit on the Opposition benches were Ministers in the previous Government. Before they start throwing mud at this Government, they should take stock of themselves and consider their sorry track record and the favours they gave during the time of the Court and O'Connor Governments.

The Leader of the Opposition attacked the Minister for Racing and Gaming—

Hon. P. G. Pendal: For the cronyism of this Government.

Hon. S. M. PIANTADOSI: —on the basis of pure speculation and rumour mongering. He was asked by the Minister for Sport and Recreation to provide evidence of what had occurred, and he said he would give that information in his own good time; in other words, he declined to hand over that information.

If we respect this institution, we need to give consideration to our conduct in this place and I suggest to the Leader of the Liberal Party—I cannot call him the Leader of the Opposition because that would reflect on members of the National Party, none of whom is present at the moment—that the people of Western Australia have had enough of this innuendo and mud-raking.

I read in today's newspaper that the Prime Minister was attacked and likened to a mad individual in America in the 1960s. Where do we go from here? I would like the Opposition, especially the Leader of the Opposition, to take stock of that and to return to this House in the spring session a better man.

I convey my best wishes to Hon. Vic Ferry and I wish him well in his retirement. I also wish Alan Harding, whom I have known for many years, well in his retirement. I share Mr Masters' sentiments in that area. Both men have performed admirably for this Parliament. Alan Harding is a servant of the Parliament; he is one of the workers who has helped a number of people. He has helped me during my four years in this place and also in the many years previous to that when I knew him and visited the House. I agree with other members that Alan Harding will be sadly missed, and I wish him well in his retirement.

HON. P. G. PENDAL (South Central Metropolitan) [12.28 am]: Like other members, I had intended to cover a number of matters of a free-ranging nature that are permitted in the debate on the Supply Bill. In view of the lateness of the hour I shall confine myself to joining with other members in expressing good wishes at the departure from the Chamber of Hon. Vic Ferry. Most of the details of Hon. Vic Ferry and his contribution to the Parliament and the State have been canvassed by previous speakers, and he and other members would not want me to repeat those.

Suffice to say that very few people in the history of any community have a chance to serve this community both in war and in peace in a very distinguished manner. No person in Western Australia would attempt to take that away from Hon. Vic Ferry. In particular, he is an individual who, through thick and thin and in all circumstances of parliamentary activity and behaviour, has acted with the utmost propriety and probity. I guess for those of us who sometimes lapse in those matters he continues to be an example of the very best traditions of parliamentary behaviour.

I for one would like to congratulate him as one of our colleagues and wish him and his wife, Doris, a long, happy and fruitful retirement.

I join with other members in expressing my good wishes to Alan Harding. Perhaps with you, Mr President, I could claim to bring into this Parliament more school visitors than most members. In most cases over the past seven years, those many hundreds of school visits by literally tens of thousands of school children have been assisted and presided over by Mr Alan Harding who, incidentally, has also served his State both in war and peace. On many occasions I have listened to the information that he has imparted to those visitors—not all of them school children—and the way he has conducted himself has brought nothing but credit, firstly to himself, and secondly and more importantly, to the Parliament itself. I hope that he too will spend many years in well-deserved and happy retirement, both for himself and his family.

I support the Bill.

HON. NEIL OLIVER (West) [12.31 am]: It is becoming somewhat late, but in recent weeks it has become quite common to sit well past 12.30 am.

Hon. N. F. Moore: You are right about that!

Hon. NEIL OLIVER: The Supply Bill seeks Supply of $2 050 million, which is mind-boggling. I would like to congratulate the Government—I will probably be backed up by Hon. Vic Ferry—on breaking the sound barrier and passing the $2 billion mark. The last Supply Bill was for $1.9 billion. This year we have an increase of $150 million.

To give members an idea of this mind-boggling figure, in 1983, some four years ago, the amount was $1 240 000. There was an increase of $110 million in the first four months of the Burke Government in 1983. It was obviously just getting cranked up. In 1984 the Supply Bill figure increased by $160 million. In 1985 the figure was really getting moving and was increased by $310 million. This year the Government appears to be trying to impose some restraint in that the increase is only in the order of $150 million. At this rate, in another two years this Supply Bill will be double what it was when this Government came into power four years ago.

I want to put forward a matter which affects my electorate. I regret that it is a subject which I have already touched on. I refer to errors in the descriptions of boundaries of what is known as the Midland saleyard and abattoirs. A series of plans has been presented to various authorities, including the Government, and in particular the Department of the Premier and Cabinet, the State Planning Commission, the Environmental Protection Authority, and the Shire of Swan.

These plans are in respect of the Midland abattoirs and saleyard. The fact that there are more than six plans with varying boundaries, many of them undated, indicates either that they are fraudulently misrepresenting the boundaries of the area and its authorised use as an industrial site under the metropolitan region planning scheme and the town planning scheme of the Shire of Swan, or they have been prepared recklessly and with gross incompetence.

The site has been misrepresented as being zoned for industrial purposes. It contains land zoned rural, and a former road reserve without any zoning which is currently noted as being for public purposes. The problem is a fairly complex one and difficult to explain to members, but on 20 November 1986 I put a question in two parts to Hon. Kay Hallahan in her capacity as representing the Minister for Planning. The first part of the question was—

> What are the zonings of Swan Location 10802 . . .

The answer was—

> Industrial.

The second part of the question was—

> What are the zonings of Lot 20 Swan Location 16 and Swan Location 7955?

The answer was—

> Lot 20 Swan Location 16 is zoned rural; Swan Location 7955 is zoned public purposes.

That answer was totally incorrect. I am not suggesting that the Minister set out to mislead the Parliament, but it shows the incompetence of this Government in not being able to assess the zonings of land, or whether land is zoned or has no zoning, which is the specific case I am about to explain.

The first question I asked was about the zoning of Swan Location 10802, and that is the land which was subject to the sale. That land is not entirely zoned industrial; it includes land zoned rural and land which has no zoning and is marked for public purposes.

You, Mr President, would be aware of the problems we face. You receive constant applications for rezoning of various properties. Never have I experienced or heard of a property such as this for which freehold title has been issued which includes land for public purposes. I could not believe it.

On 21 May the Metropolitan Region Planning Authority was approached with a request for a certificate with a form 5. I have in my possession a form 5 certificate No. 29138. It states—

> IN ACCORDANCE WITH THE PROVISIONS OF CLAUSE 42 OF THE METROPOLITAN REGION SCHEME THE FOLLOWING INFORMATION IS FURNISHED IN RESPECT OF LOT No. LOC 10802 STREET MIDLAND ROAD PLAN 16672 LOC SWAN 10802 CERTIFICATE OF TITLE VOL 1744 FOLIO 830.
>
> THE LAND SHOWN STIPPLED ON THE SKETCH BELOW IS ZONED RURAL THE LAND SHOWN HATCHED ON THE SKETCH BELOW IS RESERVED AS PUBLIC PURPOSES THE REMAINDER OF THE LAND IS ZONED INDUSTRIAL.

That is indicative of the fact that both the question and the answer are totally and irrefutably incorrect.

Hon. John Halden interjected.

Hon. NEIL OLIVER: People who regard this as trivial are obviously not aware of some of the problems faced by their own constituents in meeting zoning requirements.

I want to know how this can occur, because it certainly cannot occur with my constituents for whom I am currently processing applications. These people have been placed in very serious circumstances because of health conditions, and were born in the Swan Valley and are second or third generations of settlers in the Swan Valley, and they are not able to obtain any rezoning, let alone the irregularities that are associated with this problem.

I am about to place before the Minister an application for zoning from a constituent of mine, who has a terminal illness and is placed in serious difficulties. However, I am certain that constituent will not receive the benefits or the privileges that have been extended in this instance.

The plan that was lodged at the Shire of Swan was in a submission which was prepared by a former town planner, who prepared the scheme text, which is town planning scheme 9. He stated on the plan, "It is important to note that the site is zoned general industry and is located out of the environmentally sensitive area of the Swan Valley."

That zoning is incorrect. In fact, there is no such zoning as "general industry". It is false to make that accusation. Furthermore, I do not know how the plan could be approved because the plan that was ultimately forwarded to the Shire of Swan is now contained in the environmental report prepared by BSD Consultants, which on this occasion is dated August 1986, when the shire gave approval on 28 July 1986. That is another anomaly.

Regarding the application that was made to the Government and to our committee, which is also contained in the plan in the Legislative Assembly's committee report, it indicates that the land is zoned industrial, yet major buildings and the proposed extensions encroach onto rural land, which the Crown was not privileged to either hold title to or to have reserved. Members would be aware that one cannot make an application for a development on land which one does not own or have an option on or have the approval of the owner of that land, who is not a vendor and is not prepared to sell.

The same situation occurs in the environmental submission. The land that I referred to as being rural was originally industrial, and part of that rural land has been excised and is still rural, yet the reason it was rezoned from industrial to rural was on environmental grounds because it is part of the 100-year flood plain and it was found to be environmentally unacceptable for that land to be zoned industrial. I will be interested to see when this environmental report has reached its conclusion whether the EPA will reverse its previous decision regarding the environmental sensitivity of the 100-year flood plain level.

