

Legislative Council

Thursday, 31 August 1989

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

STATEMENT - BY THE PRESIDENT

Ministerial Responsibility - Question Replies

THE PRESIDENT : I wish to make a statement. In the course of debate yesterday, comments were made about the level of responsibility a Minister in this House assumes for the accuracy of replies to questions asked of that Minister as the representative of a Minister in the Assembly. Standing Orders detail the way in which questions seeking information and their replies are to be dealt with. Such questions are examples of "responsible Government" and are seen as an important illustration of that principle. There is nothing in our written laws that defines the precise limits of ministerial responsibility. That is not to say that this House cannot determine for itself where lines will be drawn.

However, there are limitations on the way this House may call Ministers, and the Government in general, to account. This House may hold only its own members responsible - it cannot touch members of the Assembly and vice versa. Thus, when it comes to the House calling Ministers to account, it is restricted to those who are members of the Council. They must answer for the administration of their own portfolios and for the acts of the Government collectively. If a question is asked by a member of the Council of a Minister as representative of a Minister in the Assembly, the Council Minister is not acting merely as a letter box. If that were the case, it would be as if the member had addressed a letter to the appropriate Assembly Minister with no input or participation on the part of the Minister in the Council. Clearly, that is not the intention of asking a question as part of this Chamber's proceedings. Asking questions is a proceeding in Parliament and a deliberately false or misleading reply is equally as much a contempt of the House as any other breach of privilege.

It is therefore very important that all members understand that the Government of the State answers to this House through the Ministers who sit here. They are the only ones against whom this House may take action and it is for this reason that they are responsible for the content of replies given to questions. Late last year, I ordered part of a reply to be struck out and finished by saying -

In this context, I therefore direct that paragraph (3) of the Minister's answer be struck out and would ask that Ministers in this House remember that they are responsible for the replies given in their representative capacities.

If Ministers are reluctant to accept responsibility for replies based on information supplied by their Assembly colleagues, the solution is to decline to give that reply. There is no obligation on a Minister to reply to any question but, having given one, the Minister in this place is responsible for its content.

HON J.M. BERINSON (North Metropolitan - Leader of the House) [2.36 pm] - by leave: I wish to make a short statement on that ruling.

The PRESIDENT: It was not a ruling, it was a statement.

Hon J.M. BERINSON: Mr President, with all respect to your position and your experience, I have to respond in the first place by saying that your ruling is a new one in the affairs of this House and requires proper consideration. My immediate inclination is to disagree with the conclusion you have reached, but that is subject to my understanding of what you had in mind in some of the terminology employed. The question is obviously too complex and important to make any debate useful at this stage. Could I therefore simply conclude by saying that I have noted your comments; I will give them careful study and, if necessary, I will approach the House to make some substantive decision on that statement. In the meantime however, with respect, I am unable to accept your conclusion.

PETITION - CRIMES OF VIOLENCE

Sexual Assault and Child Molestation - Tougher Penalties

The following petition bearing the signatures of 494 persons was presented by Hon Barry House -

To: The Honourable the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled:

We, the undersigned citizens of Western Australia:

1. Object to the leniency of the penalties currently imposed under existing legislation for sexual assault and child molestation.
2. Urge the Government of Western Australia to introduce tougher penalties for such crimes of violence so that they will become an effective deterrent and protection for society.

[See paper No 357.]

PETITION - PROSTITUTION

Legalisation - Opposition

The following petition bearing the signatures of 503 persons was presented by Hon Kay Hallahan (Minister for Local Government) -

To: The Honourable The President and members of the Legislative Council of the Parliament of Western Australia in Parliament assembled:

We, the undersigned citizens of Western Australia respectfully sheweth that:

Prostitution attacks social justice because it:

- (a) demeans women by encouraging men to view them as sex objects;
- (b) undermines the institution of marriage by encouraging promiscuity among single men and adultery among married men;
- (c) lowers the health of the community by facilitating the spread of sexually transmitted diseases;
- (d) impoverishes the community financially by diverting funds to health and welfare programs.

As legalisation of the trade of prostitution will result in more brothels in WA, thereby intensifying social injustice, your petitioners humbly pray:

That all members of the Legislative Council vote against the proposed liberalisation of laws governing prostitution.

And your petitioners, as in duty bound, will ever pray.

[See paper No 345.]

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Consideration of Tabled Paper

HON. J.M. BERINSON (North Metropolitan - Minister for Budget Management)
[2.40 pm]: I move, without notice -

That pursuant to Standing Order No 137(C), the Council take note of tabled paper No 356 (Estimates of Revenue and Expenditure and related papers), laid upon the Table of the House on 31 August 1989.

This motion is to enable the Legislative Council to examine and debate the Budget papers associated with the Appropriation Bills which are now before the Legislative Assembly.

In his Budget speech the Deputy Premier and Treasurer described the economic and financial background against which the Government has framed the Budget and the Capital Works Program for 1989-90. A copy of that speech is included in the Budget papers which have been distributed to honourable members. It is worth repeating that, in 1988-89, Western

Australia's economy was the strongest of all States, growing by an expected 6.4 per cent, in real terms, compared with a national increase of 3.3 per cent. That economic strength was reflected in unemployment figures. At 5.4 per cent Western Australia's unemployment rate in May 1989 was the equal lowest recorded for the State since monthly collections of labour-force data began in February 1978.

Last financial year the Government also achieved a small surplus, the sixth in succession. I am pleased to note the pleasure with which Hon Phillip Pendal is receiving all this good news. Total revenue amounted to \$4 270.3 million, \$278 000 more than recurrent expenditures of \$4 270 million. The surplus was achieved after bringing to account \$19.1 million less than we planned from accumulated interest earnings and after meeting unbudgeted expenditures of \$151.5 million relating to Teachers Financial Society, Swan Building Society, Rothwells Ltd and the petrochemical project.

The 1989-90 Budget was framed against the background of decisions taken at the May 1989 Premiers' Conference which resulted in a reduction of over \$61 million in Western Australia's share of the overall level of general recurrent and hospital grants to the States. The implementation of the latest recommendations of the Grants Commission cost a further \$38 million. As a result, these grants from the Commonwealth, which comprise almost 40 per cent of our revenues, will be only three per cent higher than last year, a real per capita reduction of 6.6 per cent. In addition, our Loan Council allocations for capital works have been slashed, with the State's global borrowing allocation being effectively reduced by \$75.2 million after taking into account the special supplementation we obtained to the 1988-89 allocation. Since 1984-85 the State's global borrowing limit has been reduced by 46 per cent in nominal terms and this has made the task of framing the Capital Works Program exceedingly difficult.

In determining the Budget initiatives the Government set the following goals -

- to balance the Budget;

- to ensure that a framework is provided for future economic growth;

- to continue our drive for all Western Australians to fairly share in the economic rewards we are generating and to assist those in the community most in need;

- to deliver on our election commitments, most immediately in respect of the Family Pledge which will be implemented in full; and

- to improve the effectiveness and accountability of public sector management.

EXPENDITURE

Expenditure from the Consolidated Revenue Fund in 1989-90 is estimated at \$4 824.3 million compared with actual expenditure of \$4 270 million last year. After allowing for changed accounting arrangements relating to hospital funding, the increase is \$253.3 million, or 5.9 per cent. Every year there are special factors or major once off outlays for which adjustments should be made to get a better idea of the underlying growth in Government expenditure. The payment made last year in respect of the Teachers Financial Society is one such example and, after adjusting for these payments, the increase in recurrent outlays is estimated at around 8.6 per cent. Assuming population growth of three per cent, this represents a reduction in real per capita terms of nearly two per cent on the basis of the Commonwealth's expected 7.5 per cent increase in the Consumer Price Index, the corresponding reduction is about 0.8 per cent if the gross non-farm product deflator is substituted for the CPI.

Hon W.N. Stretch: Where do you buy one of those?

Hon J.M. BERINSON: For Hon Bill Stretch we are prepared to make it available free.

Including works in progress and drawing upon all funding sources, a total Capital Works Program of \$1 606.4 million is planned. This compares with a budgeted program of \$1 377 million last year although actual expenditure amounted to \$1 209.1 million. Adjusting for the unusually high carryover component, the underlying increase in the program is a modest 4.5 per cent. The underspending reflected delays in project planning and completion caused by the overheating in the construction industry apparent during

1988-89. It was also due to the decision made by the Government to reassess last year's Capital Works Program because of those industry conditions and the uncertainty as to the future level of Commonwealth funding.

Economic Development and Employment

Capital Works

The State Government makes its greatest impact on the building and construction industries through the Capital Works Program of its departments and authorities. Once again this year we are giving priority to housing because of the important role the industry plays in generating activity and jobs and because of the social needs it meets. Homeswest will mount a Capital Works Program of \$322.3 million, a significant increase of \$53.3 million, or 19.8 per cent. Provision will be made for the construction of about 2 000 new homes and for the development of approximately 4 300 serviced lots, including 2 500 for first home buyers. Other features of the Capital Works Program include -

An amount of \$52.1 million for hospitals and health services including the staged redevelopment of the south campus wing of Royal Perth Hospital.

An amount of \$64.4 million for a substantial primary and secondary schools capital works program, an increase of \$10.7 million, or 20 per cent on actual expenditure last year.

The continuation of the Government's unprecedented effort to improve Perth's public transport system through provision of \$54.2 million for the Perth urban rail electrification project and \$10.3 million for planning and preliminary works for the world class northern suburbs transit system linking Perth and Joondalup.

A \$372.4 million State Energy Commission of Western Australia works program to expand and improve the State's electricity and gas systems to meet sustained high levels of energy demand.

A \$210 million works program by the Water Authority of Western Australia, including \$36 million to accelerate the provision of water supply and sewerage services in the metropolitan north west corridor so that a planned 20 000 to 25 000 urgently needed housing lots can be released over the next three to five years.

Industry Support and Industrial Development

The Budget this year provides \$25.1 million to the Ministry of Economic Development and Trade to support the diversification and growth of industry in Western Australia. The concept of a petrochemical plant provides an important opportunity to advance the economic development of Western Australia and an amount of \$62.3 million has been provided to meet existing funding obligations. The Government is sparing no effort to ensure that a viable project goes ahead which will provide a return on the funds already invested and secure the very great economic benefits for the State which would follow.

Employment and Training

To stimulate employment opportunities and to fund an extensive range of training schemes, \$20.2 million has been allocated to the Department of Employment and Training, including a further \$10.5 million contribution to the State Employment Strategies Fund. TAFE colleges play a crucial role in equipping our young people for careers and in guaranteeing the skills on which our future prosperity depends. As a result of substantial restructuring now under way which will lift the effective capacity of TAFE colleges, the Government will meet its commitment to provide an extra 2 000 student places. For its part, the Government this year plans to provide more than 1 000 traineeship places in the public sector.

Social Development and Community Welfare

The Family

Fundamental to our economic and social policies is the improvement of the quality of Western Australian family life. That priority is reflected this year by the introduction of an education allowance for all school children in Western Australia to help families defray the cost of sending their children to school. At an estimated cost of \$19.6 million, families will receive \$50 for each child attending primary school and \$100 for secondary school children.

The Budget also makes allowance for our commitment to reduce the cost of registering a family car by \$20, and a further \$6.6 million is allocated to the Western Australian Family Foundation.

Hon D.J. Wordsworth: And take it back in a petrol tax.

Hon J.M. BERINSON: I continue -

Seniors

No Government has done more for senior citizens than this Government. I pause to allow Hon David Wordsworth to interject his appreciation, again, as both he and I will shortly be eligible. In 1989-90, Seniors Card holders will obtain SECWA's supply charge rebate, a 50 per cent rebate on motor drivers' licences and a spectacle subsidy of up to \$50 every two years. A 25 per cent rebate of water, sewerage and drainage rates will be phased in with the first component of that rebate to apply from 1 July 1990. These benefits are, of course, additional to those already applying. In total, the range of concessions and other assistance measures available will cost an estimated \$5.5 million in 1989-90.

Community Welfare

Since 1982-83, funding for the Department for Community Services has increased by almost 165 per cent, reflecting the importance we place on securing the welfare of those in the community most in need. The department's allocation of \$103.8 million in 1989-90 includes payments to the non-Government sector amounting to \$24.2 million.

Education

A priority of this Government is to ensure that each school-aged child receives a quality education which is relevant to changing technological and labour market demands. Reflecting this priority, expenditure by the Ministry of Education will increase by an estimated 13.4 per cent to \$902.7 million. Provision has been made to employ an additional 223 teaching and support staff to reduce class sizes in years one and two, and to meet demands in schools due to increasing enrolments, new schools, and extensions and improvements to existing schools. Per capita grants to non-Government schools will increase from \$43.3 million last year to \$48.5 million and advances of \$36.2 million are planned under the Government's low interest loan scheme for non-Government school buildings.

Health

An accessible and efficient hospital and health care service is a fundamental right of all our citizens and, to provide a comprehensive health system, gross expenditure by the Health Department will increase by 9.5 per cent. Apart from meeting the ongoing operational costs of our public hospitals, some of the features of the recurrent expenditure program are -

- \$7.3 million for the patients assisted travel scheme to ensure that specialist medical services are available to the whole community;

- \$40.2 million for the joint State/Commonwealth home and community care program; the appointment of additional medical officers to upgrade the accident and emergency services at Wanneroo, Swan Districts, Kalamunda, Armadale and Rockingham Hospitals;

- additional funding of \$2 million to help reduce waiting lists; and

- \$5 million will be allocated to the Western Australian Health Foundation to help eliminate the tragic impact that smoking has on the health of the community. The Quit Campaign will continue and we will widen our anti-smoking efforts.

The Environment

This Budget strikes a proper balance between economic need and the preservation of our unique lifestyle. We are committed to arresting and reversing salinity and soil erosion of our rural land by the turn of the century and a series of related initiatives are contained within the budgets of the Environmental Protection Authority, the Department of Conservation and Land Management, and the Department of Agriculture. Included within the Budget of \$100.8 million for the Department of Conservation and Land Management are funds for the ongoing program of establishing and tending softwood plantations on either State-owned

land or privately-owned land. In addition, CALM's hardwood sharefarming scheme will be expanded and this year will see the area planted being more than doubled from 2 000 to 5 000 hectares. Funds for the Environmental Protection Authority are to be increased by 9.3 per cent to \$7.8 million and other aspects of our programs to protect the environment are -

further allocations of \$680 000 to implement the second stage of the Peel-Harvey Estuary system management strategy which aims at improving conditions of the estuary waters;

an allocation of \$350 000 for district soil conservation committees including provision of \$106 000 for the formation of additional committees; and

a total of \$500 000 to provide incentives to farmers for the protection of remnant native vegetation.

Other Measures

Other notable expenditure initiatives include -

A \$240.5 million budget for the Police Department including funding for the second stage of the Government's crime prevention plan to increase the size of the Police Force by 1 000 officers -

Hon George Cash: Over what period of time?

Hon J.M. BERINSON: Over four years.

Hon George Cash: It was agreed at three years.

Hon J.M. BERINSON: As the honourable member would know, the extension of that program from three to four years was done not only with the agreement of the Commissioner of Police but followed positively from a report by the commissioner as to the difficulty within the Police Force of coping with larger measures earlier. I do not want to be distracted too far from my prepared comments, but since Hon George Cash has thought it appropriate to raise the question of police numbers, I point out that in the projections on the Opposition's election program the increase in the Police Force would not have amounted to more than 200 officers over the next three years.

Hon George Cash: Absolute rubbish.

Hon J.M. BERINSON: I return to expenditure initiatives. The Budget includes an allocation of \$78.3 million to the Department of Agriculture to continue its important programs on research, extension and protection of our agricultural industries and the conservation of soil and water resources; \$44 million for the Department of Mines, an increase of just over 10 per cent in recognition of the crucial role the department plays in facilitating the ordinary exploration and development of our mineral and petroleum resources for the benefit of the community and in regulating and providing advice to our vital mining sector; and significant Budget allocations to assist the Aboriginal people of Western Australia. The Aboriginal communities development program is in its fourth year of operation and a further State allocation of \$10 million has been provided in 1989-90. The State allocation, which will be matched by Commonwealth funds, will be used to fund ongoing and new projects in areas such as land management, community management and enterprises. Efforts are also continuing to reduce the impact of alcohol and drug related problems among Aborigines and funding is proposed for community-based programs throughout the State, including education and training initiatives.

The Aboriginal visitors scheme, now in its second year of operation, has been successfully implemented in Broome, Perth, Kalgoorlie and Geraldton. The scheme is designed to reduce the incidence of Aboriginal deaths in custody. A sum of \$1.1 million has been allocated in 1989-90 and it is planned to extend the scheme to Bunbury, Albany, Roebourne, Halls Creek, Derby and the wheatbelt area; \$11.9 million is allocated to enable the commission and the Department of Occupational Health, Safety and Welfare to meet the challenging objectives contained in their enabling legislation; and an outer metropolitan facilities development fund will be established to accelerate the development of multipurpose centres in those areas lacking adequate recreational facilities. A figure of \$3 million has been provided as the first instalment of a four-year program.

REVENUE

The expenditure programs I have just described followed a critical reassessment of all departmental outlays. Even after the most stringent review of Government expenditures, however, it was evident that there was no alternative but to introduce additional revenue raising measures so that the urgent policy reforms endorsed by Western Australians at the last election could be implemented without severe and unacceptable disruption to important ongoing programs.

Hon P.G. Pandal: Endorsed by 75 per cent!

