

Legislative Council

Wednesday, 18 June 1986

THE DEPUTY PRESIDENT (Hon. D. J. Wordsworth) took the Chair at 4.30 p.m., and read prayers.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Appointment

The following members were elected to the Standing Committee on Government Agencies, on motion by Hon. D. K. Dans (Leader of the House)—

Hon. Garry Kelly, Hon. N. F. Moore, Hon. C. J. Bell, Hon. Mark Nevill, Hon. E. J. Charlton, and Hon. B. L. Jones.

ADDRESS-IN-REPLY: FIFTH DAY

Motion

Debate resumed from 17 June.

HON. D. W. WENN (South-West) [4.34 p.m.]: It is a pleasure for me to be in this place as a member of Parliament and to have the opportunity to make a maiden speech. I have worked very hard over a number of years to achieve this ambition and I am sure other members will understand how pleased I am to be here.

Before discussing a number of topics, I wish to express my thanks to certain people. I appreciate the support given to me by my family, particularly my wife and daughters. I am sure members will agree that if one's family is not supportive and there is conflict at home, the campaigns do not start off on the right foot. I express my sincere thanks and my love to my wife and daughters.

During campaigns one often begins to regard certain friends who gather around and assist with the work as part of the family. Of course, they are not in the same category but one friend in particular, Therese Howard, gave me great direction during the campaign. At times when I became a little frustrated she grabbed me by the tail and faced me in the right direction. I express my sincere thanks to her.

In some regards I was lucky during my campaign because I had in my electorate two sitting members who were able to guide me. I refer to David Smith, the member for Mitchell, and Phil Smith, the member for Bunbury. They showed me how to work with and help my

constituents from the beginning. I thank them sincerely.

However, those members were not able to guide me with regard to the procedures in the upper House. In this connection I express my thanks to you, Mr Deputy President (Hon. D. J. Wordsworth), and the staff of Parliament House for the seminar on parliamentary procedure held a few weeks ago. It was most enlightening and a great help, I am sure, to every new member of the Legislative Council. From the activities I have witnessed in the last week and a half I suggest that some of the senior members could perhaps have learnt a little from that seminar about decorum.

I wish to refer briefly to topics related to my electorate, the South-West Province. It covers a large area and takes in the lower House seats of Bunbury, Mitchell and Vasse. Therefore, it provides a number of topics for discussion.

I am concerned about an issue which applies to the whole State; that is, the environment. It is becoming a major issue not only in my electorate but throughout the State. When allowing large developments to proceed or granting permission for mining to commence, it is important for the ecology of the area to be protected. The Cape Leeuwin reserve, for instance, is a very fragile part of our coastline and without proper management it may be destroyed and lost to future generations forever.

I believe the Department of Conservation and Land Management should play a large part in maintaining and protecting the Cape from those who have no care for the environment, not only in respect of the damage they are causing while having what they call a good time but also in respect of their having no thought for others. It may be possible for the Government to provide full-time rangers for the area and for four-wheel drive vehicles and trail bikes to be kept to designated tracks. I am not saying that the drivers of four-wheel drive vehicles and trail bike enthusiasts are irresponsible, but a few idiots will always disregard the rules—albeit some are unwritten rules—and spoil it for others.

I believe taking a full-time ranger from the staff already available within the Department of Conservation and Land Management would cost very little. He would be able to keep a closer eye on what was happening in and around the Cape Leeuwin reserve and associated areas. For as sure as the sun rises in the morning, progress will happen in some of the more touchy areas mentioned, so it is im-

perative we direct that progress in a way that is compatible with all interests concerned. As someone said to me recently, let us not give everything to development and foreign tourists; let us save some of the beauty of the area for Western Australians.

I am particularly pleased with the Government's intention to introduce an environmental protection Bill to replace the present Act of 15 years' standing. For too long industry has held the reins and led us in the direction it has wanted to take, cutting costs wherever possible without any thought of the effect on people or for the environment around its factories. We and future generations will pay dearly for that lack of control. Although I believe this control should have been in place long before, I am pleased that one of the proposed Bill's changes will be that a unit of the Environmental Protection Authority will be established in the Kwinana area. The unit will have the responsibility for the control of pollution in the region, including Cockburn Sound. The intended appointment for 12 months of an industrial environmental expert to establish a detailed mechanism for control of industry at Kwinana is certainly a step in the right direction. The information that will be gathered could and should be used to make sure that the present problems do not occur in other areas, particularly in Bunbury where large industry has begun to become established.

In the past the mining industry has been guilty of a lack of care and a lack of appropriate protection for the environment. The industry has now seen the light of day on this matter and it is re-establishing areas it has mined previously. I have seen some of the flat areas it has re-established, and it is encouraging to see this work. Nevertheless I am still to be convinced that the mining industry can re-establish those forest areas successfully. Only time will tell whether it will be successful.

One thing still concerning me is the radiation level that is slowly being increased throughout the area by the use of tailings as filling. We have seen some big examples of that in the Wannerup area. Some of the companies in the area are aware of the problem and are trying to combat it in their own way. I have read a paper on this matter by John Koeysers of Margaret River who wrote a thesis on the problem. I can make that thesis available for anyone who might want to read it. It is a very thorough paper. John is a highly intelligent man who has put his paper together well. I am sure his thesis contains interesting reading for other members

who feel this could be happening in their electorates.

It is becoming an alarming reality that radiation is still increasing throughout the Capel and Wannerup areas. It has not reached the level of being dangerous to a person's health, but it is moving in that direction and will reach that point if we let it. Such is the problem that has been created through the lack of control by our decision-makers of the past. I repeat that I welcome the Government's Bill soon to be introduced to protect our environment.

I move now to the subject of tourism, an industry which is becoming one of the largest employers in the south-west where some of the most beautiful scenery in the world can be seen along our south coast, and I speak now of areas such as Gracetown and Augusta. This further enhances my statement that we must seek progress and the protection of our environment in such a way that this beauty can be kept for all of us to enjoy.

A large portion of this new employment has been found in the hospitality industry and it has recently been shown that a large number of people will be employed at the Lord Forrest, which is soon opening in Bunbury; and the newly decorated Margaret River Hotel has added further staff and is a credit to its owners. There are older hotels in Busselton which are being bought and upgraded and all this means a continued increase in staff required. This is very encouraging.

The wine industry is becoming a tourist attraction itself; it is expanding at a fast rate. It is forever looking for people to work on a seasonal basis because of its picking requirements, and this seems to coordinate with the tourism industry.

Throughout the south-west coast area we have many caravan parks and camping sites, most of which are seasonal operations with the exception of a few which are capable of handling some of the permanent residents.

I feel a change in the route of Highway 1 would help the tourism industry, greatly enabling it to continue its contribution to employment on a long-term basis instead of under the present system. At present people are employed on a part-time basis, and when the season finishes they look for work elsewhere or go on the dole.

I do not suggest lightly the change of Highway 1 from its existing route to follow the Bussell Highway. I believe that people in their own minds think that because the existing

route is classified as No. 1, that is the most scenic route to take, when in fact the most scenic route is along the south coast. Obviously this remark will stir up a few people's thinking, but that is how I feel about the subject. I will be approaching the Minister responsible for this very subject at a later date. I should add that I have the full support of the local people, particularly those in the Busselton region through to Margaret River and Augusta. They are very keen to see the route changed through their area.

I move on now to discuss the policies of the Burke Government. Since being first elected in 1983 the Burke Government has seen WA, and in particular Bunbury, flourish. There is no doubt in my mind that one of the major successes of the Burke Government in that area is its decentralisation programme and the creation of the South West Development Authority in 1983, which has helped to formalise this decentralisation and has really put Bunbury on the map in the three years the authority has been in existence. One cannot speak too highly of the work carried out by Dr Manea and Kevin Strapp. Through their efforts immense benefit has already come to the south-west.

One benefit has been the creation of the Bunbury Institute of Advanced Education. This has created in the south-west region a great feeling, particularly amongst parents, because they know their children can get an advanced education without having to send them to the metropolitan area. Their children can now receive that further education in their own area. This has meant cost savings to these families by not having to have a child educated in Perth.

Another new development concerns the old rail reserve, something that has been the subject of argument since 1926. A lot of previous Governments and councils made a lot of promises to the people about this old rail reserve. The last promise was made by Ray O'Connor when he was Premier. The people were told then that the railway would be removed from the centre of Bunbury within 10 to 15 years. A year and a half later the O'Connor Government was put into Opposition and the Burke Government was in office. Within 12 months the people were told that the old rail reserve could be shifted out of the city centre.

That has now occurred and the new developments on the old reserve are expanding. A guarantee has been given to a major shopping complex that space will be available for it in

the area of the old reserve. The whole area will become aesthetically appealing to everyone.

The redevelopment has allowed the redirection of traffic away from the city centre, allowing a better flow of traffic and easier access to all the shopping facilities. It also combines with various gardens which will give the people of Bunbury, once they have done their shopping, a place to visit after a hectic day so that they can relax on the foreshore with their children and perhaps stay there for the rest of the day.

Some people will argue with me, but I believe the siting of the new railway station in Bunbury is ideal. It is very central to more areas than was the case when it was in the city centre. It is ironic that most of the people complaining about the siting of the new station are those who in the past caught the train at the old railway station and then got a taxi out to where the new station is. They seem to think that it is their right still to catch a taxi to these areas. But perhaps they are learning.

Public transport is available at the new station. The buses are running extremely well and they run on a similar basis to the buses servicing the East Perth station. No-one gets a free bus ride into Perth, and the same situation applies in Bunbury. Taxis are also available. The parking facilities at the new station are a big improvement on the facilities that were available at the old station.

The new rapid rail service will be ready for use around October, according to what I was told today.

I am looking forward to the establishment of that service. It is a two-hour train trip from Bunbury to Perth. I drive up here thinking I should be on the plane or that I should be coming up with David Smith or Phil Smith so that I can get some work done; but the train will alleviate that problem and make things a lot easier for me.

The level of Government-generated economic prosperity in Bunbury is quite evident. The "Bunbury 2000" decentralisation project has injected an air of confidence into the area, and there has been a substantial increase in the number and value of new buildings being constructed, the number of new businesses coming to town, and the number of developers seeking information from the South West Development Authority as to how they can invest in the region.

In the central Bunbury district it is almost impossible to get any floor space other than upstairs. I know for a fact because I looked around for an office. That is indicative of the demand in Bunbury at the moment. Employment has been boosted by State and Federal Government initiatives such as the Community Employment Programme, Westrek, Skills West, and the new enterprise scheme. As a result the unemployment rate in the area has been steadily dropping. Hon. Vic Ferry might argue with me about that, but he can attack me later.

I would like to refer now to a body for which I have great regard, the Bunbury Port Authority. Since I joined the board in 1984 I have found it to be a very educational period. Under the chairmanship of Mr John Willinge the port is one of the few making a profit along our coastline. However, I must admit it was not all peaches and cream with the authority having its first dispute in over 70 years of its existence. The dispute got nasty at times, and like all disputes of that kind mistakes were made on both sides and absolutely no-one came out a winner. I believe things have now settled back to a good working relationship between all concerned and the port is getting on with the job.

During the past 12 years, as a result of declining markets and containerisation, there has been a major shift in the pattern of trade through Bunbury from the export of timber, apples, and bagged minerals, towards bulk cargoes such as ilmenite, zircon, woodchips and alumina. Considerable investment and development during this period has enabled the port to efficiently meet the new demands.

Some of the imports now going through Bunbury are caustic soda, petroleum products, phosphorous rock, sulphur, chemical fertiliser, vegetable oils, formaldehyde resin, and general cargo. The exports include alumina, which accounts for 2.2 million tonnes per annum; mineral sands; woodchips; wheat; oats; timber; coal and clay; and general cargo. The total trade in the year to 30 June 1985 was 4.6 million tonnes and the total number of vessels handled was 233.

At this stage 102 men are employed there with further indirect port-related employment in shipping agencies, stevedoring companies, customs, providores, importers and exporters, transport, and other back-up facilities. That alone runs to at least another 100 people. Ten unions are established in the port in relation to port activities, whereas elsewhere in Australia it is felt the waterfront would be better served

industrially by a lesser number of unions. This aspect is being studied by the unions themselves, employers, and Government industrial officers. With the exception of the serious inter-union dispute during 1985, the port has been outstanding in Australia for 75 years for having a good employer-union relationship.

Over the past 20 years there has been a dramatic change from physical handling of cargoes and port maintenance to mechanisation, containerisation, and unitisation in cargo handling and the use of sophisticated equipment, and in engineering activities such as the dredging and construction of port facilities. The ships calling at the port have undergone many technical improvements, in particular in cargo handling and stowage. The derricks and winches have been replaced by highly efficient ships' cranes or gantries. Square and easily accessible holds have contributed to greatly improved handling of cargoes. This in turn has contributed to considerable changes in local working conditions.

The number of waterside workers employed in stevedoring operations in the past 20 years has declined unfortunately by 80 per cent while tonnage handled has increased by 400 per cent. As an example of the change, 20 years ago it took 12 men eight hours to load 1 200 tonnes of ilmenite; now it takes two men two hours.

Although the number of workers has decreased the duties and responsibilities have increased considerably. These include forklift and front-end loader driving, and handling of grain and woodchip bulk loaders. There have been considerable improvements in working conditions such as dust control provisions, provision of first-aid facilities, industrial clothing, and various training schemes, and staff amenities are also of a high standard.

One of my pet interests is the environment, and most people would realise that around ports anywhere in Australia there is a lot of dead land and what could be called "dirty" areas. The Bunbury Port Authority has an intimate and independent relationship with the City of Bunbury and the hinterland and plays a major part in deliberations and planning by the port administration. As a contribution, and to encourage tourism, access to the port area and the wharves is kept open and visits are encouraged. In addition the authority has embarked on a programme of environmental improvements with particular attention to upgrading port roads, beaches, the wharf, and parking areas, the landscaping of port entrances and the planting of numerous trees.

There is a small park at the beginning of the inner harbour which has been developed by the staff and the office of the Bunbury Port Authority. It is one of those little parks which people seem to be attracted to. I do not think I have seen a weekend yet, other than a wet one, when there has not been someone there using the barbecues and facilities. This complex has a complete recreation area and it has been established for the public with barbecues and children's playgrounds and bird islands. I do not know how many members have been to Bunbury recently or can recall the old jetty baths, but that area is being redeveloped by putting a brick wall along the edge of the embankment and rebuilding it. That will also greatly enhance the area.

The authority will repair and maintain the historic Leschenault homestead, and maintain the lawns and surroundings. I know that is something that Phil Smith and David Smith have worked towards with the encouragement of all members of the board and all concerned. That property is being looked after and the authority is doing a good job. In its budget the port authority made a reservation of \$90 000 per annum solely for environmental improvements and public relations. It does show the authority is dinkum about what it is doing.

During my time on the board we have had some lengthy discussions and they have not always been good ones; some have been pretty heated at times. But with other members of the board such as Loui Tuia, Ross Rancon and Colin Ganfield, and the managing secretary, Brian Cunningham, we have always been able to reach consensus, and always for the better of the Port of Bunbury.

There is also a move afoot in Bunbury to get the live sheep trade put through the port. Some members representing the Fremantle area might suddenly blink and say, "Hang on!", but it is happening, and I notice someone asked the Minister the other day what would happen with the sheep during the America's Cup period. I suggest to the Minister that we support Bunbury's campaign to have the live sheep trade shifted down there.

I want to turn now to some wider issues affecting the State. There is a concern in the community that crimes of violence are on the increase. I know that the Opposition would have us believe that all is doom and gloom and we should return to the days of the lash and long gaol sentences, even for minor crimes. It seems ironic that innocent citizens can be subject to horrifically violent beatings, rape, or torture,

and the assailant can be convicted and given a sentence which often is substantially reduced for good behaviour.

It appears that too often the concerns of the victim are overlooked. I do not support long gaol sentences with hard labour for relatively minor crimes, but it is time we made the punishment fit the crime. The death penalty has been abolished and I agree with this, but it has created problems regarding those people who are convicted of crimes where once the death penalty applied. There is a need to increase penalties—both fines and sentences—to reflect the community's concern about what is and is not justice. A ludicrous situation exists when a person can be heavily fined or gaoled for crimes against property, stealing, or misappropriation of money, but depriving a person of his freedom and dignity or physically damaging a person results in relatively minor sentences.

The public are dismayed at the lenient sentences handed out to criminals who are convicted of crimes of violence. I do not blame the judges because they can only judge on the evidence presented to them and are often restricted by the circumstances of the crime and the penalties allowed.

At the same time, there is a perceived need for an increase in police presence within the community and I commend the Government and the Police Force for their efforts to upgrade the image of the Police Force. For too long we have allowed the media to reinforce the feeling among our youth that police should be labelled as "pigs" and should not be trusted. I do not agree with this attitude which seems to prevail among our youth. We have lived in an American fantasy land of heroes being able to break the law and show up the police as being unintelligent. The images portrayed by "Mr T" and "Rambo"—that one should take the law into one's own hands—are not what we should be promoting.

It has been observed that a significant way to reduce crime is to have reasonable police presence. This can be done by increasing the number of police who can be seen by the public as being actively on duty. In the old days the local policeman rode his bike around the town and undertook regular patrols on foot. Probably some of the older members in this House today would remember that. The local people knew the policeman personally and were reassured by the knowledge that he knew what was happening in their town. He had contact with the populace and many a juvenile criminal's career was stopped by a quiet word

to the parents before the action went too far. Another remedy which did help in those days was a swift application of the boot to the rear! These days if a constable tried that action he would find himself up on a charge of assault. The kids seem to know the law better than some adults.

A traffic police car parked at the side of a busy road will have a greater effect in slowing traffic and restoring highway order than a traffic car parked on a long stretch of road booking drivers who have exceeded the speed limit. I do not condone the fact that people should be able to speed anywhere above the law, but there are times where the sight of a traffic policeman would be more alarming to a driver.

I give full marks to the police for their Blue Light Discos, which are having a huge effect on the youth of today, and give parents peace of mind. The children have somewhere to go where they can enjoy themselves and, at the same time, they see policemen as real people with concern for their safety and security. I hope that all members of the public will continue to support the police and help them in their vital and difficult job.

I see a need for recruiting extra police in order that they can maintain their visual presence. I am happy to say that this Government has increased the presence of police in public areas.