There is a series of six plans, all of which vary as to the boundaries, where the buildings are located on the site, and as to the descriptions under the metropolitan regional scheme. There seems to be no end to this saga. Much of this information became available through a James Terrance Cooper, and I would like to read his statutory declaration—

> I, James Terrance Cooper, of 31 Palmerston Street, Bassendean Retired Company Director and Contractor do solemnly and sincerely declare that:
>
> 1. On Thursday 21st August 1986 I went to 1 Harvest Terrace, Perth for the purpose of delivering letters to the Chairman of the Legislative Council Select Committee on the Midland

Abattoir and to the Secretary for the Legislative Assembly Select Committee of the Midland Abattoir sale.

2. Annexed hereto marked "A" are copies of the said letters.
3. As I got out the car I saw Paul Regan, who was talking to 2 or 3 people. He was known to me from previous business dealings when he was a real estate salesman for Acton Consolidated. He came straight over to me.
4. He appeared very flushed and agitated (almost furious) and said to me "What are you doing here?" I replied "I've got letters to deliver to the Parliamentary Committees and I'm giving evidence in relation to this cooked up sale". He asked which Committee I was going to give evidence to and I said "both".
5. I asked him what he was doing there, and he replied that he was giving evidence to the Assembly Committee.
6. I said "You're now working for the Government as one of those political bumboys".
7. He said "I'm the ministerial adviser on this matter. You're just sore about Hill Street".
8. I told him "You've had a fair bit of experience around the Helena River and you're trying to pull the same trick on the abattoir's land as you tried on my property at Hill Street".
9. He said "You get out of this abattoir matter or I'll fix you—so look out".
10. I said "When you come to the end of this deal you'll be in the same position as you are on my deal at Hill Street—you won't be able to produce a settlement statement".
11. He said "That's over". I said "It hasn't started yet. I'm going in to deliver these letters". I walked away from him and into the reception desk of 1 Harvest Terrace, Perth.
12. Regan followed me in and joined others in the waiting room. I delivered my letters and left. No further conversation took place.
13. When he had spoken to me outside he spoke in cool furious calculated tone. It was not loud. The others were about 12-14 paces away. I didn't recognise any of them. I doubt whether they could have heard the exchange especially as they continued talking among themselves.

Hon. Garry Kelly interjected.

The PRESIDENT: Order! Order! I ask Hon. Garry Kelly to stop those interjections. He purports from time to time to uphold the dignity of this place and then proceeds to demonstrate that he does not. I do not mind honourable members interjecting from time to time but when it is a continuous barrage at this time of the night I think it is quite unacceptable; certainly it is unacceptable to me. I ask him to stop it.

Hon. NEIL OLIVER: Thank you, Mr President. Mr Cooper's statutory declaration continues—

14. In late September Paul Regan rang me at home about 9.30 am-10.00 am. I had given evidence to the Upper House and had been told I'd be giving evidence to the Lower House Committee.
15. He said "Hello, Jim Cooper"? I said "Yes, is that you Regan"? I recognised his voice as I knew it very well from the dozens of conversations on my own property matter. I have no doubt that it was his voice.

Hon. T. G. Butler: It might have been anyone.

Hon. NEIL OLIVER: The statutory declaration continues—

16. He said "You'd better get out of this abbatoir matter". The manner was threatening and as I knew who it was I put the phone down.
17. I received another call at the end of October 1986 from Regan. He said "Jim Cooper"? I replied "Is that Paul Regan"? He said "Yes, it is Paul Regan. What are you doing hanging around the Titles Office and the Lands Department"? I said "Just checking up on you and your crooked mates".

Several members interjected.

Hon. NEIL OLIVER: To continue—

18. I said "I'm sorry, I'm busy" and I hung up.

19. In 1978 a Mr Johnson employed Acton Consolidated to sell a house at 1 Hill Street, Guildford and Paul Regan was the salesman. This was when I first met him.

Hon. Graham Edwards: In 1978?

Several members interjected.

The PRESIDENT: Order! Order! Order! When I call Order members must come to order. I am not going to allow this hilarity that appears to be coming from some members to continue. This is one of the Houses of Parliament and whether you like or do not like what some other member is saying is not the point. Each member is entitled to the protection of the Chair, and each member will get it. But if members want to denigrate the dignity of this place, they are certainly not going to do it while I am sitting here.

I do not want to appear to be over-officious but the fact is that the honourable member is entitled to say what he wants to say. If members want to refute it at some later stage or take him to task they will be equally protected by me in their endeavours to do so. I repeat, members do not have to like it but if they are going to stay in the Chamber they must be prepared to allow any member to say what he wishes to say on this Bill.

Hon. NEIL OLIVER: Thank you, Mr President.

The PRESIDENT: Incidentally, before you start, I might have missed it while the interjections were going on but I presume that somewhere during your speech you have actually identified what that document is that you are reading?

Hon. NEIL OLIVER: Mr President, I did identify the document as a statutory declaration by James Terrance Cooper. I also apologise for speaking while you were calling for order. Unfortunately I was disregarding the interjections and proceeding, and I did not hear you call for order.

The PRESIDENT: I can assure the member I was not interjecting.

Hon. NEIL OLIVER: Mr Cooper's statutory declaration continues—

20. I subsequently purchased the house. At the end of 1979 I instructed Acton and another firm to sell the house and Regan was the principal salesman in selling part of the property.

21. This subsequently led to legal proceedings involving me which have not been completely resolved and I consider that Regan has the responsibility for the problems that have arisen and I have told him so. Relations between us are very poor.

I make this solemn declaration by virtue of Section 106 of the Evidence Act 1906.

DECLARED BY THE SAID)
JAMES TERRANCE COOPER)
AT PERTH IN THE STATE)
OF WESTERN AUSTRALIA)
THIS 2nd DAY OF April)
1987)

J. T. COOPER

BEFORE ME: J. M. McNAMEE,
Commissioner for Declarations

The statutory declaration has two annexures, the first a letter addressed to the Chairman of the Select Committee and the second a letter to the Clerk of the Select Committee of the Legislative Assembly.

I do not intend to continue to speak on this matter. It is just indicative of the manner in which the Government intends to treat this matter—that is, that it is a trivial issue. It will not be accepted by the community; certainly a situation where witnesses are intimidated will not be accepted. Frankly, it is not part of the scene in the history of Western Australia, and neither is it part of the scene of this Parliament.

I seek leave of the House to table the documents.

Leave granted.

(See paper No 251.)

Hon. NEIL OLIVER: There are two final matters I want to mention. First, we are approaching a Federal election—an election which we were told would not occur. The Prime Minister of Australia said there would not be an election.

Hon. Graham Edwards: And you wish to God there was not.

Hon. NEIL OLIVER: Various statements have been made by the Prime Minister and the Treasurer about the manner in which this country is proceeding. Statements by both the Prime Minister and the Treasurer have given rise to hopes in the electorate that the Australian economy is improving.

Hon. T. G. Butler: Are you suggesting it is not?

Hon. NEIL OLIVER: Members will recall that some eight months ago the Australian dollar was worth approximately 62c as against the US dollar.

Hon. T. G. Butler: What is it now?

Hon. NEIL OLIVER: At that time the Prime Minister and Treasurer Keating heralded the low value of the Australian dollar as the salvation of the manufacturing and rural sectors of Australia's economy, as it would improve the prices we received for our exported goods and would raise the prices of the goods we imported for home consumption, which would bring about a reversal in the serious series of historic, record-breaking trading deficits in this country.

The Australian dollar today, instead of being worth 62c or less against the US dollar, has been vacillating between 72.39c, as of today, through to 76c. Therefore the manufacturers and rural producers who entered into forward contracts last year with a favourable rate of exchange are the people who have contributed to what we now see as a reversal or decline in those historic trade deficits. But it is short-lived because new contracts must be written on a competitive basis, which will place them at least 15 to 18 per cent higher than the original forward contracts written some eight months previously. I defy any Government to say that it was responsible for this set of circumstances and that the circumstances will not continue.

In addition, without the seasonal adjustment, we have occurring in Australia now record shipments and discounting of bills of exchange for our wool exports, which are enjoying record prices—but this does not reflect the competence of any Government.

It is unreasonable to raise the hopes of Australians and to mislead them with facts which are further evidenced by the Government's reducing—as it says—interest rates. Interest rates are strangling off investment into Australia, and as investments fall away they will add to that invisible sector of the adverse balance of trade.

Any Government that goes to the people and tries to confuse them with a complex issue and raises the hopes of the average people will stand condemned when ultimately it meets the electors in another set of circumstances.

Hon. T. G. Butler: What is Howard doing? He can't add up.

Hon. NEIL OLIVER: I am not interested in the performance of some other person; I am interested only in the set of circumstances I have just outlined. I am not interested in the past; the past has happened. I am interested in the future of this country and its people and its people to come, and I trust that all members share my sentiment.