Hon J.M. BERINSON: It needs to be recognised that, in recent years, reductions in Commonwealth payments to Western Australia have meant that a growing proportion of our outlays must be met from State revenue sources. Fortunately the strong growth in the economy, particularly in the real estate and property areas, has bolstered our revenue and cushioned the impact of the Commonwealth cuts at a time when they have been most severe. For 1989-90, however, that cushion will not be there to offset Commonwealth funding reductions, which amount to \$100 million in grants alone. There are clear signs of moderating economic activity, particularly in the real estate sector, which will depress our revenue collections. Indeed in the absence of any revenue raising initiatives, State taxation collections were projected to increase by only 2.3 per cent, implying a real reduction of between four per cent and 5.2 per cent, depending on the measure of inflation used.

Last Thursday the Premier announced increases in tobacco franchise licence fees to fund a more intensive anti-smoking campaign and to partly offset the enormous cost to our health system of treating smoking related illness. That move will result in \$16.5 million extra revenue in 1989-90 and \$28.5 million in a full year.

The taxation measures announced in the Budget today will raise a net \$42.6 million in 1989-90 and \$77.3 million in a full year. As a result, total State taxation collections are expected to grow by 6.9 per cent compared with the Commonwealth's projected inflation rate of 7.5 per cent as measured by the Consumer Price Index and an estimated population growth of about three per cent.

Payroll Tax

Changes are to be made to the various threshold levels and tax rates to yield \$13 million in 1989-90 and \$22.5 million in a full year. There will be a small increase in payroll tax rates. The current 3.75 per cent, 4.75 per cent and 5.75 per cent rates will increase to 3.95 per cent, 4.95 per cent and six per cent respectively. In addition the payroll threshold at which the maximum payroll tax rate begins to impact will be lowered from the current \$2.124 million to \$2 million. Despite these changes, which will be introduced from 1 November 1989, Western Australia will continue to have the lowest payroll tax rates for small business of any State and the lowest payroll tax liability for employers with annual payrolls in the \$1 million to \$2 million range. Partly offsetting the increased rates, and of benefit to small business, will be a lift in the current payroll thresholds. The \$295 000 and the \$1.18 million thresholds will be lifted to \$300 000 and \$1.2 million respectively.

Hon P.G. Pandal: Pretty generous.

Hon J.M. BERINSON: The maximum payroll tax rate of six per cent will not apply immediately the \$2 million payroll threshold is reached, but will be phased in over the payroll range \$2 million to \$2.5 million. This will redress the previous inequity where an employer whose wages just exceeded the maximum payroll threshold was required to pay around 20 per cent more payroll tax than an employer whose wages fell just below this level. The cost of these concessions is estimated to be \$1 million in 1989-90 and \$1.9 million in a full year.

Stamp Duty on Transfers of Businesses

The sale of a business already attracts stamp duty at conveyance rates where the transfer is effected by a formal instrument. However, where less formal means are used, certain business property, such as goodwill and other intangible assets, escapes duty. Although it is recognised that in some cases there are legitimate reasons for less than full documentation of business sales, there is also evidence of a growing tendency towards less than full documentation for the purpose of avoiding stamp duty. Accordingly, the provisions of the

Stamp Act, which already require stamp duty to be paid in respect of realty transfers, including mining tenements effected other than by formal instrument, are to be extended to apply to business property generally. Similar measures have applied in many years in Queensland and more recently in New South Wales.

Additionally Western Australia will legislate to make it clear that licences, franchises and the like are dutiable property. The value of these items is similar in nature to goodwill, which has always been dutiable. However, although the Commissioner of State Taxation has sought to apply duty to these items, recent court decisions have cast doubt on this practice and raised the prospect of substantial revenue loss. Further details on these initiatives will be provided when the enabling legislation is introduced. These measures are to apply from 1 November 1989 and are estimated to increase conveyance duty receipts by \$2 million in 1989-90 and \$5 million in a full year, although the impact on small business and those purchasing principal places of residence will be eased by an increase in the value limit for which the concessional 1.5 per cent rate of stamp duty applies from \$50 000 to \$85 000.

Stamp Duty on Chattels

Western Australia is currently the only State which permits the exclusion of chattels from the dutiable value of a conveyance of realty, including residences, commercial and industrial and mining property and businesses. This exemption is to be removed for all chattels except trading stock, materials for goods under manufacture, and chattels used in primary production, including livestock. The move will also close a common evasion practice where the proportion of the consideration attributable to chattels is overstated. For an average residential property transaction it is estimated that the stamp duty payable will increase by six per cent. The overall conveyance duty impost will however continue to be less in Western Australia than the average of the other States. This measure, which will come into effect on 1 November 1989, is estimated to raise additional revenue of \$9 million in 1989-90 and \$16 million in a full year.

Two concessions are to be introduced to reduce the impact of this measure on home buyers. First, and as I just mentioned in respect of small business and principal places of residence, the value limit for the concessional 1.5 per cent rate of duty will be increased from \$50 000 to \$85 000. Second, the value limits which apply to the first home buyers' \$500 stamp duty rebate scheme - a major concession initiative of the Government earlier this year - are to be increased from \$80 000 to \$85 000. The value limit for homes north of the 26th parallel is to be increased from \$120 000 to \$127 500. The cost of these concessions is estimated to be \$1 million in 1989-90 and \$2 million in a full year.

Stamp Duty on Mortgages

Western Australia currently has the lowest rate of mortgage duty of any State in Australia for secured loans of more than \$35 000. The stamp duty rate for securities of up to \$35 000 will remain at the current 25¢ per \$100.

Hon D.J. Wordsworth: Shame on you.

Hon W.N. Stretch: Ned Kelly will soon break into a full gallop.

Hon J.M. BERINSON: Is Hon David Wordsworth saying it is a shame that we are retaining the current rate of 25¢ per \$100 on securities up to \$35 000? I think Hon David Wordsworth's interjection, if anything, was a bit premature.

I will continue: However, to bring Western Australia into line with the average of the other States for securities of more than \$35 000, a new rate of 40¢ per \$100 will apply to that component of the security value which exceeds \$35 000. The new rate will not apply to mortgages for the purchase or construction of owner-occupied residences. The existing 25¢ rate will continue to apply on the total value of these mortgages, irrespective of the amount. These changes are to operate from 1 November 1989 and are estimated to raise additional revenue of \$8 million in 1989-90 and \$15 million in a full year.

Financial Institutions Duty

Western Australia currently has the lowest rate of financial institutions duty of any State where this duty applies, and from 1 November 1989 the rate will be raised from 2¢ per \$100 to 3.5¢ per \$100, yielding additional revenue of \$14 million in 1989-90 and \$25 million in a full year. The new rate in Western Australia will be mid way between the

3¢ per \$100 rates applicable in New South Wales and Victoria, and the 4¢ per \$100 rates applicable in South Australia and Tasmania. There will be no increase in the \$500 maximum duty limit or in the rates applicable to the short term money market transactions. Apart from the revenue measures I have just described the Government will introduce three stamp duty concessions which are designed to improve the equity and impact on economic efficiency of the tax system.

Stamp Duty on Insurance Policies and Rental Business.

Insurance companies and rental businesses are required to pay stamp duty on premiums and rental business receipts respectively. It is normal practice for the stamp duty cost to be passed on to the customer, which of course increases the premiums or hire charge upon which duty is payable. Claims have been made by taxpayers that this amounts to a duty on duty. The Government agrees that in certain circumstances this claim is difficult to refute and has decided to alter the Stamp Act to remove the basis of that claim. For the purpose of calculating the dutiable amount upon which stamp duty is payable, the total premium or hire charge will be reduced by an amount equal to the stamp duty component. The estimated cost of this measure is \$800 000 in 1989-90 and \$1.3 million in a full year.

Proportionate Stamping Provisions for Securities

At present full stamp duty is payable in this State on mortgages and other securities where a proportion of the secured property is located in Western Australia. While a credit is allowed for duty actually payable in respect of the secured property located in other States, there is no allowance for the situation where a specific exemption is provided in another State. It is intended that credit will be given in future for prescribed exemptions in other States. This measure is to apply from 1 November 1989 at an estimated cost of \$600 000 in 1989-90 and \$1 million in a full year.

Stamp Duty on Secondary Mortgage Market Instruments

In consultation with the industry, the Government intends to legislate to provide additional stamp duty concessions to encourage the development of a secondary mortgage market in Western Australia. The ultimate beneficiaries will be home buyers through lower interest rates and greater availability of funds for housing, and investors, who will have a wider choice of investment opportunities.

PUBLIC SECTOR MANAGEMENT AND ACCOUNTABILITY

Stringent economic times mean that we must continually examine all existing Government expenditure programs to confirm that they are still required and are being delivered at the least possible cost. The Government is moving to simplify this process by fully implementing program management. The aim is for program management to be introduced in as many agencies as practicable by the time next year's Budget is brought down. This initiative will link financial management with the accountability and annual reporting requirements of the Financial Administration and Audit Act. As a result, Parliament and the community will be better informed about the operations of departments and agencies, and the effectiveness of their activities. In recent times considerable emphasis has been placed on the need for increased accountability for all those charged with the spending or investing of taxpayers' funds.

Our actions in setting up the Burt Commission on Accountability, and moving swiftly to implement its recommendations, illustrate the commitment which this Government has to accountability. We also note the Burt commission's conclusion that the Financial Administration and Audit Act, introduced by a Labor Government in 1986, embodied all the detailed accountability criteria which had been advanced by the commission.

The Government has made significant improvements in recent years in the coverage and presentation of the Budget papers. For the first time this year information on public sector finances will be shown on a national accounting basis, and this will provide a better understanding of the economic impact of the State Government's activities on the Western Australian economy. It will also enable more meaningful interstate comparisons. It is of interest that these broadly based national accounting figures show that total State public sector outlays are expected to grow by 10.5 per cent to a level about the same as last year in real per capita terms. However, the increase in general Government spending is projected to

be only 5.1 per cent, with overall expenditure being boosted by a high 21.6 per cent increase in outlays by public trading enterprises. The reason for the projected high spending by trading enterprises is an expected 35.6 per cent lift in capital outlays, reflecting the commercial decisions planned by organisations such as the State Energy Commission of Western Australia and the Water Authority in servicing the needs of a growing population and State economy.

The 1989-90 Budget is the first since our undertaking that over our four-year term we would seek to contain the growth in our outlays, the growth in taxation revenue and the growth in public debt to less than the growth in the State's economy. This is a major commitment by the Government and one which reflects its preparedness to contribute to the achievement of national macro economic objectives.

BUDGET OVERVIEW

After bringing to account \$75 million of available short-term interest earnings, revenue collections are estimated at \$4 824.3 million in 1989-90. Total recurrent expenditure outlays are planned to be held at the same level and we are again aiming for a balanced Consolidated Revenue Fund Budget.

The strategies and initiatives that the Deputy Premier and Treasurer has announced today will provide a framework for the continued prosperity of Western Australia, and set targets in public sector management to ensure that Government provides the room for that economic growth. The Budget addresses our national economic responsibilities while continuing to focus on areas of greatest economic opportunity and social need. Most importantly, it provides stability and direction by continuing and strengthening the policies that have been advanced over the past six years.

I commend the Budget to the House.

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

NOTICE OF QUESTIONS - PROCEDURE

Standing Order No 139

[During Notice of Questions.]

The PRESIDENT: Order! I have had it drawn to my attention that Hon P.G. Pental is disregarding Standing Order 139, which governs the manner in which members should give notice of questions. I take it that subsequent questions will conform.

Hon P.G. Pental: I will check Standing Order No 139.

The PRESIDENT: Order! It reads as follows -

139. (a) Except as provided in SO 141, written notice of any question, signed by or on behalf of the member giving notice, shall be delivered to the Clerk's Office not later than one hour before the time appointed for the House to sit on that day.
- (b) Notice of any question delivered later than the time provided for in SO 139(a), but before the time appointed for the House to meet, may be included in that day's notice of questions.
- (c) Oral notice of any question to which SO 139(a) and SO 139(b) apply may be given at that day's sitting at the time provided for in SO 115.

The Clerk advised me that the provisions of Standing Order No 139 (a) and (b) have not been complied with.

Hon P.G. Pental: Is the Clerk suggesting that these questions were submitted earlier? If that is the submission it is incorrect as these are different questions.

The PRESIDENT: The honourable member has a bit of difficulty understanding what I am saying.

Hon P.G. Pental: True.

The PRESIDENT: I am saying exactly the opposite to what he said. He has not submitted these questions, so he may not read them. I am not saying that the member has submitted them, I am saying that he has not.

There seems to be some misunderstanding on the part of honourable members in regard to seeking information and question time. I thought that the way the new Standing Orders looked in the new format was pretty clear. Now, if honourable members want to alter the way in which questions are asked, they are perfectly free to make any recommendations for alterations at any time. Yesterday an honourable member did the same thing and went dangerously close to being out of order. However, he had sneaked in by the skin of his teeth in advising the Clerks that he intended to raise a question.

Hon P.G. PENDAL: Mr President, I apologise to the House. Perhaps it might be the case that I could have been given the advice yesterday in the knowledge that the questions were submitted in the same way yesterday. Nevertheless, I will conform to the Standing Orders in submitting them in the correct way.

The PRESIDENT: The member could ask them in questions without notice and have the Minister tell him to put them on notice, but I suggest that that would be incorrect. I remind honourable members that the Clerks are here to give advice to them on procedures. If the same thing occurred yesterday, I was not informed of it, and I can only give a ruling when I know that a contravention is taking place.

MOTION - TREES

Shire By-law - Removal Powers

HON R.G. PIKE (North Metropolitan) [3.29 pm]: I seek leave to postpone the moving of the motion standing in my name for 10 sitting days in order to give the Joint Standing Committee on Delegated Legislation an opportunity to consider the matter. The motion deals with a shire by-law relating to the removal of material which will give the shire the power to remove any trees in the district on the say so of the shire. Therefore, there is no protection of the ratepayer or the landowner. It is an objectionably far too heavy law, and because we have a Joint Standing Committee on Delegated Legislation I think it is appropriate that my motion be passed as the proposed by-law represents a basic infringement of the right of landowners, particularly in a time when we are encouraging people to plant trees. It should be referred to the Joint Committee on Delegated Legislation.

Leave granted.

Point of Order

Hon J.M. BERINSON: Mr President, I seek your clarification: Is Hon Bob Pike proposing to move the referral to the committee?

Hon R.G. Pike: My understanding is that it stands referred.

The PRESIDENT: Order! I do not think we have a committee. Assuming a committee is appointed within the next 10 sitting days, it will have the jurisdiction to look at the matter. I advise the Leader of the House that it is not necessary for the member to do that.

[Resolved, that business be continued.]

BILLS (7) - INTRODUCTION AND FIRST READING

1. Evidence Amendment Bill
2. Justices Amendment Bill
3. Taxation (Reciprocal Powers) Bill
4. Wills Amendment Bill

Bills introduced, on motions by Hon J.M. Berinson (Attorney General), and read a first time.

5. Acts Amendment (Parole) Bill

Bill introduced, on motion by Hon J.M. Berinson (Minister for Corrective Services), and read a first time.

6. **Heritage Enhancement and Preservation Bill**
Bill introduced, on motion by Hon P.G. Pendal, and read a first time.
7. **Northern Mining Corporation (Acquisition) Amendment Bill**
Bill introduced, on motion by Hon R.G. Pike, and read a first time.

MOTION - SELECT COMMITTEE

Parole

HON J.M. BERINSON (North Metropolitan - Minister for Corrective Services) [3.38 pm]:
I move -

1. A Select Committee of four members, any three of whom constitute a quorum, be appointed to inquire into and report on parole and more particularly -
 - (a) the function of parole and its effectiveness as part of the criminal justice system;
 - (b) a comparison of the current system with that it superseded and systems in similar jurisdictions;
 - (c) whether, on an analysis of the current system, changes are necessary or desirable in relation to:
 - (i) the circumstances in which eligibility for parole may be ordered by the court;
 - (ii) the addition, removal or alteration of the statutory criteria under which a court determines that eligibility;
 - (iii) the factors and the formulae, which determine the date of eligibility for release or consideration of release on parole and the period of parole;
 - (iv) whether, and under what circumstances, release should be automatic or at the discretion of the Parole Board;
 - (v) the addition, removal or alteration of the statutory criteria under which the Board makes decisions and recommendations about parole or its revocation;
 - (vi) the impact of parole on a sentence including its influence on eligibility where allowance is made by the court in passing sentence for time spent in custody before trial and sentencing;
 - (vii) the relationship between, and effects of, remissions and other prison programs on the parole system;
2. The committee have power to send for persons, papers and records;
3. The proceedings of the committee during the hearing of evidence be open to accredited representatives of the news media and the public;
4. The committee report not later than 31 May 1990;
5. The Legislative Assembly be invited to appoint a like committee and, in that event, the committees have power to meet and confer jointly.

The current Western Australian parole system came into effect on 15 June 1988 with the support of all parties in both Houses of Parliament. The introduction of this revised system was in response to sustained criticism of the previous system that had been in operation since 1964. Parole in its present form may be said to have had its Australian origins in a report in 1951 by the Late A.R. Whatmore, the then Inspector General of Penal Establishments in Victoria. He defined parole as -

A method of releasing prisoners from institutional treatment to life in the community under prescribed conditions and with the aid of adequate supervision. It is not a right, nor a reward for good conduct. It provides the parolee with help and guidance over

the difficult period when he endeavours to readjust himself to life in the community; it retains control so that he may be returned to custody if he breaks the conditions of his parole. Parole is part of the sentence.