I refer now to some statistics which show that 56 police are stationed in the Bunbury area, and this includes the superintendent, chief inspector and the senior constables. Eleven policemen are stationed in Busselton including the senior sergeant, J. Willis. Five policemen are stationed at Margaret River and they serve the Augusta area also. A temporary police facility operates in Augusta during the Christmas and Easter holiday periods. I find that inadequate because Augusta is quite a distance from Margaret River and if an incident occurred it would take some time before a police officer arrived at the scene. I have spoken to the Minister concerned and he has told me that a permanent police officer and quarters have been approved and construction will commence when funds become available. I asked him to make sure that the funds became available as soon as possible. He did not give me a guarantee as to when construction will commence, but I hope that it is at the end of this year.

I did intend to speak briefly on electoral reform, but the subject has already been covered by those members who have spoken previously and, no doubt, will be covered by other speakers who will be able to cover the subject much better than I would. I do make the point that there is a need for electoral reform in this State. I did believe that this State has been registered second only to Queensland as the worst gerrymandered State in Australia. However, I have been advised that I was wrong because it is the worst gerrymandered State of any parliamentary system in the world. It is not a situation of which any Western Australian could be proud. Opposition members, as few as they are, should be able to see that it is time for a change. I do not wish to go any further on this subject except to say that I hope the Opposition members, the members of the National Party—who tell me they are intelligent members—and not forgetting the leader of the Independents, will see that a change is needed now.

I hope that I have not bored members too much during my maiden speech, but I refer to the following quote from my colleague, Robert Hetherington, who is not present at the moment—

I am truly not here to entertain you, but
I am here to enlighten you.

I hope that that is what I have just done.

[Applause.]

[Questions taken.]

HON. E. J. CHARLTON (Central) [5.18 p.m.]: I would like firstly to congratulate the people who have been elected to this House and to another place to represent their various electorates. Each new member who has been elected for the term of this Parliament comes here with a great deal of enthusiasm to represent the people who elected him.

I also congratulate those new members who have made their maiden speeches, especially the last speaker, Hon. D. W. Wenn. His remarks about courts and the police were very apt and I am sure would have the wholehearted support of the majority of members present.

I will begin my remarks on a point which is obvious to those people who do not live in the metropolitan area at this time, and that is the rural crisis. Everything that needs to be said probably has been said. Right across the nation varying opinions about the rural crisis have been put forward. Indeed, some people—including economists such as David Clark and others—have stated that it is the greatest con of

all time; that this so-called crisis is nothing but a lobby by a few well-organised people to publicise certain financial positions that have been created by mismanagement and so on.

I would like to take some time to make a couple of observations as far as Western Australia is concerned. The great shame is that so many people, including members of Parliament right across the nation, do not seem to understand and comprehend the reason that our finances have deteriorated to such a devastating position. While nobody in particular can take the blame, a combination of decisions made over a long period has slowly but surely brought the rural section of our nation to the desperate position it is in today.

I shall give the House a few facts. The wheatbelt debt today is about \$200 000 per property in Western Australia. In 1984 it was \$170 000. So it has gone up \$30 000 in less than two years.

That debt being what it is, members should bear in mind that in 1965 for every dollar held by farmers in the bank, 74c was borrowed. Today, for every dollar in the bank, \$3.09 is borrowed. That demonstrates the critical situation of the economics of the farming industry in Western Australia.

Added to that we must take into account the effect that that deplorable and difficult situation has on so many other people in the agricultural industry. It must be borne in mind that we also have country businesses and service industries directly affected as a result of that situation. When people do not have money, they do not spend it. The only way they can spend any sort of finance at all is on absolute essentials; therefore things over and above that are not being bought. That is why we hear daily about country businesses folding up, they have nowhere to go, and their borrowing capacity and debt structure is such that they are being forced out of business.

The time is not very far ahead of us when the next people down the line will start to dry up and get into trouble. There is a complete lack of confidence by all those people in the financial institutions, the moneylenders, and everybody else around the place. They say we have an industry which has no future.

We have heard this since time began. Every 20 or 30 years, or sometimes even less, particular industries have a downturn, but they come out of it, mainly because of a set of circumstances beyond the control of their members of Parliament. If it were left to members of Parlia-

ment to fix the problems of this nation, obviously we would never get out of trouble because they do not come to terms with reality.

Because of this lack of confidence, we have a position where nobody wants to know these people, whether they are businessmen, farmers or whatever. So the position is deteriorating day by day.

Valuations of land are falling. I shall give members an instance from the area I come from. Only two years ago in a place called Doodlakine—

Hon. D. K. Dans: Are you sure it was not called Greenbushes?

Hon. E. J. CHARLTON: —the value of land was \$200 an acre. A couple of weeks ago it was \$7.50. This has resulted from decisions taken in Canberra. This does not apply to all of the farmers there, but it is bad enough on its own. The fact is that the Valuer General's Office will apply that value to all the land in close proximity. While it may not be \$7.50 an acre, it will be markedly less than it was a couple of years ago.

As a result, when people go to RAFCO to seek finance, after having been knocked back by their banks, they find they do not have the equity; they are not viable.

Why is that? Because the value of the land has fallen. It has nothing to do with output. In the last 100 years these people have generated the millions of tonnes of grain which the nation lives on, and they will continue to do it.

I know everybody has heard most of this before, but nobody seems to be prepared to come to terms with it and do something about it. As far as RAFCO is concerned, we saw headlines in the lead-up to the election, and we have seen them since about the State and Federal Governments' making X number of dollars available.

As far as RAFCO and the State are concerned, as Mr Gayfer said, a total of almost \$100 million was available. Everywhere one went in the city people would say, "We have a \$100 million handout for the farmers."

First, no money was being given away at all; it was all to be loans, and it was all to be repaid at various rates of interest at various stages. The fact is that less than \$30 million will ever see the light of day.

Part of that \$100 million was to be a \$40 million interest subsidy. To my knowledge, not one dollar of that \$40 million has ever seen the light of day. I suggest that the Government, when it is making up the \$45 million-plus it

will not receive as a result of the economic circumstances and the Premiers' Conference, should bear in mind that the farmers and business people in the country areas of Western Australia have already contributed half of that requirement, because the interest subsidy was not applied.

What will be the result of that? Over 1 000 farming operations have been knocked back by banks or financial institutions and told they should go somewhere else to get the money. That will be from RAFCO, the fuel supplier or whatever.

Those people who have to do those sorts of things will be in two categories. Some people will take them up as they have done.

Several members interjected.

Hon. E. J. CHARLTON: Mr Lockyer must listen to this, because there are some people—

Hon. S. M. Piantadosi: I agree, he should listen.

Hon. E. J. CHARLTON: Also Mr Piantadosi, because the Water Authority has told us that it will put the rates up, because the Government has decided to do so. I am sure Mr Piantadosi would not like to see all the people in the country who are working for the water authority being shifted out of Northam or wherever they are because the farmers cannot pay their way.

These two categories of people who have been refused finance and told to go somewhere else have no choice. They have to take a punt and borrow, steal or whatever to get their crops in—which they have done. I had a phone call from one farmer yesterday who has just completed seeding 10 000 acres.

Members can imagine what the contribution of that would be, at half a tonne to the acre. If they multiply that by the \$200 a tonne that it is worth to the nation—not to the farmer—it is considerable. Yet he had put in an application to RAFCO in February and was told last week that he had been unsuccessful.

Another farmer put in an application at a similar time and was refused. He resubmitted his application and then three weeks after the first and opening rains of the season he was told his application was successful. However, in the meantime he had had to make a decision. Unlike the other farmer, instead of taking a punt and borrowing the money or ticking it up, he had leased out his property. Now he cannot take the money.

They are two examples of the extreme dissatisfaction that we in the National Party have with the operations of RAFCO and the Government in not seeing that that operation is carried out in a businesslike manner. If anyone in private business ran an operation like that he would go broke.

As Hon. Mick Gayfer pointed out very clearly in his speech, the banks, too, have a lot to answer for. I fully endorse his remarks.

The point of all my remarks is this: Where does this leave all these people? We have not heard anything yet about what will happen after this season. Hopefully it will be a very good season across the board, but that will not necessarily be the case.

It must be taken on board that the great majority of the media's coverage has been with headlines about farmers getting into trouble because they have gone out and bought the next-door farm in times of high expectation and have in fact made a bad commercial judgment. In some cases this is so, but what never seems to be portrayed to the public, those uninformed people in the metropolitan area, is that the other 90 per cent of farmers have suffered purely because of the decisions made by previous Federal Governments and the present Federal Government. These Governments have made bad decisions on excise, on import parity pricing and on a whole host of other charges on fuel.

Fuel increases might be all right for city people who want to drive to Mandurah on the weekend. It might only cost an extra dollar or two a week or perhaps \$100 over the year. However, for someone like a farmer who is reliant on fuel for his livelihood, the increase in costs is high, perhaps in the region of \$5 000 a year. That is why it is totally unfair for Governments to expect just one group in the community in one industry to carry the burden. With \$5 000 going on fuel and another \$5 000 on helping imports that come into this nation, it is difficult for the people producing commodities to compete. Our farmers are accepted as being among the most efficient in the world. They can buy certain items overseas but are not allowed to because they are told we have to safeguard jobs or companies back in Australia.

One example is BHP, a company about which I am not too happy. I am not too worried who takes it over because I think in the past it has not demonstrated that it is a very efficient organisation. Time and time again it has gone to the Federal Government and asked for a

handout. It received one of \$300 million or more, which it did not even have to pay back, so that it could protect itself, its workers and other people down the line.

However, if money is made available to the rural industry, this hits the headlines—and it has to be repaid. If the farmers cannot repay any debts, they get sold up.

These are the comparisons we should all take on board if we are really serious about doing something to help the agricultural industries. If the Government had made available the \$100 million which it has been said was available and earmarked to do the job, there would not have been a crisis in rural areas in this State in 1986. The money would have gone into the system and been directed straight to the people who needed it, and then it would have flowed through to people in the service areas. This would have got us going for 1986.

What are our alternatives? Because the money did not come into the system people have been forced off their farms. Members should not be misled about this; after all, what can people do when they go to their bank manager or to some other financial institution and are told they cannot have the money they need? What alternative do they have?

I congratulate Hon. Kay Hallahan for the part she has played in taking on board the dire position some of these people are in. What can be done when a wife comes along crying because her family has nowhere to go? It is a serious situation. These people have children at school and are told they cannot get the dole because they own a farm. These are the facts. What do they do? They have no alternative other than to leave the farm—in the lap of the gods or the banks—and then try to get a house somewhere, or perhaps a room. Only then can they collect the dole. But while they are living in their own home in a stable family environment and sending their children to the local school, they are not eligible to receive the dole! Yet at the same time we have no-hopers around who are bleeding the system dry.

While I congratulate the Minister for what she has been able to do in assisting some of these people to get unemployment benefits, I am very sad and disappointed to hear that she and her Government have not grappled with the problem fully by seeing that people should work for the dole. Until Australia comes to its senses and realises that its people should get nothing for nothing, we are on a down-hill run all the way.

It is unbelievable for me to think that some people believe they are entitled to an income without making any contribution towards it. At the same time other people with families and mortgages and other commitments to meet, people on a basic wage, have my sympathy because of what they are expected to bear. I am not in favour of cutting the wages of those people, because they are trying hard to survive as it is, so why should they be penalised? But they are penalised through a tax system which allows other people to be freeloaders.

I say to members of all parties that we should dig our toes in and take on our Federal counterparts and gee them up a bit. We in the National Party are doing that with our Federal counterparts, and the Liberal and Labor members should do the same with their members.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! I point out to Hon. P. H. Lockyer and Hon. S. M. Piantadosi that if they continue their debate at the back, after the member on his feet has already asked them to keep quiet, I will help him by throwing them out.

Hon. E. J. CHARLTON: Unless we come to terms with the realities of our economic situation, Australia can only deteriorate further.

This leads me to comment on the address to the nation by the Prime Minister. He said on television that the great majority of people in the nation were eager to see where the nation was going. I was sadly disillusioned and disappointed by his comments because he looked like a football coach trying to urge on and exhort his players to do something they otherwise would not do.

The only way we will have a change of direction in this nation is for the decision-makers to change the rules of the game and provide incentives for people to get out and do something. Merely urging them will achieve nothing.

The only solution is to bring about a complete change in this nation's taxation system. Unless we do that we will go nowhere except down. The Prime Minister cannot expect merely to encourage people to be satisfied with the wages they are getting, because presently the people in the work force decide that every time they receive a wage increase they do not want to work overtime because of the extra cost; money is ripped off them. The only people benefiting are those freeloaders to whom I referred earlier.

Hon. G. E. Masters: The more they work the more they pay.

Hon. E. J. CHARLTON: That is right. Australia has to come to terms with a single rate of tax. Before everybody jumps up and down, let me say we should all consider it to see what is right or wrong about it.

Hon. G. E. Masters: A flat rate of tax.

Hon. E. J. CHARLTON: We prefer to call it a single rate of tax. The most important point is that the more one earns the more one pays and the more profit one makes. A moment ago I referred to the fact that the rural industry had the dollar invested to the amount it owed. Everyone knows that the middle 60s was a very good period for agriculture, but farmers were still borrowing money to do things. Everyone was well off in Australia in the 1960s—they were in business.

I disagree with those people who say that the welfare system is now so much better and has done so much more for the underprivileged of this nation. If one looks around one will see that we have more drug problems, more homeless children, and more unmarried mothers. These are areas that society should do something about. The position that these people are now in is worse than it was 10 years ago. Have we improved the standard of our society? After spending vast sums of money, where are we? We have the highest debt loading per head of population, in the OECD countries, with the exception of Greece.

We continue to go backwards. One can relate it to the farming industry, business or whatever. We have spent all this money but at the end of it all we are down the tube. Nearly half of this money is private debt. It does not matter whether it is private or Government debt—okay, it does matter to some extent—the fact is we are responsible for paying that debt in the end. One does not have to be an economist to understand that. Someone has to front up some day, sometime, somewhere down the track to square the budget. Where will we finish up if we keep going like this? As members in this place, we must all wonder what our responsibility is and what we can do towards it.

I suggest, as a starting point, that I am prepared—even though I do not have much credit; none to be exact—to make a bus available to take all members of Parliament in this State on a tour of the bush, on the other side of the Darling Range, to look at the contribution to the economy of this State of the service industries, the back-up people, the people in Westrail, the people employed by the Water Authority and the State Energy Commission,

who made the decision to live in those areas. They are now being penalised every time they pick up the paper or get their pay cheque. They are penalised because they live in the bush.

It is about time members had a look at what is going on in the bush. Perhaps only then members will not hide behind the concrete walls of St George's Terrace fobbing people off and saying, "We will let you know next week."

As most members know we pressurised the Minister for Agriculture and the Premier over RAFCO and its role to the point where the Premier came and spoke to the National Party. That was when the first rain came to the agricultural areas during May. When I went home that night I was so disappointed that we did not have a commitment and that nothing positive would be done, that the very next morning I phoned the Premier. I appreciated his taking the time to speak to me, and to listen to what I had to say. I also appreciate the action which has subsequently taken place; I just wish it had happened two or three months before because the people suffering those debts now would not be in the position they are now in.

It seems to me that everyone has lost confidence in the rural industries in Australia. They are now saying that it is time to do something else—perhaps gee up the manufacturing industry. I would rather give assistance to something that is generating finance for the nation to live off. There will always be a small number of people easing out of the industry. That has been happening ever since day one in the agriculture or any other industry.

Hon. Fred McKenzie: You still have to sell your commodities. Where will you sell them at the right price?

Hon. E. J. CHARLTON: The member has been reading too many papers. I don't criticise the member, because he lives in the city and he only knows what his learned colleagues tell him. They say that the reason Australia is in trouble is because of the people in the United States and the EEC.

Hon. J. M. Brown: It is true.

Hon. E. J. CHARLTON: It is definitely not true. Of course they have compounded the problem, but the main cause is the Government's decision with respect to fuel, tariffs, fertilisers, and freights, etc.

Hon. J. M. Brown: What is the decision on fuel?

Hon. E. J. CHARLTON: The decision on fuel is lovely. If we look back over the last 10 years we will see that in 1973 distillate was about 5c a litre. It went to 50c over that 10-year period before the present reduction took place.

Hon. Fred McKenzie: That was not the Australian Government's fault. It was OPEC.

Hon. E. J. CHARLTON: It had nothing to do with OPEC. Import parity pricing for the oil produced in Australia, was brought in by we know who to safeguard and encourage people to use less fuel. After this sort of thing is brought in everyone jumps on the bandwagon. Who pays for it? The people I have been referring to. It happened over a period of 10 years when the debt structure was created and everyone was getting into trouble. It is no good shutting the gate after the horse has gone and saying that we have fixed everything up.

I refer to Mr McKenzie's interjection. That will only put the icing on the cake. We have not yet seen the problems; they will come with this year's harvest. As every other harvest has come and gone, the value and profitability of farms is still there. The only reason that the farmers are in a critical situation is because of these imposts. People in the United States, Europe, and Canada are not loaded up with the cost structures we have here. They cannot believe how the agriculture and service industries in Australia are surviving on the input costs. The input costs were loaded onto us because politically we do not count. We are in the minority.

Australia is the most urbanised nation in the world. People may talk about electoral reform, and what goes on in another nation; and if the shoe fits wear it; but that is not practical in this nation. There is no other nation that has people deposited in little spots around the coastline. We have this vast inland which is generating all the finance, whether it be from minerals, agriculture or fishing. Just imagine how unfair it is for the people in the fishing industry who, over the last 10 or 15 years, have had to pay this tax on fuel for the roads and highways in Australia, while they were driving their boats and picking up craypots. They have been bled dry.

Hon Garry Kelly: You have had a gerrymander in this House and these imposts have still been imposed.

Hon. E. J. CHARLTON: How can we tell the people of Mt Marshall and Merredin that they will have only one representative in this place? If the Government has its way one member will represent the entire area, including

Goomalling, Southern Cross, and the area halfway to Coolgardie, and down to Wickepin. All other members will represent city electorates, areas which one could walk across in half an hour. The people who generate so much of the income of this State will be represented in this place by only a handful of members. Those people contribute to the standard of living of the people living in the metropolitan areas. We are not critical of that. All we ask is that the members of this Parliament realise the contribution that the people in the rural areas make and have made in putting Australia where it is today. We have all benefited from the hard work of our forefathers who contributed so magnificently to all people of this nation. It is because of that hard work that Australians are enjoying such a high standard of living.

All of a sudden we are interested only in what is happening today. The Education Department is in an absolute mess. Children today have all sorts of extracurricula activities. My youngest is still at school and he is the worst educated of the three of my children. He spends so much time on peace studies and other subjects which have no meaning whatsoever. The other day one father told me that his boy was learning how to make scones.