I join with other members in wishing well in retirement Hon. Victor Jasper Ferry, a man with a distinguished parliamentary career and a distinguished war career. He has given valuable service to our community. I am wondering whether we will continue to be offered the Legacy Christmas puddings each year. Hon. Vic Ferry's association with Legacy is typical of his work for various organisations in this State for which he may not generally be given credit. Legacy, long after earlier conflicts, is perhaps facing even greater demands than in the past, and I know Hon. Vic Ferry has played a major role in that organisation as well as others in the community.

His wife, Doris, and the rest of his family have supported him well over all his years as a member of this place, and we all know the demands placed upon a member's wife and family and we all know the opportunities they miss to spend time together. I am sure Hon. Vic Ferry will leave the Parliament with a sense of satisfaction for the work he has been able to do here. I know we will miss his wisdom and I wish him well.

One of our attendants, Alan Harding, is soon to be leaving us. As I hastened into the building earlier, Joe at the door asked, "Why don't they speak about me?" I do not know whether he is leaving also, but I presume he is not. Alan Harding has served the Parliament well; he has been a great asset. I have found it educational to move around with him as he has conducted tours of the Parliament, and I think all members could learn something of the history of this place from him. The Parliament will be the worse for his loss.

Alan is another man who has a military background, which I suppose is the reason he is so reliable and so steadfast in his attentions to his duties. It seems he has always been the first to arrive at the Parliament each morning and he has set an example for others to follow. I regret that the farewell for Alan is to take place on 15 July, which will deny many members from both sides the opportunity to attend because they will be in various far-flung parts of the State. I would like to have been able to attend his farewell and I wonder whether in future we might arrange to bring forward these sorts of celebrations to a time when all members can participate.

HON. FRED McKENZIE (North East Metropolitan) [1.08 am]: I had thought that at this time of the morning I would join the debate merely to pay tribute to the two people who will be leaving the Parliament shortly and will not be with us when we resume in September, but I now feel compelled to comment on another matter.

The Midland abattoirs and saleyard complex is in my electorate. I am absolutely staggered that the subject of their sale keeps raising its head. It seems Hon. Neil Oliver has become obsessed with pursuing his quarry under parliamentary privilege.

The people in my electorate believe that the Midland abattoirs and saleyard debate is finished, and Hon. Neil Oliver should know that, just as Hon. Tom Butler does.

Recently a member of the Midland community, Mr Albert Di-Lallo, convened a breakfast of business people and others. A motion was put at that meeting, and it is significant that Hon. Neil Oliver did not vote. Neither did I. The breakfast was designed, as Albert Di-Lallo said to me, to settle the matter once and for all because it is not doing the district any good. The issue is dead so far as the area is concerned. What the district is looking forward to is the creation of employment and an upsurge in business activity.

What happened at that breakfast? The Minister for Agriculture, Mr Julian Grill, was invited and he spoke, and at the end of the meeting a motion was moved by Jim Fletcher, who I understand is a former president of the National Party, that the Government resume the saleyard site. That motion mustered five votes. It was significant that the Shire President, Mr Charlie Gregorini, was one of the first to his feet to oppose the motion. He outlined clearly the activities of the Swan Shire Council and its endeavours to have something done about the site and to get it occupied, with the exception of the saleyard, bearing in mind it had been vacant since 1981.

Another speaker I can clearly remember was Tom Cyster from the Primary Industry Association. He opposed the resumption of the site. Mr Ellett was at the meeting and indicated to all present that he was trying to accommodate people who had concerns about the saleyard and was keen to get on with the business of brick manufacturing.

I wanted to record those comments because a motion was put before the Chamber today based on the opinion of a QC in Melbourne. I do not know why we have to go all the way to Melbourne to get a QC's opinion about something in Western Australia.

Hon. Neil Oliver: I will answer that question next week.

Hon. FRED McKENZIE: Surely we have competent Queen's Counsel here. Who would read about the Midland abattoirs in the Melbourne Press?

It would appear to me that Hon. Mr Oliver's previous support from the National Party no longer exists, otherwise we would face another motion for a Select Committee to inquire into the new allegations. Allegations were made tonight about planning procedures, and a number of people were involved in that including the EPA. Surely to goodness all those people are not crooked! Where are we going with this issue? It is an obsession with Mr Oliver, and he seems to have no support from the National Party or from his colleagues.

Hon. N. F. Moore: Hang on a minute, that is not so.

Hon. FRED McKENZIE: This issue would not have cost me one vote in the Midland area. As time goes on it will probably mean a boost for the Government in terms of votes. It is difficult for people outside the area to understand the issue because they do not understand the locality. Those with real concern are farmers who are worried about the saleyard, but it has now been secured for the next 15 years.

Mr Ellett has been very accommodating in that regard, and that has been appreciated; that is the reason the National Party will no longer buy into this issue. I despair at its being raised all the time. I do not know when it will go away. All the matters raised by Hon. Neil Oliver will be answered. They have been answered before in public gatherings and to the satisfaction of most people. We will never satisfy everybody, and probably not the gentleman whose statutory declaration was read out tonight. One would only have to read the evidence of the Select Committee which was set up by this House to understand whose side Mr Terrance Cooper was on. That is the sort of statutory declaration I would expect from him.

Hon. N. F. Moore: That is an indication of your mentality that you think sides will be taken. A man can have his view of the situation.

Hon. FRED McKENZIE: I do not want to get into that issue.

My real purpose for rising in this debate is to add my remarks to those made earlier by a number of members in relation to two people who have been in this Parliament for a long period and will not be with us when we resume. In the first instance I refer to Alan Harding. I am not sure that anybody has read out his record of service. I do not have a complete curriculum vitae on him, but he joined the Parliamentary staff on 23 February 1970, which means he has been here more than 17 years. Prior to joining this staff he worked for the Government Printing Office from 1961 until a couple of days before he took up employment here in 1970. During that time he was a courier driver.

He was appointed principal attendant here on 5 January 1976, and he is to retire on 10 July. It was mentioned earlier than Alan is an ex-serviceman, but as far as I can recall it has not been mentioned that he is currently the Assistant State Secretary of the Korea and South East Asian Forces Association of WA, so he is still playing a prominent part in the service organisations in this State. He is also a justice of the peace, having been appointed to that position on 13 June 1980.

He is heavily involved in a number of community organisations and is a prominent member of a particular lodge. He is an office bearer in that lodge, and as I understand it is proceeding through the chairs. I am not a member of a lodge so I cannot describe what goes on, but I understand it is some achievement to be doing that.

Alan Harding and John Reed were the two attendants at the front entrance when I first came here in 1977. John Reed retired last year. Those two gentlemen were very helpful to me as a new member, and I am sure other members have had the same experience. It is quite an experience to be thrust into the role of a member of Parliament, and they gave me every encouragement and assisted me in many ways at every opportunity. If I were running late for an engagement here and I had visitors or school children waiting—we all bring them in from time to time—they would take over. They looked after my guests, and on more than one occasion Alan Harding and John Reed explained to my visitors exactly what had delayed me. On the odd occasion that I was able to be present and I asked Alan to assist in escorting children through Parliament House, he ably and capably carried out those tours.

Alan Harding will be missed. As Hon. Phillip Pendal said earlier, I have also been through the House with him and was amazed at his knowledge of this place. I suppose one would expect that after 17 years. However, he knew the finest details about everything. An example of his knowledge was the history associated with the chandelier in the Forrest foyer. After a week or so I would forget what I had been told about it and would go back to him and he would tell me that it was found in a house in Jolimont and was insured for $3 000. He knew the finest details of those things. I do not know who I will approach in future. I expect that he will brief the new attendants.

He was always helpful. I wish him well in his retirement. It is certainly well earned. I trust he will take the opportunity to read *Hansard* to find out the wonderful things that have been said about him tonight.

Hon. Vic Ferry is also retiring. I am not in the habit of paying tribute to Opposition members' political beliefs when they retire. I know that Hon. Vic Ferry and I do not share the same views. However, he has had a long and distinguished career in this place.

I had the privilege of being on an Honorary Royal Commission with him. That Honorary Royal Commission was chaired by Hon. Sandy Lewis. That experience taught me that when we leave this chamber and divorce ourselves from our political ideologies, there is no reason why we are not able to tolerate another person's views and work well with him, particularly if that person works as assiduously as Hon. Vic Ferry did on that occasion. He was a valuable member of that commission. I think that it was because of his attitude that we were able to produce a unanimous report after much sensible debate.

It was for those reasons that I felt I should pay tribute to him for the manner in which he accommodated my views on that Honorary Royal Commission and for the manner in which he worked to produce a report which enabled the Government to proceed with the conservation and land management legislation.

During that time also, I had the opportunity to develop a friendship with Hon. Vic Ferry and his beloved wife. I wish them both a long, healthy, and happy retirement.

I support the Bill.