The basic philosophy of parole, as set out in the Whatmore report, has not changed for nearly 40 years. The parole order as a method of community based supervision is now widely available throughout Western Australia. In the view of the Government, it has been and remains an important and successful part of contemporary correctional systems. The effectiveness of parole in Western Australia has been measured statistically. Recent research has shown, for example, that about 70 per cent of offenders successfully complete their parole periods. These results are impressive, especially in the context of the difficult socioeconomic circumstances in which many parolees must function.

The modifications introduced in 1988 through the Acts Amendment (Imprisonment and Parole) Act aimed to significantly improve the parole system while preserving its fundamental features. The underlying rationale was to preserve as a first priority the protection of the public, while on the other hand to provide a greater degree of certainty for prisoners and positive incentives for their continued good conduct. The basic philosophy that parole is a privilege and not a right was retained and, indeed, enhanced.

The main changes resulting from the new legislation can be summarised as follows -

Courts now impose a single term of imprisonment appropriate to each offence.

The need for the courts to impose minimum as well as maximum terms for each term of imprisonment to each offence was abolished.

The availability of parole requires the court to make a positive order to that effect. The date of eligibility for that parole is then determined by the application of a statutory formula.

In general, parole periods range from a minimum of six months to a maximum of two years. The maximum period was arrived at on the basis of consistent professional advice that parole periods in excess of two years are unlikely to be of any value and are very often counter-productive.

In the majority of cases, release on parole after thorough review is virtually automatic. This has allowed for a greater degree of certainty for prisoners and their families. However, the Parole Board has an unfettered discretion to defer, refuse or cancel parole in cases where special conditions exist, particularly where issues of public safety arise. The Parole Board also has the power to determine its own procedures.

Credit is given for half of so-called "clean street time" as an added incentive for continued good behaviour on parole.

Past major reviews of the parole system included the Parker report in 1979 and the Dixon Committee of Inquiry into the Rate of Imprisonment in 1981. The revised system was generally in line with the recommendations of the Law Reform Commission at the time. When the new parole system came into effect in June last year, I indicated publicly that it should be subject to review after a reasonable period of operation.

Intense public interest in the parole system, which has been aroused by a number of recent high profile cases, reinforces the desirability of the review at this time. Both the old and the new parole legislation provided the courts with an absolute discretion in deciding on eligibility for parole. When considering an order to allow a person to be eligible for parole, the court may have regard to any or all of the following matters -

The nature of the offence;

the circumstances of the commission of the offence;

the antecedents of the convicted person;

circumstances which are relevant to the convicted person or which might be relevant at the time when he would become eligible for parole; and

any other matter that the court thinks relevant.

The new parole legislation also allowed the Parole Board maximum discretion in both its decisions and its procedures. This reflects an acceptance of the view that the effectiveness

and acceptability of a parole system requires an independent decision making authority. However, criteria to guide the board are set out in section 40B(4) of the Offenders Probation and Parole Act.

Given my earlier undertaking to review the system as well as recent expressions of community concern, the Government has agreed to recommend the appointment of a Joint Select Committee to review and make recommendations on all aspects of the parole system. A Joint Select Committee is regarded as the most appropriate form of review as all previous parole Bills, and all amendments to them, have been supported on all sides of the Parliament. That cross party agreement has continued for 25 years and it is important that this position be maintained to the maximum extent possible.

The proposed Joint Select Committee will not have an easy task. As the terms of reference indicate, the parole system does not exist in a vacuum and any proper consideration of it must be in the context of the broader law enforcement system in which it operates. While the committee will establish its own procedures, I would expect that it will invite public submissions in view of the widespread community interest in this issue. It is proposed that the committee should report its findings by 31 May 1990.

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

Sitting suspended from 3.46 to 4.01 pm

[Questions without notice taken.]

MOTION - DE FACTO RELATIONSHIPS

Select Committee - Appointment

HON J.M. BERINSON (North Metropolitan - Attorney General) [4.38 pm]: I move that -

1. A Select Committee of four members, any three of whom constitute a quorum, be appointed to inquire into and report on -
 - (a) the general law applicable to de facto relationships in Western Australia;
 - (b) the adequacy of that law and whether it should be extended, modified or otherwise altered, particularly with reference to -
 - (i) the definition of de facto for the purposes of any written law;
 - (ii) maintenance;
 - (iii) real and personal property;
 - (iv) workers' compensation;
 - (v) inheritance; and
 - (vi) domestic violence.
2. The committee have power to send for persons, papers and records.
3. The proceedings of the committee during the hearing of evidence be open to accredited representatives of the news media and the public.
4. The committee report not later than 11 March 1990.
5. The committee have power to present interim reports.

Members will recall that I moved to appoint a Select Committee to inquire into and report on de facto relationships in Western Australia in the previous session of Parliament last year. When Parliament was prorogued the motion lapsed and it is, therefore, necessary to consider the question again.

De facto marriages have always been a feature of Australian society, and have always been accorded some degree of recognition by our legal and social system. Studies by the Australian Bureau of Statistics and the Institute of Family Studies in 1982 revealed that at least 4.7 per cent of Australian couples at that time lived in de facto relationships, and that

nearly two-thirds of those relationships had been maintained for more than two years. The studies also indicated that more than 40 per cent of people living in de facto relationships were over 30 years of age, and 36 per cent of de facto couples had the care of children. Half of these families included children born of a previous relationship. The studies concluded that members of no particular section of Australian society were especially likely to enter into de facto relationships, and that such relationships were an increasingly common alternative to traditional marriage.

In summary, de facto marriages are not uncommon; there are frequently children of, or in the care of, the parties; and they are not confined, as some might believe, to hedonistic youth or the socially disadvantaged. They occur at all ages and in many different groups within our society. It is clear, however, that many couples enter into de facto relationships without considering the extent or the limits of the legal implications involved. The terms of reference in this motion reflect the principal areas of concern in Western Australia.

First, the definition of the term "de facto spouse" is by no means uniform in the various pieces of legislation in which it occurs. A striking example is that certain Commonwealth benefits legislation defines de facto relationships in a way that requires couples to have cohabited for two years or have a child, in order to qualify for benefits which accrue to married couples, but waives the "two year" rule for the purposes of means-testing de facto spouses on the basis of their partner's income. There are similar anomalies in State legislation. Most of the perceived difficulties with de facto relationships arise from financial considerations, such as those which occur in questions of maintenance, property, workers' compensation and inheritance. Presently in this State a de facto spouse has no general responsibility to maintain his or her partner although there is a requirement to maintain the children of a de facto relationship. On the dissolution of a de facto relationship, no account is taken of non-financial contributions by a claimant spouse in the division of relevant property. The law does not currently provide to de facto partners the same protection that it extends to married partners under threat of domestic violence.

In 1983 the New South Wales Law Reform Commission reported on the following reference -

To enquire into and review the law relating to family and domestic relationships, with particular reference to the rights and obligations of a person living with another person as the husband or wife de facto of that other person, and including the rights and welfare of children of persons in such relationships.

Following this report, legislation which modified and clarified the legal status of de facto relationships was enacted with cross-party support.

In August 1987 I received a submission from a Western Australian group, the De Facto Relationship Law Reform Working Party. This group argued the need for a modified version in this State of the New South Wales legislation. They argued, in brief, that Western Australia should adopt the maintenance and property provisions of the New South Wales legislation, and an enhanced version of the provisions of that legislation which dealt with beneficiaries under workers' compensation and inheritance law. The submission did not call for provisions to reflect the New South Wales arrangements in respect of adoption of children, mental health legislation, or for cohabitation and separation agreements.

It may be argued that any enhancement of the legal status of de facto relationships would encourage their proliferation. However, it might equally be argued that the additional responsibilities imposed by such a change of status would have a deterrent effect, and encourage couples to opt for traditional marriage. Similarly, it can be argued that protection must be provided for those who unwittingly drift into de facto marriages; for example, I am acquainted with tragic cases involving spouses who have been left unexpectedly destitute. On the other hand, many couples consciously choose to avoid the legal constraints of marriage proper; and one could argue that they should be free to exercise that choice.

This Government, more than any other in recent times, has sought to recognise and enhance the role of the family in maintaining a stable and peaceful society. In almost all cases, attention has been concentrated on the traditional family unit. However, the fact is that there are thousands of families in our community which are headed by de facto couples, and that situation is unlikely to alter. In these circumstances, it is important that consideration be

given to some consistency in the approach to the rights of de facto spouses, and to the possibility of extending those rights beyond current limits.

Any proposal to change the laws which affect de facto couples and their children must be widely aired and given the most careful and serious consideration. A Select Committee is a very appropriate vehicle for that purpose.

I commend the motion to the House.

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

MOTION - PETROCHEMICAL PROJECT

Documentation Presentation - Tabling

HON E.J. CHARLTON (Agricultural) [4.47 pm]: I move -

That the Honorable J. M. Berinson, Leader of the Government and Attorney General, lay before this House not later than Wednesday, 11 September 1989, the following documents-

- (1) the memorandum of understanding between the Western Australian Government and Bond Corporation Holdings Ltd entered into on or about 28 July 1988;
- (2) any document(s) including letters that record or constitute any agreement, arrangement or understanding between the Government or any company that it controls, Bond Corporation Holdings Ltd or companies associated with Bond Corporation concerning -
 - (a) the ultimate control of Petrochemical Industries Ltd;
 - (b) the provision of funds to PICL;
 - (c) the ultimate or future ownership of PICL; and
 - (d) the project being undertaken by PICL;
- (3) the shareholders agreement between WA Government Holdings Ltd, Megamulti Ltd (subsequently known as Bond Petrochemicals #1 Pty Ltd) and Siancof Pty Ltd (subsequently known as Bond Petrochemicals #2 Pty Ltd) entered into on or about 17 October 1988;
- (4) the deed of undertaking (also known as the "first deed") entered into by WAGH and Petrochemical Industries Ltd on or about 17 October 1988;
- (5) the deed of undertaking (also known as the "second deed") entered into by WAGH and Petrochemical Industries Ltd on or about 27 January 1989;
- (6) the cash deficiency deed entered into by WAGH and Petrochemical Industries Ltd on or about 27 January 1989;
- (7) the Treasurer's guarantee annexed to the second deed;
- (8) the agreement in early February 1989 whereby WAGH became a party with PICL and SECWA for the supply of electricity, ethane and natural gas for use in the petrochemical project;
- (9) the facility agreement entered into by WAGH and PICL on or about 26 January 1989;
- (10) the notice from Security Pacific Australia Ltd and Indosuez Australia Ltd outlining reasons for the banks' considering that the first deed was inadequate;
- (11) a statement explaining in detail the reasons for the increase of \$371 million between 21 October 1988 and 28 July 1989 in the estimated cost of completing and commissioning the petrochemical project;

- (12) the guarantee(s) from the Treasurer held by the SGIC in relation to its purchase of debentures to the value of \$175 million issued by WAGH to enable the purchase of the petrochemical project;
- (13) all correspondence and affidavits lodged by WAGH as exhibits in the Supreme Court on 28 July 1989 in support of the petition to wind up PICL;
- (14) any of the following documents, including copies, in the possession or under the control of the Government-
 - (a) the construction contract between PICL, JGC Engineers Australia Pty Ltd and Clough Engineering Ltd entered into on or about 28 March 1988;
 - (b) the supply contract between PICL and JGC Corporation dated on or about 28 March 1988;
 - (c) the amendments to the construction contract between PICL, JGC Engineers Australia Pty Ltd and Clough Engineering Ltd that came into effect on 21 October 1988;
 - (d) the amendments to the supply contract between PICL and JGC Corporation that came into effect on 21 October 1988;
 - (e) a statement of all moneys paid and still owing by PICL to Bond Corporation Holdings Ltd or its nominees as managers of the petrochemical project;
 - (f) a statement of all moneys paid to date and still owing by PICL to JGC Corporation, JGC Engineers Pty Ltd and Clough Engineering Ltd in relation to the construction and supply contracts,

and that the documents be laid before the House without excision, alteration or interlineation.

Members may be aware that the documents referred to in this motion may now have been tabled; however, I emphasise the last line of the motion: That the documents be laid before the House without excision, alteration or interlineation. It is absolutely critical that we in this Parliament, at this belated time, have the opportunity, on behalf of the public of Western Australia, to see any piece of documentation entered into by this Government in relation to this ongoing and disgraceful saga. One example is the detail regarding the costing arrangements by the State Energy Commission of Western Australia for the supply of electricity for the petrochemical project. If we do not apply pressure to ensure that is done, we will reach a position somewhere down the track where we will be told that everything has been put before us, when in fact in all probability, if the future is anything like the past, some things have been excluded.

A pertinent reason for the National Party's continuing to raise this matter is that we are absolutely appalled at what has happened during the last few days. We seem to have been conveniently sent up the garden path in respect of the central question. I refer to the headline in today's issue of *The West Australian*, "Bond did threaten Dowding". That is yet another example of this long and progressive saga of misleading headlines. I do not know what the people who write that sort of thing have in mind; they should be bringing before the public of Western Australia the real issue. One opens up that paper and again, among two or three other headlines, we see that some media people follow the line that the most important thing is whether the Bond representatives put pressure on the Premier or the Government and the Bond statement fails to answer allegations. If you, Mr President, or I, or anybody else entered into a legal and binding agreement and one of the partners did not honour that agreement, would we, the victims of that arrangement, sit back and say nothing? The Government rushed to get involved with the Bond Corporation, but because of the problems with which it was confronted and because now it is not convenient, the whole emphasis has been put on how someone in the Bond Corporation came to the Government and asked whether it would honour the agreement. Whatever arguments were used are beside the point.

Hon J.M. Berinson: Mr Charlton, are you aware that there is a very serious legal dispute presently in the Supreme Court on that very question?

Hon George Cash: Is that the excuse you are going to use?

Hon E.J. CHARLTON: That is precisely the reason the Leader of the House should have come to the people of Western Australia a long time ago, before we debated having a proposed authority to look after the public's interest and the Government's interest in this project. That is the reason we are now three quarters of the way through 1989 and have not seen a damned thing on which the public of Western Australia can make an informed judgment. The financial implications facing each man, woman and child of this State now and in the future will be a burden. It is all very well to say that it is now before the courts.

Hon J.M. Berinson: I only said that because you seem to be taking a view which is on one side of that dispute.

Hon E.J. CHARLTON: What the Leader of the House says may or may not be correct.

Hon George Cash: You are on the other side, aren't you, Mr Berinson?

Hon E.J. CHARLTON: The fact is the Government entered into an agreement on behalf of the people of Western Australia - the Government is the people of Western Australia - without their knowledge. All that we hear from the Government now, while the matter is before the court, is that "we poor people are being victimised by the ruthless Bond Corporation; this terrible group of people are taking to us with a big stick". Everybody knows that Bond Corporation is not the flavour of the month and is not very popular in the eyes of the people of Western Australia. The Government is therefore aligning itself with the people of Western Australia who have it in for the Bond Corporation by taking a sleazy way out of the situation it became involved in.

In all the time which has elapsed since this Parliament last sat, we have been witness to a charade of various positions which the Government has adopted. One minute the project is going ahead; the next minute it is off the agenda; the next minute it is dead. The Leader of the House said in his Budget statement that allocations are being made to keep the thing going. What is going on?

Hon J.M. Berinson: The allocation is to meet existing commitments.

Hon E.J. CHARLTON: We cannot rely on having the exchanges that have taken place in this Chamber and in another place being reported in a way that will enable the public of Western Australia to make a judgment. They are still completely in the dark. They are sick to death of the whole charade, which has now reached the point where no-one is talking about the petrochemical project any more. We are not talking about how much money is involved; we are not talking about the commitment the Government has made on behalf of the people. What we are hearing about now is how poor Peter Dowding has been threatened with blackmail, or whatever, by the Bond Corporation. So the whole emphasis by all the "responsible" journalists around the place - not all, that is probably unfair; but a few of them - is on whether the Government was put under unfair pressure by the Bond Corporation.

Hon P.G. Pendal: That is exactly what he had in mind.

Hon E.J. CHARLTON: I think that is something for the Government and the Bond Corporation to sort out between themselves. They are the ones who became involved behind closed doors at all hours of the day or night. It is not the public's role to determine whether the pressure was put on or how the Government became involved. The real question is, how much funding is involved? What is the financial position of the arrangements that the Leader of the House and the Government have entered into? Surely the most pressing requirement is to set the record straight and inform us of all the financial implications so the people can decide whether they want the Government to stay involved or get out of it altogether. Every time the Government has stalled or entered into another arrangement it has got into deeper trouble and dragged the public along with it.

The reason for requiring the Government to table all the papers, without exception, is that all will be revealed sooner or later. It would have been much better if everything had been laid on the table in October last year instead of the Government's coming to this House with a Bill to set up an authority in the belief that it was a proper response to the Burt commission

of inquiry. I am of the view now that that had absolutely nothing to do with what was going on.

Hon J.M. Berinson: That is not right.

Hon E.J. CHARLTON: The real reason - and I have talked to enough people to be able to form this opinion - was that the Government could not raise the money, so it wanted to use the forum of this responsible Parliament of Western Australia to give credit to the position the Government adopted so that it would be able to go back out into the marketplace and raise the finance to carry on. The Government did enter into an agreement with the Bond Corporation to raise the finance and build the project. That did not eventuate and, despite whatever the court may decide, the Government will have a very difficult time defending its position.