Hon. Garry Kelly: Are they pumpkin scones?

Hon. E. J. CHARLTON: They could be, but if they are he should go to Queensland and learn to make them properly. Members opposite may well ask what is wrong with that. I will tell them. Instead of these young people knowing how to read properly and to do their maths properly, they are making scones and being told about nuclear accidents. I have heard some of the biggest employers in this State and many small businessmen say that nice young people who are keen to work have approached them but that they cannot work a filing system because they have not been taught the basics of something as common as that.

I am aware that I am overdramatising the situation, but I am very disappointed with members opposite taking the attitude that they have about changes to the education system. I do not believe that the teachers are at fault; I am not criticising them. I am critical of the silvertails in that silver city at East Perth and some of the academics in our tertiary institutions who have never earned a quid in their lives and who have never employed anyone in their lives. Children would have to attend school for 15 hours a day to be able to take in the sort of stuff proposed by the Education Department.

I know that kids mix more easily with the opposite sex today and that they go to discos and enjoy themselves more easily than we did 20 years ago. But it is precisely the attitude of members sitting opposite that is destroying our education system. Why do 50 per cent of kids believe that they will not live until they are 25? Their parents have not told them that there is no hope. They picked that idea up from the television and from what they have learnt at school. They have no confidence about living for another 10 or 15 years. Why do 10, 15 or 20 protesters against nuclear warships at Fremantle give such a bad name to the rest of the kids? The Premier of this State supports foreign naval ships coming to this country. Yet, these individuals continue to protest against these vessels. Yesterday we saw in the paper that there was a protest outside the South African Embassy and we saw the results of that protest. Those protesters are not representative of 0.5 per cent of the kids of this country. They protest in order to gain coverage by the media and that is all.

The trouble with Australia is that the noisy minorities have too much to say. They are being looked after while the silent majority is being taken to the cleaners. It is about time that Australians faced reality.

I was serious when I made the offer of a bus to take all members of Parliament to the rural areas of this State so that they can understand the critical position facing the rural industry and so that they can understand also the education and health problems facing country people.

I have heard the comment made: Who asked them to go there? No-one asked them. They are where they want to be. What would we do with them in the cities? I think it is accurate that every time a family leaves a farm or a country business and comes to the city two people in the city are put out of jobs. It is a known fact that farmers have no trouble finding work in the city. In fact, they usually get two jobs immediately they arrive. They are so used to wanting to work and achieving something. If a farmer's wife also gets a job, three people are put out of work. I can name people who have done that. The greatest problem they have in moving is that they are moving to a place they do not want to go to.

Why do we not give these people the incentive to continue contributing to this nation and support them in doing the sort of work that they have done for many years? It is that con-

tribution, as I said earlier, that has allowed us to attain such a high standard of living.

I am worried that we may not win the America's Cup. I hope we do because I do not know what will happen with Fremantle and all the millions of dollars that have been invested in it. Who will pick up the tab after it is all over? There was no trouble finding \$30 million to invest in a boat race. I know we all support it and we want to see Australia win. However, let us invest in more lasting enterprises for the sake of this nation.

I ask members, finally: Would we have a crisis if everybody accepted a 20 per cent reduction in their salaries and the value of their homes was halved? Of course we would not.

Sitting suspended from 6.00 to 7.15 p.m.

Hon. E. J. CHARLTON: They would have difficulty in obtaining finance to run their businesses or pay their mortgages. If people in the metropolitan area had such experiences there would be chaos, but that is what is happening in the country areas of Western Australia today. With respect to finance, moneylending institutions are saying to country people that without the security to back up their borrowings they must either pay up in cash or be closed up. When a financial institution makes a valuation of an asset it does not take into consideration the price of exports.

I hope that while members were eating their tea they had a little time to think about what is happening to country people and to ponder the likely position of millions of city people if they were forced into the same position as the 700 000 people in country areas. The people in country areas who are in industries which generate the primary dollars of this nation cannot pass on their costs, as does the rest of Australia. The rest of Australia can pass on costs through the wages system, but primary industry has been affected by costs.

The fringe benefits tax is absolutely diabolical and will have negative effects on country people. People will be forced to pay for something that they do not have. That is what it can be boiled down to. Nobody really knows how the tax will evolve. I received a screed in the mail today from my accountants. They still do not know what will be the effects of this fringe benefits tax or how it will be implemented. It is estimated that it could cost as much to raise the money as the income received. That would prove that the tax system is out of step with today's economics and the real world.

I have spoken to the Minister for Racing and Gaming with respect to the licensing laws of this State. Those laws are completely out of step with what is going on and I hope that they will be changed in this parliamentary session. Hotels and clubs in country areas, more so than in the metropolitan area, have suffered because of the ridiculous laws under which they must operate. It has become necessary for hotels and clubs to generate income from extracurricular activity. They have introduced all sorts of games and ladies of all descriptions are brought into these hotels in order to bring in paying patrons. People today go to hotels to see floorshows and the like because the people who used to frequent hotels in order to have a beer or a drink of some sort—

Hon. Garry Kelly: A dying breed, are they?

Hon. E. J. CHARLTON: —are a dying breed because they are frightened to go to a hotel and have a couple of drinks because of police blitzes. There is likely to be a policeman waiting to nab them as they walk out the door. I totally disagree with that sort of going-on. We are all aware of the terrible carnage on our roads, but it has been proved beyond reasonable doubt that the action by the Police Department and the Government is designed more to generate funds than to stop fatalities.

Hon. J. M. Berinson: That's not right!

Hon. E. J. CHARLTON: It is right.

Hon. J. M. Berinson: Who has proved that?

Hon. E. J. CHARLTON: It has been proved by the figures.

Hon. J. M. Berinson: It is not proved by the figures at all.

Hon. E. J. CHARLTON: Carnage on the roads is increasing. This year has been worse than last year. The police blitzes of the last two or three weeks have not stopped accidents. In any case, only 20 per cent of the alcohol that is consumed is consumed in hotels. Most of it is consumed somewhere else and the people who consume it still drive.

Hon. J. M. Berinson: Are you suggesting that there is no evidence that the road toll does, in fact, drop when the blitz is on?

Hon. E. J. CHARLTON: Of course the road toll drops when the blitz is on.

Hon. J. M. Berinson: Well, all you are arguing for is more blitzes.

Hon. E. J. CHARLTON: No, I am not. I am arguing from the premise that all the blitzes do

is stop drinking taking place in hotels. The blitz is successful in so far as it catches up with drunk drivers leaving hotels, but it is not successful in its efforts to stop deaths on the roads.

Hon. Garry Kelly: It is too early to tell.

Hon. E. J. CHARLTON: Every time more police take part in such blitzes, fewer people go to hotels to drink; they drink somewhere else and still drive.

Hon. Garry Kelly: If they are drinking at home, they are unlikely to drive afterwards.

Hon. E. J. CHARLTON: They may be drinking at someone else's home rather than in their own home. Obviously, I do not have figures to substantiate that statement, but let us consider the facts that we have. More people this year have been killed or injured on the roads than last year, yet people have been prevented from having a social drink in hotels. I have observed that in country areas any team which travels to the town up the road for a game of bowls or golf no longer can have a social drink afterwards. They can have a lemonade, but most of us like to have a beer.

Hon. S. M. Piantadosi: What is wrong with lemonade?

Hon. E. J. CHARLTON: There is nothing wrong with lemonade, but after two or three glasses one gets a bit sick of it.

It is all very well for people who live in the metropolitan area, because they have only two, three, or 10 miles to drive home. A member of their family comes to pick them up or they make some other arrangement. However, it is a little more difficult for those who live in the country. They must travel 40 or 50 miles, so they get into their vehicles and drive home. People can have three, four, or half a dozen drinks and it will have no effect on their ability to drive 20 or 30 miles to their homes in the bush.

Hon. Tom Stephens: It will improve their family lives and you should be in favour of that.

Hon. E. J. CHARLTON: Family life in the country is a lot more stable than it is in the metropolitan areas of this nation. If one wants to have a good discussion, one goes to town on Friday night and has a few beers with one's friends at the club or the hotel. However, the blitz which is being put into effect will stop all that.

I have made my point and I am sure members opposite who represent country areas will

tell their constituents that the member for Central Province was in favour of them having a little more leeway and not being hounded as they are at the moment. When one is running out of demerit points for various reasons, one does not feel very happy about being on the roads on Thursday or Friday nights.

Hon. Tom Stephens: You shouldn't be on the road.

Hon. E. J. CHARLTON: During my speech we have had our moments of light-heartedness, and that is essential; but I hope members take my comments on board. I hope the respective parties in Western Australia recognise that it is irresponsible to pass on the indebtedness of our Government departments to the consumer. Government officers should not say, "Well, we shall have to pass on this cost, because we must maintain this service." Rather, it is time members of Parliament said, "This sort of thing has run its course. We shall provide fewer Government services. The public will have to rely more on doing things for themselves while we have this downturn in the economy to deal with." Given the incentive, I am sure people would accept that. It will be necessary to change the rules of the taxation system so that people are able to take home more of the pay they have earned than they do presently and spend it the way they want. Given the incentive, people will be able to face up to the future. We should not have the situation where parties try to play Father Christmas, with one party offering something and the other party trying to go one better. That is particularly so when people who receive unemployment benefits and social security payments are involved.

We have been elected to give a lead and people expect that of us. Therefore, we should not expect others to make the sacrifices, judgments, and decisions, because it is up to those who are elected and paid to carry out that responsibility, to exercise it.

HON. FRED MCKENZIE (North-East Metropolitan) [7.44 p.m.]: I welcome the new members to this House. I am delighted to see so many new faces. I have heard some of the contributions made by new members to this debate and it is clear they will all have useful roles to play in Parliament. All members have different styles and we all make our contributions in different ways. If we do not do so by means of speeches in this House, then we do so in the other areas in which we work. We all contribute to the best of our abilities, bearing in mind our strengths and limitations.

I know the new Labor members in this House and each of them will, during the course of his or her parliamentary career, make a contribution of which we will be proud.

I congratulate the Leader of the House (Hon. Des Dans) on his re-election and also Hon. Joe Berinson. It is very pleasing to see a woman sitting on the front bench (Hon. Kay Hallahan) and I am quite certain she will acquit herself very well in her ministerial portfolios.

From a bipartisan point of view, I congratulate Hon. Gordon Masters on retaining his position as Leader of the Opposition and I hope he continues in that role for a very long time.

Hon. G. E. Masters: I am only getting a bit of practice until I am back on the other side.

Hon. FRED MCKENZIE: A few changes have taken place within the National Party over a period, but now it is in a position to elect a leader in this place and I congratulate that long-standing member, Hon. Mick Gayfer, who, as he likes to remind us from time to time, has served in both Houses of Parliament.

I congratulate my two colleagues who have been elected as Whips. It is the first time the National Party has had a Whip in this place and I congratulate Hon. Eric Charlton. I also congratulate Hon. Margaret McAleer on her re-election as Whip and I am sure the spirit of cooperation we have had in the past will be maintained. As a result, we shall be able to overcome amicably any problems we may face.

I congratulate the "leader of the Democrats"—which I believe is the term that has been used—Hon. Sandy Lewis. I would be quite happy to accommodate him in respect of pairs if he were prepared to grant me one from time to time.

Hon. A. A. Lewis: You will have to work hard.

Hon. FRED MCKENZIE: I refer now to the sad passing of Clive Hughes. I knew Clive for a long time and, before the election, we were all aware that he was rather ill. However, we hoped he would be with us for some time, but that was not to be the case, and I pay tribute to him.

Clive Hughes was a very amiable fellow. He was not difficult to please and he was always prepared to assist in many ways. He was also very generous. Despite the fact that Clive was in ill health, he always weighed in heavily to assist in campaigns. Indeed, in one campaign in which I was assisting, he weighed in very

heavily, and that indicates the type of member he was and the sort of generosity he extended. Clive had many other great attributes and, of course, we shall all miss him in the Parliament. I have already sent my condolences to his wife and family.

I welcome Hon. Tom Butler to this House, but the previous member for North-East Metropolitan Province, Hon. Lyla Elliott, who was my colleague for some years, will be very sadly missed by those in her electorate. She represented the province long before I did. As members may recall, my province was abolished and, following an arrangement with Hon. Joe Berinson, I contested North-East Metropolitan Province and joined Hon. Lyla Elliott in this place. She was very well-known throughout her electorate and any member who had dealings with her would agree she had great compassion and understanding. There are far too few of those sorts of people in the Parliament and we can ill-afford to lose them.

I shall certainly miss Hon. Lyla Elliott as I am sure will members from both sides of the House, because she sat regularly in her seat in the Chamber and took a great interest in what was going on. She had her own points of view and expressed them eloquently. I am certainly sorry to see her depart.

I also want to refer to Colin Jamieson who was in the Parliament for a long time. He entered Parliament in 1953 and remained here until 1986.

Hon. H. W. Gayfer: That is 33 years.

Hon. FRED McKENZIE: Yes, 33 years, a very long period. During that time he served the Parliament very well. I have a record of his parliamentary career. He was the subject of many electoral redistributions. Over time he was the member for Canning, Beeloo, Belmont, and finally Welshpool. Quite a few changes were made during those 33 years and he was moved about as a result of those changes but managed to survive and, in fact, become a major contributor to the parliamentary scene. He was a Minister in the Tonkin Government and became Deputy Leader of the Opposition in 1974 and held that position until 1976 when he became Leader of the Opposition and remained in that office until 1978. Probably the only regret I have had since beginning my parliamentary career is that I was one of the persons responsible for having Colin Jamieson replaced as Leader of the Opposition.

Hon. V. J. Ferry: It was very cruel.

Several members interjected.

Hon. FRED McKENZIE: It was cruel, I admit, and in retrospect I would not do it again, but in the political field tough decisions must be made. I thought at that time it was the best thing to do and I fully admit I made a mistake. If given my time over again I certainly would not do it the second time around. I am sure other members of Parliament have also made mistakes and would not repeat them.

Hon. H. W. Gayfer: Do you think he would have been a better Premier than the current one?

Hon. FRED McKENZIE: Certainly not. I do not think that at all. It was a mistake I made at that time. Of course, with the effluxion of time, circumstances change. Our current Premier is the best leader that the Australian Labor Party in Western Australia has ever had, so it is not that point at all.

Quite apart from Colin Jamieson's parliamentary career let us look at his record within the Australian Labor Party.

Hon. H. W. Gayfer: He was a very knowledgeable person.

Hon. FRED McKENZIE: Of course. He was vice-president of the Western Australian branch of the Australian Labor Party in 1957-58; and during the long period from 1959 to 1976 he was president of the Western Australian branch, a very long time to be president because it is very difficult to hold down the presidency of any organisation, especially a political party, for such a long period. That bears testimony to the type of person Colin Jamieson was. Of course, his services culminated in his becoming a life member of the Western Australian branch in 1978, so he has been recognised within the party for the services that he gave to it.

Apart from that, people do not realise a lot of things about him. For example, he was active in the sporting arena. It is not commonly known that he was associated with the Amateur Football League for a long time and in fact he is still associated with it. He first commenced as an executive committee member in 1947 and became vice-president of the Western Australian branch of the Amateur Football League, and was the president between 1971 and 1983, again a long period over which to serve at the top of an organisation—12 years as president of the Western Australian Amateur Football League. As far back as 1958 his services were recognised because he was made a life member.

If members travel outside the Western Australian boundaries and look at Colin Jamieson's achievements within the Amateur Football Council of Australia they will see he was an executive member from 1956 until 1985 and was Australian president of the Amateur Football Council between 1979 and 1982. He has achieved a considerable degree of distinction in the football arena. He was very involved on the sporting side of things.

In his local area in 1985 he was recognised by the Carlisle branch of the Pensioners League and made a life member of that organisation. I wanted to put Colin Jamieson's history on the record because of my close association with him over a long period. I appreciated working with him during that time. He is still a young man and I hope the Government takes note of the fact that with his qualifications he could usefully serve the community in many ways. I hope in time his services are utilised. I do not think it is a question of jobs for the boys, but with his experience and his still being under 65 years of age—in fact, even if he were older than that—he could be of benefit to the community.

I want to turn to some matters which are different in nature and begin by discussing the fringe benefits tax, which has been dealt with during the Address-in-Reply—and I have no doubt that before we have finished it will be discussed even further.

Hon. W. N. Stretch: I think you are probably right.

Hon. FRED McKENZIE: I categorically state that I support the fringe benefits tax. Of course, there will be problems. More book work will be created because of it but the benefits overall will be reflected in time.

Hon. G. E. Masters: Sheer madness.

Hon. N. F. Moore: You will regret this, Mr McKenzie.

Hon. A. A. Lewis: Twenty thousand restaurant jobs have already been lost.

Hon. FRED McKENZIE: We have heard already all about the restaurant industry.

Hon. N. F. Moore: And you don't believe it; is that the story?

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

Hon. A. A. Lewis: We don't mind losing jobs; we don't care—

Hon. FRED McKENZIE: Even in my electorate great hysteria was created as a result of the announcement of this tax.

Hon. W. N. Stretch: I do not know how you can say that. I could take you to my electorate and show you some sad cases.

Hon. FRED McKENZIE: Some people really do not need the tax, and that is the truth. There will always be exceptions, because it is difficult to have a blanket rule for everybody, and we need to look at the community overall.

I refer to a recent article in *The Sydney Morning Herald* about the fringe benefits tax. I want to quote this article because it is accurate and to the point. It is headed, "They who peddle wage restraint", and reads as follows—

Employers say wage earners should accept a real wage cut to help solve Australia's balance of payments problem. But how do Australia's managers behave when they are asked to make a small sacrifice? They rant about how the fringe benefits tax will stifle enterprise, they call on each other to break the law, and they babble about Boston Tea Parties. Edifying stuff: wage earners must make a sacrifice, but not us. It really is no wonder wage earners treat arguments for wage restraint as trickery by chiselling employers.

Just ask yourself what, exactly, Australia's managers are being asked to give up? Well, first, they are being asked to pay their tax.

Hon. G. E. Masters: Don't you understand that those people will not be affected?

Hon. FRED McKENZIE: To continue—

Of course, there will be compensations: the top marginal tax rate will drop from 60 to 49 per cent. (People on high incomes who have been paying their tax will get a very big tax cut):

Hon. G. E. Masters: What contribution is the fringe benefits tax going to make to that?

Hon. FRED McKENZIE: If Mr Master's has any questions he should write to *The Sydney Morning Herald*.