HON. DOUG WENN (South West) [1.23 am]: I was not going to speak tonight, but I thought it would be remiss of me if I did not wish Hon. Vic Ferry well. On behalf of all the

constituents of South West Province I wish Hon. Vic Ferry and his wife, Doris, a long and happy retirement. I do not believe that "retirement" is the word we should be using for Hon. Vic Ferry because I do not think he will go into retirement that quickly.

I have been in this place only a short time. Obviously, Hon. Vic Ferry must have done something right to last for 22 years. This world of politics is fairly bitter and it is a pretty hard game. I wish both him and Doris all the best.

I have known Alan Harding for only 12 months so I cannot be as complimentary about him as was Hon. Fred McKenzie. Alan tells some good yarns about past and present members of this place. I believe there are many who hope that he does not retire to write a book, because he could certainly tell some funny stories of his time here.

Hon. Garry Kelly also asked me to express his good wishes to Hon. Vic Ferry and Mrs Ferry.

I support the Bill.

HON. GRAHAM EDWARDS (North Metropolitan—Minister for Sport and Recreation) [1.26 am]: I wish to be associated with the remarks made about Alan Harding. Alan is a long-time member of the Korean Veterans Association and a great supporter of veterans from subsequent conflicts, including Malaysia, Borneo, and most recently Vietnam. Alan continued his work as an assistant secretary of the Korea and South East Asian Forces Association when that association was formed from the original Korean Veterans Association, mainly to cater for veterans of those eras. I wish Alan a long, happy, and enjoyable retirement and hope he will look back on his years here with pleasure.

Alan is certainly one of nature's gentlemen. He has been a conscientious and courteous officer of the Parliament from whom I have learnt much. He is gifted with a great sense of humour that comes from his service life. I have enjoyed his friendship and I wish him and his family well in the future.

I also wish Hon. Vic Ferry and his wife and children well in the future. I remember reading a book many years ago entitled *They Hosed Them Out.* It dealt with Australian Air Force personnel who flew bombers from England over Europe during the war. Quite clearly, Hon. Vic Ferry distinguished himself as a member of that group for which he was awarded the DFC.

He has also distinguished himself as a member of this Chamber. I hope his retirement will be fulfilling and peaceful, and I wish both gentlemen well.

HON. N. F. MOORE (Lower North) [1.29 am]: I respond to remarks made by Hon. Fred McKenzie about the Midland saleyard and abattoirs. Hon. Neil Oliver has the full support of all of his colleagues on this side of the House. I appreciate the way he has continued to pursue this matter.

Hon. Fred McKenzie: Including members of the National Party?

Hon. N. F. MOORE: I do not know; I do not belong to that party.

Hon. Fred McKenzie: You said "support from this side of the House".

Hon. N. F. MOORE: I am sorry, I meant the Liberal Party.

I make it clear that I believe Hon. Neil Oliver is onto something very interesting. Every time a new matter is raised in this debate it indicates the concern that people have about the sale of that asset. I do not believe that the people of Western Australia are satisfied with the answers they have been given so far.

I hope the action that Hon. Neil Oliver has taken today will finally result in us all knowing whether, in fact, there was skulduggery attached to that deal.

Hon. Fred McKenzie: You have not proved anything yet.

Hon. N. F. MOORE: I accept that, but there is still, in the minds of many people, considerable doubt about the way in which that deal was done. Perhaps Hon. Fred McKenzie should support what Hon. Neil Oliver is seeking to do so that we can clarify the position once and for all. Hon. Neil Oliver should be commended for continuing to raise the matter because questions need to be answered.

There are certain things in life which, in my view, are sacred. One of them is sporting heroes and the other is traditional family cartoons. On the surface, those two things appear to have nothing in common. Unfortunately, as a result of an article which appeared in *The West Australian* on 23 June, my feeling about sacred things was somewhat shattered. I read that Greg Norman was sending his apologies to the Prime Minister by telegram for his inability to attend the ALP election campaign launch.

As members know, I am a keen fan of golf and I guess that I would class Greg Norman as one of those people I hold in high regard be-

cause of his competitive spirit and his capacity to play the game of golf. I was disappointed to read that he may be a Labor Party supporter and that he was sending his best wishes to the Prime Minister for the election campaign.

Everybody is entitled to his own political view and to express it in any way he wishes. However, in Australia it is a pity that sportsmen such as Greg Norman express their party political views; people who like to admire them, in a sporting sense, find they hold opposite political views.

Hon. Mark Nevill: What about Alan Jones, the Australian rugby coach?

Hon. N. F. MOORE: It is a pity that they express their political views. Regrettably, the article has meant that I may not get up at 4.30 am during the British Open to watch Greg Norman charging around the golf course.

The other thing I hold sacred is traditional family cartoons, and the one to which I refer is the Potts family cartoon. I have been reading that cartoon for many years and I now find the ALP using it as part of its advertising campaign. It talks about little Aussie battlers. It really is a most unfortunate use of something that is part of the traditional Australian thinking. The Potts family cartoon has been around for generations. It is an amusing cartoon and depicts Australian family life. I do not think that the ALP should be using it as part of its advertising campaign. I understand why this sort of thing does happen, but I would rather that it did not happen in the context of our Australian way of thinking.

The question of bias in the Federal election has been mentioned quite frequently. I refer to the article which appeared in *The West Australian* on 23 June which was headlined "Politicking with pizzazz" and which was written by Lindsay Olney. The first part of the article refers not only to Greg Norman, but also to film star Mel Gibson doing the same as Norman, and Jeff Fenech the boxer and Sam Neill the actor being at the ALP election campaign launch.

The end of the article states—

> It is not yet known what stars of field and screen will materialise to endorse Mr Howard. But at the very least he should be able to count on failed Liberal candidate (and quite often failed batsman), Dirk Wellham.

It is an underhand and nasty comment, bearing in mind the context in which the article was written. Dirk Wellham, whether he is a Liberal or not, is a good cricket player and is still a member of the Australian team. For Lindsay Olney to write about Wellham in this political context as a snide remark in respect of John Howard is the epitome of the sort of bias that is coming through in so many articles, not only in *The West Australian* but also other newspapers about this election.

Hon. Mark Nevill: Have you read the editorials?

Hon. N. F. MOORE: They have been relatively even-handed. They have given the Liberals a thrashing from time to time in the same way as they have given the Labor Party a thrashing from time to time.

People read these sorts of articles because of human interest, and members opposite would be aware of how many people read the editorials. People read human interest stories and to use that sort of criticism of a sportsman in a political context illustrates the bias to which I am opposed.

Hon. B. L. Jones: It must be a novel experience to have that sort of bias from the media.

Hon. N. F. MOORE: In my time in politics I have not felt that the media is strongly biased towards my point of view. It may have been in the past, but it certainly has not been in my time.

I refer now to a question which I asked in the House in respect of a set of gold coins which was presented to Mr Keating by the Premier during his recent visit to Perth. The question was—

> (1) Is it correct that Mr Keating was given a set of gold coins and a gold nugget by the Premier during his recent visit to the Perth Mint?
>
> (2) If so, what was the value of this gift?
>
> (3) Is there a requirement that Mr Keating donate this gift to a museum or charity, or is he entitled to retain the gift for his own benefit?

The answer was—

> (1) Mr Keating was given a proof set of the Australian Nugget series of gold bullion coins in recognition of the central role he played in securing Commonwealth Government approval for the issuing of the Australian Nugget and subsequently for silver and platinum coins. He was not given a gold nugget.
>
> (2) The issue price of proof sets was $2 004.

(3) This is a matter for the Commonwealth Government.

Mr Keating would probably be the person who did the most to delay the sort of investment that the goldmining industry deserved in Australia because of his procrastination for months over the gold tax issue when he instigated an inquiry instead of making a decision. During the period of the inquiry and of great uncertainty, the goldmining industry was starved of a lot of money. Many people refused to invest money in the industry because they were frightened that a gold tax would eventuate.

We now have the Premier presenting Mr Keating with a set of gold coins as a recognition of his contribution to the goldmining industry.

Hon. Mark Nevill: To the launch of the Nugget coins.

Hon. N. F. MOORE: It is the same thing. The Nuggets are part of the goldmining industry. The Premier sought to get on the bandwagon of the goldmining industry by issuing these Nuggets. I might add that the gold industry is the only industry in Australia that is doing well. Yet, Mr Keating, the great number one Treasurer, was presented with a set of gold Nugget coins by the Premier in recognition of his "contribution" to the goldmining industry.

I do not believe that as a taxpayer I should in any way contribute to that gift. I wonder who is paying for it. The cost of the coins—$2 004—has to be found from somewhere and I presume that the Department of the Premier and Cabinet is paying the Mint.

Hon. Kay Hallahan: It is not unusual to give gifts to special guests.

Hon. N. F. MOORE: To Federal members of Parliament who come to Western Australia and get their name and photograph published in the paper! On this occasion, Mr Keating and the Premier were photographed being silly. Is that what taxpayers expect their money to be spent on—on the Federal Treasurer who cannot submit his tax return on time? He cannot get a tax return in on time and he cannot work out where he lives.