When the Government came here with that proposition and it did not receive the green light - we all know it very nearly did, with some amendments - we agreed to meet with representatives of those people involved who were putting this package together to set up this project. They were representatives of First Boston Corporation, of Treasury, of WA Government Holdings and a representative from the Premier's office. We put 50 questions to them about areas of concern before Parliament came back for that fateful day. We hoped the answers would inform us about what had been going on to enable us to reach a decision. Unfortunately as soon as we walked in the door that day, after the meeting had been postponed on two occasions, the first statement made was that they would talk about the project but would not answer any questions to do with financing of the project and their responsibilities.

Hon George Cash: I wonder why? What that meant was, they didn't want to get caught out.

Hon E.J. CHARLTON: The first thing I said in response was that we had not come to talk about the project. We in the National Party had always said that we were fully supportive of having the project go ahead. We did not want to see it in Kwinana, nor did we want to see a whole host of other activities associated with it; but in principle, as far as having a petrochemical project in Western Australia, it would obviously have been beneficial to the State and in the best interests of everyone concerned. It would have produced a product that would have benefited the State.

Hon Tom Stephens: Where did you want it?

Hon E.J. CHARLTON: I have always said that it would be beneficial for Western Australia not in the metropolitan area, but I will go into that later because it is really another question.

Hon Tom Stephens: Tammin?

Hon E.J. CHARLTON: Yes, I would have been very pleased to see it placed at Tammin.

The question then arose as to whether we would ever be informed and be able to make a decision about what was to take place, particularly as we had not been given any of the facts regarding the financial dealings in which the Government was involved and their implications. Consequently some of the people that day agreed they would talk to their legal advisers and give a written response to the questions which at that time had not been answered. Those answers were given in a very brief and non-specific manner in a fax and we were requested to keep them confidential. To this day we have done that. Unfortunately, following the last sitting of Parliament, this caustic Premier - I now go along with most people in this State who believe that he has reached the lowest ebb of credibility - reached the stage where he accused me of not making the answers to those questions public. A couple of days earlier he had stated in writing that he wanted those questions to remain confidential. That is the sort of credibility and honesty that this Premier has settled for all the way along the line of this messy and dirty affair.

Obviously this project would have been a tremendous opportunity for the State, but it was been burdened from the word go because the Government became involved with the Bond Corporation in the course of the third dimension of the Government's involvement with Rothwells. The original deal was to build a plant for \$598.8 million. That was the cost agreed to and the plans were drawn up by Clough Engineering and JGC Australia Ltd; however as soon as the Government and Bond Corporation became involved the price went up by \$370 million. Not only that, but a \$400 million premium was put on that simply

because that is what they inherited when they first became involved in this matter. The State could have had a petrochemical plant which would have resulted in all kinds of benefits for the State. It would have cost \$598.8 million, plus some extra costs to be incurred because of timing and so forth. It was guaranteed to be built in three years. In fact I was told by Clough that it could have been completed in two and a half years. However, as a result of being burdened with a \$400 million premium and \$370 million-worth of gold plating, nobody will now supply the finance necessary to build it. Obviously when the cost of a plant grows from \$598 million to \$3.1 billion it is little wonder that no-one around the world will supply the finance needed to build the plant.

As we all know, and as the public of this State should be told, the only reason the Government became involved in the first place was to recoup that original \$150 million. That is the key, and that is what the people of this State should be told. On the one hand the Government had an option to honour its commitment for \$150 million which it put into the rescue of Rothwells; on the other hand the Government could have put that money into Rothwells originally and then told the public of this State, "Well we tried. We did our best. We wanted to save the money which had been invested in Rothwells. We did our best as we did with the Teachers Credit Society, Swan Building Society and all the other things you have all heard about." The Government could have told the people, "We did it in good faith but it has failed; \$150 million, that is it." We could still have had a petrochemical plant because originally it could have been built for \$598 million, but instead the Government went down the path of midnight deals and meetings and, "Oh yes, we'll put in our \$150 million plus \$25 million, with plus this and plus that, and another \$100 million afterwards." Money is still going out and we are further than ever away from a petrochemical plant.

On top of that there is a series of court cases. Instead of the fact that we are now far away from having a petrochemical plant being central to the debate both here and in the other place, the debate is now centring around someone in the Bond Corporation having put pressure on Mr Dowding and, "Is that fair?" and, "Can the Government substantiate that?" Also involved is a lawyer whose reputation and word, so I have been advised by many discreet and well respected members of the legal profession, is not worth too much at all. However this lawyer's opinion of what the Bond Corporation did has been accepted. That means that the Government is judge and jury, with everything cut and dried - all because this lawyer said that these things actually took place. I think it is important that one asks: What has it to do with the real point if someone in Bond Corporation put pressure on the Government because he wanted the Government to honour that agreement? Those are a few reasons why at this belated time we still must have these papers tabled, including the agreement to which I specifically referred relating to the arrangement to supply the power.

I cannot understand how the Government can keep believing that one day this will not all come out and finally be accounted for so that people will be able to make a judgment on the matter. Once that happens the Government might gain a little credibility. The Government of this State is in power to do the job all Governments are put into office to do, rather than being caught out in all the byplay which is taking place. Why has the Premier decided to use this diversionary tactic? Why has he availed himself of this stunt? Why has he decided to mislead the people of Western Australia?

Hon T.G. Butler: That is pretty strong.

Hon E.J. CHARLTON: Why has he decided to do that? I would like to know whether he has done it on his own.

Hon T.G. Butler: That is a lot of nonsense.

Hon E.J. CHARLTON: Is that the way this irresponsible individual operates? Was this a Cabinet decision? Did the Cabinet get together a few days or a few hours before Parliament opened to say, "We are under pressure. Everybody wants to know what will happen. Is this the only way we will get out of this?" Has the Government decided that this is the best way to take the heat off? Is this the way to keep the Bond Corporation away? Is this the way to keep public opinion on side and for people to start feeling sorry the Government? If that is so, that is what it will do; it will accuse the Bond Corporation in Parliament, and anyone else who is prepared to stand up to it. This has nothing to do with the facts at all. The pressure that has been put on by the Bond Corporation is understandable. It is patently obvious that

anyone who enters into an agreement with the Government and finds that the Government does not honour its part of the deal will become very upset, especially as in this case where so much money is involved. I will refresh my memory and that of members of this Chamber as to what I said earlier this year. I quote from page 932 of *Hansard* for 13 April 1989 -

I am surprised that the taxpayers of Western Australia do not recognise the possible serious consequences of the Government's involvement in the petrochemical project so far.

I said that the public would never be given any of the facts, even though a series of questions had been asked and deliberations had taken place. I also said -

It is an indictment on the Government that the situation has reached this stage under the camouflage of accountability and the setting up of a statutory body to administer the Government's project.

I also quote from page 933 of the same *Hansard* -

The damaging aspect of all this is that the Parliament of Western Australia, representing the people of the State, had no say whatsoever, no warning, no prior information about the commitment of taxpayers' money. That involvement is part of the reaction to the financial dilemma in which the Government has placed itself.

I could go on and on, but members have heard it all before. Still this saga continues. Regardless of the questions that are being asked, whether they be on notice or without notice, regardless of the documents tabled, we have seen the Government stalling all the time, using diversionary tactics and stunts. I cannot understand the Premier's actions. I am not surprised that he wants to adopt this attitude, because on the morning after the last session of Parliament the Premier and I were on the "Sattler File" and he demonstrated his usual tricks. Smooth Pierre disappeared off the scene, again demonstrating his arrogance in trying to railroad people. I said to him at the time that I would not be pushed around by him or anybody else, and with that he went berserk; he has been going berserk ever since.

The Government has allowed this whole business to reach the stage where the Premier seems totally intent on criticising the Bond Corporation. It seems to me that he can be nothing but a hypocrite of the highest degree in having involved himself at that earlier stage. We all know what Mr Bond said about the Premier before the election; and we all know that the Premier lapped that up with a great deal of delight because it really was the most significant factor in his re-election. How things have changed. On one occasion when I spoke with the Premier earlier this year I was chastised by him because I had been critical of the Bond Corporation, as I still am, for getting involved in the way it did, and because I had been critical of the Government for the same reason. He told me that I should not be criticising the Bond Corporation.

Several members interjected.

Hon E.J. CHARLTON: The Premier said, "Do you not realise the damage you could be doing by criticising such a powerful organisation in this State?"

Hon P.G. Pandal: He was his friend!

Hon E.J. CHARLTON: I compare what I said then with what has taken place over the last few days and the sort of headlines the Premier's comments have instigated in trying to bring down that organisation, either financially or in the eyes of the public. There must be some point at which the Premier must surely answer his conscience and considers his honesty and his integrity - although I do not believe that he has them any more.

Hon Max Evans: He is a divorce lawyer trying to bring about a divorce between the Government and the Bond Corporation when they have fallen out.

Hon E.J. CHARLTON: Another thing that has not been said in all of this, and another reason that we need to have all the papers tabled and taken very seriously and checked out to the extent that no questions are left unanswered, is what has happened to Clough Engineering and JGR? Those two companies have existed for 50 years. Never in their histories have they had an agreement backed down from once it has been signed. Never before has anyone backed away from this sort of agreement. They have been put under extreme pressure. They have been subject to the goings on between the Government and the Bond Corporation.

They have been carted all over the world by various people representing the Government and the Bond Corporation and living in Japan in plush houses with tennis courts alongside. They have had to put things aside and rearrange whole projects so they could fit in with this masterpiece of a project, and obviously they have incurred extremely high costs. Not only have they incurred costs in putting it all together and making the commission, but also they have been placed in a position where they could not look for other big contracts, because they were contracted to build this project - this project which was to be the biggest in Western Australian history; a project which was to take three years to build, although the companies believed it could be done in two and a half years. So, these great companies of Western Australia are left in a vacuum. Nobody has said anything about that. What I would like to see on the front page of *The West Australian* is the question: What is happening with those companies?

Hon P.G. Pandal: Good point!

Opposition members: Hear, hear!

Hon E.J. CHARLTON: What about those companies and the people employed by them? Let us not talk about the dream project; the pie in the sky project. Let us have some of the facts about the people who were hired in all of this. Let us have the facts now that the Bond Corporation has tried to get its money back after the Government tried to bail out of the deal; let us find out about that. Let us find out about the \$400 million. When we asked First Boston what it thought about the \$400 million price tag we could not get an answer. Obviously everybody knows that the deal was not worth any more than the paper on which it was written. Therefore, we went through all those months until we have come back to the Parliament to threaten publicly that the Opposition would move this motion, which obviously instigated the tabling of the papers in the other place. If the past is anything to go on, we would never have witnessed the tabling of these documents. I have been forced to introduce this motion and it is something the Opposition parties should have done a long time ago because they have the numbers in this place. However, the Opposition parties trusted the Government and listened to it when it asked that we give it time to put the project together, and because it was technical and highly confidential it was not in the interests of the public for the details to be published. We respected the Government's wishes and what did we get out of it? Absolutely nothing.

I repeat that I am fed up to the back teeth with the disgraceful display by the media, which is not telling the people of Western Australia what is going on. It is more interested in what the Premier is doing. One would think he is the star of a television drama. We all know about the Lindy Chamberlain case and no-one will ever know the correct story about it or how much it has cost. Are we to have a repeat performance by this Government over its handling of taxpayers' funds?

Hon P.G. Pandal: We have a couple of dingoes in the Government and they pinched the baby.

Several members interjected.

Hon E.J. CHARLTON: They left it in the bath.

Since it was revealed that the Government was in this position, the Opposition parties have tried to cooperate with it to obtain a fruitful result. We have now reached the stage where the Government should stop using its diversionary tactics. The Government's advisers should involve themselves in more positive projects that will be to the benefit of Western Australia. The Government should wipe its hands of the advisers, for whom they pay millions of dollars for their advice, who have led this State up the garden path.

It has been heard on television that Sir Charles Court met with representatives from Bond Corporation; that the Opposition parties would block Supply in this House; and that the Opposition Parties would overrule the Government of the day. These issues have absolutely nothing to do with the fact that the Government and Bond Corporation paid, between them, \$400 million for nothing. They entered into an agreement to borrow money, on a non-recourse finance basis, to build the project. Bond Corporation was to be involved in getting the project up and running and then it would be sold at a profit to allow both organisations to get their money back and they would live happily ever after. That is the whole guts of what this issue is about. The project was purely a means to rescue Rothwells Ltd, yet nobody talks

about that. Everyone wants to talk about issues which have absolutely nothing to do with that.

The fact is that the money could not be borrowed. Bond Corporation and the Government made one blue - they did not realise that their combined credibility was not sufficient to allow them to raise the money. The site on which the project was to be located was extended and all the environmental issues were settled. Together Bond Corporation and the Government thought they could win the election and build the plant and be the toast of the nation.

Hon P.G. Pandal: They burnt the toast.

Hon E.J. CHARLTON: When Bond Corporation and the Government realised they could not raise the money the Government decided to take the issue to the Supreme Court to permit it to bail out of the project. However, that did not work and, in the future, there will be another series of court proceedings. This case will go on and on.

I ask the Government to come clean. Even though it is late in the day, it would be better for it to come clean now and lay the relevant documents on the Table of the House. The people of Western Australia should be told what the position is. All taxes and charges have been increased and, no doubt, they will continue to be increased and the poor old taxpayer will continue to put his hands in his pockets to pay this debt incurred by this Government. If something had been done about the project some time ago the debt may have been \$150 million only, but now it will be much greater. The taxpayers would have saved their money and everyone would be much better off. Unfortunately, that did not happen, but it is still not too late for the Government to come clean. The Government should take the advice of the people in the community who know the facts. I venture to say that 90 per cent of the population of Western Australia can guess what is going on, but they have not been given the opportunity by the media to know what is going on.

The Government must sort this out with Bond Corporation and perhaps find someone else interested in continuing the project. If the Government does not do that the debt will increase from \$175 million and, before we know it, will have reached the \$1.3 billion to which I previously referred. That is the reason the National Party has taken the action to move this motion. It was considered long before Parliament was due to resume, but obviously it did not receive any Press at the time. The more interesting subject was the alleged threats which would emerge on the opening day of Parliament!

When the legislation relating to this project was introduced to this House I was given information that raised a series of questions in my mind about what was going on. It concerned the financial commitments being made by the Government on behalf of the people of Western Australia. I made my feelings known through the media which, incidentally, did not believe me. I place on record now that I did have a few sleepless nights prior to the third reading of that Bill. I have not had any sleepless nights since then because I have a clear conscience. I certainly would not like to change positions with those members who tried to hoodwink the people of this State by voting in favour of the Bill. I am sure they have trouble sleeping at night. I have been told that the Premier has said it will not cost him anything and the Government will continue down the track until this project is sorted out to his satisfaction. I suggest his satisfaction is to walk over and to ridicule people and do anything that will improve his position.

In conclusion, I reiterate I hope this House agree with my motion in order that the complete documentation, without any exception, is laid upon the Table of the House. This would give the people of Western Australia the opportunity to know the precise details surrounding this deal. It will allow them to form a judgment of this Government based on facts and not on this continuous barrage of misinterpretations.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [5.34 pm]: I have pleasure in seconding the motion moved by Hon Eric Charlton. In doing so I first offer him my congratulations for the robust way in which he presented the facts surrounding the Government's not wanting to supply reliable information to this House. Hon Eric Charlton has pointed out clearly that for months and months while negotiations have continued between the Government and the other parties involved in the petrochemical project the Parliament and the public have been kept in the dark. The Government has refused time

after time to provide us with reliable information. I stress the words "reliable information". As Hon Eric Charlton has said, much of the information that this Government has dispersed during the time we have called on it to come to account for its dealings has not been reliable. In fact, I put to the House that much of the information that the Government has dispersed, especially through the Premier to the community, has not been accurate. The Government has tried to weave a web to get itself out of the obvious financial debacle it finds itself in. That debacle, of course, is now resting with the courts of Western Australia to decide just who did or did not enter into particular agreements.

In supporting this motion for the tabling of certain documents it is important for the House to recognise the fact that it is the role of Government to provide adequate information to both the Opposition and the public so that they can make determinations for themselves as to the actions of the Government in respect of public administration. That is something that this Government has failed to do time after time. One has only to go back a few months in this Parliament to when the Leader of the House introduced a Bill and claimed in his second reading speech that he and his Government would subscribe to the various accountability criteria set out in the Burt Commission on Accountability. I regret to advise the House that I and other members of the community share the view that the Government has not come up to the standards that the community expected. I say again that there are many people in the community, including me, who believe that the Government has been misleading the community deliberately in respect of its financial dealings.

One of the problems is that we are faced with a Government that refuses to provide adequate information; it is a problem of secrecy. There is no doubt that this Government has tried to hide behind a veil of secrecy to shroud the various dealings it has entered into with the Bond Corporation and other parties. It is interesting, as Hon Eric Charlton mentioned, that before the recent election on 4 February there were discussions with respect to the petrochemical project which appeared to be progressing to the benefit of both the Government and the other parties to that project. At one stage there were advertisements on television in Western Australia showing Mr Alan Bond, chairman of Bond Corporation, commending the activities of Mr Dowding to the people of Western Australia and inviting them to vote for the Labor Government as the most realistic Government to govern this State for the next four years. It is now apparent that part of Mr Bond's encouragement was given to ensure that he had a Government that was prepared to prop up and support previous dealings that both the Government and Bond Corporation had entered into.