The DEPUTY PRESIDENT (Hon. John Williams): Order! The Leader of the Opposition knows full well that interjections are not tolerated. The independent member, Hon. A. A. Lewis also knows that. He should know I do not change in this Chair.

Hon. FRED McKENZIE: The article further states:—

The double taxation of company dividends will be abolished. No one mentioned that at a cost to the taxpayer of about \$250 million a year. Bob Ansett and

Ian McLachlan and their supporters want all the benefits, they just want to shirk the cost.

Of course, the cost will go up if the Government delays the first round of income tax cuts, which were supposed to take effect from September 1. But again, ask yourself who will be disadvantaged? Mainly those who have been breaking the law and evading tax—by not declaring their fringe benefits—and those employers who have been encouraging their employees to evade tax. Many employers have been sharing the fruits of tax evasion with their employees by paying them less than the market rate, on the understanding that part of the remuneration is tax free. Those employers may find it very difficult to pass the new fringe benefits tax on to their employees. But why should the community's heart bleed for them?

Of course, the farmers plead a special case. Here they are, hard-pressed price takers in a wretchedly depressed world market. They can't pass the cost of the tax on to their customers. Nor, they claim, can they pass it on to their workers. But how much tax will hard-pressed farmers who provide modest accommodation to their workers actually pay? Hardly any. And if they are earning as little as they claim, the delay of the income tax-cuts will be of little consequence—they won't be paying income tax anyway. So that's one group Senator Siddons and the Democrats don't have to worry about.

There is another article written by Ross Gittons. I am not sure which paper that article was in but it talks about the perks tax. There are two sides to this story. The Government has to obtain revenue from somewhere. We heard the belly-aching on the other side of the House about the fringe benefits tax but there was no suggestion as to how additional revenue could be gained. The truth of the matter is that nobody likes taxes, particularly new taxes. Everybody puts their hands out for some Government benefit including the farming community. I am not complaining about that but I have heard the farmers complain that the impost is being put on them and there is not enough assistance from the Government. How does one get assistance? One gets it by taking the tax off the people who can really afford it.

Hon. E. J. Charlton: We want hands out of the pockets.

Hon. FRED McKENZIE: The farmers are saying that RAFCO was not working properly. The Government is doing all it possibly can to help the community generally, not only the people on unemployment benefits. But it is endeavouring to help the farming community. The Government is mindful of the problems in the rural community just as it is mindful of the problems of those who live on this side of the Darling Range. We all have to make sacrifices. If farmers are having such hard times it is possible for their spouses to apply for the unemployment benefit. I am advised that some are. Where is the money coming from? The fringe benefits tax is one way of assisting. Those who are able to pay ought to meet that. Surely we do not want to go back to the days where people had to walk through the country looking for work and had no benefits at all. Surely society is better now with all its problems.

Hon. E. J. Charlton: No, it is not.

Hon. FRED McKENZIE: I think it is. I have given the member an example. Things are bad and we are all going through a bad period. The problems of trade are bad. That is the truth of the matter.

Hon. E. J. Charlton: We are not competitive.

Hon. FRED McKENZIE: We have to get competitive. Unemployment is one of our problems. That is why we are talking about a manufacturing base so we can manufacture our equipment here. We can import goods from Japan, such as motor cars, where wages rates are much higher than they are here. I was speaking to the Lord Mayor of Perth yesterday. He has just returned from Japan and he was telling me how high the wage rates are in Japan. There is no reason why we cannot re-establish a manufacturing base in this country so that we have people working and we do not have to pay unemployment benefits. That is what it is all about.

I thought I would make this contribution to explain to members why I support the fringe benefits tax. I cannot see another way of getting the extra revenue that is needed.

I now wish to refer to electoral reform. We were instructed to speak on it—according to an Opposition member—but I am going to join in and have my say on this subject in this Address-in-Reply debate.

For the benefit of new members, in 1980 we were sitting on the other side of the House with only nine members. There were only 32 in the House then. At that time there were 19 Liberal members, three National-Country Party mem-

bers, one National Party member, and nine Labor Party members. That situation has changed quite considerably because we now have 16 Labor members, 13 Liberal members, one Independent member and four National Party members. In 1983 we got up to 13 which was a big jump from nine members. I expect that was because there were an extra couple of seats created in this House. The 19 Liberals could control this House in their own right.

On 17 November 1984 we had the untimely death of Hon. Gordon Atkinson which caused a by-election and in his place came a National Party member. Hon. Gordon Atkinson was a very nice chap and, as Hon. Tom Stephens has just reminded me, he had a very promising political career even though he was on the other side of the House. I was most impressed with him. He could have been well and truly a thorn in our side given time. Nevertheless his place was taken by Hon. Eric Charlton who has spoken tonight. Hon. Eric Charlton is doing his job even though he has the bush bias. That is fair enough. I have a railway bias and I will let members know about that at a later stage. That is his role. I wish he would be more understanding and realise that many people want to live in the bush.

I remind Hon. Mr Charlton that many of the problems now being faced in the country are the result of the coalition's decision to deregulate the transport industry.

Hon. N. F. Moore: You are doing exactly the same thing and are claiming great credit for it.

Hon. FRED McKENZIE: I never supported deregulation. The Opposition is deregulation mad—that is its problem.

Hon. N. F. Moore: You claim it as your policy.

Hon. FRED McKENZIE: I was very pleased to see in *The Australian* today that a former Prime Minister, Right Hon. Malcolm Fraser, was having a dig at the Federal Leader of the Opposition, John Howard, for the deregulation that has taken place. Deregulation is not a panacea for everything. What has it done? It has ruined the country.

Hon. A. A. Lewis: The Attorney said it was great stuff.

Hon. FRED McKENZIE: In country towns—and Narrogin is a prime example at present—the business is just not there for Westrail. It was a dreadful mistake to make. I even saw the Minister for Transport's article in the Press yesterday appealing to private operators to cart goods for charitable organisations,

as Westrail used to, free of charge. It is not the first time I have seen that request. But let me return to the matter of electoral reform.

Hon. N. F. Moore: That's just as well, Mr McKenzie, because you are not really on the right track.

Hon. FRED McKENZIE: When I get onto the subject of railways I tend to get off the track. I want new members to understand this point, and I say it to all members in the House. There must be a bottom line in relation to electoral reform, and the proposed Bill is the bottom line. The Labor Party is now within one seat of equalling the numbers in this House, and within two seats of a majority. If our performance is repeated at the next election, we cannot possibly lose any seats and we could gain a majority.

Hopefully, we will then be in a position to implement the policy of the party, which is proportional representation for the whole of Western Australia. Of course, that will have its benefits too, because if we get proportional representation we will be able to go into the country—the other side of the Darling Range—and represent country members who are complaining that there is not enough representation. That is really the reform we will be pursuing. We have put it up before, but have failed; so we have just hit the bottom line. We have talked here on many occasions and I have heard members in past Governments say that they did not believe we were genuine in pressing for electoral reform.

Hon. N. F. Moore: Mr Tonkin proved you were not dinkum at all.

Hon. FRED McKENZIE: I believe that some years ago a Premier said, "Thank God for the Upper House." That is no longer the case, and that type of thinking must disappear. But I refer now to the railway system.

Hon. A. A. Lewis: What about the Boyup Brook-Katanning line? Your Government made a promise that it would open the line.

Hon. FRED McKENZIE: I have not given up hope on that. One thing is for sure—the Boyup Brook-Katanning line has not been closed.

Hon. A. A. Lewis: Because you are not game to say it is closed.

Hon. FRED McKENZIE: Services have ceased on that line, but the line has not been closed. It is still open.

Hon. W. N. Stretch: Twenty-two thousand sleepers are missing, yet it is not closed?

Hon. A. A. Lewis: If Mr McKenzie says it has not been closed, it has not been closed.

Hon. FRED McKENZIE: Hon. Mr Lewis knows it has not been closed. All that has happened is that services on it have ceased.

Hon. A. A. Lewis: Are you prepared to go as a guard along that line?

Hon. FRED McKENZIE: Let me remind Hon. Mr Lewis that he is way out of tune, because guards no longer operate on block trains, except on the passenger and shunting services. He should update himself and become more efficient in that regard.

I refer to the proposal to electrify the suburban railway system. I was very dismayed to hear the Leader of the Opposition, Hon. Mr Hassell, saying that in relation to economics it would be lunacy to go on with electrification proposals. I believe it would be lunacy not to do so. That is what is wrong with this place—there is no innovation.

Hon. A. A. Lewis: There is no money.

Hon. N. F. Moore: You are talking of cutting back on education.

Hon. FRED McKENZIE: Thank God for the Labor Government. I was down at the new station which was opened today at West Perth. I heard the chairman of the Metropolitan Transport Trust announce that there had been a 9.3 per cent increase in patronage; and that on the Fremantle line, according to the last survey done, the increase was in fact 14.7 per cent. It is on the up and up. Over the last 12 months there has been an increase of six per cent.

Hon. N. F. Moore: What does it cost per passenger for the State to subsidise that? It used to be \$5.

Hon. FRED McKENZIE: The problem with the Opposition is that it looks at things in terms of cold, hard cash. It does not look at the cost of providing roads. It has been proved in other countries that Governments cannot just go on providing roads. There is no money for roads either. We must look at the most efficient means of transporting people, and public transport is the way to do it. That way everybody benefits, not just a few.

Hon. N. F. Moore: Why don't people use it?

Hon. G. E. Masters: At any cost?

Hon. FRED McKENZIE: What rubbish! If the Opposition came back into Government again it would close the railways down, as it intended to do before and as it did with the Fremantle line.

We should open our eyes and be a bit innovative. We need to upgrade the present railway system and then extend it. It will then become viable.

Hon. N. F. Moore: Of course, it won't. Until you stop people driving their motorcars, it will never be viable. You know that.

Hon. FRED McKENZIE: That is Mr Moore's problem. He is too negative; he is not at all positive.

Hon. N. F. Moore: Spend the money on something more useful, like education.

Hon. FRED McKENZIE: Let us consider Brisbane, which has just finished electrifying its system.

Hon. N. F. Moore: Good for them!

Hon. FRED McKENZIE: Let us consider Brisbane's population. The 1985 figures provided by the Australian Bureau of Statistics put Brisbane's population at 1 157 200 people. The population of Perth was put at 1 100 030 persons, so Perth has a larger population than Adelaide with a population of 987 900. The Opposition appears to want people to be herded into motorcars.

Hon. N. F. Moore: The bulk of the population lives in the northern suburbs, not in Cottesloe or Nedlands.

Hon. FRED McKENZIE: Brisbane, like Perth, is spread out. I am a little worried that pessimistic talk of the type Mr Moore indulges in about costs may in hard economic times have some effect on the Government. Given the fact that the capital works programme has been cut back federally, it would be very easy for the Government to decide to defer electrification of the railway system.

Hon. N. F. Moore: That would be a good idea.

Hon. FRED McKENZIE: I will not have a bar of that, because the decision should not be deferred. It is estimated to cost \$125 million. I know that the Leader of the Opposition quotes a figure of \$150 million, but that figure has been revised. His figure is out of date. Although the Press published the figure of \$125 million, three days later the Leader of the Opposition cited the figure of \$150 million. It will be a long-term programme.

For many years a Liberal Government was in power in this State. We had a Liberal Government from 1959 to 1971. There was then a brief period of three years of Labor Government followed by a further six years of Liberal Government. The Liberal Governments let the

rolling stock run down. It was worn out. It is now being replaced and will have to be replaced in the future. Surely now is the time to start the electrification programme so that when that programme is in place there will not be a need for wastage of public money by having to have on hand the new vehicles that have been bought. Now is the time to start the electrification programme, but the Opposition has a negative attitude. I ask members opposite to tell me one capital city in the world with a population of more than one million which does not have an efficient railway system. There is only silence from the Opposition.

Hon. N. F. Moore: The railway line is in the wrong place. Are you going to electrify the Fremantle railway?

Hon. FRED McKENZIE: I would like to quote what the Commissioner of Railways had to say in "The Monthly Notice".

Hon. N. F. Moore: He is a bit like you.

Hon. FRED McKENZIE: He is only repeating what is said by the planners. He says—

The interim report is a fascinating insight into how planners go about preparing an entirely new form of transport for a growing city.

We are the fastest growing city in Australia and we have more cars per head of population than any other capital city.

Hon. N. F. Moore: Are you going to put in an electrified line to the northern suburbs?

Hon. FRED McKENZIE: Give us time. We have to do one thing at a time.

Hon. N. F. Moore: That's where the people live, not on the Fremantle line.

Hon. D. K. Dans: Speak for yourself. Fremantle is the hub of the universe, and you know it.

Hon. FRED McKENZIE: Of course, it is. If the member is going to complain about the cost of electrifying the present line, what will be his attitude to putting in a line north of Perth? Will he ask how much that will cost? Will he ask how much per passenger will be lost on that service? The Opposition continues making inane interjections without any basis in fact. What will electrification do? The planners say that it is likely there will be an immediate increase of 15 per cent in patronage of Perth trains.

Hon. N. F. Moore: Why?

Hon. FRED McKENZIE: Because of the attractiveness of electrification. It is an upgrading in technology. It is faster, cleaner, and more efficient. That is why there will be a 15 per cent increase in patronage.

I raise the matter because I am concerned that given this harsh economic climate the Government may review its capital works programme and chop off plans for electrification of the railways.

Hon. Garry Kelly: That would be tragic.

Hon. FRED McKENZIE: It would be tragic. The Minister for Budget Management is here and I hope that he is listening to me because if the electrification programme is scrapped he will have to contend with me and, no doubt, with Hon. Garry Kelly. That is not a bad base from which to start.

Hon. A. A. Lewis: What is he going to do with his other hat?

Hon. FRED McKENZIE: If there were not so many interjections from the other side, I would have been finished some time ago. I apologise for the time I am taking.

I now raise a matter concerning a constituent of mine for whom I have some sympathy because I thought he was a genuine chap who really wanted to work. Unfortunately, after eight years with the Water Authority of Western Australia he could not be found a position. He had medical certification to say that he was fit for light duties. He wanted to go back to work. He worked with the Water Authority for a little while, and then went on annual leave. He was told that when his annual leave was over there would be another job there for him, but when his annual leave was completed he found that there was no job for him.

I wrote to Mr Glover, who is the Managing Director of the Water Authority, to put this chap's case, because he had been with the Water Authority for eight years and the medical certification that he had clearly established that his condition was a result of his employment with the Water Authority. Following investigations that I made, I did not believe that the Water Authority made any genuine attempt to provide him with employment. There must be light duties positions available within an organisation as large as the Water Authority. The board took the easy way out and simply said that it did not want people who were not fully fit in the work force.

Hon. A. A. Lewis: They probably could have stopped that \$400 000 advertising campaign and employed 20 extra people.

Hon. FRED MCKENZIE: Perhaps so; that is something the member can talk about during his Address-in-Reply speech.

I was dismayed. Knowing full-well the position, in the last paragraph of my letter to Mr Glover I said—

It can be said that the Authority has no legal obligation to employ him but I would argue that it should do so and it is on that point, together with my resolve to pursue the rehabilitation aspect of Workers Compensation that I write seeking your assistance to have... re-employed in a light duty position.

I thought that it would be far better for that person who wanted to go back to work to take up a light duties position until he was fully recovered. He would be gainfully employed. If not re-employed, he would still receive his workers' compensation weekly payments. The insurance company is responsible for making those payments, not the Water Authority. This person is willing to work, but is unable to. Therefore, he is forced to stay at home and cannot undertake work because the insurance companies, rightly so, send out investigators to see what people receiving compensation payments are doing. If they are found to be working, their payments cease.

Mr Glover wrote back to me saying that the Water Authority had a wonderful record of helping people in light duties positions. I know that that was the case, but the policy must have been stopped. The authority made a resolve, I am quite sure, not to bother finding suitable work for people who were suitable only for light duties. In his letter, Mr Glover said—

It is not now, nor has it ever been, the Authority's practice to create permanent light duties positions.

I was not asking for a permanent light duties position; but in any case even if I had been, since the worker was injured in the course of his employment with the Water Authority it had an obligation to do the best it could to find a permanent light duties position. Such positions are available.

I am aware of a case recently with regard to West Australian Newspapers Ltd when that company went out of its way to find a position for a person injured on the job who was forced to return to a light duty position. That is a private organisation and if private enterprise can take these steps it should be possible for the Government sector to do so. In fact, the Government sector should provide a lead; but

instead, at least as far as the Water Authority is concerned, the reverse is happening. I know of other private enterprise organisations which have gone out of their way to assist injured workers, yet this Government concern has not made such effort.

It does not surprise me. A recent industrial dispute associated with this issue was a result of actions by the Water Authority. We have often raised the question of industrial disputation in this House and I refer members to an article which appeared in *The West Australian* on 13 May referring to workers walking off a site. It stated—

About 100 water-supply workers at the Canning Vale depot went on strike for 24 hours yesterday in protest at the dismissal of a 55-year-old worker.

The organiser of the Hospital and Miscellaneous Workers' Union, Mr Tony Palladino, said that the man had been with the Water Authority for 20 years.

He had been retrenched by the authority after a doctor had certified that he was no longer able to work with a shovel because of arthritis and obesity.

That happened after 20 years' service. I do not know what else was involved because I have not been in touch with the union representative but I believe the dispute was completely unnecessary and would not have occurred had the Water Authority treated its workers in a humane and sensible manner.

I wanted to raise this matter in the House because I am aware that in other Government departments efforts are made in such circumstances and I do not believe any effort was made in this case by the Water Authority management. I know that some people at the lower level were willing to accommodate this employee but they received no response from upper management level and it was vindicated by the fact that I have that letter on record. I bring this matter to the attention of the House in the hope that it will be brought to the notice of the Minister so that he may examine the circumstances. I wanted him to know how I felt about this situation and of the genuineness of the person involved who lives in my electorate.

I noticed in the newspaper recently that some discussion has been taking place with regard to extending the drinking age from 18 years because of the claim that crime in our society was associated with young people drinking alcohol. I very much oppose that suggestion. We give young people the right to vote at 18 years of age

and they can be sent overseas for service in Vietnam, for example. If they are adult enough to take on these sort of tasks, they are adult enough to be permitted to drink alcohol. I do not believe that the increase in crime is related to the age at which young people are permitted to drink alcohol. The main reason for the increase in crime is the current high level of unemployment. It has been with us for some time and I believe it is a major factor in the crime level.