In my view Mr Keating cheats the taxpayers with regard to his living-away-from-home allowance. The Premier has given him a gift worth $2 000 from the people of Western Australia. He should not have been given the gift in the first place; he should now give it back and the people of Western Australia should be given back their money. Mr Keating is not entitled to that money. The sum of $2 000 is a tidy amount to be given away by the Premier. I wonder whether Mr Keating will pay tax on it. Is it regarded as income? Is it a fringe benefit? Will he pay tax?

Hon. Kay Hallahan: Don't be so mean.

Hon. N. F. MOORE: I am not being mean. If I went to Canberra and said I was a great advocate of State rights and they handed me a piece of platinum—

Hon. Kay Hallahan: He was given a gift because he helped the whole project come about.

Hon. N. F. MOORE: The only assistance Keating has given the gold industry is to ensure that it developed five years later than it should have. That is his contribution. The gift should be returned because in the first place he is not entitled to keep it on the basis of his contribution and, secondly, I do not think it is proper for the Premier to give another politician a gift worth $2 000 in recognition of some spurious contribution he is supposed to have made. I believe that very strongly and so do many people who have contacted me. If Mr Keating does not give the gift back, he should pay tax on it.

Hon. S. M. Piantadosi: Would you like a present, Mr Moore?

Hon. N. F. MOORE: Not from Hon. Sam Piantadosi.

I conclude by adding my comments about the member of the staff of the House who will not be around when we return; that of course is Alan Harding. When I arrived in 1977 with Hon. Fred McKenzie, Alan Harding was on the door and he was very helpful to me and my guests whom he showed around the House from time to time. He is a man of good humour, always in a friendly and jovial mood, and a person of great reliability. His presence at the door of Parliament House will be greatly missed by those people who visit on a regular basis.

In respect of Hon. Vic Ferry, his loyalty, dedication, persistence and hard work are attributes we shall miss on this side of the House when he takes his well-earned retirement. As has already been said, he has had a very distinguished career, both during the war before he came to Parliament and since he has been a member of this House. As Hon. Doug Wenn said, anybody who has been a member of Parliament for 22 years must be doing something right; quite clearly Hon. Vic Ferry has done something right and the people of his electorate

have responded to his performance by electing him on a number of occasions to represent them in this State Parliament.

Hon. Vic Ferry is best described as a person of great loyalty and dedication to his party and colleagues. He is the sort of fellow one can totally rely on; once decisions are made there are no arguments from him. He accepts the decisions of his colleagues and promotes their collective views in the best way he can. I commend him for 22 years of great and loyal service not only to the Parliament of Western Australia but also to the Liberal Party.

HON. ROBERT HETHERINGTON (South East Metropolitan) [1.44 am]: I have been quietly sitting here waiting to go home and I had no intention of speaking until finally Hon. Norman Moore provoked me. I cannot let his statements go because it seems to me that when he is talking about elections he is dragging red herrings across the trail by personal attacks to try to get the odd headline.

Hon. N. F. Moore: Do you really think I will get a headline at this time of night?

Hon. ROBERT HETHERINGTON: I have in the past but perhaps I made a better speech. Hon. Norman Moore has tried to take away the achievements of the Burke and Hawke Labor Governments.

I shall not go into the argument of whether Mr Keating should have been given a set of proof coins. I should think the Premier would know better than Hon. Norman Moore the contribution Mr Keating has made. I point out to the honourable gentleman that the launching of the Nugget, as part of the initiatives by the Government, is doing a great deal for the economy of Australia as, of course, has the whole activity of the Hawke Government.

When I first started tutoring in politics in 1957, and I was not then a member of the Labor Party, I was aware of the need to refashion our industry; with Senator John Button we have started to do this. When I hear carping criticism of what is happening to the economy from people such as Hon. Neil Oliver, I am aware of the fact that for years I watched the real needs of the economy being ignored as we built up this ramshackle business of protection in Australia and no Government was game to tackle it. The present Government is tackling it and it is doing it well.

One finds as one examines the Press that there may be biases all over the place but the Press usually exaggerates the weaknesses and the strengths of political parties. I can remember the times when the Labour Party talked about bias and quite often the Press has shown up its weaknesses. Of course, the weakness of the present Liberal Party in Canberra is being revealed by the kind of Press we are getting about the Liberal Party at present. That is unfortunate; no doubt, our turn will come in due course but perhaps it will not be for three, six or nine years, if we can continue doing as good a job as we have done so far overall.

My heart bleeds for the honourable gentleman because I have suffered; I have sat in Opposition; I have looked at the Press and thought it has not treated us fairly; and I have recognised how it has happened at the time. I have been through the process in my own party on that side of the House where we managed over the years finally to put together the policies and the leadership that was accepted by the people of this State and which, therefore, enabled the present Treasurer to bring down this Supply Bill we are debating. It was a long and painful process and I wish Hon. Norman Moore the same long and painful process. I hope he comes out purified.

I want to briefly—I am not here to paint our two lilies—add my sentiments to those that have been expressed about Mr Alan Harding whom I found welcoming me at the door when I arrived in this place 10 years ago. He is a person well worth knowing. I will miss him because one misses the tried and valued institutions.

Of course, when I came here 10 years ago Hon. Vic Ferry was sitting in this House and I have learned a great deal from him. I have always respected him as an ex-serviceman who has done his job as a parliamentarian honestly and forthrightly. I have often disagreed with him and I presume that if he stayed, I would continue to do so. I have also marched shoulder to shoulder with him when we have celebrated the exploits of some of our servicemen in past wars. I have respected him for that. I wish him and Alan Harding a happy and busy—because if one is not busy one is not happy—retirement. I am sure they will both be busy and happy as a result of being busy. May they live long and continue to make contributions to this State in their own ways.

I support the Bill.

HON. KAY HALLAHAN (South East Metropolitan—Minister for Community Services) [1.51 am]: I thank all members for their contributions to the debate on this Bill. In such an unrestricted debate members will under-

stand that the wide range of subjects covered makes it impossible to respond in full to the matters raised in the course of that debate. However, I give members an undertaking that the matters they have raised will be brought to the attention of the relevant Ministers, and where appropriate they will receive responses.

With regard to the retirement of Alan Harding, I would like to say briefly on my own behalf that I have found Alan a very efficient person, with a very pleasant and helpful manner. When I was first elected I had trouble finding a suitable electorate office, and mine was in Parliament House. I was often befuddled and amused by the pranks which Alan Harding and John played on my electorate secretary down near the front door. That is one of the memories I will take away of Alan Harding and John, who was there with him, because all sorts of unexpected things would happen which distracted my electorate secretary, Sue; the games Alan and John were playing at the front door.

I have also a great deal to be grateful to Alan for. Many of my constituents came to this place, they were treated very well, and messages were always conveyed. It must have been a little tedious for a member to have an electorate office in Parliament House, in view of the demands beyond what would normally be contemplated by people in positions like Alan's. I record my good wishes to him for his retirement and hope it will be a long, healthy and happy one.

I pay tribute, on behalf of the Government, to Hon. Vic Ferry. He has had a very long and distinguished career as an honourable member in this place. I wish him very well in his retirement. I hope that it will be a very healthy and long one, and that he finds plenty of rewarding work. As he leaves this place I hope he will feel some sense of achievement as a result of the years he has represented the people of our State, and that he takes away with him a great feeling of satisfaction.

I commend the Bill to the House.

THE PRESIDENT (Hon. Clive Griffiths): It is normal for the President to take the opportunity, when these valedictory comments are being made, to add his words to those of other honourable members. I took it that this would occur next Tuesday when the House rose, but because of late I have normally been the last person to know anything, it occurred to me that perhaps everyone else knew that we are not coming back next Tuesday and I will be the only one here.

Hon. Kay Hallahan: I will be here!

The PRESIDENT: On the off-chance that that will be the situation, I would like to take this opportunity of joining with the honourable members who have spoken in regard to Alan Harding and Hon. Vic Ferry.

As far as Alan Harding is concerned, I recall when he commenced his work here in 1970. Other members have outlined his career. None of them has mentioned that when Alan Harding commenced work at Parliament House, he began as an attendant in the Legislative Council, and for six years he was an attendant in this place. We got to know him very intimately indeed, and were served by him, as we have been by subsequent attendants in this place.

In January 1976 Alan was appointed to the position which he currently holds, as has already been mentioned by others. He inherited as one of his duties the responsibility of assisting members conducting tours of visitors through the building. Alan has, for me personally conducted literally hundreds of visitors. I have been very appreciative and grateful for the very dedicated way in which he has carried out that part of his duties. I hope that he will have a long and happy retirement, and that he will enjoy the time in whatever way he intends to spend it.

As far as Hon. Vic Ferry is concerned, the first time I heard of Vic Ferry was leading up to the 1965 State elections. I came to know him closely on 20 February 1965, which to Vic Ferry and I became a very important date. We were both elected on that date in 1965, and we have never had an election which has not been on either 20 February or 19 February. As a result, 20 February holds a special place for me, and I guess for him.