It is interesting that further down the track, when the Bond Corporation and other parties to the agreement called on the Government to honour those contractual agreements and other obligations agreed between them, the Government realised that it did not have the constitutional authority to honour those agreements and it started to back off. That is when the Bond Corporation and the Government started to part company. One need only go back a few months to recall the speech that the Leader of the House made when he introduced the Western Australian Petrochemical Industries Authority Bill. He claimed it was a general structure to put in place a very important industry for Western Australia, and there were no hidden strings attached to it. Only after the National Party and the Liberal Party rejected the Bill at the third reading did we find that that agreement was one which would sustain the Government in making good all the previous commitments it had made in respect of financial and other guarantees. When that Bill failed, the Government realised it did not have the legal authority to proceed with some of the agreements it had made with the company. Clearly Bond Corporation and other parties were upset by that, and they are taking their own legal action to seek an order of court to have the Government carry out its obligations.

Prior to the election the Liberal and National Parties asked the Government to come clean about its dealings with those involved in the petrochemical project. The Government refused to give us details of those agreements and contracts. It was not until after the election, when the Liberal and National Parties, with 18 members on this side of the House, made it clear that they would require the Government to table certain documents, that anything was done. It was not until the Leader of the House, Hon Joe Berinson, advised the Premier and other members of the Government of the consequences of his not obeying the direction of this House that the Government decided it might have to start looking seriously at handing out some of the information it had concealed for so long. Although the Premier some weeks ago

said that he would produce the information that the Liberal and National Parties were seeking, he failed to produce any documents of any substance until the very day this Parliament sat on Tuesday this week. He stonewalled for as long as he could to avoid producing information. Then on Tuesday, in that other place, a box full of documents was tabled. I accept that anything tabled in that place is of little relevance to this place if it has not been tabled in this Chamber. On Wednesday of this week the Leader of the House tabled a number of documents in this House alleging they represented agreements between the Government and other parties to the petrochemical project. When the Leader of the House tabled those documents, he used the words, "I table a comprehensive set of documents for the information of members." He did not say, "I table a complete set of documents."

Hon P.G. Pendal: Correct.

Hon GEORGE CASH: The documents tabled by the Leader of the House yesterday do not constitute a full and complete set of the documents covering the arrangements between the Government and other parties in respect of the petrochemical industry. Had the Government not tabled the deed of undertaking dated 17 October 1988 -

Hon Tom Stephens: Is that signed?

Hon GEORGE CASH: Is the member suggesting it was not?

Hon Tom Stephens: I am asking if it was signed.

Hon Fred McKenzie: Answer the question.

Several members interjected.

The PRESIDENT: Order!

Hon GEORGE CASH: A very important point has been raised, because if Hon Tom Stephens and Hon Fred McKenzie are saying that the Government did not sign this document, perhaps the Government will be saved, because it will be able to say to the Supreme Court that it never executed the document; it is not, in fact, a deed which has been executed. If the Government can prove that to the court, the taxpayers will probably save a damages bill which will probably amount to something in the order of \$400 million. I say that the document was signed and executed, and it is one of a number of documents which is now the subject of discussion in the courts of Western Australia. For Hon Tom Stephens to suggest that the Government had not signed the document, and that that would save its bacon, will not work. The Government might wish it had not signed the document, but unfortunately there are signed and stamped copies of the deed. We well know the Bond Corporation is taking action in that regard.

In tabling an alleged comprehensive set of documents, but not a complete set of documents, the Leader of the House again demonstrates the selective information that he attempts to tender to this House in recognition of the Government's dealings. Yesterday a very serious motion was moved in this House against the Leader of the House alleging that he lacks the integrity, honesty and credibility one would expect of a Minister of the Crown. After substantial discussion in which the Leader of the House attempted to justify his position, the House by a majority found that he did not reach the proper standards of integrity, honesty and credibility that one would expect. I suggest that the tabling yesterday of a limited number of documents rather than all of the documents lends credence to why the Legislative Council last night found against the Leader of the House in regard to his integrity, honesty and credibility.

Hon Eric Charlton has nominated a number of documents that he requires the Leader of the House to table before a given date. It is possible that the Leader of the House will attempt, by way of diversion, to suggest that some of the documents have been tabled. It is recognised that some of the documents may have been tabled, but I hope he does not suggest that all of the documents contained in Hon Eric Charlton's motion are those which have been tabled to date, because that is not the case.

When considering this very important motion, the Council must consider its position and that of its members should the Leader of the Opposition fail to obey a direction of this House. There has been talk in the community of a majority of members in this House blocking Supply. That is something I would find hard to justify on the evidence that has come out to date. I am not suggesting that at this stage that is an option the Liberal Party and the National Party are considering.

Hon Graham Edwards: When have you ever worried about evidence?

Hon GEORGE CASH: Members should take no notice of Hon Graham Edwards. We served together at the City of Stirling, and his inane comments here are similar to those he made when we sat opposite each other on that council.

Hon Graham Edwards: Perhaps you could tell the House what the relationship between Observation City and -

The PRESIDENT: Order!

Hon GEORGE CASH: Failing to obey an order of this House would be a matter which comes within the province of contempt of this Parliament, and it could be that the Council might decide that a reprimand was sufficient or perhaps a censure would be required. We have already seen the Council impose a censure on Hon Joe Berinson for his lack of honesty, integrity and credibility. The Council might also consider a fine or indeed a suspension from this House for a period of time. As a last resort it would be possible, as I understand, for the Council to determine that the member's seat be declared vacant. The fact is that we face a very serious situation in calling for the tabling of these documents. I hope that Hon Joe Berinson recognises the seriousness of the motion which has been moved, and also its importance not only to this Parliament but also to the people of Western Australia. Until all the facts are known, this Government will not be able to escape the charge that it continues to hide facts, guarantees and other financial arrangements which it has entered into.

In concluding my comments on this motion, I make reference to the report of commissioner Tony Fitzgerald, QC, who recently considered cases of corruption in Queensland. One of the comments he made under the heading of "Secrecy" on page 126 of that report was as follows -

Secrecy and propaganda are major impediments to accountability, which is a prerequisite for the proper functioning of the political process. Worse, they are the hallmarks of a diversion of power from the Parliament.

Until this Parliament is fully, reliably and accurately informed about the position of the Government's dealings in this petrochemical project, the charge of the Government's misleading the Parliament or trying to divert attention from the powers of Parliament will continue to be levelled at it. Again I commend Hon Eric Charlton for moving this motion. It is very important and the Opposition fully supports it.

Debate adjourned, on motion by Hon Fred McKenzie.

MOTIONS - SECONDING PROCEDURE

Further Question

The PRESIDENT: Order! Before we proceed any further, I want to put the record straight. When I earlier put the question that I required a seconder to the motion of Hon Eric Charlton, Hon Murray Montgomery seconded it. For the benefit of new members, the procedure is this: After a seconder has indicated that he or she does so, a further question is put before a member can speak. That further question is that the motion be agreed to. It was on that question that I gave the call to Hon George Cash. I provide this explanation because the matter was raised by some members who did not quite comprehend what I had done.

House adjourned at 5.54 pm

QUESTIONS ON NOTICE

STATE ENERGY COMMISSION - ELECTRICITY CHARGES

Country Householders - Increase Announcement

180. Hon D.J. WORDSWORTH to the Leader of the House representing the Minister for Fuel and Energy:

- (1) On what date this year did the Government announce that country householders connected to the State Energy Commission would face increased charges for electricity?
- (2) On what date did such rises commence?

Hon J.M. BERINSON replied:

- (1) At the same time as all other energy customers were informed of new tariffs - 22 May 1989.
- (2) 1 June 1989.

FISHING - FOREIGN ILLEGAL FISHERMEN

United Nations Convention - Gaoling Prevention

183. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Fisheries:

- (1) Is the Minister aware of a United Nations' convention which prevents Australia from gaoling foreign fishermen who are convicted of fishing illegally in Australian waters?
- (2) If so, will he advise whether the State Government recognises and is therefore bound by the convention?

Hon GRAHAM EDWARDS replied:

- (1) Yes. However, the relevant provisions of the convention apply to the exclusive economic zone, not to the Australian territorial sea. Most recent breaches by Indonesian fishermen have involved fisheries and quarantine offences committed within the territorial sea or on Australian territory.
- (2) The State Government will continue to meet any legal obligations imposed. It will also continue to closely monitor the Australian Federal Government's discussions with the Indonesian Government on the matter.

PRISONS - CASUARINA

Psychiatric Wing - Criminally Insane Accommodation

184. Hon GEORGE CASH to the Minister for Corrective Services:

- (1) Is it intended to incorporate a psychiatric wing in the Casuarina Prison complex to accommodate criminally insane persons?
- (2) If yes, will he provide details on the number of persons able to be accommodated and an estimate of the cost of this facility?
- (3) Who will supervise these persons?
- (4) Is the Department of Corrective Services to contribute funds to the proposed maximum security psychiatric hospital to be located at Graylands?
- (5) If so, how much?
- (6) What proportion of the total cost will the department contribute?

Hon J.M. BERINSON replied:

- (1) No. However, planning for the hospital wing at Casuarina provides for up to six psychiatric beds. These are incorporated in a general ward - as in other multipurpose hospital facilities - and are not intended to be used to house persons deemed to be "criminally insane". They will be used for prisoners who are diagnosed as having a psychiatric illness which is manageable in such a setting.

(2)-(3)
Not applicable.

(4) No.

(5)-(6)
Not applicable.

PLANNING - CLARKSON-BUTLER PLANNING STRATEGY REPORT
Quinns Rock Civic Association Inc

185. Hon GEORGE CASH to the Leader of the House representing the Minister for Planning:

(1) Will the Minister provide a copy of the draft Clarkson-Butler planning strategy report forwarded to the Quinns Rock Civic Association Inc for its comment?

(2) If not, why not?

Hon J.M. BERINSON replied:

(1)-(2)
The draft Clarkson-Butler planning strategy was publicly released in early 1989. The original draft is held by the State Planning Commission. However, the draft is in the process of being revised by the commission, having regard for comment received in relation to it, as part of the Government's program for the release of new housing land.

PSYCHIATRIC HOSPITALS - MAXIMUM SECURITY
Graylands Location

186. Hon GEORGE CASH to the Minister for Local Government representing the Minister for Health:

(1) Is a maximum security psychiatric hospital to be located at Graylands and, if so, when was the decision made for such a facility at Graylands?

(2) What is the estimated cost and time schedule for the commencement and completion of the facility?

(3) Did the Department of Local Government consult with the local authority and community groups, including both primary and secondary schools, in the area to discuss the intended construction of this facility?

(4) If not, why not?

(5) Will the Government consider locating this psychiatric facility not at Graylands but at the Casuarina prison complex?

(6) If not, why not?

Hon KAY HALLAHAN replied:

(1) No. A new, more secure unit is being developed as part of the Graylands Hospital redevelopment. This will be a new facility and not a new service.

(2) Preliminary planning stage only; and costs and schedules not yet finalised.

(3) As this is an enhancement of facilities and services already on site, consultation was not thought to be necessary. In view of the concerns now experienced by the local community, full consultation is being undertaken.

(4) See (3).

(5) No.

(6) It would disadvantage mentally disordered offenders. This group has been receiving treatment at the Graylands site since 1905. A range of treatment and rehabilitative services is available at the hospital which could not be provided in a prison setting. Professional isolation of health professionals would militate against recruitment of high quality staff and result in a less effective service.

PRISONERS - CONDOM DISTRIBUTION*Government Policy*

187. Hon GEORGE CASH to the Minister for Corrective Services:

What is the Government's policy on the issue of condoms to persons serving sentences in Western Australian prisons?

Hon J.M. BERINSON replied:

The Government does not support the issue of condoms in prisons.

PRISONERS - AIDS*Compulsory Testing*

188. Hon GEORGE CASH to the Minister for Corrective Services:

(1) Will the Government consider the compulsory testing for AIDS of all convicted persons who are sentenced to a term of imprisonment in Western Australia?

(2) If not, why not?

Hon J.M. BERINSON replied:

(1) The matter has been considered and continues to be monitored.

(2) At this stage, compulsory blood testing of all prisoners is not undertaken, based on professional advice that such action is not cost-justified or necessary. Prisons are an extension of the general community, which itself is not subjected to compulsory testing.

CSIRO - MARINE LABORATORIES*Marmion - Closure Proposal*

190. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Fisheries:

(1) Is the Minister aware of the concern of the WA Recreational and Sport Fishing Council over the proposed closure of the CSIRO Marine Laboratories at Marmion?

(2) What action has he taken to have the CSIRO reverse its decision to close the Marine Laboratories at Marmion?

(3) Will the closure have an adverse effect on research into the marine environment, which research has in the past been of assistance both to the professional and the recreational fishing interests in Western Australia?

(4) Is he aware of the future use of the marine facilities at Marmion?

(5) Has consideration been given to having the WA Fisheries Department take over the facility?

(6) If not, why not?

(7) Is the closure of the facility likely to have an adverse effect on the research carried out by the WA Fisheries Department?

Hon GRAHAM EDWARDS replied:

(1) Yes.

(2) I have personally written to Hon B. Jones, MHR, the Federal Minister for Science, seeking a review of the decision made by CSIRO. I have also personally discussed the matter with the Federal Minister for Primary Industries, Hon J. Kerin, MHR. In addition, I have asked the Minister for Lands to pursue the matter through her portfolio interests.

(3) In the longer term, I believe so.

(4)-(5)

No.

(6) The existing research facilities at Waterman are meeting current needs.

- (7) In the final analysis, it will depend upon which parts of CSIRO research programs are continued. Should experience show this to be the case, research priorities by the WA Fisheries Department will need to change.

CSIRO - MARINE LABORATORIES

Marmion - Closure Proposal

192. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Fisheries:

- (1) Does the Government support the proposed closure and sale of the CSIRO Marine Laboratories at Marmion?
- (2) Will the closure adversely affect the Western Australia fishing industry?
- (3) Was he consulted on the proposed closure?

Hon GRAHAM EDWARDS replied:

- (1) No.
- (2) The announcement made by CSIRO indicated that most of its staff would be moved to the Floreat laboratory and that a fisheries research presence would be maintained in Western Australia. However, I believe the closure of the Marmion laboratory could be a first step towards reducing CSIRO fisheries research in this State. However, as already stated in my reply to question 190(7), should experience show that the closure of the facility will have an adverse effect, research priorities by the WA Fisheries Department will need to change.
- (3) No.

TAXI CONTROL BOARD - MEMBERS

193. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) Who are the members of the Taxi Control Board, when did their term commence, when will their term expire, and in what capacity do they hold membership of the board?
- (2) Is any member of the Taxi Control Board presently suspended from attending meetings of the board and, if so, who ordered such suspension and for what reasons?
- (3) When was the Department of Transport first advised of the allegations of a breach of regulations by the suspended member?
- (4) Is there provision under the Taxi Control Board Act and/or regulations to charge this person with the alleged breach?
- (5) If so, when was the charge laid?
- (6) Can he assure the House that any breach of the Taxi Control Act and/or its regulations will be pursued under the provisions of the Act or regulations?
- (7) If not, why not?

Hon GRAHAM EDWARDS replied:

- (1) Chairman - Mr G.V. Jones (indefinite term)

Members representing -

Traffic Board	- Supt Drayton (indefinite term)
Local Authorities	- Councillor Gatt (two year term expires 21.6.90)
Transperth	- Mr D.W. Hyde (one year term expires 13.2.90)
Minister for Transport	- Mrs S. Ditmanas (two year term expires 21.6.91)

- Mr D.R. Watson (two year term expires 21.6.90)
- Owners/Drivers - Mr K. Foley (two year term expires 21.6.90)
 Mr W.C. Hollingsworth (two year term expires 21.6.90)
 Mr S. Satchell (two year term expires 21.6.91)
 Mr L.P. Van Onselen (two year term expires 25.10.90)

(2) No.

(3)-(5)

Answered by (2).

(6) Yes.

(7) Answered by (6).

TAXIS - UNLICENSED VEHICLES

Penalties

194. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

What is the penalty for a person who is charged and convicted of using a motor vehicle not being a licensed taxi car for hire?

Hon GRAHAM EDWARDS replied:

The Taxi Car Control Act provides penalties of -

- \$ 80 for the first offence;
- \$200 for the second offence; and
- \$400 for a subsequent offence.

TAXIS - AMERICA'S CUP

Private Car Plates - Additional Allocation

195. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) How many additional private taxi car plates were issued during the recent America's Cup festivities and what was the fee received for the sale of these plates?
- (2) Was any person or company allocated more than one private taxi car plate and, if so, will he nominate the person or company, the number of plates allocated, and the amount received for these plates?
- (3) Are these private taxi car plates still operated by the same persons and, if not, can he advise of any changes?

Hon GRAHAM EDWARDS replied:

- (1) In 1986 eight premium private taxi car licences were issued, and monthly premium payments are still being received.
- (2) Yes. However, to complete the question will require research and I will provide the member with the information requested when this is available.
- (3) To answer this question will require research and I will provide the member with the information requested when it is available.

TAXIS - PRIVATE CARS

Licence Statistics

196. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) How many licences have been issued for private taxi cars?
- (2) Who are the registered owners of these private taxi car plates and can he nominate those which are owner operated and those not owner operated?

Hon GRAHAM EDWARDS replied:

- (1) Twenty-five private taxi car licences are on issue.
- (2) To answer this question will require research and I will provide the member with the information requested when it is available.

TRANSPERTH - PASSENGER STATISTICS

Fare Increases

206. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) Can the Minister indicate the percentage of Transperth passengers during the 12 month period ended 30 June 1989 in each of the following categories -
 - (a) students;
 - (b) pensioners; and
 - (c) unemployed persons?
- (2) By what percentage have Transperth fares increased following the latest increases in June/July 1989?