One young man approached me recently and he was most upset about the proposal. He did not wish to drink alcohol himself but he felt it would be an infringement of his rights if he were not allowed to do so at the age of 18. I do not favour an increase in the age at which people are allowed to drink alcohol. I do not think the age limit should be lower than 18; but since we give young people responsibility in other areas at that age it is a sensible age at which to permit them to drink alcohol. Perhaps we need to further educate them with regard to the problems associated with drinking, but I would not take away their rights in that regard.

I support the motion.

Point of Order

Hon. A. A. LEWIS: Under Standing Order No. 151 would Hon. Fred McKenzie table the editorial from *The Sydney Morning Herald*?

Hon. FRED MCKENZIE: That is no problem.

(See paper No. 184).

Debate resumed

HON. JOHN WILLIAMS (Metropolitan) [8.35 p.m.]: May I open my support of the motion by congratulating the Government on retaining office, Hon. Des Dans on his election as Leader of the House, Hon. Joe Berinson on his election as deputy leader of the House, and Hon. Kay Hallahan, who I am sure will make a great contribution to the front bench as the first lady Minister in this House. I congratulate all new members on both sides on their election.

I am rather surprised to find Hon. D. W. Wenn and Hon. B. L. Jones here because we have been told for eight years that under our gerrymandered system these members could not be elected. However, despite that the system seems to be serving us well because the figures from Mr McKenzie illustrate that, as we told the Government, if its policies are good enough and its candidates are good enough, it will win the seats. That is obviously what has

happened. I daresay we will change the Electoral Act which may then work to our advantage.

I am sure that one or two people in the Government are not expressing great delight at the thought of one-vote-one-value which was advertised for seven years. I gather that one or two people have further researched the statistics and found that perhaps it would lead to an even greater gerrymander. However, that is the subject of a separate debate when the Bill comes before the House.

Hon. Tom Stephens: That is not the case.

Hon. JOHN WILLIAMS: I am led to believe that it is. I believed the Government when it said it could not win these seats.

Hon. Fred McKenzie paid tribute to some of his colleagues from the other place. I feel it is incumbent upon me, as I was denied the chance of making valedictory remarks at the end of the last session of Parliament, to make some comments about two great men who left this House on retirement.

I refer to my past colleague in the province, Hon. Ian Medcalf, who was a guide and mentor to me. Certainly I think the Attorney General would agree he was a very competent and able Attorney General in his day. If I can be half as good as Mr Medcalf, upon my retirement I shall be able to say I have done a satisfactory job. I am sure the Attorney General is somewhat relieved in one respect that Mr Medcalf has retired, but the Attorney General is not churlish and he has acknowledged that he too appreciated the work that was put in by Mr Medcalf.

The other colossus who strode this House for a number of years was Hon. Graham MacKinnon, a man who made a great contribution to the State both in this House, when in Government and in Opposition, and in his province, and was really someone to look up to and admire.

I say to Hon. Doug Wenn that if he continues as he started today with his maiden speech—which I thought was both entertaining and enlightening—I have no doubt that on his departure these very same tributes will be paid to him. I congratulate him on his maiden speech, which was well-formed and one of the best I have heard in this House.

I remind all members, when it comes to their speeches here, that the sympathy of the House is very easy to obtain provided they adopt an attitude of sincerity and compassion even though they be dissociated from the ideology

and opinions of members in other parties. We are all entitled to debate in a spirited manner and to disagree with each other, but when a speaker allows certain tendencies to creep in—sometimes it is almost hatred—he demeans himself and lowers the standard of his speech.

I found the contribution to this debate the other night from Hon. Tom Stephens truly amazing because it reflected a change which has recently come over him. I listened because he impressed me with his sincerity and compassion, particularly during the latter part of his speech. I took his comments on board.

I share with him the sorrow that he has experienced and I have experienced on seeing Australians who have become addicted to one substance or another. I want to take up one or two points with him and to refer firstly to the Alcohol and Drug Authority, an organisation which I am proud to say this House and the Government of the day allowed me to create.

The ADA was an organisation set up to help people addicted to substances which changed their behaviour patterns. While Hon. Tom Stephens was distressed to see a young Aboriginal sniffing petrol, nothing is more distressing than to see what was a human being curled up in a bed dying from heroin addiction, or to see an alcoholic who was just a completely suppurating mess because of the itch caused by his alcohol intake and rolling around and scratching himself on the blue metal of the road before being brought into Aston Hospital. The ADA was able to help that person and he now holds a responsible job in the community.

The authority was set up to assist people addicted to substances. One of its greatest attributes is the fact that this House had the pleasure of repealing the inebriates Act. That was a vicious Act which allowed a magistrate to put away an inebriate for up to 12 months, perhaps to receive some rehabilitation from meagre resources. Such an inebriate could be thrown into the prison system again and again. Some of them appeared before magistrates perhaps 90 times and would spend up to three-quarters of their lives in prison. Eventually some protection was offered to them through the ADA.

At no stage when I was working with the ADA were any staff allowed to interfere in the practices and purposes of other organisations in the recovery of these addicts.

The role of the ADA expanded and it had to have some control over its funds because of the nature of the grants given to it. Members might

be amazed at the number of organisations that came to the ADA to gain funds. Members might be amazed at the number of grants the authority made. Members would certainly be amazed to learn that those grants could not be made unless they were accounted for, because in becoming accountable to us in the ADA, and through us to the Ministry of Health, we were able to say whether the job those organisations were doing was being well done.

In my time we took great pleasure in employing the first two Aboriginal welfare officers. We employed them because very early in the piece we realised that to take an Aboriginal to the detoxification centre, for example, was a frightening experience for him and we found the rate of recovery very slow. It almost became a revolving door situation. However, by employing their own people to attend to Aborigines, that rate stepped up considerably.

No matter what organisation is involved, whether it be the Jesus People, Cyrenian House, Serenity Lodge or whatever, all with their different ways of working, if it is to use public funds it must be accountable for them. That does not mean to say that the organisation granting the funds has the right to decide what type of treatment people shall follow.

I turn now to the problem we have with drink-driving, something of concern to all of us. In the fullness of time we will come to realise that we will not cure this problem simply by imposing a financial penalty, restrictions or terms of imprisonment. I think—I know—that the answer lies in very early education, starting at the age of five. That is the point at which the authorities in Canada started. I have spoken about this in the House before so I will not speak at length.

Unless we embrace within our education system a curriculum for teaching a healthy way of life and start to teach it to children at an early age, we will make no progress in this area. If a child of five is told to clean its teeth it will do so because it has been told this will keep its teeth healthy. It accepts that. A child of this age does not need to be taught about the incidence of caries and various infections of the mouth; this should be done in follow-up education throughout the tertiary level. This education should be staged from the beginning right through to the tertiary level so that the child knows exactly where it stands. We could include any other subject that might come under the general heading of a healthy way of living.

Some of the laws we pass which we feel will be good for the community do not always work that way. Some of the penalties we impose continue for years, and this worries me tremendously. When we consider various drink-driving statistics and road death statistics, we as responsible legislators look at the group aged between 18 and 25 years. That is said to be the age of wild youth where people indulge in uncontrolled drinking and the urge to own and drive a vehicle and to be better than anyone else on the road. We all know that alcohol impairs our driving skills. People convicted of drink-driving offences are subject to penalties, but what we may not realise is that those penalties have attaching to them certain hidden penalties which can still affect a man of 60. To be convicted of drunken driving once means that no insurance company will consider that person as a client. To be convicted of it twice is to be considered for all time as totally uncoverable for insurance purposes.

Furthermore, these convictions go down on that person's record sheet and stay there. If the penalties were incurred between the ages of 18 and 25 and perhaps at the age of 55 the person fills out a form to become a commissioner of declarations or a justice of the peace, despite the fact that the convictions occurred perhaps 30 years earlier they continue to cast a shadow over that person, and so he continues to be penalised.

The solution is difficult; it is tricky, but I think we have to take out of the criminal side of the law—if I may use the term loosely—convictions of people for these offences. It could be that if a person stayed sober and was in no further strife with the law for a period of seven or 10 years such records should be expunged.

It is humiliating, when one gets older, to find that some indiscretion and offence against the law—what I call a social crime; and it is a crime—is hung around one's neck like a millstone. I know of several cases of competent people in the Public Service who have gone no further because they want no investigation into their past record.

We on the ADA then felt very strongly about this matter but we could not make out a case for separating these offences. After further time we found that in other countries a person who was convicted for the second time of drink-driving, or driving under the influence, was then forced by law to have a medical examination to see whether he was in fact an alcoholic.

If he was, it was mandatory in some parts of the world to have treatment for that complaint.

The severity of the penalties we have on the Statutes now goes on for a number of years but it does not compare with the situation of people in other countries who have committed an offence and wish to rehabilitate themselves and have their records expunged. They may have to go to a rehabilitation centre every weekend for anything up to five years.

I am sure the Minister for Prisons would appreciate that his prison population would drop dramatically in those cases. It would create another department but those people would be rehabilitated back into the community.

As everyone knows there is a tremendous explosion in drug trafficking. The warning that Hon. Lyla Elliott, Hon. Tom Perry, and I reported to this House in 1972 has come to pass. We were told by reliable witnesses—and these were not our thoughts; they were the distillation of the evidence given to the Royal Commission at the time—that there would be a drug explosion in Perth. Frankly, neither this House nor the other House fully believed what we reported. It is not a question of saying, "We told you so", because we did not tell Parliament so. It was the community of witnesses before the Royal Commission who told us it would happen.

I admire the stringent penalties that this Government has introduced for drug trafficking. It started when Hon. Ray O'Connor was Minister for Police and we both attended a conference in Victoria with all State Ministers for Police who agreed then that the penalties should be increased. I congratulate this Government on increasing the penalties because the people involved in trafficking are dispensers of death. They deserve the harshest possible punishment. If it were left to me, people who traffick in more than a certain quantity of drugs—and the law decides what the quantity shall be—would only leave prison in a coffin after they expired. They are not fit to be in society or have any form of rehabilitation because their motivation for killing people is sheer greed; it is money the whole time.

We have not yet seen the end of this drug explosion in Perth. The next wave will be cocaine, and it will come in by the boatload. It is a problem we will have to face in a bipartisan way.

The other point I wish to touch on briefly, and perhaps as an aside, is that this is the Thirty-Second Parliament. Three of us, Hon. David Wordsworth, Hon. Des Dans, and I came in in the Twenty-Seventh Parliament, and our time here is exceeded only by Hon. Vic Ferry and Hon. Clive Griffiths who came in in the Twenty-Fifth Parliament. Time has passed very quickly, and one does not realise how quickly it goes. All the things one promises oneself as a new member one finds he cannot do.

It is rather a shame in a way that this happens. One has to convince one's colleagues that what one says is right, and one fondly thinks that he has a good idea and that the Ministers will immediately rush out and put things right. One can become extremely disillusioned.

One topic that has been dear to me since I have been in the House is the actual style and running of the House. I have mentioned this before and pointed out the difference in the members in the Parliament. This is the first Parliament I can find on record which does not have a medical practitioner among its members. We have not had a medical practitioner in the Parliament since Dr Dadour retired.

It was always some comfort to me that there was a medical practitioner in the Parliament, and I think of Dr Dadour and Dr Troy who were always willing to have a look at one and say, "I will write you a script here and now." I point out again, as I have done before, that we are in a precarious situation in this House. I wonder how many industrial safety officers would have any concern for us as an industry. There are now 106 employees and 91 members working in Parliament House, and as far as I know there is not a packet of aspirin or a bandaid in the place.

Hon. Tom Stephens: You will be relieved to know there is a surgery just across the road.

Hon. JOHN WILLIAMS: That may be so, but I would prefer to have within the physical confines of the House some person who can operate resuscitation equipment. When it hits, it hits one quickly; I promise members that. I can tell them that from bitter experience. If I had not had attention within 2½ minutes I would not be on my feet in this House tonight; I would have been another statistic.

I ask the Government to look at this point because with 197 people in the building somebody at some time in the next three years will become ill and require urgent attention, and we do not have the facilities within the Parlia-

ment. I am pretty sure that if industrial inspectors or a group of officers went around a factory with the same number of people there would be the most almighty complaints about it. Not one of us, whether on the staff or a member, can be safe and sure in the knowledge that nothing will happen to us. We pray it will not happen, and I hope my remarks will not be misinterpreted.

The late Hon. Gordon Atkinson was mentioned in this House tonight and I ask members not to forget that he was an extremely young man and that he had left this House only two days before his demise. It does not always have to happen on a squash court—it can happen in this place. I draw your attention, Mr Deputy President, to the fact that I am still of the firm belief that had the right facilities been available in this House the late Speaker, Merv Toms, would still be alive today. I leave this matter with members to think about.

Finally, I would like to direct my comments to the Attorney General in his roles as Minister for Budget Management and his previous profession as a pharmacist. It has been drawn to my attention that we are wasting both State and national money on the drug offensive and I would like to give Hon. Joe Berinson the facts as I have them.

At the commencement of the drug offensive people were given a 008 telephone number to ring. That number is in Sydney and the telephones are manned 24 hours a day by between three and eight staff members on any one shift. It is difficult to estimate the number of calls that have been handled, but since the drug offensive commenced on 13 April 1986 it has been estimated that it has received between 350 and 500 calls a day.

It has been brought to my notice and it will be in the record so members can check it, that the Government is setting up a Western Australian drug information service which will be manned between 8.30 a.m. and 9.00 p.m. I understand that it will have a staff of three which will consist of a social worker, a nurse, and a psychologist. Between 9.00 p.m. and 8.30 a.m. the calls directed to that number will be referred to the nurses and doctors of the Alcohol and Drug Authority's detoxification unit. At the moment that unit averages 20 calls a day—that is, during the day shift—and in the main those calls are referred to it by the 008 number in Sydney. This service has been set up within the ADA and I put it to the Attorney General that if it is necessary between 9 p.m. and 8.30 a.m. for the calls to be sent to the

detoxification unit where doctors and nurses who are extremely competent in dealing with these emergency services are available, there is no need for the 008 number in Sydney.

I cannot see the need for a staff of three in the proposed drug information service, and they would not be inexpensive. Social workers, psychologists, and nurses do not come cheaply these days. The entire service could be handled by the ADA without those three staff. I have seen the ADA detoxification unit in operation—I set it up. When people telephone for assistance they are referred to the experts in the field.

I consider the 008 number to be a waste of money and the service could be handled quite competently in Western Australia. If the Commonwealth Government wishes to give a grant in the form of the amount of money being spent on the 008 number in Sydney to assist Western Australians through the ADA, members can be assured that that authority will cover this State adequately.

More horrifying to me—and this is where the Attorney General's pharmacist's hat comes in—is the suggestion which I believe is in the last stages of implementation, that an 008 number be set up in Sydney to handle the work undertaken by the Western Australian Poisons Information Centre. If this number were set up in Sydney it will be the number dialled by people seeking assistance, and the first question they will be asked after they have advised what the problem is would be, "Where are you from?" The answer might be, "Joondalup". The next question would be, "Where is that and are you near a teaching hospital because if you are we will look up the telephone number and you can contact that hospital direct?"

Without doubt we have in this State one of the most efficient poisons information centres in Australia and it is located at the Princess Margaret Hospital. It works under a system where pharmacists staff the centre from 8.30 a.m. to 8.00 p.m. on weekdays and between 8.30 a.m. to 4.45 p.m. on weekends and Public Service holidays. After the pharmacists have left the centre for the day the telephone calls are taken by nurses who are trained to firstly take the call; secondly, find out the information and refer the call to a doctor; and thirdly, to relay advice. The number of telephone calls handled by the Poisons Information Centre at Princess Margaret Hospital to June 1986 is in excess of 15 000.

I ask the Attorney General to investigate the Poisons Information Centre and if the Commonwealth wants to set up another centre in Camperdown, this Government should discourage it and endeavour to obtain those funds in order that another pharmacist could be employed in the existing centre to allow it to operate 24 hours a day.

During daylight hours the greatest number of calls are about children who have swallowed kerosene or other poisons, or eaten plants. Under the existing system the caller can be told precisely what to do, and that is essential. However, persons obliged to ring a 008 number would be disadvantaged by the delay that would be caused. I do not see many emergency cases occurring between the hours of 4.45 p.m. and 8.00 p.m. Many people overdose or become intoxicated in those dark hours. A lot of them are poly drug abusers and members would be amazed at what people do to try to rid themselves of this earth.

As the Attorney General would be aware it is a drain on the nursing staff with a pharmacist not being available at the Poisons Information Centre during the night. It was suggested that perhaps another clerk be employed at the centre to help out. As the Attorney General would know these people not only have to answer telephone queries, but must also keep their books up to date.

There are many amendments relating to the latest developments in the drug field dealing with pesticides, and I am sure that when the Minister for Budget Management ran a pharmacy he would not have been very happy if he thought a 16 or 17-year-old was updating all his referral books. I believe another professional person is required there. It may cost money, but with the money saved on those two items, it would not be so costly; and no-one in this House—or indeed, in this world—that I know of can give me the cost of a human life. If the life is a child's, it is even more tragic.

Princess Margaret Hospital has an excellent record, and I commend it for that, but I would ask the Minister for Budget Management whether, if despite budgetary restraints, it is possible for him to allow the Princess Margaret Hospital poisons referral centre to operate on a 24-hour basis with pharmacists in attendance all the time. If that occurred, then I would feel that I had made some contribution to looking after the people I am sworn to look after in this State.

I thank the House for its courtesy in listening to me, and I have much pleasure in supporting the motion.

Debate adjourned, on motion by Hon. T. G. Butler.

MINING (VALIDATION AND AMENDMENT) BILL

All Stages: Leave to Proceed

Leave granted to permit the passage of all stages of the Bill during this sitting.

Second Reading

Debate resumed from 17 June.

HON. J. M. BROWN (South-East) [9.12 p.m.]: I support the Bill. I know that there is general support for removing any doubts concerning the pegging that has taken place in respect of the Pancontinental lease, and also for giving approval for the renewal of three other leases; namely, a coalmining lease in the Collie River which was last held by Western Collieries, and two goldmining leases—one to the north-east of Coolgardie and one to the north of Coolgardie—held respectively by Bart Jones and the trustees for the late Robert Donovan.

The pegging by other parties, particularly Wingate Pty Ltd, of the Pancontinental goldmining area, which was known as the Paddington lease on the Broad Arrow Road, was done as a result of some confusion between the 1904 Act and the Act of 1978 which was eventually proclaimed on 1 January 1982. That is the explanation that has been given by the Minister through officers of his department.