Honourable members will be interested to know that on that day in 1965 six brand spanking new members were elected to this place, among whom were Vic and me. It is a fact of parliamentary and political life that four of our number have departed, some as a result of their own actions, and some as a result of actions of their constituents. Vic and I are the sole remaining members of the 1965 election in either House, therefore I guess that Vic and I have had a longer association than anybody else in this place, staff and members included. I am not sure that this is something members

should talk about, because my wife tells me these days that every time I start talking about this place I encourage people to think I am 100 years old. I am not sure if we should talk too much about 1965.

Every time I think of Vic Ferry I think of potatoes. I learnt about potatoes from Vic. I am just an ordinary bloke who eats chips and mashed potatoes, but during the course of speeches by Vic Ferry I learnt that there are many different sorts of potatoes. I always thought there was only one before I came here, but Vic informs me that there are plenty of varieties. Vic was a member of a Select Committee which inquired into potatoes.

Members might be interested—and I will tell them whether they are or not—that on 29 July 1965, at 4.11 pm, Hon. Vic Ferry made his first speech in this place. It was his shortest speech. The House adjourned at 4.12 pm, not because Hon. Vic Ferry had made his speech, but because he seconded the motion for the Address-in-Reply, and the words that he used were, "I formally second the motion." That was Hon. Vic Ferry's first speech in this Parliament.

Hon. Vic Ferry was one of the lucky members in 1965 who actually had an opportunity to speak to the Address-in-Reply, and he spoke to the Address-in-Reply on 5 August about three subjects, one of which was decentralisation, the second was the south west and the development of industries, and the third was a tribute which he made to his predecessor, the late Hon. James Murray.

Having made his contribution to the Address-in-Reply, Hon. Vic Ferry was able to sit smugly by while the rest of us, who were not quite so quick off our feet or alert to what happened in this place, found that the Presiding Officer of the day was a lot less lenient than the present incumbent, because when he put the question, another new member—who was sitting next to me, and I sat where Hon. Garry Kelly is now sitting—was supposed to jump up, but he hesitated, so the President put the question, and the Address-in-Reply was finished. I know that of the new members, only two had spoken. I subsequently went on to make my maiden speech about onions, which had nothing to do with Hon. Vic Ferry.

Hon. Vic Ferry and I have had a pretty long association together, and our political paths have not been parallel, other than that we belong to the same political party. Our interests were different. Hon. Vic Ferry being a country member, and me being a metropolitan member. Our constituents' problems were necessarily different, so we did not have much contact with each other on things before the House.

Hon. Vic Ferry mentioned today during the course of his speech on this Bill that we have had some disagreements. I have an awful memory; I cannot remember any disagreements that I have had with him. I guess I am one of those people that when others think I have had a disagreement with them, I have not considered it to be a disagreement, and immediately I have finished, I forget about it. So if we have had any disagreements, I have forgotten about them.

I had the opportunity of not only meeting Hon. Vic Ferry's wife, Doris, and his two daughters, but of staying with him for a couple of days in Manjimup during our early days. I know the help and assistance he has received from his family over these years has enabled him to contribute in the way that he has to the legislative programme of Western Australia.

I wish the member and his family well, and hope that his retirement is a long and happy one. I know we all look forward to seeing him from time to time when he takes advantage of the privilege that we all have of being able to come to this place, when it occurs to him that he would like to come here.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. Kay Hallahan (Minister for Community Services), and passed.

TREASURER'S ADVANCE AUTHORIZATION BILL

Second Reading

Debate resumed from 23 June.

HON. JOHN WILLIAMS (Metropolitan) [2.08 am]: This is a new Bill, recommended by the Auditor General, to deal with the Treasurer's advance authorisation. The Opposition supports the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. Kay Hallahan (Minister for Community Services), and passed.

ADJOURNMENT OF THE HOUSE: SPECIAL

On motion by Hon. Kay Hallahan (Minister for Community Services), resolved—

That the House at its rising adjourn until Tuesday, 30 June at 11.30 am.

House adjourned at 2.11 am (Thursday)

QUESTIONS ON NOTICE

HOUSING

Wandana Flats: Children

261. Hon. MAX EVANS, to the Minister for Community Services representing the Minister for Housing:

As at 30 May 1987, how many children were officially living in Wandana Flats, Subiaco?

Hon. KAY HALLAHAN replied:

I am advised that as at 30 May 1987, Homeswest records indicate 22 children were living in the Wandana complex.

TAXES AND CHARGES

Payroll Tax: Government Instrumentalities

262. Hon. MAX EVANS, to the Minister for Budget Management:

In respect of the discontinuing payment of payroll tax by certain Government bodies in the 1986-87 State Budget—

(1) Will the Minister please provide figures for the total amount of payroll tax collected from those departments and agencies in each financial year from 1982-83 to 1985-86 inclusive?

(2) What is the estimate of the amount of payroll tax that would have been collected from these departments and agencies had they been required to pay the tax in 1986-87?

Hon. J. M. BERINSON replied:

I am advised that the preparation of a response would require the allocation of inordinate resources, and I do not propose to authorise the collation of the information.

TAXES AND CHARGES

Stamp Duty Revenue: Motor Vehicles

263. Hon. MAX EVANS, to the Minister for Budget Management representing the Treasurer:

Referring to page 14 of the Consolidated Revenue Fund Estimates of Revenue and Expenditure—

(1) Will the Minister please give a breakdown of the latest estimate of the amount of stamp duty revenue expected in 1986-87 from motor vehicle licences in respect of the following classifications of motor vehicle—

(a) cars and station wagons;

(b) utilities and panel vans;

(c) trucks and buses;

(d) motorcycles and scooters;

(e) total?

(2) Is it possible to provide the details concerning levels of revenue from motor vehicle licences for each of the above categories so as to distinguish between vehicles used for private and business use respectively, and if so, would the Minister kindly do so?

(3) Is the Metropolitan Transport Trust, trading as Transperth, required to pay stamp duty in the form of motor vehicle licence fees and, if so, what is the respective expected level of revenue from that organisation in 1986-87?

(4) How much revenue from motor vehicle licences is expected to be received from taxis in 1986-87?

Hon. J. M. BERINSON replied:

(1), (2) and (4) Information is not held which would enable the revenue estimate to be broken down into these categories.

(3) No.

STATE FINANCE

Revenue: Crown Grants

264. Hon. MAX EVANS, to the Minister for Budget Management representing the Treasurer:

(1) Will the Minister provide a detailed breakdown of each source of estimated revenue under the heading

"Crown Grants" on page 14 of the Consolidated Revenue Fund Estimates of Revenue and Expenditure for 1986-87?

(2) What were the corresponding details of the actual revenue from Crown Grants in 1985-86?

Hon. J. M. BERINSON replied:

	Estimate 1986-87 $
(1) R & I Bank	500 000
Landbank of WA	5 650 000
Freehold and special leases	1 000 000
Denmark	500 000
Other	1 000 000
	8 650 000

	1985-86 Actuals $
(2) Burswood Island Casino	9 380 450
Padbury exchange—land	1 727 934
Treasurer's advance—Wickham and Karratha	3 431 295
Bicton quarantine station	300 000
John XXIII College	1 100 000
Perth Technical College site	20 500 000
R & I Bank	3 000 000
Landbank of WA	2 500 000
Melville City Council	300 000
Other	2 321 020
	44 560 699

STATE FINANCE

Budget: Salaries, Wages and Allowances

265. Hon. MAX EVANS, to the Minister for Budget Management representing the Treasurer:

(1) Will the Minister please provide the total level of expenditure within the State's Consolidated Revenue Fund Budget on salaries, wages and allowances in each financial year from 1982-83 to 1985-86 inclusive?

(2) What is the most recent estimate of the figure sought in (1) above for 1986-87?

Hon. J. M. BERINSON replied:

The member will be advised in writing in due course.

DEPARTMENT OF THE PREMIER AND CABINET

Personnel Information Management System Establishment Report

266. Hon. MAX EVANS, to the Leader of the House representing the Premier:

(1) Will the Premier provide a copy of the personnel information management system establishment report by organisation unit for the Department of the Premier and Cabinet as at 30 June 1987, as soon as it is available?

(2) If not, why?

Hon. J. M. BERINSON replied:

(1) and (2) The information contained in the PIMS establishment report for the Department of the Premier and Cabinet will be presented to the Parliament as part of the Public Service List for the year ending 30 June 1987.

WATER RESOURCES

Concessions: Value

267. Hon. MAX EVANS, to the Minister for Community Services representing the Minister for Water Resources:

(1) Will the Minister advise the total value of concessions and allowances granted in 1985-86 to domestic users of—

(a) water;

(b) sewerage;

(c) drainage services?

(2) Were any concessions or allowances made available to non-domestic users of each of these services and, if so, what were the details of each type of concession allowed?

(3) Would he supply the answers to parts (1) and (2) above separately in respect of the metropolitan and country areas or, where it is not possible to readily differentiate between domestic and non-domestic properties, a combined figure would be appreciated?