Hon GRAHAM EDWARDS replied:

- (1)
 - (a) 27 per cent;
 - (b) 17 per cent; and
 - (c) five per cent.
- (2) Transperth fares increased by an average of less than seven per cent in accordance with Government policy to keep increases in line with the Consumer Price Index.

HANDICAPPED PERSONS - DWELLING PROPOSAL

Redfern Street, North Perth

209. Hon GEORGE CASH to the Minister for Local Government representing the Minister for Health:

- (1) Is the Minister aware of the construction of a four bedroom dwelling at Government Reserve 8383 Redfern Street, North Perth, as accommodation for intellectually and physically handicapped persons?
- (2) Were plans of this development made available to the Perth City Council and, if not, why not?
- (3) Did the Government advise residents of adjoining property of the intended use of this dwelling and, if not, why not?
- (4) Is the Government aware of the concern of some local residents living near the proposed dwelling for the safety of intellectually and handicapped persons who may be accommodated in the proposed residence in view of the traffic flow through Redfern Street from Charles and Walcott Streets?
- (5) Have any studies been done on traffic flows in the vicinity of the proposed dwelling to ascertain the potential risk to handicapped people using the proposed facility and, if so, what were the results of such studies?

Hon KAY HALLAHAN replied:

- (1) Yes, however the persons are not physically handicapped.
- (2) Yes, they were addressed to the Town Clerk and posted towards the end of June.
- (3) No, it is understood the residence complies with zoning regulations, and the privacy of the future tenants is of consequence. It has been the policy of successive Governments to ensure that people with disabilities are afforded the same rights as all citizens, which includes not having to get permission to live in a neighbourhood.

- (4) The Government is aware of some concerns of the local residents; however, no concern relating to the safety of the future tenants has been previously expressed.
- (5) No, however this is not an issue as all the people operate independently in traffic situations.

ROADS - READ STREET-COUNCIL AVENUE INTERSECTION, ROCKINGHAM
Traffic Flow Surveys

210. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) Will the Minister advise on the results of the two most recent traffic flow surveys carried out at the junction of Read Street and Council Avenue, Rockingham, and the date of these surveys?
- (2) How many vehicle collisions have occurred at this intersection in each of the last five years and how many fatalities have occurred during the same period?
- (3) When will turning arrows be incorporated into the traffic lights at this intersection?

Hon GRAHAM EDWARDS replied:

- (1) The most recent traffic flow surveys at or near the Council Avenue-Read Street-Cygnus Street intersection were 24 hour traffic flow counts taken by the Main Roads Department as follows -

Location	Two Way Total Flow	
	22-28 May 1987	23-26 June 1989
Council Ave east of Read St	9 608	9 369
Read St south of Patterson	13 515	16 750
Read St north of Rae Rd	15 994	18 661
Cygnus St west of Read St	4 444	3 799

- (2) The total reported accidents and fatal accidents at this intersection since 1984 are -

	1985	1986	1987	1988	To 31 May 1989
Fatal	0	0	0	0	0
Total	14	15	16	11	10

- (3) The need for turning arrows in being investigated by the Main Roads Department.

STATE GOVERNMENT - DOWDING GOVERNMENT
Business Disillusionment - Business Publication Survey

211. Hon GEORGE CASH to the Minister for Budget Management:

- (1) Is the Minister aware of a front page report in *WA Business World* dated 8 August 1989 which states inter alia -

The WA business community is disillusioned with the way the Dowding Government is running the State, and is deeply mistrustful of the Premier and his senior Ministers.

- (2) Is he further aware that 97.5 per cent of respondents to a survey conducted by the WA Chamber of Commerce and Industry and reported in *WA Business World*, 8 August 1989, claimed that -

The Government was not competently handling the State's finances.
 and that 82.5 per cent of respondents claimed that -

The Premier should resign over his involvement in the petrochemical deal?

Hon J.M. BERINSON replied:

(1)-(2)

Yes. The member may be interested in a response to the article provided by the Premier. A copy is attached.

21 August 1989

The Editor
West Australian Business World
63D Shepperton Road
Victoria Park.

Dear Sir

I take issue with your frontpage article "Business has no trust in Dowding Government" (August 8 1989) and some of the views expressed.

Firstly I find it hard to understand how your newspaper can take the results of such a small sampling and extrapolate that "business" in general - as portrayed by your headline - has "no trust" in my Government.

I am confident that the Dowding Government enjoys a healthy and strong relationship with WA business. Indeed this is supported by the feedback I get from a wide range of business people with whom I regularly come into contact.

It is supported also by the encouraging economic performances within the business sector and general Western Australian economy.

These signs of growth and prosperity are evident in all the latest figures and in many cases the State is leading the way and outperforming the rest of the country.

Just recently, WA Confederation of Industry president Bill Brown said that soon WA will have more manufacturing contracts and financial spinoffs than it can handle - that WA industry was alive and well.

Take for example WA's performance in small enterprise development. In the most recent Australian Bureau of Statistics figures, the growth in small enterprise employment in WA was 24 per cent - the highest of any state and almost double the Australia-wide increase of 13 per cent.

The number of small enterprises in WA jumped by 22 per cent - the greatest increase of any state and well above the national total increase of 15 per cent.

I would like also to point out that the Small Business Development Corporation continues to assist in the development of effective small businesses in WA. With the support of my Government, it has introduced a number of innovative programmes including an advisory service, country-based advisers, a support counselling programme and the introduction of the Small Business Guarantee Scheme which assists in the finance of viable small businesses.

There are also services available to educate small business in the government tendering and purchasing systems to help them improve access to government contracts.

This has been achieved through joint sponsorship with the WA Chamber of Commerce and Industry.

We have established also in the past year 13 small business centres throughout the State - also conjointly with local Chambers of Commerce - to provide advice and information.

And of course there have been other steps taken by the Government to help West Australian business such as the move last year to remove shops and factories registration, saving the WA small business sector many millions of dollars in fees and annual paperwork.

In 1984, for the first time in any State, the West Australian Government

reduced the rate of payroll tax. The rate has gradually reduced from 5 per cent to 3.75 per cent at the lower end of the threshold scales. Additionally, and most importantly, the exemption level has been raised since then from 200,000 to now reach 295,000 with a net effect of exempting some 3500 small businesses from paying payroll tax.

That means that about 90 per cent of employers currently paying payroll tax now pay less than in previous years.

Just recently figures were released which showed an average of 84 people a day were moving to WA, as the State's population continued to grow faster than the national average.

I believe this also indicates that people from the Eastern States are impressed by the State's performance under this Government to the extent that they are wanting to move their families and businesses and settle here.

With regards to the second question you posed, I would like to point out that it is necessary for governments to get behind new and innovative projects, to help attract the sorts of value added industries essential to our long term economic future.

Take the Sarich example. The State of Michigan offered Mr Sarich more than \$100 million in incentives to establish the first Sarich manufacturing plant in their state.

The State Government has offered a package of about \$40 million and will work hard to ensure every effort is made to have the second plant built here.

Indeed to get the North-West Shelf gas project off the ground, the Court government found it necessary to write in government guarantees worth millions of dollars.

Interestingly too, the United States Government has recently seen fit to approve the biggest liquidation in history with a rescue package to the savings and loans institutions (known as thrifts) of \$US300 billion (or \$A390 billion), speeding the revolution in the US financial services industry.

This Government's policy has always been to work alongside business to build a secure and flourishing economic environment.

The response has been overwhelmingly favourable and the feedback on government initiatives extremely positive.

I assure you we will be continuing in that vein and look forward to a close working relationship and continuing support from the business community.

Yours sincerely

PETER DOWDING

Peter Dowding, LL.B, MLA
PREMIER

BOATS - PRIVATE PLEASURE BOATS *Registration Fees*

212. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) How much have the registration fees for private pleasure boats, as provided for under the navigable waters regulations, increased in the 12 month period ended 30 June 1989?
- (2) What are the current fees for the registration of such vessels?
- (3) Has the Government received representations from individuals or groups seeking concessional allowance in respect of registration fees for private pleasure boats and, if so, what action is the Government taking on this matter?

- (4) Are there currently any concessional allowances for such registration fees for groups such as pensioners and, if so, will he advise the concessions available?
- (5) Is the Government considering extending the concessions referred to above and, if so, what changes are proposed?

Hon GRAHAM EDWARDS replied:

- (1) Registration fees 1988-89 -

	\$
Under 5 m	21.00
5 - 9.99 m	42.00
10 - 19.99 m	80.00
20 m and over	110.00

- (2) Registration fees 1989-90 -

	\$
Under 5 m	22.00
5 - 9.99 m	45.00
10 - 19.99 m	85.00
20 m and over	117.00

- (3) Yes. A few requests have been received in the past seeking concessions for pensioners. This matter is under consideration.
- (4) No.
- (5) Not applicable.

COURTHOUSES - PINJARRA

Case Statistics

214. Hon GEORGE CASH to the Attorney General:

- (1) How many cases were heard in the Pinjarra Courthouse during the 12 months ended 30 June 1989?
- (2) How many cases were unable to be heard at that courthouse due to staff shortages or the inadequacy of facilities?
- (3) Is it intended to reduce the number of activities currently able to be carried out at the Pinjarra Courthouse and, if so, will he provide details?

Hon J.M. BERINSON replied:

- (1) During the year ended 30 June 1989 charges heard in the Court of Petty Sessions and Children's Court at Pinjarra totalled 546 and 116 respectively.
- (2) None.
- (3) There are no current plans to reduce the number of activities at the Pinjarra court.

PRISONS - PRISONERS

Criminally Insane

226. Hon GEORGE CASH to the Minister for Corrective Services:

- (1) How many persons classified as criminally insane are being held in Western Australian prisons?
- (2) How many persons classified as criminally insane are being held at mental institutions in Western Australia?
- (3) Is it proposed to house criminally insane persons at the new Casuarina prison complex?

Hon J.M. BERINSON replied:

- (1)-(3)

There is no provision in the criminal justice system in Western Australia to classify a person as "criminally insane". The member would need to be more

specific in defining those persons to whom he refers to permit an answer to be provided.

CRIME - CONVICTIONS
Wilful Murder, Murder, Manslaughter

227. Hon GEORGE CASH to the Attorney General:

- (1) How many persons have been convicted of the offence of wilful murder, murder, unlawful killing-manslaughter in each calendar year since 1980?
- (2) What was the maximum sentence for the three categories of offence listed above at the time of the respective convictions?
- (3) What was the actual sentence passed on the various offenders and the actual period served in a prison before being released on parole by each of the persons convicted of the offences referred to above?

Hon J.M. BERINSON replied:

The information sought is not readily available and would take a considerable time to compile. I am not prepared to divert scarce resources to extract this information.

PRISONS - WOOROLOO
Sex Offenders - Transfer Agreement

228. Hon GEORGE CASH to the Minister for Corrective Services:

- (1) Will he advise the reasons why he has disregarded the concerns expressed by the residents of Wooroloo and agreed to allow sex offenders to be transferred to Wooroloo Prison?
- (2) What additional security precautions have been taken to ensure the safety of the Wooroloo community from these sex offenders?

Hon J.M. BERINSON replied:

(1)-(2)

The concerns of residents were not disregarded. Provision was made in the assessment and placement procedures to minimise the potential risk to the community. Such decisions are made by senior departmental staff.

TRANSPORT - RAILWAYS
Perth-Armadale Line - Station Closure

230. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) Which railway stations on the Perth-Armadale line have been closed in the past 18 months and when were they closed?
- (2) Which other railway stations on the Perth-Armadale line are intended to be closed and for what reason?
- (3) Were commuters and other members of the public advised of the intention to close these stations and, if so, what form did the notification take?
- (4) Were discussions held with local authorities and other community groups on the possible effect of these closures and, if not, why not; and, if so, did they agree to the closure?
- (5) Has he received any representations from persons who claim to be disadvantaged by the closure of the Stokely Railway Station and, if so, what action has been taken to alleviate the situation for persons disadvantaged by the Government's actions?

Hon GRAHAM EDWARDS replied:

- (1) On the Perth-Armadale railway line, Stokely station was closed on 15 April 1989.
- (2) No other railway stations are intended for closure on the Perth-Armadale line.
- (3) Commuters and other members of the public were advised of the intention to

close Stokely station by the delivery of some 1 000 letters to householders in the catchment of the station. In addition, railway staff provided verbal information and distributed pamphlets to rail users advising them of the impending closure and alternative arrangements.

- (4) Discussions were held on the possible effect of the closure of Stokely station with officers and councillors of the local authority, the City of Gosnells, and with a group of local users convened by the member for Kenwick. Complete agreement to the closure was not reached because some small sections of the community were disadvantaged. However, the overall benefits to the community at large far outweigh the disadvantages.
- (5) Following representations from the local authority and community groups a temporary, free shuttle bus service operated after the closure from Stokely to Maddington stations. As was predicted, most passengers made alternative transport arrangements - bearing in mind that Stokely station was located on a major trunk road, Albany Highway, bus route - and this shuttle bus service was discontinued on 2 June when average patronage dropped to only one or two people per trip.

HILLARYS BOAT HARBOUR - LANDBACK JETTY

Cost

250. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) What was the cost of the Landback Jetty at the Hillarys Boat Harbour?
- (2) What revenue was derived from berthing fees for this jetty for the 12 months ended 30 June 1989?

Hon GRAHAM EDWARDS replied:

- (1) \$456 830.
- (2) No berthing fees are raised for the use of the Landback Jetty as the facility is a service jetty for use by all pen holders. No overnight berthing is permitted.

MARINE AND HARBOURS DEPARTMENT - CHARGES INCREASE

Charter Boat Owners and Operators of Western Australia - Consultations

251. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) What consultation occurred with the Association of Charter Boat Operators and the Western Australian Fishing Industry Council and other parties who will be directly affected by the recent substantial increases in marine and harbour fees and charges as published in the *Government Gazette* dated 30 June 1989?
- (2) Will he ensure that both the Association of Charter Boat Operators and the Western Australian Fishing Industry Council are consulted prior to any further increase in charges by the Department of Marine and Harbours?
- (3) If not, why not?

Hon GRAHAM EDWARDS replied:

- (1) The Department of Marine and Harbours has, on a number of occasions over a number of years, discussed with representatives of the WAFIC and the Charter Boat Owners Association the possibility of introducing more commercially appropriate fees and charges for its facilities. No specific consultation occurred as to the quantum of the recent increases.
- (2) Yes, where appropriate.
- (3) Answered by (2).

MARINE AND HARBOURS DEPARTMENT - CHARGES INCREASE*Regulations - Tabling Deferment*

252. Hon GEORGE CASH to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) Will the Minister defer the tabling of the regulations for the significant increases in charges administered by the Department of Marine and Harbours that were published in the *Government Gazette* on 30 June 1989 to enable representations to be made by the Western Australian Fishing Industry Council and the Association of Charter Boat Operators on the likely effect of these charges on their respective industries?
- (2) If not, why not?

Hon GRAHAM EDWARDS replied:

- (1) No.
- (2) The charges are already in effect.

EIL LIMITED - GOLF COURSE INSPECTION*Government Facilities - Government Arrangements*

255. Hon GEORGE CASH to the Leader of the House representing the Premier:

- (1) Did the Government offer facilities to the Japanese company EIL Limited to inspect a golf course currently owned by the Government through a statutory authority with a view to EIL's participation in its further development?
- (2) If so, will he provide details of the arrangements entered into with EIL?

Hon J.M. BERINSON replied:

- (1) I am not able to find any evidence of support for the proposition.
- (2) Not applicable.

BURSWOOD ISLAND BRIDGE - CONSTRUCTION*Timetable - Cost*

257. Hon P.G. PENDAL to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) What is the current timetable for the start of construction for the proposed Burwood Island bridge?
- (2) What is the estimated cost of the project?
- (3) What is the estimated construction period?
- (4) Will the Minister ask Cabinet to consider reviewing the timetable in view of the urgency of the project?

Hon GRAHAM EDWARDS replied:

(1)-(4)

The Government has received an interim report on the Burwood bridge and road study but no decisions will be made on this proposal until the final report is available later this year. The cost of the project will depend upon the details of the option chosen after consideration of the final report. The interim report indicates that work could not start before mid 1991 because of the need to amend the metropolitan region scheme. The report also indicates that land acquisition and construction would take five and a half years to complete.

LAND - LEDA, WESTERN RIDGE*Scrapping Proposal - Submissions*

258. Hon P.G. PENDAL to the Leader of the House representing the Minister for Planning:

I refer to the 30 June 1989 *Government Gazette* notice relating to Leda, near Kwinana, and ask -

- (1) How many people have made submissions calling for the proposals relating to the western ridge to be scrapped?
- (2) Will she table these objections?
- (3) If not, why not?

Hon J.M. BERINSON replied:

- (1) A number of submissions have been received, however the final number will not be known until after the closure of the advertised period on 1 September.
- (2) No.
- (3) Submissions are accepted on a confidential basis.

LAND - LEDA, WESTERN RIDGE

National Trust of Aust (WA) - Development Opposition

259. Hon P.G. PENDAL to the Leader of the House representing the Minister for Planning:

- (1) Is the Minister aware that the National Trust of Australia (WA) has formally opposed the development of land known as the western ridge at Leda, near Kwinana?
- (2) Is it also correct that the National Trust has advocated that the entire area of the western ridge remain as a special reserve?
- (3) Will the Government reconsider LandCorp's plans, and scrap the development?
- (4) If not, why not?

Hon J.M. BERINSON replied:

- (1) Yes.
- (2) No, in a letter to the Minister the National Trust has advocated that only land north of the Gilmore Avenue extension be retained as open space.
- (3)-(4) The Government will follow the normal procedures in assessing the proposal.