In the 1978 Act there are transitional provisions which allow for the leases that were held under the 1904 Act to be continued under the 1978 Act. It is rather important to understand that in the 1904 Act the leases operated from 1 January; whereas under the 1978 Act they operated from the time they were taken out.

The Paddington leases were originally taken out in October 1965. Members will understand that when they were eventually transferred to Pancontinental, confusion reigned within Pancontinental as a result of the expectation that October 1986 would be the expiry date of the leases. That was the information given to the interested parties. I know the National Party was supplied with that information, as was the Deputy Leader of the Opposition.

Notwithstanding the fact that Pancontinental overlooked the transitional provisions of the Act, no-one has ever tried to deny that there was still an onus of responsibility on that company to ensure that it acted in accordance with the Act.

Hon. D. J. Wordsworth: In that case, was it the 1 January before or after the original expiry date? Did it go back to the 1 January before the October, or forward?

Hon. J. M. BROWN: It was after the original expiry date. That is how I understand the information was given in respect of the Pancontinental lease conflict.

There was no additional pegging done, or claims made, to the other three leases, which were held under the 1904 Act provisions. That is recognised as well. One was held by Mr Bart Jones who is well-known in the goldfields area as a prospector and pastoralist of some four score years or more, and is a councillor of the Boulder Shire, and a well-respected man. The Minister saw fit to renew his lease, which he had held for the previous 21 years. The same applied to the estate of Mr Donovan; and members would, of course, understand the situation regarding the Collie basin.

The Minister's actions have certainly received approbation by everybody in the goldfields except for several minor groups, who even came to me to ask for some intervention on their behalf. I was quick to respond that I thought the matter was *sub judice* as it was in the hands of the Supreme Court. Members would know that that is not so. The final arbiter of the Act is the Parliament, and the Minister had had conflicting opinions, with some approving of his actions and some disapproving.

No Minister can afford to allow a \$40 million capital investment which is being utilised in the mining fields along the Broad Arrow Road—and everything happens along that Broad Arrow Road—to be restrained. The Minister could not allow that \$40 million development to be restrained in any shape or form, because it employed some 120 workers.

As I see the situation, an error was made within the Pancontinental organisation. The people who did the pegging, and particularly Wingate, wanted to proceed with the matter through the courts; but with the general agreement of all parties that has not proceeded, and from what I have heard in the debate I believe that members will support the second reading

and that there may be some further discussion on the amendments to section 111A.

It is reasonable to suggest that section 21 of the Act, which has allowed the Minister discretion, has never really been employed, and I see the advantages of the Minister having the discretion which he is proposing under section 111A for the simple reason that I have received information from the Mines Department that these are not the only occasions on which it has occurred.

I believe the legitimate claim made by Pancontinental and the actions taken by the Minister, which the Opposition supported at the time, have satisfactorily resolved a situation which should never have arisen. The Minister for Minerals and Energy is to be commended for his expeditious actions in ensuring that such a venture which means so much to the work force, the goldfields, and the mining industry, is able to continue.

I support the Bill.

Debate adjourned until a later stage of the sitting, on motion by Hon. Robert Hetherington.

(Continued on page 411.)

ADDRESS-IN-REPLY: FIFTH DAY

Motion

Debate resumed from an earlier stage of the sitting.

HON. TOM McNEIL (Upper West) [9.23 p.m.]: First of all I would like to thank the House for giving me an opportunity to speak on the Address-in-Reply at this point. With reference to my new colleagues, I thought that Hon. Tom Butler was about to make his maiden speech and I decided to take the pressure off by letting him have the call not realising that he was about to adjourn the debate.

We have heard from Hon. Eric Charlton tonight something of the problems experienced by rural people. I have a constituent who is in dire trouble and who does not qualify for any of the benefits that would normally be handed out if he were a sheep or wool farmer, or had stock. He is a fruit farmer who owns a property of 100 hectares at Gingin. He has gone into the production of avocados and mangoes. During the severe heat experienced in January and February 1985 his trees suffered quite substantially. Because of the way his property was established, his trees are quite sound. However, because they lost most of their fruit in 1985 he ran into financial trouble with regard to making repayments to the financial institutions from which he had loans. He had a

considerable loan of \$125 000 from the ANZ Bank, a loan on which he pays interest of 19 per cent, and a further loan with a financial institution on which he pays 22 per cent interest.

The owner of the property is a sound businessman who came to Western Australia from the old country. He investigated the possibilities and prospects of growing avocados and bought 100 hectares in Gingin because it was considered by Californian experts that it had an ideal climate in which to produce the fruit. He needed good drainage soil and a good water supply, and he set about building up windbreaks and structures in which to grow his plants. Those trees are now 10 years old. He has 1 500 at present and is about to plant a further 500. In 1978 he decided to go in for the production of mangoes. All his trees are healthy and producing fruit. He forecast a realistic budget when he went into business but ran into trouble in 1985.

He has been to every type of financial institution that anyone in this House could think of. We all know about the Commonwealth Development Bank and I guess most of us have constituents who have experienced problems with that bank. They are not interested in people with financial problems and once people are established they do not need the bank. He has approached the Rural and Industries Bank, Exim, the WADC, and merchant bankers. However, they all work under the one principle: They will not take over a loan that is in existence with another financial institution. It is the old school tie trick; they run together in a little bunch and of course, when the word gets around that the Commonwealth Development Bank does not want to assist the property owner, it does not take long for the others to hear about it and to wonder why he has been refused a loan. That man will go to the wall.

He had an understanding with the ANZ Bank that it would give him until 15 May to solve his problem. For 12 months it has been trying to force him to take a partner or to sell the property. However, he has put \$800 000 in cash alone into this property. It is a very good property but he ran into trouble with the Commonwealth Development Bank because, when its officers looked into the proposition, they found it difficult to appraise the property. They simply will not put a commercial valuation on a fruit tree. They do not consider it to be an asset and when making a valuation they include only the value of the land and the buildings on the property.

He approached the ANZ Bank and asked it to give him until 15 May. He had a prospective buyer and he was given a guarantee in front of witnesses that the bank would wait. To his misfortune he was advised by Baillieu Justin Seward Pty Ltd that his property had been put up as a mortgagee sale and that it would be advertised. Of course, the prospective purchaser saw the notice in the paper and, being a shrewd businessman, wanted to know what was wrong with the property if it was going to be foreclosed. Any future dealings between David Sword, the owner of the property, and the prospective purchaser, were immediately endangered. The bank had gone back on its word to him and it had put the final nail in the coffin. He expects his property to be sold by 20 July by way of mortgagee sale.

I wanted to speak on this subject tonight because by the time I return from overseas he will already have gone to the wall. I advise the members on the Government side that the problems we bring to this House concerning farmers are very real. This man is a good businessman who investigated the situation quite thoroughly. In the early days he was told he was pioneering the business and it was too much of a risk, but at the final stage when the financial institutions looked at his property and he was knocked back, they said that by the year 2000 he would have a surfeit of fruit from the mango and avocado trees and, therefore, his property was not a viable risk.

I hope something can be done about this matter. I have investigated every possible avenue through the Government to see if someone can help him. The poor fellow will lose his farm and the banks could not care less just so long as they get a sale on his property and they get their money back. They do not give a damn about the person involved.

When Hon. Eric Charlton spoke earlier he said the banks have a lot to answer for in regard to the actions they take and they certainly do. Many of the farmers' problems can be traced back to an unsympathetic banking system which can only see a guarantee on how much percentage clients will get for money invested. When people go to banks for loans they do not want to know them unless they have collateral up front and they squeeze every last drop from their clients.

I congratulate the Leader of the House and the Leader of the Opposition on their reappointment, the various Whips for each party, and Hon. Mick Gayfer on his appointment as Leader of the National Party.

I would like to welcome all new members of the House. I have enjoyed listening to some of the debates. As the session wears on perhaps we shall not be so friendly. I welcome them and I hope they give an honest contribution to this House.

I would like to congratulate my own National Party colleague, Eric Charlton, for the way he spoke tonight. I thought it was a most enlightening speech, particularly as you, Mr Deputy President, would not have had to invoke Standing Order No. 73.

I think a fair amount of liberty has been taken in the past with Standing Order No. 73, and I hope that eventually we can get back to the stage where we all give a contribution on our feet in a debating manner.

I would like to mention before we consign David Sword to the scrap heap, that I have copies of correspondence from the Western Australian Department of Agriculture. One letter is dated 19 December 1985 and the other 17 April 1986. They concern the production of mangoes. The banking institution says there will be a surfeit. This is a letter from the Kununurra regional office and the last line reads—

So you will be in a commanding position in the next 5 years or so.

I will quote something I was about to miss in my eagerness not to keep the House. This is from correspondence dated 17 April 1986, and it reads—

Remember that you have the opportunity to market mangoes Australia wide at a time when your main (and only) competition will be from south-east Queensland/northern N.S.W. In this area production is highly variable and generally poor due to disease (Anthracnose and Bacterial Black Spot) and the vagaries of the weather (cold). You have a definite advantage in the short to medium term. Carnarvon is looking at late varieties for February-March-April production. However you will have the edge with your current planting and I feel Carnarvon will have problems with the effects of heat and cyclones in this later period.

In addition, with high density planting, as you have proposed, you will initially receive a far higher production per unit area, then you could look at hedging to maintain the high density over time. Alternatively you may decide to thin every second tree but I hope that will be unnecessary and

that we will have developed a high density medium-long term management strategy by that time (5-8 years).

The only other piece of correspondence is an appraisal of the mango production by A. W. Whaley, research horticulturist, Maroochy Horticultural Research Station, Nambour, Queensland. He goes on to mention David Sword's property as follows—

Mr David Sword has an avocado property at Gin Gin, W.A., where he has also established an experimental planting of Mangoes, var. Kensington Pride. On the 23rd April 1986 large, quality mangoes were being harvested from these trees and sold on the Perth market. Production of this variety in the March/April time slot would ensure fruit at the highest possible prices on both W.A. and eastern State markets.

Mr Deputy President, the last thing I would like to touch on is Anzac Day sport. This has been a hardy annual seen since the inception of the Anzac Day Trust in 1961, with the Western Australian Football League as a contributor. In 26 years the princely sum of \$11 000 was raised. It was with great joy that this year, with the new board of management, prior to the game they handed over the sum of \$5 000. This is in line with what we have been arguing for a number of years. This is what they should have been doing, as they do in the Eastern States—giving the returned soldiers and servicemen some contribution to the Anzac Day Trust. This year has produced 50 per cent of what was produced in the last 26 years. Perhaps we are on the right tram at last.

I would like to mention the board of directors of the Western Australian Football League, because I have often taken them to task regarding country broadcasts of league games, VFL finals, all ticket games and so on. This is something which will benefit our returned servicemen.

With that I support the motion.

Debate adjourned, on motion by Hon. Robert Hetherington.

MINING (VALIDATION AND AMENDMENT) BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

HON. MARK NEVILL (South-East) [9.35 p.m.]: I strongly support this Bill and the action of the Minister for Minerals and Energy to

renew the four leases listed in the schedule to this Bill, although it requires retrospective legislation. I support the renewal of the Pancontinental leases at Paddington. The Paddington mine is in my electorate, some 30 kilometres north of Kalgoorlie.

There is doubt as to whether Pancontinental would lose the case presently before the Supreme Court. That is the view of many prominent lawyers, but the Minister has the power to renew the four leases.

Without the Minister for Minerals and Energy taking this action the mine, which employs 120 people and involves an investment of \$40 million, could have been closed for an indefinite period until a court decision had been made. That is a situation which we should not allow.

I want to compare the Paddington case with the pegging of the Paringa leases in Boulder in 1979. The Paringa leases at that time were not being worked, and they were pegged by a Kalgoorlie prospector, Russell Smith. The warden subsequently awarded the leases to his group. That resulted in the early development of the leases by Gold Resources. If my memory serves me correctly, it was probably the first new mine that commenced on the Golden Mile.

In the Paddington case the centre of the open pit was pegged by one of a group of at least six people after midnight on New Year's Eve.

One group of peggers, Wingate Holdings, has taken legal action against the Minister. They have gone to a lot of trouble to conceal their identity, and I believe they are not very proud of what they have done. I happen to know who are the people behind Wingate Holdings. It took me about two hours to find out, and I am very tempted to blow the whistle on them. Their sole aim, in my view, was to do a deal with Pancontinental. It is said that involved the exchange of about \$1.25 million. They had no interest in mining, or at least they would have taken the whole mine.

It is a different situation at Paddington. The Paringa leases were not being worked at the time and subsequently the mining warden awarded them to the peggers. In the case of Paddington they pegged an operating goldmine which employs a large number of people, and I regard them as real estate peggers who are a nuisance and disrupting a lawful, productive mine.

I do not know what the final outcome of the court case would have been but I am sure the peggers were not morally right. The Minister's decision was the correct one and I support him strongly.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [9.41 p.m.]: The debate has indicated a general agreement that the Pancontinental problem should be met and overcome. I appreciate the support for that proposition which has been expressed by all speakers in this debate. Nonetheless a number of reservations have been expressed and I will refer to these in turn.

I refer firstly to the question of retrospectivity. In principle Hon. Norman Moore does not like retrospective legislation. Hon. David Wordworth does not like retrospective legislation. Hon. H. W. Gayfer does not like retrospective legislation. Hon. P. H. Lockyer does not like retrospective legislation. Hon. Sandy Lewis certainly does not like retrospective legislation.

Mr Deputy President, for what it is worth, may I say that as a general principle I do not like retrospective legislation either, and neither does the Minister nor the Government as a whole.

To that, however, I add two comments. In the first place the Minister's position is that his action granting an extension of time to Pancontinental is valid and has been effective throughout. On that basis the Bill clarifies and confirms the existing legal position, and the question of retrospectivity does not arise, at least in respect of that company.

On the other hand, if the Minister is wrong, and in any event in respect of the other three leases, we all have to concede that no matter how undesirable retrospectivity is as a matter of general principle, there must always be exceptions that prove the rule. For example, last year we found that a whole batch of regulations had not been tabled in this House and were therefore ineffective. With agreement on all sides we immediately legislated to validate the regulations with retrospective effect. A similar important example in the area of mining itself is found in the Afro-West situation. I will not elaborate on that nor will I stress that it was an Act of the previous Government. Hon. Norman Moore dealt very fairly with that and I simply raise it again as an illustration of the argument I am making.

In spite of the general acceptance of the broad effect of this Bill, a number of speakers criticised proposed section 111A (1) (b) (ii). The complaint was that the ministerial discretion provided in that subsection is too wide and that in any case the envisaged problems could be met in other ways, such as by departmental notices that rights were about to expire. The Minister has previously indicated that he does not have a closed mind on this question but the practical problems involved preclude that course from being taken in the short term. As he has explained, there are literally tens of thousands of various mining rights, and current manual record systems could not accommodate the proposed system. As a result, and whether or not a system of notices could be considered for future action, it is not available for immediate purposes.

As to the Minister's discretion, I can only say that that is not unusual in the context of mining legislation. Again, Opposition speakers were very fair in acknowledging the extent of ministerial discretion historically and in various parts of the parent Act.

It is also important to note, as the Minister has done elsewhere, that the ministerial discretion provided by this proposed subsection is not as wide as may appear at first sight. There is the general approach of the courts to place strict construction on such provisions.

There are as well two specific limitations within the subsection; namely, the obligation of the Minister to be satisfied "on reasonable grounds" and also to act "in the public interest". These are well understood concepts and there is no reason to doubt that the courts would be able to adjudicate on disputed matters so as to prevent any purely arbitrary ministerial rulings.

Again I thank members who have contributed to the debate for their contributions and their indications of support. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Hon. Robert Hetherington) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Section 111A amended—

Hon. N. F. MOORE: I will explain in detail why I have some considerable difficulty with this clause, which repeals subsection (1) of section 111A and inserts a new subsection (1). Firstly, I have two points to make about proposed subparagraph (a), which allows the Minister to make the same decision as he made in this instance in the Pancontinental case in future similar situations.

In other words, provided the person who has the lease continues to operate that lease as if it were still in force, the Minister may renew the expired lease. Then the Bill says at the end that the Minister may by notice served on the warden to whom the application has been made, refuse that application. In my reading of this Bill there is a contradiction between its proposed subsection (1) paragraph (a) where it says that the Minister determines that the subsequent application for renewal of the expired lease should be approved and grants that renewal, and paragraph (b) to which I have just referred.

It does not follow logically if one realises that the proposed subsection refers to (a) "or" (b) and that both of those paragraphs relate to the last paragraph in the Bill. Perhaps what we need is something after (a) along the lines of the all-encompassing last paragraph after (b).

Paragraph (a) gives the Minister the power to overcome situations such as the Paddington problem. That is as far as the amendment should have gone, bearing in mind that the earlier part of the Bill validates the particular leases we have been talking about. This new power for the Minister in paragraph (a) gives him the power to overcome the problem if it arises in the future. At the same time as giving himself this power he has inserted paragraph (b) which is a rewrite of section 111A(1) in the parent Act. I will read that old section because it illustrates the increased power the Minister is seeking. It states—

If the Minister is satisfied on reasonable grounds that an area to which an application for a mining tenement relates should not, in the public interest, be disturbed, he may by notice served on the warden to whom that application has been made refuse that application, whether or not that application has been heard by that warden.

Paragraph (b) in this Bill rewrites that and adds subparagraph (ii) which says that the application in question should not be granted. The parent Act says that if the Minister is satisfied

on reasonable grounds and in the public interest that an area which is subject to a mining tenement should not be disturbed, he may refuse that application. In effect it says that if the Minister does not want a piece of ground to be disturbed by virtue of its being a sacred site or of heritage significance, he may determine that it will not be disturbed.

The proviso is that the land is not disturbed. The Act says that if he is satisfied on reasonable grounds that an area to which a mining tenement relates should not be disturbed, he may not approve the tenement. The new legislation says in clause 7 that if the Minister is satisfied on reasonable grounds in the public interest—that is the rewrite of the Act—that—

(i) the land should not be disturbed; or

That is the same as the parent Act. The Bill goes on—

(ii) the application in question should not be granted.

That is the new part. It does not relate to whether the land is being disturbed; it can relate to anything that occupies the Minister's mind at the time. The parent Act says he can make an arbitrary decision to refuse the granting of an application if it is in the public interest and on reasonable grounds that the area of land should not be disturbed. Now he has added an additional part to say that the application should not be granted. He has given himself a completely arbitrary position in which he can decide on any grounds that the application should not be granted provided that he can argue it is in the public interest and of a reasonable nature. That gives the Minister significantly wider powers than he now has.