(4) Can the Minister provide the latest estimates for 1986-87 in respect of the information sought in parts (1) to (3) above?

(5) It is yet possible to provide an estimate for 1987-88 of the figures sought in parts (1) to (3) above and, if so, will the Minister do so?

Hon. KAY HALLAHAN replied:

(1) (3), (4) and (5) Concessions and allowances—domestic

	1985-86 Actuals $	1986-87 Estimates $	1987-88 Estimates $
Metropolitan			
Water	1.922M	2.00 M	2.13 M
Sewerage	2.626M	3.00 M	3.28 M
Drainage	0.382M	0.682M	0.742M
Country			
Water	0.982M		
Sewerage	0.391M	1.448M	1.543M
Drainage	0.011M		

(2) Apart from the longstanding "concessions" for non-rated institutional type properties, there are no concessions or allowances made available to non-domestic users except for the statutory provisions associated with the 40 per cent limitation on rate increases from one rating year to the next, and the phasing in of revaluations over three years in the metropolitan area.

A breakup between water, sewerage, and drainage is not available for the country areas after 1 July 1986.

WATER RESOURCES

Ratepayers: Statistics

268. Hon. MAX EVANS, to the Minister for Community Services representing the Minister for Water Resources:

(1) Will the Minister provide the latest estimate of how many—

(a) domestic;

(b) non-domestic,

ratepayers the Water Authority of Western Australia will have had during 1986-87 in respect of—

(i) water;

(ii) sewerage;

(iii) drainage rates or charges?

(2) What is the estimate of revenue that will have been collected in 1986-87 from—

(a) domestic;

(b) non-domestic,

ratepayers for—

(i) water;

(ii) sewerage;

(iii) drainage charges or rates?

(3) Would he supply the answers to parts (1) and (2) above separately in respect of the metropolitan and country areas or, where it is not possible to readily differentiate between domestic and non-domestic properties, a combined figure would be appreciated?

(4) Is it yet possible to give estimates of the figures requested in parts (1) to (3) above for 1977-78 and, if so, will the Minister do so?

Hon. KAY HALLAHAN replied:

The information requested will take some time to collate. When it becomes available the member will be advised in writing.

BOATS

Private: Registration Fees

269. Hon. MAX EVANS, to the Minister for Sport and Recreation representing the Minister for Transport:

What was the private boat registration fee applicable to boats between five and 10 metres as at December 1982?

Hon. GRAHAM EDWARDS replied:

$23.

TAXES AND CHARGES

Fuel Franchise Levy: Revenue

270. Hon. MAX EVANS, to the Minister for Sport and Recreation representing the Minister for Transport:

(1) What is the Government's latest available estimate of the breakdown of revenue in 1986-87 from the State fuel franchise levy between—

(a) revenue from the levy on diesel;

(b) revenue from the levy on super and unleaded petrol combined?

(2) What is the Government's estimate of the amount of the State fuel franchise levy in respect of diesel collected in 1986-87—

(a) in the metropolitan area;

(b) outside the metropolitan area?

(3) What is the Government's estimate of the amount of the State fuel franchise levy in respect of super and unleaded petrol combined collected in 1986-87—

(a) in the metropolitan area;

(b) outside the metropolitan area?

Hon. GRAHAM EDWARDS replied:

(1) (a) Diesel, $24.5 million;

(b) motor spirit, $73.3 million;

assuming payments due on 30 June 1987 are received by that date.

(2) and (3) Not available.

PENSIONERS

Concessions: Motor Vehicles

271. Hon. MAX EVANS, to the Minister for Sport and Recreation representing the Minister for Police and Emergency Services:

(1) What concessions or allowances are available to pensioners and the disadvantaged in respect of—

(a) motor vehicle licenced stamp duty;

(b) motor vehicle recording fees;

(c) motor vehicle transfer fees;

(d) motor vehicle number plate fees;

(e) motor vehicle inspection fees;

(f) motor drivers' licence fees;

(g) motor drivers' licence application fees?

(2) How many recipients are there of each such concession or allowance?

(3) What was the estimated cost in 1986-87 in terms of revenue forgone of providing each such concession or allowance?

Hon. GRAHAM EDWARDS replied:

The member will be advised in writing in due course.

ENERGY

Electricity Charges: Revenue

272. Hon. MAX EVANS, to the Leader of the House representing the Minister for Minerals and Energy:

(1) Will the Minister please advise how much revenue was received from domestic users of electricity in 1985-86—

(a) in the metropolitan area;

(b) outside the metropolitan area;

(c) in total?

(2) What was the total value of concessions and allowances granted in 1985-86 to domestic electricity consumers—

(a) in the metropolitan area;

(b) outside the metropolitan area;

(c) in total?

(3) What is the latest estimate for 1986-87 in respect of the information sought in parts (1) and (2) above?

(4) Is it yet possible to provide an estimate for 1987-88 of the figures sought in parts (1) to (3) above and, if so, will the Minister do so?

Hon. J. M. BERINSON replied:

The member will be replied to in writing in the next few days.

ENERGY

Gas Charges: Revenue

273. Hon. MAX EVANS, to the Leader of the House representing the Minister for Minerals and Energy:

(1) Will the Minister please advise how much revenue was received from domestic users of gas in 1985-86—

(a) in the metropolitan area;

(b) outside the metropolitan area;

(c) in total?

(2) What was the total value of concessions and allowances granted in 1985-86 to domestic gas consumers—

(a) in the metropolitan area;

(b) outside the metropolitan area;

(c) in total?

(3) What is the latest estimate for 1986-87 in respect of the information sought in parts (1) and (2) above?

(2) Is it yet possible to provide an estimate for 1987-88 of the figures sought in parts (1) to (3) above and, if so, will the Minister do so?

Hon. J. M. BERINSON replied:

The member will be replied to in writing in the next few days.

WILDLIFE

Dibblers: Populations

274. Hon. MARK NEVILL, to the Minister for Community Services representing the Minister for Conservation and Land Management:

(1) In what areas of Western Australia are dibbler populations known to exist?

(2) Have attempts been made to rear dibblers in captivity?

(3) If so, where have they been reared?

(4) In brief, what research has been undertaken in recent years into the distribution and ecology of dibblers?

Hon. KAY HALLAHAN replied:

(1) Dibbler populations are known to occur in two localities on the south coast, one at Cheynes Beach near Albany and the other in the Fitzgerald River National Park and Jerdacuttup area. A third known locality consists of Boullanger and Whitlock Islands near Jurien.

(2) Yes.

(3) Three adults collected in 1967 and two collected in 1975 were kept in captivity at La Trobe University. One female collected in 1967 gave birth to seven pouch young which were reared to maturity, but they had been conceived in the wild. There was no successful mating and breeding in captivity.

The existence of dibblers on the two islands near Jurien was discovered in December 1985 by scientists from the Department of Conservation and Land Management. Two animals from there have been kept in captivity by the department and subsequently by a University of Western Australia zoologist, but there has not been any breeding success to date.

(4) The discovery of the dibbler at Cheynes Beach near Albany in 1967 was the first sighting for 83 years and led to a number of searches on the south coast in the following years. Studies of animals in captivity have yielded information on reproductive biology and behaviour.

Following an initial assessment of the dibblers on the islands off Jurien by CALM scientists, a detailed field study of the biology of the dibbler is being carried out by a zoologist from the University of Western Australia.

HAIRDRESSERS' REGISTRATION BOARD

Chairman and Deputy Chairman

275. Hon. G. E. MASTERS, to the Leader of the House representing the Minister for Labour, Productivity and Employment:

(1) Having regard to the fact that the current Chairman and Deputy Chairman of the Hairdressers' Registration Board are both employed under the auspices of the Public Service Act and that they were both appointed by the Governor, are these officers in fact representatives of the Government on that board?

(2) Regardless of whether these officers are Government representatives, will the Minister advise whether they are paid any fees or allowances for their contribution to the board's activities and, if so, what is the value of such benefits and who actually funds them?

(3) Do full-time employees of the Hairdressers' Registration Board enjoy the conditions of service provided under the Public Service Act?

(4) If not, in what form are their employment conditions stipulated?

Hon. J. M. BERINSON replied:

(1) No. Notwithstanding that in practice it has been usual for a Government officer to be chairman, the constitution of the board is as stipulated by the Hairdressers' Registration Act.

(2) The chairman receives a fee of $77 per meeting, which is provided from board funds.

(3) and (4) The full-time employees are Government officers, and their salaries are regulated by the public authorities salaries award (1986).

While they have no award relating to conditions of service, those that are applied are generally the same as those for employees under the Public Service Act. The precise nature and form of employment conditions for the Hairdressers' Registration Board employees is an issue to be addressed in the present review of the Hairdressers' Registration Act.

MEMBER FOR PILBARA

Influence: Shire Councillor

276. Hon. C. J. BELL, to the Minister for Sport and Recreation representing the Minister for Local Government:

(1) Is the Minister aware of allegations that the member for Pilbara attempted to influence a councillor of the Shire of Roebourne on Wednesday, 17 June 1987 to withdraw a motion of no confidence in the President of the Shire of Roebourne?