LAND - LEDA, WESTERN RIDGE

State Planning Commission - Unsubstantial Amendments

260. Hon P.G. PENDAL to the Leader of the House representing the Minister for Planning:

- (1) What criteria did the State Planning Commission use to decide that the proposed amendments to the scheme in relation to the Leda land, near Kwinana, are not "substantial amendments" as defined at section 33A of the Act?
- (2) Will she submit this decision to an independent consultant to test the commission's view that the amendments are not substantial?
- (3) If not, why not?

Hon J.M. BERINSON replied:

- (1) The State Planning Commission's view was that section 33A was the relevant section under which the amendment should be considered.
- (2) No.
- (3) The procedure followed by the State Planning Commission is considered appropriate.

LAND - LEDA, WESTERN RIDGE

Lot Statistics - Government Sale

261. Hon P.G. PENDAL to the Leader of the House representing the Premier:

- (1) What is to be the approximate number of 2 000 square metre lots to be created on the western ridge of the Leda land, near Kwinana?

- (2) Approximately what does the Government expect to receive from the sale of this land on the western ridge; that is, to the west and south of Sloan's Reserve?

Hon J.M. BERINSON replied:

- (1) Approximately 350 lots.
 (2) Uncertain - depends on time of release. Special residential lots in Leda are currently selling at an average of \$42 800.

TOURISM - NANNUP
Development Commitment

264. Hon P.G. PENDAL to the Minister for Racing and Gaming representing the Minister for Tourism:

- (1) Does his commitment for further tourist development in Nannup still stand?
 (2) If so, why has there been a delay, given that this allocation of \$50 000 was stated to be at the top of the list?
 (3) Does the \$50 000 still apply or has this been reduced?
 (4) Will he take action to expedite action on the commitment?

Hon GRAHAM EDWARDS replied:

- (1)-(3) The south west strategy released in November 1988 made a commitment to provide \$50 000 to the Shire of Nannup to extend its tourist facilities. This commitment still stands.
 (4) Funding for this initiative is subject to Budget deliberations. I understand the South West Development Authority has sought \$25 000 in 1989-90, with the balance to come in the subsequent financial year.

ROADS - MOWAN
Inland Tourism - Upgrading Need

265. Hon P.G. PENDAL to the Minister for Racing and Gaming representing the Minister for Transport:

I refer to the long standing concern of residents and tourist groups about the need to upgrade Mowan Road in order to draw tourists inland to places like Nannup, Balingup, Bridgetown, etc, and ask -

- (1) Is he aware of the importance of this project to inland tourism, given that it is seen as the weak link in the regional road chain?
 (2) What steps have been taken to increase the priority given to this upgrading?
 (3) Will he outline any firm plans for the upgrading?

Hon GRAHAM EDWARDS replied:

- (1)-(3) Mowan Road is essentially a forestry road. Although it may be desirable to seal the road it would be difficult to give this work priority over other works, particularly when two other sealed scenic routes from Margaret River to Nannup area are available via the Vasse and Brockman Highways.

ROADS - SOUTH STREET-GILBERTSON ROAD, KARDINYA
City of Melville - Speed Limit Reduction Request

267. Hon P.G. PENDAL to the Minister for Racing and Gaming representing the Minister for Transport:

- (1) Is the Minister aware of the City of Melville's concern that, owing to the urban development and pedestrian use of South Street in the area of the Gilbertson Road intersection, in Kardinya, the present speed limit should be reduced to 60 kilometres an hour?

- (2) If so, will he undertake to have the speed limit reduced in the interest of the safety of residents and pedestrians in the area?
- (3) If not, will he acquaint himself with the City of Melville's requests to the Main Roads Department and take the action needed to reduce the speed limit?

Hon GRAHAM EDWARDS replied:

- (1) Yes.
- (2) No.
- (3) I am already aware of council's request; however, the solution to the problem is not seen to be in reducing the speed limit from 70 kmh to 60 kmh. The Main Roads Department is taking steps to provide flashing amber lights as additional advance warning to motorists of the traffic signals at Gilbertson Road and in addition will install a WALK phase for pedestrians at this intersection.

SMITH, MR ROBERT - STATE GOVERNMENT INSURANCE COMMISSION
Employment

268. Hon P.G. PENDAL to the Leader of the House representing the Treasurer:

Is Mr Robert Smith still employed directly or indirectly by the State Government Insurance Commission and/or the State Government Insurance Office?

Hon J.M. BERINSON replied:

No.

LAND - LEDA
Government Ownership

269. Hon P.G. PENDAL to the Leader of the House representing the Minister for Planning:

- (1) How much land does the Government and/or LandCorp own at Leda, near Kwinana?
- (2) How much has been approved for subdivision?

Hon J.M. BERINSON replied:

- (1) The land generally bounded by the Fremantle-Rockingham Highway, Wellard Road and the Mundijong railway reserve, known as Leda, comprises an area of approximately 1 400 ha owned by the Government and/or LandCorp, except for 22 ha owned by Town and Country WA Building Society.
- (2) Approximately 175 ha.

COCKBURN SOUND - MUSSEL SAMPLING
Sediment Sampling - Environmental Management Strategy

270. Hon P.G. PENDAL to the Minister for Local Government representing the Minister for Environment:

I refer to media reported sampling of sediment and mussels taken from Cockburn Sound to test water quality and metal levels respectively, and ask -

- (1) What progress has been made on this study?
- (2) When is the study expected to be completed?
- (3) Is the testing for water quality and metal levels in mussels part of the first stage of the Cockburn Sound conservation strategy?
- (4) What other plans are involved in the first stage of the strategy?
- (5) What is envisaged as being involved in later stages of the strategy?

Hon KAY HALLAHAN replied:

- (1) Sampling of sediments and mussels throughout Cockburn Sound, Owen Anchorage and surrounding waters has been conducted. The samples have been analysed to determine their content for a range of heavy metals. The results are being examined to determine -
 - (a) whether, over the past 10 years since the original Cockburn Sound study, there have been any significant changes in the metals accumulated in the sediments and mussels; and
 - (b) whether there are any unsuspected areas in which metal levels are of environmental concern and, if so, to determine the causes and implement appropriate management measures.
- (2) The study is being carried out via a contract between EPA and Murdoch University. A report on the results is due in November 1989.
- (3) Yes, this does form part of the first stage of the environmental management strategy for Cockburn Sound and surrounding waters.
- (4) Other activities planned include an inventory of all contaminants entering these waters, a review of the contaminant flushing rates, and investigations of water quality and the health of the marine communities.
- (5) There are two key elements in the latter stages of the strategy -
 - (a) All available technical information will be used to determine what total input loads of key pollutants can be assimilated by these waters while still maintaining, or improving water quality; and
 - (b) input will be sought from industry, local government and other sectors of the community in order to formulate a working environmental management strategy which addresses control of total pollutant inputs and is designed to maintain the wide range of uses of these coastal waters.

CORONER'S COURT - DEATH CERTIFICATES

Delays

271. Hon P.G. PENDAL to the Attorney General:

- (1) Is it correct that the Coroner's Court has such a backlog of work that the issuing of some death certificates has been delayed recently for up to three months, when certificates are dependent on court decisions?
- (2) If so, will he endeavour to have the court work speeded up so that long delays in the issuing of certificates do not occur and result in adverse effects on bereaved relatives who are unable to settle any financial affairs of a deceased person until they receive the death certificate?
- (3) If the answer to (1) is no, why have such long delays occurred in the issuing of certificates?

Hon J.M. BERINSON replied:

- (1) Yes.
- (2) Approximately 1 200 deaths a year are reported to the Coroner, and while he has endeavoured to reduce delays it has been necessary to set priorities for the completion of inquiries. A report on proposals for substantial changes to the coronial system is under consideration.
- (3) Not applicable.

MUSEUMS - "IT'S A SMALL WORLD" *Metropolitan Street Directory - Omission*

272. Hon P.G. PENDAL to the Minister for Lands:

- (1) Is the Minister aware that the new metropolitan street directory has omitted to mark the museum, "It's A Small World", in Parliament Place, West Perth?

- (2) Can any action be taken to arrange for substitute inclusion in some other appropriate Government publication pending publication in the next directory published?
- (3) Will she ensure the omission is corrected at the next printing of the directory?

Hon KAY HALLAHAN replied:

- (1) I understand "It's a Small World" is marked as a feature on the map of Perth at the beginning of the directory. It is not, however, listed in the index to "Museums and Art Galleries Directory". This index is published from data supplied by the Museums Association of Australia, Western Australian Branch. "It's a Small World" was not mentioned in this list.
- (2) The Department of Land Administration makes every effort to ensure current places of interest, significant landmarks and buildings are shown as appropriate on its various map products.
- (3) The proprietors have already been advised to seek inclusion in the Museums Association listing for next year's edition.

RAFFLES - PERMIT FEE

Women's Auxiliary of the Royal Flying Doctor Service - Fee Refund

274. Hon P.G. PENDAL to the Minister for Racing and Gaming:

I refer to an answer given to me on 24 August 1988 to question 212 and ask -

- (1) Is the Minister aware that the answer insisted that a \$30 raffle permit fee applies only where the retail value of the prize exceeds \$5 000?
- (2) If so, why was the \$30 fee recently applied to a raffle whose first and subsequent prizes totalled \$880; namely, a raffle conducted by the Women's Auxiliary of the Royal Flying Doctor Service?
- (3) Will he arrange for the fee to be refunded if the law has not been followed?

Hon GRAHAM EDWARDS replied:

(1)-(3)

I apologise to Hon P.G. Pendal, as the response given previously in answer to question 212, dated 23 August 1988, was incorrect. The answer should have read -

- (1) Only where the retail value of the prize does not exceed \$5 000 and the permit is of a continuing nature.

For the raffle conducted by the Women's Auxiliary of the Royal Flying Doctor Service, the \$30 permit fee charged is correct. Where the retail value of the prize exceeds \$5 000 and the permit is of a continuing nature, the permit fee is \$75.

WATER RESOURCES - DRAINAGE FACILITIES

Beaton Street, Byford

277. Hon P.G. PENDAL to the Minister for Racing and Gaming representing the Minister for Water Resources:

- (1) Is it correct that blocks of land in Beaton Street, Byford, have no drainage facilities?
- (2) If so, why are the owners of these blocks charged an annual drainage fee?

Hon GRAHAM EDWARDS replied:

- (1) Yes.
- (2) No annual drainage fee is raised.

NOTE: Investigation has revealed that the question refers to properties in Michael Street, Byford, one of which is owned by a person residing in Beaton Street, Wilson.

Referring to Michael Street, Byford the answer would be -

- (1) No.
- (2) All properties in Michael Street are levied with drainage charges.

KHASHOGGI, ADNAN - PREMIER

Discussions

300. **Hon P.G. PENDAL** to the Leader of the House representing the Premier:

- (1) When and under what circumstances did he meet earlier this year with Adnan Khashoggi, the Middle East arms dealer?
- (2) What topics were discussed?
- (3) Is he aware that Khashoggi was recently extradited from Switzerland to the United States to face charges linking him with President Marcos' real estate deals?

Hon J.M. BERINSON replied:

- (1) I did not meet the person referred to.
- (2)-(3) Not applicable.

LAND - FREMANTLE CEMETERY

Government Sale

304. **Hon P.G. PENDAL** to the Minister for Local Government:

- (1) Is it correct that the Government is seeking to sell land on the north side of Leach Highway, adjacent to the Fremantle Cemetery - land which is currently vested in the cemetery?
- (2) If so, what does the Government intend for the land once it has been disposed of?
- (3) What is the current value of this land?
- (4) Is it not a short sighted action to sell cemetery land when it will be needed in the foreseeable future for cemetery/memorial use?

Hon KAY HALLAHAN replied:

- (1)-(2),(4) This land is currently the subject of a detailed review by the recently established asset management task force.
- (3) \$2.5 million.

HOSPITALS - COOLGARDIE

Closure

308. **Hon N.F. MOORE** to the Minister for Local Government representing the Minister for Health:

- (1) Is it correct that the Government is to close all or part of the Coolgardie Hospital?
- (2) If so -
 - (a) which wards are to be closed; and
 - (b) what is the rationale behind the decision?
- (3) If the geriatric ward is to be closed where will the patients from that ward be accommodated?

Hon KAY HALLAHAN replied:

- (1) The Government is undertaking significant redevelopment and upgrading of the existing Coolgardie health services. This will include community and child health facilities and day care facilities, as well as the acute outpatient functions of the existing hospital. Redevelopment will include closure of the existing inpatient accommodation, although this action has been taken only

after extensive consultation and negotiation with the local authority and community groups, who strongly support the redevelopment.

(2)-(3)

The decision to close the existing nursing home facilities is based on a number of important factors, including the advanced deterioration of the building; the uneconomic and inappropriate cost to upgrade the facility to enable continuation of its existing purpose; its inappropriateness for inpatient care; a marked downswing in inpatient activity; and the identified need to enhance nursing post and day care facilities in the town.

The redevelopment includes the provision of interim hostel-type accommodation on the existing site, and this is expected to cater for the needs of patients who do not require a full nursing home service but still require some residential care and supervision.

CARAVANS - REPORT RECOMMENDATIONS

Implementation

316. Hon P.G. PENDAL to the Minister for Local Government:

I refer to recommendations made in the recent report from the caravan industry and ask -

- (1) Which recommendations from this report are to be implemented?
- (2) Will these recommendations be implemented by way of legislation or regulation?

Hon KAY HALLAHAN replied:

- (1) No decision has been made on which recommendations from the report of the caravan industry development strategy working group are to be implemented. The report is open for public comment through to 1 September.
- (2) The report recommends the enactment of new caravan legislation - an Act and accompanying regulations.

CEMETERIES - TARIN ROCK

Willock, C.L. - Burial Cost Inquiry

317. Hon P.G. PENDAL to the Minister for Local Government:

- (1) Will the Minister institute an investigation to see whether the Dumbleyung Shire Council's preferred option in the burial of C.L. Willock at the Tarin Rock Cemetery resulted in his family paying five times the amount quoted by a local man for the same work?
- (2) Will she also investigate whether such high costs are being put in place by the shire to deter local people from ultimately applying for more burials at Tarin Rock?
- (3) Will she also investigate whether the construction of a boundary fence on this reserve has been designed to allow passage of stock across the cemetery?
- (4) If so, what steps are being taken, or can be taken to preserve the respect due to a burial place?

Hon KAY HALLAHAN replied:

- (1) I am advised that the Shire of Dumbleyung, which controls the cemetery, decided that it would carry out all works within the cemetery. Works related to the burial of C.L. Willock were carried out on an actual cost basis and I understand the charge was \$448.40.
- (2) Council has the authority to set charges for services provided. The future use of the cemetery is a matter for the community of Tarin Rock.

(3)-(4)

I will make inquiries and advise the member of the condition of fencing around the cemetery.

GOVERNMENT ADVERTISING - SINGLE CONSULTANCY

Television Advertising - Costs

329. Hon GEORGE CASH to the Leader of the House representing the Premier:

- (1) Does the Government still operate through a single advertising consultancy?
- (2) If not, why not?
- (3) What was the amount spent by the Government on television advertising and other promotional activities during 1988-89?

Hon J.M. BERINSON replied:

- (1) No. All Government advertising is placed through its Master Media Agency.
- (2) Not applicable.
- (3) It is not clear what the member means by "promotional activity". If he cares to be more specific I will endeavour to answer the question.

STATE ENERGY COMMISSION - POWER STRIKE

Burswood Island Casino - Electricity Agreement

342. Hon GEORGE CASH to the Leader of the House representing the Minister for Fuel and Energy:

- (1) Has the State Energy Commission entered into an agreement with owners, operators, or any other party to provide continuity of electricity supplied to the Burswood Island Casino in the event of a power strike?
- (2) If so, will he provide details of the agreement?

Hon J.M. BERINSON replied:

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

CHEMICAL SPILLS - LIQUID SODIUM CYANIDE

Statistics

350. Hon GEORGE CASH to the Leader of the House representing the Minister for Mines:

- (1) Will the Minister provide details of the number of spills of liquid sodium cyanide from either road or rail transport during the past nine months?
- (2) Did any spill create a hazard to waterways, aquifers or stock and, if so, will he provide details?
- (3) Was public money expended in the treatment of the spills and, if so, how much?

Hon J.M. BERINSON replied:

- (1) There has been no instance of a spill of liquid sodium cyanide during transport by either road or rail reported to the Department of Mines. One instance is recorded of a small spill of 10 litres of liquid sodium cyanide during a transfer operation from a tanker vehicle to a storage tank. This spill was washed down in the recommended manner and was contained within the designed catchment pit and was neutralised without any untoward effect.
- (2)-(3) No.

EMU BREWERY SITE - INDEPENDENT VALUATION

Tabling

365. Hon GEORGE CASH to the Leader of the House representing the Premier:

- (1) In view of the Premier's statement in the Legislative Assembly on Tuesday, 29 August 1989 that an independent valuer had valued the old Emu Brewery site as being worth no more than \$90 million to \$100 million, will he table that independent valuation?

(2) If not, why not?

Hon J.M. BERINSON replied:

(1)-(2)

I do not intend to table the advice I received at the time.

QUESTIONS WITHOUT NOTICE

ROTHWELLS LTD - McCUSKER, MR MALCOLM *Interim Report*

150. Hon GEORGE CASH to the Attorney General:

Can the Attorney General advise the House when the interim report from Mr McCusker is due on those matters that he is currently investigating?