That is why I am annoyed about what the Government has done. It has changed the legislation to give the Minister power to overcome problems like the Paddington situation—and I am not opposed to that—but at the same time it has taken the opportunity to give the Minister another stack of power.

The Attorney General will no doubt argue that it is not much power because the Bill talks about the public interest and refers to reasonable grounds and a person can take the matter to court to test whether it is in the public interest or on reasonable grounds. If the Minister chooses to use this new power he will not find it all that difficult to satisfy himself that he has reasonable grounds; nor will he find it difficult to satisfy a court. It will not be hard to argue that his decision is in the public interest.

Hon. D. J. Wordsworth: He does not have to take it to court.

Hon. N. F. MOORE: Only if he is challenged on those two grounds.

The two matters I have raised are, firstly, that paragraph (a) is not logical when one looks at the final paragraph of the clause. In one sense the Minister can renew an expired lease and he can also refuse the application.

Secondly, I am interested to know why the Minister thinks he needs more power than he has under the existing section 111A and that he has to add the new part of the Bill relating to an application not being granted. Before I make any suggestion to my colleagues about what we should do with this I will listen to the Attorney in the hope that he may be able to provide a reasonable explanation "in the public interest".

Hon. J. M. BERINSON: I wonder if I can deal with the matters raised by Mr Moore in two separate parts and restrict myself at this stage to his comments on the actual terminology of paragraph (a) of the proposed new section. He asked whether the proposed section was logical. I am surprised he should raise a question like that; if the Minister has proposed this subsection it must be logical!

Hon. A. A. Lewis: That is not what you used to say when you were on the other side of the House.

Hon. J. M. BERINSON: I can understand it if the logic escapes Mr Moore's understanding because I have to concede that it is not as transparently clear as it might be.

The position will become clearer if instead of starting at paragraph (a) members start with the preamble to proposed subsection (1) and link that with the last paragraph of the clause. What is intended is this: Where an application is made for a mining tenement but in respect of the whole or any part of the land to which the application relates certain matters apply—then I take up the last paragraph, which says—the Minister may, by notice served on the warden to whom the application has been made, refuse that application, etc.

In other words, the clause deals with two sorts of applications. Firstly, it deals with the application by an overpegger, for example, who is referred to in the preamble; and secondly it deals with the application by a previous lessee, such as Pancontinental was in this case.

I agree with Hon. Norman Moore that it might be preferable to have this matter expressed more clearly. For that purpose I move the following amendment—

Page 6, lines 14 and 15—To delete the words "the application" and substitute the following words—

"the first-mentioned application for a mining tenement".

The last part of the clause would then read—

the Minister may, by notice served on the warden to whom the first mentioned application for a mining tenement has been made, refuse that application, whether or not the application has been heard by the warden.

Hon. A. A. Lewis: Surely the Minister has that power already.

Hon. J. M. BERINSON: My understanding is that he does not have it.

Hon. A. A. LEWIS: I am fairly sure that he has the overriding power on all these matters to refuse to accept the warden's decision.

I wonder whether I follow the Minister's argument. As I understand it this Bill was introduced to deal with the renewal of leases. It was introduced to ensure that the Pancontinental and the Afro-West situations do not occur again. Are we not now widening the Bill to include all mining tenements? I know that Ministers are not basically dishonest. However, they have to make some fairly difficult decisions at times. If the Minister has this power, what is the basis for retaining the Warden's Court? It seems we are taking that court's power from it and putting it in the Minister's hands. The system under the 1904 Act has served us well.

Hon. H. W. GAYFER: I do not understand why, if we give power to the Minister to grant, we cannot give power also to refuse. After all is said and done, the essence of the whole matter is "reasonable grounds". Surely the Minister will not override the decision of a Warden's Court unless he has reasonable grounds. If we give him the authority to grant something surely he should have the same authority to refuse something.

Hon. N. F. MOORE: I refer to the Minister's amendment, which I do not understand, and ask him which is the first mentioned application.

Hon. J. M. Berinson: The first mentioned application in this clause is namely an application referred to in the preamble.

Hon. N. F. MOORE: I am sure there is a better way to amend this clause to make it more clear. As I have already pointed out paragraph (a) refers to an approved application and the end of that paragraph refers to the refusal of an application. It would be better if proposed section IIIA (1) was retained and a new clause inserted. The Attorney General is trying to combine what is in the existing Act with a new power to grant a lease if it has expired. I am sure there is an easier way to word this clause and members must bear in mind that my brain is not attuned to the terminology used by the Attorney General. However, I am confused about his amendment. It is not clear to me and it brings me to suggest that there is a better way of writing it. If this were done I would be able to understand it and the people pegging the leases would know where they stand.

Hon. J. M. BERINSON: With due respect to Mr Moore, I am sure he will not have difficulty in understanding this in the clear light of morning, especially when he sees it printed in black and white.

Hon. N. F. Moore: Can't we leave it until then?

Hon. J. M. BERINSON: I do not think that is necessary.

The term "application" is used in two places in this proposed subclause. In what I have referred to as the preamble there is reference to an application made for a mining tenement. It is that first mentioned application which the Minister, by way of notice served on the warden, can refuse.

The reference to an application under paragraph (a) is really irrelevant to the power of the Minister to refuse except to the extent that it is the circumstance thrown up by that second application which would provide him with the reason to refuse the first mentioned application. That may sound a little awkward even in my own clear exposition of the position, but I really urge the member to accept that there is not the difficulty in this terminology that he is apparently concerned about. Indeed, even the original terminology would, I believe, have been clear enough. In the interests of greater clarity, I have moved the amendment and I do not think on that part of the discussion there is any real basis for concern.

Hon. A. A. LEWIS: I wonder if we are being too simplistic because we are jumping from the first application to the conclusion and leaving out what is in between. Mr Gayfer referred to

reasonable grounds for public interest, but that applies only to paragraph (b). It does not apply to paragraph (a).

I tend to agree with Mr Moore that the Bill should be rewritten, but I know there is an urgency about it and I do not want to be difficult. If the Attorney General is prepared to include an amendment I am sure that, when the Bill returns to the other place, the Minister in that place will write the clause in clear English and insert provision for a 28-day time limit in which renewal leases can be handled. It is my personal opinion that the Minister should not be given powers in regard to the conclusion. If he were, it would cause problems for successive Governments.

Hon. N. F. Moore: The Minister already has powers in the conclusion.

Hon. A. A. LEWIS: I know, but I am worried about them.

Hon. N. F. Moore: He has those powers in the parent Act. It is not a new power.

Hon. A. A. LEWIS: We are debating it.

Hon. N. F. Moore: I accept that.

Hon. A. A. LEWIS: As Hon. Norman Moore would know, I have had a sore spot about this matter for a number of years and he has probably agreed with me from time to time.

The Attorney General answered part of my following inquiry during the second reading debate when he said that everything is handled manually in the Mines Department. One would expect that the Deputy Premier would have had computers installed in that department by now. He has computers everywhere else, even in this Parliament. If a computer were installed in the Mines Department I am sure that a list showing the names of those persons who had not paid their mining fees could be prepared and displayed on a board. It would then be the lessee's responsibility to check that notice to ascertain whether he has missed out on a lease. This sort of thing could be done with modern technology. I am sorry to hear that the Mines Department has not been able to take advantage of that technology and maybe if it discussed the matter with the Minister for Budget Management it could obtain approval to install a computer to smarten up its operation in order that we would not have to take this sort of action.

The change in the date for the expiration of leases to 31 December caused many problems. If it had been left at 30 June, it would not have involved the Christmas and New Year period

which created the mix-up with the manual system and caused the problem which resulted in this Bill being presented to the House. I am sure the Attorney General will give consideration to feeding the details of hundreds and thousands of leases into a computer.

I hope also that the Attorney General will give consideration to my suggestion that provision for a 28-day time limit be included in this clause.

Hon. J. M. BERINSON: I am not currently speaking in my capacity as Minister for Budget Management, and so I cannot give any undertakings to Mr Lewis, other than to repeat the comment in my second reading reply that the Minister has indicated that he does not have a closed mind on the question of notices going out to the leaseholders; but that is something for future consideration and is not a practical proposition at this stage.

Hon. H. W. Gayfer: That would not fix the problem. They would still claim that the notices were not sent out, that they had not received them, or something like that.

Hon. J. M. BERINSON: As the member has raised that question I point to the further problem that arises if the system goes wrong.

Hon. H. W. Gayfer: That's right. That's all the more reason for the Minister to have the power to make a decision.

Hon. J. M. BERINSON: I am quite happy to make way for Mr Gayfer again. He is putting the case very well and all I can say is that I agree with him wholeheartedly.

Mr Deputy Chairman, I seek your guidance on the procedures. Quite different questions have been raised so far in consideration of this clause, the first one going to the terminology, the second one going to the extent of the powers proposed. Would it be in order to dispose of the amendment now before the Committee and continue consideration of the wider question, or should I proceed to deal with that before the question is put?

The DEPUTY CHAIRMAN (Hon. Robert Hetherington): I suggest that the Minister dispose of the amendment and then consider the wider clause.

Hon. N. F. MOORE: I still find the terminology confusing, but it may not be confusing to someone better trained than I. I would suggest that the Attorney talk to the Minister in charge of this legislation and ask him to look at it again with a view to seeing whether it can be written in a way which makes it clearer to the

average person. One part of the clause talks about renewing and the other talks about refusing. I accept the assurance that the amendment will make it clearer and that it will not in any way change what is intended. However, I suggest that the Minister might reconsider the wording. I think that I could rewrite the clause in such a way as to make it much clearer to everybody.

Hon. J. M. BERINSON: I am quite happy to relay that suggestion to the Minister.

I take advantage of the opportunity to clarify further the position of the original terminology. It has been explained to me that an application for renewal of lease is not made to the warden in any event. It therefore follows that the reference to the application in the final part of this clause could not have any operation on that sort of application and could only operate against the application referred to in the preamble.

Hon. A. A. LEWIS: We are becoming more and more confused as we go on. If the clause is not dealing with the lease, why do we not write two clauses in plain English and not confuse them? We are trying to cover two matters in one clause. That is the point Mr Moore has been making. Paragraph (a) refers to renewal of lease and paragraph (b) does not. Paragraph (b) talks about the mining tenement.

Hon. J. M. Berinson: But both of them relate to an application for a mining tenement in the preamble.

Hon. A. A. LEWIS: Yes, but should they? I am only taking it at face value. We are trying to sort out a certain problem. If the clause dealt only with the renewal of leases, I would be happy with it. However, the Government has attempted to take it one step further, thus making the wording confusing to the people who have to deal with the clause. Paragraph (a) deals with former lessees of a mining lease, while paragraph (b) has absolutely nothing to do with the review of the mining lease. Therefore, why should we not deal with each theme in two subclauses? Does the Minister follow what I am saying?

Hon. J. M. BERINSON: I do follow Mr Lewis's argument but, with respect, it is not one that I think we need to accommodate. I have already said that I am happy to put the question of redrafting to the Minister, but I doubt the need and I doubt that he would see the need. Paragraphs (a) and (b) deal with different matters, but both are related to the same

matter, namely applications for mining tenements which the Minister may refuse.

Hon. A. A. Lewis: One is a renewal and the other an application.

Hon. J. M. BERINSON: Both relate to the same proposed ministerial power, and both (a) and (b) relate to situations in which the same power might be exercised. It is a common thing in the drafting of our Bills to have different situations giving rise to the same action combined in the one clause. I conclude, however, on the point that I arrived at several minutes ago: I am quite happy to have this referred for consideration of further drafting. However, I do not believe we should see that as such a problem at this stage as to justify an attempt to change it here.

Hon. A. A. LEWIS: With all the goodwill in the world, applications and renewals are totally different things. The Minister put his finger on it when he referred to ministerial powers. Any legislation such as the Mining Act, which has a practical application, should be written not for departmental or parliamentary consumption, but for the people who will have to abide by the legislation. That is probably where we differ. We must consider the application of this legislation in the field and whether it can be easily comprehended by the many people who will need to interpret it in the field, and not whether it is comprehensible to officers working in the department or the Minister's office. I hope the Attorney will convey that point to the Minister for Minerals and Energy. The legislation should be set out so that the people who have to deal with renewals and applications on a day to day basis have it set out for their benefit rather than that of the department.

Hon. V. J. FERRY: I relate my remarks to the difficulty which members are having in following the clause to which the amendment relates. I support the contention of Hon. Sandy Lewis that laws should be written in such a way that very little argument or misunderstanding can occur. I have had complaints from the general public with respect to their inability to understand the Statutes of Western Australia.

This is a classic example. We have legislators here who have some difficulty. I am not suggesting that the Minister's amendment is not correct because I am not legally qualified to make that judgment. However, it is a little obscure in its content. It could be looked at and tidied a little. I appreciate the Minister's undertaking that this will be carried out.

Amendment put and passed.

Hon. D. J. WORDSWORTH: I am a little confused about the Bill, with regard to not only the matter we have just debated but also the latter part of the clause as it stands amended. I refer to subclause (1) (a) in which reference is made to the situation in which a person has not renewed a lease. It includes the condition that the other requirements of the Act, other than the timing of the application for renewal had been substantially observed. In other words, the applicant must have carried out all other requirements and it states that the applicant must have continued to observe those requirements as if the term of the lease had not expired.

My query is that if a person's lease had run out on 1 January, how could he continue to mine and observe the requirements of the Act after that date? Surely he would have to stop his activities when the lease ran out. If that person stopped mining on the day the lease expired, surely he would have no hope of renewing the lease because he would not have observed the requirements.

If the Attorney General states that paragraphs (a) and (b) are connected, I presume there is an explanation somewhere.

Hon. J. M. Berinson: I did not say paragraphs (a) and (b) are connected to each other, but each is connected to the proposed ministerial power.

Hon. D. J. WORDSWORTH: There could be cases when the Minister does not want the lease to be renewed because it is not in the public interest that the land be disturbed. Therefore, I could have a lease which has expired and the Minister could say that the land should not be disturbed.

Hon. J. M. Berinson: Paragraphs (a) and (b) are separate propositions.

Hon. N. F. Moore: Paragraph (b) relates to a new lease.

Hon. D. J. WORDSWORTH: I am reading the short title which states that the Bill is to ratify, and confirm the validity of, the renewal of certain mining leases. How can we introduce anything other than that?

Hon. J. M. Berinson: The title also states that the Bill is to amend the Mining Act 1978; and for related purposes.

Hon. D. J. WORDSWORTH: That means anything related to mining.

Hon. J. M. Berinson: It can go into different areas of the Mining Act.

Hon. D. J. WORDSWORTH: It certainly confuses me.

Hon. J. M. BERINSON: I think perhaps Mr Wordsworth has confused himself. I understand the direct answer to the question, even under the present Act, is "Yes", if a person has made an application for renewal which has not been finally determined. That is itself not directly to the point of proposed subsection (1) (a) because this does not relate to the position in which the applicant has continued to act in a certain way because he was entitled to but he continued as if he were entitled to.

Looking to the Pancontinental position as the immediate example, my understanding is that they simply continued their operations as if they were entitled to; that is, as if the lease had not expired. This Bill is seeking to empower the Minister to take appropriate action in such cases.

Hon. D. J. WORDSWORTH: I understand. The Minister jumped in to ensure that these people continued their work. If that is so, one assumes if this had not been done, under the Mining Act they would not have been able to continue.

Hon. A. A. LEWIS: I never heard so much nonsense in all my life. As I understand it—to help Mr Wordsworth—Pancontinental made a slip-up. They thought they had applied so they continued mining. They thought they had done the right thing and continued mining until they found at six minutes past midnight that they were in trouble and that somebody had pegged a lease in the middle of their mines.

Hon. D. J. Wordsworth: Are they entitled to go on mining?

Hon. A. A. LEWIS: It is exactly the same situation as occurs with driving a car. If a person thinks that his wife has put the registration sticker on the car and he honestly believes that everything is okay with the vehicle or with the driver's licence or whatever, he continues driving the vehicle.

The Minister had no option but to jump in and clean up the matter. Whether or not the member likes it, Ministers have to make such decisions occasionally. The only problem for some backbenchers is that they do not always make them quickly enough or often enough.

Hon. D. J. Wordsworth: I am not satisfied with Mr Lewis' argument. If I had a driver's licence which had expired, a policeman pointed out that it had expired, and I continued driving the motor car but said I would renew it at some

time in the future, I would have some problems.

Hon. N. F. MOORE: I have now heard the Minister's explanation as to why we need to include paragraph (b) (ii) and why the Minister feels it is necessary on this occasion to increase his powers.

I know we have been going around in circles for the last few minutes but perhaps the Attorney could answer the second part of my initial objection and explain why the Minister needs these additional powers.

Hon. J. M. BERINSON: Mr Moore has pointed out, quite correctly, at an earlier stage of this discussion, that proposed paragraph (b) (i) reproduces the provision in the existing Act. The first argument which might be advanced in respect of paragraph (b) (ii) is that it will serve to prevent the need to strain the meaning of the existing provision in a way that has been quite typical of previous action under that clause.

Specific examples were given when the Bill was under debate in another place. One was the refusal of an application for a mining tenement covering the front garden of Sir Charles Court's home. Another related to Forrest Place. Mention was made of another in Kings Park, although I am not sure whether that was an actual application or a hypothetical one.

Hon. Graham Edwards: It was the war memorial.

Hon. J. M. BERINSON: I am told a mining tenement was sought to be established over the area of the war memorial in Kings Park. In all of those places the refusal was on the basis that the land could not be disturbed.

The real reason, referring to the Dalkeith example, was not that there was a public interest in not having Sir Charles Court's front garden dug up. The point was that it was determined that no mining should occur there.

Similarly in Forrest Place and Kings Park, the decision would be that that is not a place where we want mining to occur. What in fact was done was to strain the terminology of the current provision that the land could not be disturbed in order to cover that, and nobody took the issue further. In fact, when those determinations were made they were made as a result of a very wide ministerial discretion which more than likely went beyond the Minister's actual powers.

There is a broader reason for the proposed provision in proposed subsection (1) (b) (ii) which goes to the complexity of the Act and to

the complexity of the mining industry and the various arrangements which can occur there. I will not be surprising members if I tell them that I am no expert on the Mining Act, but as the Minister has said in relation to this provision, there are literally thousands of different types of leases and situations which can occur. It is important in an industry as essential as this one is to the economic strength of the State that there should be a full capacity to meet problems as they arise.