(2) If not, will he investigate these claims and take the appropriate action?

Hon. GRAHAM EDWARDS replied:

(1) and (2) The Minister for Local Government does not involve himself in conversations between members of Parliament and local government councillors. He is unaware of any provisions of the Local Government Act which would prevent such discussions.

EDUCATION

Principals: Power of Veto

277. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

I refer the Minister to his answer to my question 250 of 16 June 1987.

(1) Will principals, under the proposed consultative management style, be given the power of veto or ultimate decision making in any circumstances?

(2) If so, what are these circumstances?

Hon. KAY HALLAHAN replied:

As the Minister is in the Eastern States, the member will be advised in writing.

EDUCATION

Changes: Location

278. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

I refer the Minister to his answer to my question 250 of 16 June 1987.

(1) Is it possible for true educational change to take place outside the school level?

(2) What is meant by true educational change in the context of the answer?

Hon. KAY HALLAHAN replied:

As the Minister is in the Eastern States, the member will be advised in writing.

GOVERNMENT EMPLOYEES: TRANSFERS

Furniture Removals: Tenders

279. Hon. G. E MASTERS, to the Leader of the House representing the Minister for Works and Services:

(1) Has the Government introduced a system of State-wide tendering on furniture removals required by various departments such as the Education and Police Departments?

(2) If so, when was the system introduced?

Hon. J. M. BERINSON replied:

(1) Yes.

(2) (i) The Building Management Authority introduced a State-wide tender for furniture removals in September 1984.

(ii) The Education Department, through the State Tender Board, introduced a State-wide tender in August 1985.

(iii) The Police Department, through the State Tender Board, introduced a State-wide tender in February 1987.

MINERALS

Iron Ore: Fact Finding Tour

280. Hon. G. E. MASTERS, to the Leader of the House representing the Minister for Minerals and Energy:

(1) Has the Government sponsored in any way the recent 26-member group representing the iron ore industry which recently went on a fact finding tour of northern Europe?

(2) If so, who were the members of that tour?

(3) What was the extent of the Government's support of each of the people who participated in that tour?

(4) Was John O'Connor, the State Secretary of the Transport Workers Union, a member of the tour?

(5) What expenses or payments were made to Mr O'Connor to assist him with the costs of that tour?

Hon. J. M. BERINSON replied:

As the information sought will take some time to gather, the member is advised that I will answer the question in writing shortly.

HEALTH

Terminally Ill Children: Holiday Home

281. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Health:

(1) Has the Minister received a joint submission from the "Monitoring Support" and "Animal Welfare" associations regarding Government assistance for these groups to purchase a rural property to be used as both a holiday home for terminally ill children and an animal sanctuary?

(2) If so, what decision has he made?

(3) If not, is he willing to consider such a proposal?

Hon. KAY HALLAHAN replied:

The member will be advised in writing in due course.

EDUCATION: PRIMARY SCHOOL

Rossmoyne: Courts

282. Hon. P. G. PENDAL, to the Minister for Sport and Recreation:

(1) Has an application been received, via the Melville City Council, from the Rossmoyne Primary School P & C Association for Government assistance for one-third of the cost of establishing tennis and netball courts in the school grounds for use by both students and the community?

(2) If so, what is the Government's attitude towards the application?

(3) When can a decision regarding the application be expected?

Hon. GRAHAM EDWARDS replied:

(1) An application has been received from the Rossmoyne Primary School P & C Association through the City of Canning.

(2) The application will receive every consideration along with others submitted for funding from the community sporting and recreation fund.

(3) In the near future.

LAND

Yanchep National Park: Visitors

283. Hon. P. G. PENDAL, to the Minister for Sport and Recreation representing the Minister for Tourism:

I refer to the answer to question 254 of Tuesday, 16 June 1987. What is the reason for the substantial fall in visitor numbers to the Yanchep National Park in the past five years?

Hon. GRAHAM EDWARDS replied:

The drop from peak visitation numbers in the two years following 1981-82 corresponds with declines in visitation to national parks Australia-wide, and is associated with a period of economic downturn.

However, the figures clearly indicate that over the past four years the visitation has remained static rather than declined. This may well be accounted for by the development of other recreational and tourist opportunities elsewhere in the metropolitan and near metropolitan area. These would include other national parks, such as the Nambung National Park—Pinnacles—which are seeing dramatic increases in visitation.

As part of the preparation of the draft management plan for Yanchep National Park, which is well under way, an extensive visitor survey has indicated a high degree of satisfaction of visitors with the park.

The Tourism Commission has had involvement and will continue to be involved in the preparation of that management plan.

FEDERAL TREASURER

Gifts

284. Hon. N. F. MOORE, to the Leader of the House representing the Premier:

(1) Is it correct that Mr Keating was given a set of gold coins and a gold nugget by the Premier during his recent visit to the Perth Mint?

(2) If so, what was the value of his gift?

(3) Is there a requirement that Mr Keating donate this gift to a museum or charity, or is he entitled to retain the gift for his own benefit?

Hon. J. M. BERINSON replied:

(1) Mr Keating was given a proof set of the Australian Nugget series of gold bullion coins in recognition of the central role he played in securing Commonwealth Government approval for the issuing of the Australian Nugget and subsequently for silver and platinum coins. He was not given a gold nugget.

(2) The issue price of proof sets was $2 004.

(3) This is a matter for the Commonwealth Government.

NATIONAL SAFETY COUNCIL

Future Operations

285. Hon. G. E. MASTERS, to the Minister for Sport and Recreation representing the Minister for Police and Emergency Services:

(1) What plans does the Government have for the future operations of the National Safety Council?

(2) How many people are employed by the council?

(3) Have any studies been undertaken on the activities of the council?

(4) If so, who conducted those studies?

Hon. GRAHAM EDWARDS replied:

(1) The member may not be aware that the National Safety Council of Western Australia is not a Government body, and the Government cannot therefore direct the National Safety Council of Western Australia on its operations.

The National Safety Council of Western Australia is heavily funded by the State Government, to a far greater extent than any other State Government in Australia. The level of funding is a matter for budgetary consideration.

(2) Thirty.

(3) and (4) Yes. The Functional Review Committee has examined the activities of the National Safety Council of Western Australia on behalf of the State Government.

QUESTIONS WITHOUT NOTICE

EDUCATION REGULATIONS

Corporal Punishment

101. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

(1) Is it correct that the education regulations relating to corporal punishment are contrary to the requirements of equal opportunity legislation?

(2) If so, what action does the Minister propose to take to overcome this problem?

Hon. KAY HALLAHAN replied:

(1) Yes.

(2) The Minister is consulting with appropriate interest groups and examining possible changes to the regulations.

TECHNICAL AND FURTHER EDUCATION

Functional Review Committee Report

102. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

(1) Has the report of the Functional Review Committee into TAFE been completed?

(2) If so, will the Minister make it publicly available, and if not, why not?

(3) If not, when is the report expected to be completed?

Hon. KAY HALLAHAN replied:

(1) No.

(2) and (3) The reports of the Functional Review Committee are not public documents. The Ministry of Education's response to the Functional Review Committee report will be made available for public discussion after the Minister has had an opportunity to consider its proposals with Cabinet colleagues and senior ministry officers. I have been informed that the report is nearing completion.

AUSTRALIAN BROADCASTING CORPORATION

Educational Programmes

103. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

(1) Is the Minister aware of a report that the ABC is to reduce the level of educational programmes?

(2) If so—

(a) was either the Minister or his department consulted on this matter;

(b) what effect will the reductions have on educational programmes in our schools?

(3) If the ABC's decision will have a detrimental effect on educational programmes, will the Minister advise the Federal Minister responsible for the ABC of his opposition to the reductions?

Hon. KAY HALLAHAN replied:

(1) Yes.

(2) (a) No;

(b) the reductions, if they are effective, will require teachers to seek alternatives from other media sources.

(3) The matter is being taken up with appropriate Commonwealth Government authorities.

INDUSTRIAL DEVELOPMENT

Charcoal Plant: Pinjarra

104. Hon. V. J. Ferry, for Hon. C. J. BELL, to the Minister representing the Minister for Minerals and Energy:

(1) In the light of the concern of a number of Murray district residents with regard to the siting of the proposed Agnew Clough charcoal plant near Pinjarra, what is the Government's intention with regard to the proposed site?

(2) Are there any other sites under consideration, and if so, where?

Hon. J. M. BERINSON replied:

(1) The Government's intention with regard to the proposed site—Lot 192—is to allow the review currently being undertaken by the Shire of Murray, Agnew Clough, the Department of Conservation and Land Management, the Main Roads Department, and the Department of Regional Development and the North West, to be completed.

(2) There are two alternative sites under consideration. One site is the commonage area for industry on Greenlands Road west of Pinjarra town. The other site is on Alcoa land on its southern boundary near the intersection of Napier Road and the Pinjarra-Williams Road.