Hon J.M. BERINSON replied:

The original decision of the Ministerial Council was that the terms of reference of Mr McCusker's appointment should include a requirement that an interim report be made after six months. That would have brought that report forward in the first or second week of September. At the last meeting of the Ministerial Council, however, a decision was made on the basis of advice by Mr McCusker, which I conveyed to the council, that he did not believe that a formal report at this stage was the proper way to go and that, even if such a report were to be prepared, it would have to be subject to the most limited circulation; in other words, be held in absolute confidence, which is not an easy task given the range of recipients of Ministerial Council documents. I believe that the reason for Mr McCusker's concern, which was apparent about three months ago and would be even more readily understood now, arises from the fact that in some cases charges have been laid as a result of his investigations. Certainly he would be anxious to avoid any discussion of matters still under investigation which could jeopardise his further activities. On the basis of those considerations the Ministerial Council at its last meeting decided to replace the requirement for a report after six months, with a requirement that Mr McCusker report periodically - that is, more often - to the National Companies and Securities Commission. I understand that that has been the pattern since that time, and the Chairman of the NCSC will use his discretion in reporting to members of the Ministerial Council at their forthcoming meeting. Mr McCusker has informed me that in response to questions as to when he might make his interim or other reports publicly available - and I refer to inquiries by the media - none of his reports would be of a nature allowing publication pending his final report, which is due in March next year.

PETROCHEMICAL PROJECT - GOVERNMENT GUARANTEE *Cabinet Approval - Governor's Approval*

151. Hon MAX EVANS to the Leader of the House:

The guarantee tabled in this House says that the Treasurer has, with the prior approval of the Government, determined to issue this guarantee. Can the Leader of the House advise us whether such a document has to be approved by Cabinet prior to its going to the Governor for his approval?

Hon J.M. BERINSON replied:

I do not know the answer to that question. If the member would place it on notice I will obtain advice on it. It would be helpful if in doing that Hon Max Evans would specify the guarantee to which he is referring.

LOCAL GOVERNMENT ACT - NEW LEGISLATION *Public Submissions - Deadline Extension*

152. Hon SAM PIANTADOSI to the Minister for Local Government:

I understand that public submissions on the new Local Government Act close

on 22 September 1989. In view of the public debate and interest that has surfaced over the past few weeks, can the Minister advise whether she will extend the deadline to allow for further consultation and comment?

Hon KAY HALLAHAN replied:

I thank the honourable member for his question because there has been a lot of interest in this rewrite of the Local Government Act. I have had representations from councils and also from a number of community groups and individuals who have become aware of the debate and consideration of the new Act. Therefore, I am pleased to advise that I have extended the period for submissions to Friday, 13 October 1989. I thought that would be a good and lucky day for us.

Hon E.J. Charlton: It will be an unlucky day for local government.

Hon KAY HALLAHAN: It will not be an unlucky day for local government at all. Local government is asking for a new Local Government Act and local authorities are very much behind this whole debate - with a few exceptions. There always are a few exceptions.

R & I BANK - BUDGET ALLOCATION

153. Hon P.G. PENDAL to the Minister for Budget Management:

I refer to the allocation in today's Budget under the Minister's own portfolio of a \$10 million payment to the Rural & Industries Bank - an item without similarity in last year's Budget - and I ask him -

- (1) Is this \$10 million associated with any Government related business loan?
- (2) If so, which one?
- (3) Is the allocation to be a recurring figure in future Budgets?

Hon J.M. BERINSON replied:

(1)-(3)

I do not believe so, but I would prefer to check on that and advise the member accordingly.

LOCAL GOVERNMENT - NEW LEGISLATION

Draft Bill

154. Hon R.G. PIKE to the Minister for Local Government:

- (1) Has the draft Bill of the rewrite of the Local Government Act been released?
- (2) If not, when is it envisaged that it will be released?

Hon KAY HALLAHAN replied:

(1)-(2)

I thank the honourable member for his question because it gives me the opportunity to indicate to members - and also it indicates to me - an assumption about the level of members' awareness of matters of community debate.

In June a discussion paper called "Principles and Issues - Discussion Paper" was released to the community. That paper makes public everything about the new Bill which needs debating. Public submissions were to close on 22 September, but that is to be extended to 13 October. Ten specific working groups will consider the submissions and put forward draft chapters of the Bill. At that stage we will be nearing the assumption that the member is making. Early next year, we will put to the community a draft of each chapter and allow a period for public comment. We are a long way from having a draft Bill but the important process has begun. I am quite heartened by the level of community awareness and interest, particularly from local government.

LOCAL GOVERNMENT ACT - NEW LEGISLATION
Draft Bill - Word Disparity

155. Hon R.G. PIKE to the Minister for Local Government:

Would the Minister not agree -

Hon J.M. Berinson: Concur?

Hon R.G. PIKE: - that the record of the Government in the past shows there may be a massive disparity between what it says the Bill will do and what it actually -

The PRESIDENT: Order!

Several members interjected.

The PRESIDENT: Order! When I called for order four times ago that meant to cease conversation. I remind Hon Robert Pike that seeking an opinion is out of order. His question is out of order.

Hon R.G. PIKE: I apologise, Mr President. The fact of the matter is there was so much rumbling and noise from the ruck over there -

Hon Tom Stephens: Not from over here.

LOCAL GOVERNMENT ACT - NEW LEGISLATION
Draft Bill - Early Release

156. Hon R.G. PIKE to the Minister for Local Government:

Will the Minister consider issuing the early release of the draft Bill to amend the Local Government Act, in view of the fact that what the words in the Bill say may be different from what the released papers purport it says?

Hon KAY HALLAHAN replied:

I am pleased to have the further opportunity to clarify this matter. I will make sure that the member receives a copy of the discussion paper. It is only a discussion paper and it does not purport to say anything about the Bill. The paper sets out the principles that could underlie the Bill and, if so, these would be the issues to relate to the principle should the principle be incorporated in the Bill. That is the general tenor. It prescribes nothing at this stage. Early next year, when each draft chapter becomes available, time will be available for comment. Then the draft Bill will go back to the local government area for comment because it will affect local government significantly. What the member is asking for and becoming anxious about, he need not get anxious about for another year.

STATE FINANCE - EXPENDITURE
Failed Business Venture Benefits - Public Advertisement

157. Hon P.G. PENDAL to the Minister for Budget Management:

- (1) Will he respond to the public advertisement in yesterday's edition of *The West Australian* which calls on the Government to specify precisely where the \$391 million has gone in failed Government-associated business ventures?
- (2) If not, why will he not do so?
- (3) Does the Minister believe the public have the right to know, as claimed in the advertisement, precisely who has benefited from the lost millions?
- (4) Will he arrange for a statement to be tabled in Parliament on those lost millions and whose pockets they now line?

Hon J.M. BERINSON replied:

(1)-(4)

That question includes at least as many assumptions as facts. I can only say

that I did not see the advertisement. I do not know what it is calling for, and I am not in the position normally where I would scan the daily Press in order to decide what information should be provided. However, this Parliament will have the opportunity in the course of the Budget to look at expenditures by the Government and in all respects; it has other opportunities to raise questions in a much more specific way than the advertisement on the account given to us by Mr Pandal apparently does.

**PETROCHEMICAL INDUSTRIES LTD - WESTERN AUSTRALIAN
GOVERNMENT HOLDINGS**

Deed of Undertaking - Government Approval

158. Hon MAX EVANS to the Leader of the House:

The guarantee I referred to earlier was the Deed of Undertaking to WA Government Holdings Ltd and Petrochemical Industries Ltd which said that the Treasurer had with the prior approval of the Government determined to issue a guarantee. Would a guarantee such as that require the approval of Government; that is, first require the approval of Cabinet and be referred to Cabinet beforehand?

The PRESIDENT: Order! The question is identical to the last one.

Hon MAX EVANS: The Minister was seeking clarification about the document.

Hon J.M. BERINSON replied:

That is on record together with the notice of the original question.

LANDCORP - CURRENT STATUS

159. Hon BARRY HOUSE to the Minister for Lands:

- (1) Would the Minister define the current status of LandCorp now that the Western Australian Development Corporation has been wound up?
- (2) Does LandCorp come under the jurisdiction of the Minister for Lands?
- (3) If not, which Minister has responsibility for LandCorp?
- (4) Is LandCorp to become a statutory authority, a separate Government authority or some other structure?

Hon KAY HALLAHAN replied:

LandCorp is the responsibility of the Premier. Therefore I suggest the question raised by the member would be best directed on notice to the Premier.

CARAVANS - WORKING PARTY REPORT

Legislation Stages - Planning Stage

160. Hon E.J. CHARLTON to the Minister for Local Government:

In regard to the caravan industry development strategy working group report, could the Minister advise what stage that has reached, and, bearing in mind that submissions close on 1 September, what is the plan regarding the proposed legislative changes?

Hon KAY HALLAHAN replied:

The situation is as the member says. The public comment period on the report released after the working group submitted a report to the Government closes tomorrow. The working party will be reconvened to consider submissions; the recommendations will then be submitted to me for proposed action with regard to any required legislation. At this stage I would not be able to give any further information.

Hon E.J. Charlton: Will it be this session?

Hon KAY HALLAHAN: It would be unlikely during this session. There have been a number of submissions and I do not know how difficult it would be to balance the different interests of the various groups in the community. I am not saying categorically it will not be this session but it is unlikely.

SPORT AND RECREATION - BOXING MATCH

Boxer's Payments - Problems

161. Hon MAX EVANS to the Minister for Sport and Recreation:

- (1) Is the Minister aware of the problem in respect of the boxing match last Wednesday week and the boxers' not being paid?
- (2) If so, is the Government doing anything about that?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I have had second-hand reports in relation to the boxing match. I am sure honourable members share the concern I have in relation to the running of some tournaments in the State. The tournaments that have caused me concern are being run in the main by one person. Setting that aside, the boxing fraternity has addressed a number of issues and problems relating to the sport. The person who has caused me some concern is the person about whom I issued warnings to the boxing fraternity. Unfortunately, in that instance, the fraternity chose to ignore those warnings and many of the things that we said might happen did happen.

In relation to the broader aspects of boxing control, the many regulations that need to be put in place are being worked on by the Parliamentary Counsel. As soon as they are in place we will be in a much better position to control the people involved in boxing across the broad spectrum. Until then I can only repeat the warning and the advice that I have given to the boxing fraternity: It should heed the advice that we have given it and make sure that in every instance it contacts the Department for Sport and Recreation and deals with Alan Tranter who is handling the boxing area for the Government.

SPORT AND RECREATION - BOXING MATCH

Departmental Promotion

162. Hon MAX EVANS to the Minister for Sport and Recreation:

- (1) Did any member of the Minister's department have anything to do with the promotion of that match?
- (2) Was any departmental money involved in the match?

Hon GRAHAM EDWARDS replied:

(1)-(2)

No. The department does not become involved in the promotion of fights and does not put any money into professional bouts. We fund amateurs in some ways. Our involvement is purely on a control basis.

SPORT AND RECREATION - BOXING COMMISSION

Establishment

163. Hon MAX EVANS to the Minister for Sport and Recreation:

When will the Boxing Commission be set up? I have been advised that the problems experienced would not have occurred had it been in place.

Hon GRAHAM EDWARDS replied:

I understand that. The Government is putting into place some of the most comprehensive boxing legislation in Australia. The procedure is much slower than I would like it to be. However, once it is in place and given that we are trying to control it by regulation and that its rules will change from time to time, it will be flexible and will provide a level of control that I think the community wants the sport to have.

PETROCHEMICAL PROJECT - LEGAL AGREEMENTS

Bond Corporation - Government Approach

164. Hon GEORGE CASH to the Attorney General:

In relation to the legal agreements that were struck with the Bond Corporation and other parties in the petrochemical industry, was the Bond Corporation first approached by the Government to participate in the project or did the Bond Corporation first approach the Government?

Hon J.M. BERINSON replied:

I have no personal knowledge that would allow me to answer that question. However, the member will be aware of the statements made by the Premier and the Deputy Premier on that matter.

PETROCHEMICAL PROJECT - LEGAL AGREEMENTS

Negotiations - Cabinet Discussions

165. Hon GEORGE CASH to the Attorney General:

Was the petrochemical deal discussed in Cabinet prior to any legal negotiations being entered into by the parties?

Hon J.M. Berinson: In order to clarify the matter, legal negotiations on what?

Hon GEORGE CASH: On the participation by the Government in the petrochemical industry with the Bond Corporation or the Bond Corporation with the Government prior to any decisions being made.

Hon J.M. BERINSON replied:

Bearing in mind the confidentiality of Cabinet discussions -

Hon George Cash: For which you said yesterday you accepted responsibility.

Hon J.M. BERINSON: Quite so; I accept both responsibility for and the confidentiality of Cabinet decisions and I do not think there is anything inconsistent between the two.

I am unable to provide from my memory a satisfactory timetable of events. However, it is fair to say that when Cabinet was first informed of the possibility of some arrangement, preliminary discussions would have, of course, occurred. I am unable to say at this stage and from my recollection of events anything at all about either agreements, documentation or anything else.

QUIN REPORT - RACING INDUSTRY

Racing Industry Development Authority - Administration Recommendation

166. Hon FRED MCKENZIE to the Minister for Racing and Gaming:

The Quin report into the WA racing industry recommended the implementation of the Racing Industry Development Authority to administer thoroughbred racing in this State. Why has that recommendation not been implemented?

Hon GRAHAM EDWARDS replied:

I thank the member for some notice of the question. I have not completely dismissed the concept of RIDA, but I prefer to follow another track in pursuit of a more unified and efficient racing industry.

In the first week of assuming the Racing and Gaming portfolio, I was somewhat taken aback by what appeared to be an excessive amount of divisiveness within the racing industry - that is, metropolitan against country, owners against jockeys, TAB clubs against non-TAB clubs, and club against club. It would have been easy in the circumstances to say, "Enough is enough; from now on you will all be subject to an overriding authority." However, I do not believe that that would have solved the problems of the racing industry; it would merely have transferred them to the new authority. I

chose instead to make strong representations for the racing industry to begin to solve its own problems, become more united and to look to the future of racing in this State.

The racing industry has responded very positively. In May of this year, the Thoroughbred Racing Advisory Council was formed. It has representatives from all sectors of the thoroughbred racing industry on it and, in its short existence, has produced some major reforms with regard to the distribution of TAB funds and the level of stakes in country racing. It has also engendered a much needed feeling of cohesiveness within the industry. If TRAC continues to solve problems and to work on an industry basis for the improvement of racing in WA, the usefulness of RIDA will be open to question.

SPORT AND RECREATION - FOOTBALL

South West Football League - Departmental Recommendations

167. Hon BARRY HOUSE to the Minister for Sport and Recreation:

Will the Minister give the House some indication of the major recommendations of the study conducted by his department into the South West Football League?

Hon GRAHAM EDWARDS replied:

I will do better than that. I will circulate a copy of the report to members.

LEGISLATION - PROCLAMATION

Precedents Explanation

168. Hon W.N. STRETCH to the Attorney General:

Will he explain the precedents in the legislative process since 1983 for the part proclamation of legislation?

Hon J.M. Berinson: I am afraid I have not grasped the point of the question. I ask Mr Stretch to elaborate on it?

Hon W.N. STRETCH: Members will recall that, when this House met earlier this year to discuss the third reading of the petrochemical legislation, the Leader of the House indicated that he would not proclaim sections of that legislation to accommodate the interests of certain sections of the Opposition parties. What is the precedence in the legislative process to allow the Attorney General to give an undertaking not to proclaim parts of legislation passed by the Parliament?

Hon J.M. BERINSON replied:

There are two common forms in which the date of proclamation is normally drafted. The first - I ask members not to bind me to the precise terminology - is in the sense of providing that this Act shall come into effect on a date to be proclaimed. The other common form is that the legislation shall come into effect on a date or dates to be proclaimed. Both these dates are very common and many Bills have been drafted on the latter basis with a view to allowing some provisions to be held over. Undoubtedly, occasions have occurred where the intention to hold some provisions over would have been declared at the time, but it would involve an almost impossible search - and with due respect to Hon W.N. Stretch's question, an unprofitable one - to attempt to go through the copies of *Hansard* for the purpose of extracting precise examples. I am quite certain that such examples exist and that they would have preceded this Government's term of office. As the member responsible for Parliamentary Counsel, I cannot recall any new direction or new precedent being raised for discussion because of the second of the two forms to which I have referred having been adopted. I hope that meets the point of the question.

Having answered the question asked by Hon W.N. Stretch, I seek your indulgence, Mr President, to answer a question he left with me yesterday.

Hon P.G. Pendal: You are going over your self-imposed half hour limit.

Hon J.M. BERINSON: I will stop then! Yesterday Hon W.N. Stretch asked me which departmental legal officers had taken the action in respect of the Connell case. When I indicated that I was not sure whether they were Crown Law or Corporate Affairs Department officers, he asked me to check. I have done so overnight and the answer to his question is that the action was taken by legal officers of the Corporate Affairs Department.

I now ask that the business of the day be called on.

Hon W.N. Stretch: Mr President, can a supplementary question, following on the subject under discussion, be considered as a continuation of the original question, or does the last comment by the Leader of the House prevent any further discussion on this very important subject?

The PRESIDENT: Unfortunately, only the person who has asked the question is aware of the need to ask a supplementary question. That information is not available to the Leader of the House who has, under Standing Order No 141(c), the right to terminate questions when he sees fit. Unfortunately, the President is not provided with any powers under those Standing Orders to impose his will over the Leader of the House and to give the member that approval.