The example of Pancontinental is in point. What if the Minister had not felt able to say that he was entitled under the existing Act to grant an extension of time for the renewal of the lease? A \$40-million industry would have come to a halt. Over 100 men would have been put out of work. The gold production with its importance to the economy would have been lost.

That is a particular case we have, but it is only an example of many situations, and by no means all of them can be anticipated in a way which would allow them to be specified in the Act. It is a case for a broad discretion.

This is not an unlimited discretion. In all cases there must be a decision which is objectively reasonable and in the public interest. I have no doubt that it is for a combination of those reasons that the mining industry itself has indicated it has no objection to the Bill in its present form.

The Bill has been supported by the Chamber of Mines. I am advised by the Minister that the Association of Mining and Exploration Companies—AMEC—was given a full brief by his departmental officers, and that no indication came from that association to suggest it opposed or had any serious reservations in respect of this Bill. That in itself is an indication from the people who would be most affected by the risk of arbitrary ministerial decisions. It is a reasonable indication to this Chamber that we can safely proceed with this Bill in the form in which it has been drafted.

Hon. N. F. MOORE: I thank the Minister for his explanation and make the point first of all that I do not accept his argument that the Minister needs any further power than he has now. All in all, the Minister for Minerals and Energy has power which he should not have over a whole range of activities within the industry. However, that is not to say that I do not think he should not in some cases have discretion.

The fact that Kings Park, the war memorial, and Sir Charles Court's front lawn have not been mined would indicate that the current Act covering the disturbing of land is adequate. I suggest that Kings Park is protected under some other Act.

It is my view that this is just an attempt by the Minister to increase his powers with respect to the mining or otherwise of mining leases. Let us face it, mining leases can be worth a lot of money—many millions of dollars. This clause gives him power to decide who will have access to millions of dollars-worth of minerals. While I am not unhappy about giving the Minister some discretion, this clause gives him almost total discretion.

Though I am prepared to accept the first part of clause 7 in respect of giving the Minister power to overcome some situations such as the Paddington one, we cannot vote against part of a clause, so I have no alternative but to express my opposition to part of the clause by voting against the whole of it.

Paddington is an investment worth \$40 million. I am told by the people who pegged the pit that they were approached almost immediately after the pegging by a substantial mining company with a view to going into a joint venture to continue mining operations. Jobs would have been retained and additional capital expenditure would have been involved.

I do not intend to say whether that was going to happen, but that is the point put forward by these people and I have no reason to think that what they are suggesting is not correct.

I also take exception to some of the words used by Hon. Mark Nevill and the Minister for Minerals and Energy with respect to the people who did the pegging. They were entitled to believe that, on the expiration of those leases, they were able to peg them, because when a lease expires it reverts to vacant Crown land. It is then available for pegging by anyone who seeks to peg it. It is scandalous for Mr Parker to say in the Parliament and have it written in the newspapers that, "These people are black-mailers, nothing more." It is absolute nonsense for Mr Nevill to suggest that these people were operating in some immoral way. They fail to recognise what the mining industry is all about.

There is not much land which contains gold and many people want to get their hands on it. That is why we have a Mining Act which says, "These are the rules of the game and if you do not abide by them, 'bad luck.'" Here we are changing the rules after the event. That is fair

enough and I accept it. However, it is not fair enough for the Minister for Minerals and Energy and Hon. Mark Nevill to give the people a real serve in the way they have, because they have abided by the rules.

As I said last night, if the mine was worth \$200, there would not be a Bill before the House. The only reason we have a Bill is that a lot of money was involved. Mr Bierberg may be the biggest criminal in the world for all I know, however, he was quite legitimate in pegging the Paddington lease at 12.03 a.m. as far as I am concerned and as far as the Act is concerned. That lease had expired and he was entitled to peg it.

The DEPUTY CHAIRMAN (Hon. Robert Hetherington): Order! The honourable member is straying into a second reading speech.

Hon. N. F. MOORE: With respect, Sir, I am responding to what the Attorney General said in his last speech when he suggested that, in some way, the Paddington operation was the reason for this.

However, I have made my point and I trust that those who are making these allegations about the people who pegged the lease realise that they are making allegations which they are not entitled to make.

It was interesting that someone raised the question of *sub judice*. I wonder how it is that we can talk about these matters in the Parliament and pass legislation on them when they are before the courts. As I understand it, *sub judice* means that one cannot refer to matters of this nature when they are before the courts. Therefore, the whole legislation may in fact be *sub judice*.

The DEPUTY CHAIRMAN: Order! I point out to the Chamber that *sub judice* does not prevent Parliament legislating at any time as Parliament is doing now, because it sounded as if the member's comments were verging on a point of order and in fact there is no point of order.

Hon. D. J. WORDSWORTH: I have asked the Attorney General whether it was legal for someone to mine on his former lease after the lease had expired. I would have thought he would be able to answer that rather simple question. Someone may find four pegs sitting in the ground when he looks at his mine at 12.01 a.m. He may then remember that he has not renewed his lease. If the Attorney will not answer that question, I shall turn to my next point which relates to having reasonable

grounds in the public interest that an application should not be granted.

I liken the position here to that in the Land Act because much the same sort of situation applies in respect of granting pastoral leases. A person who is granted a pastoral lease must show that he is capable of developing it. Does the same situation apply in respect of the Mining Act? Can the Minister under this amendment then say that it is not in the public interest that Mr Norman Moore should get a particular claim because he cannot due to lack of funds do anything with it when he gets it? We are leaving the situation wide open by allowing the Minister to say, "It is not in the public interest that the application should be granted."

Clause, as amended, put and passed.

Title put and passed.

Report

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

Third Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [10.56 p.m.]: I move—

That the Bill be now read a third time.

HON. D. J. WORDSWORTH (South) [10.57 p.m.]: I am somewhat amazed that, while the Attorney General is seemingly endeavouring to reply to a question in Committee, the Bill just continues on its merry way. Is the Attorney General just playing for time when he sits there and pretends he does not know the answer, or what is the situation? It is most unsatisfactory that the Opposition should be treated in this way.

Question put and passed.

Bill read a third time and returned to the Assembly with an amendment.

ADJOURNMENT OF THE HOUSE

HON. D. K. DANS (South Metropolitan—Leader of the House) [10.58 p.m.]: I move:

That the House do now adjourn.

Raymond Mickelberg: Classification

HON. P. H. LOCKYER (Lower North) [10.59 p.m.]: I apologise to the House for having to delay it for a few minutes, but it is important I bring this matter to the attention of members and I will not have another opportunity to do so.

This afternoon I directed a question to the Attorney General concerning Raymond Mickelberg who was reassessed by the assessment board at Fremantle Prison today and his application to be shifted to Canning Vale was once again refused on a vote 3:1. Three votes were in his favour and one was against, that vote being cast by the representative of the Prison Officers Union which covers prison warders.

I object strongly to that. The situation in respect of Raymond Mickelberg has gone too far. Firstly, he has copped 20 years for a crime of allegedly taking approximately \$500 000-worth of gold, whereas rapists and murderers do not receive sentences anything like that.

Like a lot of other people, I am at the end of my tether and I cannot understand why Raymond Mickelberg was sent to a maximum security prison at Fremantle whereas today another person who is a constituent of mine and who was convicted of growing millions of dollars-worth of marihuana at Mt Magnet was shifted to a minimum security prison at Geraldton so that he could be near to his family. Incidentally, I agree with that man being moved.

The second point is that 10 days ago Raymond Mickelberg was attacked by some two-legged animals in Fremantle Prison. The attack was unsolicited and he was thumped and beaten up. His finger was bitten off—remember that; he has one finger less today. He was taken to Fremantle Hospital in a pretty sad condition.

Yesterday, because the hospital declared that he was able to go back to prison, at 7.45 a.m. the prison warders tossed on his bed for him to wear back to prison the clothes he had worn when he was beaten up. The clothes were covered in blood and grime yet he was told to put them on and hop in the back of the ute to be taken back to gaol. Fortunately the hospital staff saw fit to lend him a pair of pyjamas.

This is not good enough. I respectfully ask the Minister for Prisons—and I do respect his ability—to find out by tomorrow just what is going on. He really needs to get to the bottom of this and if someone needs a good smack on the hand, it should be done. The whole situation is undesirable and the general public will not put up with it. I will bring this matter up every day in the Parliament until I am satisfied that something reasonable has been done.

Australian Workers Union: Superannuation Claim

HON. NEIL OLIVER (West) [11.02 p.m.]: I bring to the attention of the House some urgent business, something which will become apparent over the next few days to all members of all parties. This is a log of claims from the Australian Workers Union. It is quite normal for people to receive by certified mail a log of claims setting out a union's latest list of claims.

Over the last 24 hours I have received a large number of telephone calls, some from women, all dealing with the demand by the AWU that these people sign an agreement to pay into the union's superannuation productivity deal. I quote from the union's letter as follows—

SUPERANNUATION—LETTER OF DEMAND

You are hereby requested to sign the attached agreement to The Australian Workers' Union Superannuation Fund No. 2 Productivity Account, the Fund which has been approved by the Commissioner for Taxation under Section 23F of the Act.

This demand is consistent with the A.C.T.U./Federal Government Agreement on wages, tax and superannuation which recognises that Unions can commence bargaining for the introduction of industry-wide superannuation schemes.

Part of the agreement is that the demand should be limited to a trade-off against national productivity growth and excepting special circumstances, should not create a cost increase prior to July 1, 1986. This means that by signing the agreement, with an effective date of July 1 1986, you will:

1. Be covered by the "no extra claims" and "no double counting" undertakings given under the Wage Fixation Principles; and
2. You will have discharged your obligations under the Accord in respect to the Productivity claim.

This takes no account of the fact that this matter is still before the Australian Conciliation and Arbitration Commission and that Mr Justice Maddern has not made a decision yet. Also, the Prime Minister in his address to the nation last week indicated that the matter might still be adjourned for a period of six

months. The letter of demand continues as follows—

It should be noted that even if you are currently sponsoring superannuation agreements for some or all of your employees, you should sign up for the A.W.U. Superannuation Fund No. 2 Productivity Account in addition to those existing arrangements.

The minimum contribution required under this Fund is \$12.50 per week or other amounts as determined by the Australian Conciliation and Arbitration Commission in the A.C.T.U. National Productivity/Superannuation Case.

The next part is what has worried a number of people, in particular a farmer's wife whose husband is currently interstate. She rang me because she had never received anything like this before in her life. She was in a desperate state wondering what it was all about. The final sentence of the letter reads—

Should you fail to sign the agreement within 14 days, the Union shall notify the Registrar of the Australian Conciliation and Arbitration Commission of the existence of a dispute.

All I can say is that this demand has no legal or moral standing. All members here, including those who have been union advocates, know that this is the case.

Obviously the AWU, of which I have been a member, is displaying a total disregard for the current financial situation faced by the rural sector, where many farmers and small business people are struggling to keep afloat, what with

record high interest rates and the decimated dollar, the fringe benefits tax, and now the increased charges for essential services, such as electricity and water, announced this week.

For the union to be illegally demanding an extra \$12.50 a week for each employee for its superannuation fund is totally immoral and contrary to the public interest and the future of this country.

Having been a rouseabout I imagine I would really have enjoyed the opportunity of working under the conditions listed in this log of claims. I know it is an ambit claim, yet they are demanding \$1 000 per one hundred for shearing ewes and lambs when the current rate is \$105. They are even demanding strip heaters in the shearing sheds in winter. Another claim that fascinates me is that if a shearing shed is more than 200 metres from the shearing quarters they should be provided with transport backwards and forwards for lunch breaks and smokes.

This matter is not a joke and I ask the Leader of the House to bring it to the attention of the Premier and of the Prime Minister, although I realise that the Prime Minister no longer wears the hat of President of the ACTU, so he is no longer running the country. Rural businesses and farmers should not be bullied into making these payments. I recommend that all members ensure that their constituents totally ignore these demands and tell the union that these tactics will not be tolerated in Australia.

Question put and passed

House adjourned at 11.10 p.m.

QUESTIONS ON NOTICE

WA DEVELOPMENT CORPORATION

Real Estate Agency: Licence

10. Hon. NEIL OLIVER, to the Attorney General representing the Minister co-ordinating Economic and Social Development:

- (1) Is the Western Australian Development Corporation licensed as a real estate agent under the Real Estate and Business Agents Act?
- (2) Which director is the nominee and what other directors hold licences?

Hon. J. M. BERINSON replied:

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

MINISTERS OF THE CROWN

Offices: Refurbishment

15. Hon. G. E. MASTERS, to the Minister for Budget Management:

- (1) Since the February 1986 election have there been any ministerial suites created and/or refurbished?
- (2) If "Yes", which Ministers?
- (3) What were the costs to the taxpayer for each Minister?

Hon. J. M. BERINSON replied:

- (1) to (3) Details are being collated and the member will be advised in writing as soon as possible.

G. H. D. DWYER REPORT

Minister's Comments

20. Hon. NEIL OLIVER, to the Leader of the House representing the Minister for Agriculture:

I refer to the Minister for Agriculture's appearance on the "Current Affair" TV programme on Monday, June 9 1986 and his comments in regard to the GHD Dwyer report.

- (1) When was it made public?
- (2) When was it commissioned?
- (3) When was it completed?
- (4) Will the Minister table a copy of the report?

Hon. D. K. DANS replied:

- (1) and (3) The GHD Dwyer report was presented to the Minister for Agriculture on 29 January 1986 with the request that it not be made public at that time because of the confidential aspects of some of the development proposals. The report has recently been made available for reference purposes at the State Government Information Centre.

- (2) 27 May 1985.

- (4) The report will continue to be available for reference purposes and relevant documents to the sale will be tabled.

MOTOR VEHICLES: GOVERNMENT

Ministerial: Members' Use

21. Hon. N. F. MOORE, to the Leader of the House representing the Premier:

- (1) Is it correct that members of Parliament not being Ministers of the Crown are entitled on certain occasions to use ministerial motor vehicles?
- (2) If so, what are the conditions which relate to this use?

Hon. D. K. DANS replied:

- (1) and (2) Where a backbench member of Parliament is required to undertake work of a particular nature for the Government or represent a Minister at an official engagement which necessitates the use of a vehicle, it is made available only with the prior approval of the Premier.

The Leader of the Opposition may make his vehicle available for the purpose of having a backbench member represent him at an official function. Where none of the several vehicles allocated to the Opposition is available, the Premier may in special circumstances approve of an additional vehicle being made available from the Government garage.

FAMILY COURT

Maintenance: Collections

55. Hon. P. G. PENDAL, to the Attorney General:

I refer to his letter to me of 29 April 1986 concerning the Family Court and ask—

- (1) Did he advise that over \$6 million of maintenance is now collected and disbursed each year through the Family Court of WA?
- (2) In dollar terms how much additional maintenance is not collected and disbursed by this court?

Hon. J. M. BERINSON replied:

- (1) Yes. The actual amount of maintenance collected and disbursed by the Family Court in the year to 31 December 1985 was \$6 941 586.
- (2) Approximately \$2 million is not collected for a variety of reasons. A significant proportion of this sum relates to cases which are the subject of enforcement proceedings which will result in orders being made to recover unpaid maintenance. A significant proportion also relates to maintenance in respect of cases where the payer has pending before the Family Court an application to vary the maintenance obligation because of changed circumstances. A proportion would also relate to cases where, although the maintenance order is unaltered, the wife is, for various reasons, prepared to accept for the time being a lesser amount.

CONSERVATION AND LAND
MANAGEMENT DEPARTMENT*Staff*

73. Hon. V. J. FERRY, to the Minister for Community Services representing the Minister for Conservation and Land Management:

How many people were employed with the Department of Conservation and Land Management as at—

- (a) 30 June 1985, and
- (b) 31 May 1986 in the regions of—
 - (i) central forest;
 - (ii) southern forest;
 - (iii) south coast; and
 - (iv) northern forest?

Hon. KAY HALLAHAN replied:

	(a)	(b)
	30/6/85	31/5/86
(i)	359	386
(ii)	222	244
(iii)	22	30
(iv)	340	325
	943	985

TRANSPORT: RAILWAYS

Bunbury: Transfer Fare

83. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Transport:

- (1) Is it correct that passengers who use the *Australind* rail service from Perth to Bunbury are required to pay a bus fare to be transferred from the new Bunbury station to the Bunbury city centre?
- (2) If so,
 - (a) what is the fare charged; and
 - (b) why is it necessary to charge this fare when presumably the rail ticket is from Perth to Bunbury?

Hon. D. K. DANS replied:

- (1) Yes.
 - (2) (a) \$0.80 for adult passenger
\$0.30 for pensioner passenger
\$0.40 for child passenger.
 - (b) An *Australind* rail ticket entitles the ticket holder to travel between the Perth railway station and the Bunbury railway station at Wollaston with Westrail.
- A private bus operator, Bunbury City Transit, provides a connecting public bus service between the Bunbury railway station and the Bunbury city centre.

ARTS

Administration: Future

88. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

When does the Minister intend to announce the Government's plans for the future administration of the arts in WA, including the fate of the WA Arts Council?

Hon. J. M. BERINSON replied:

The future of the Government administration of the arts in WA, including the fate of the WA Arts Council, was announced on 7 May 1986 in a Press release, which is printed below.

Cabinet approved the formulation of a State department for the arts at its meeting on 5 May 1986.

Legislation will be introduced in this season to repeal the WA Arts Council Act of 1973.

Staff of the WA Arts Council will be absorbed into the new departmental structure. The last official meeting of the WA Arts Council was held on 11 June 1986.

The Public Service Board has advertised and is now processing applications for three new positions for the Department for the Arts—

- (1) Executive Director;
- (2) Assistant Director (Finance and Administration); and
- (3) Assistant Director (Policy).

Once these positions are filled, the department will put into process arts policy reviews and staff restructuring.

Commitments made by the WAAC, especially with regard to touring and country arts development programmes, will be honoured until the end of 1986.

The WA Arts Council is to disappear in a wide-ranging restructuring of the arts administration in Western Australia.

Announcing details of the major changes today, Arts Minister David Parker said there was a pressing need for rationalisation of State Government funding to the arts.

"At present there is no co-ordinative mechanism to review, evaluate or advise the Government on arts policies," he said.

"As a result, we are missing out on Federal funding, skilled people are leaving the State and public moneys are not necessarily being spent in the best interests of the community as a whole.

"Since the State Government's allocation to the arts amounts to \$17.6 million this financial year, we are talking about a large sum of money."

Mr Parker said the new co-ordinating authority would be a Department of the Arts, utilising the staff of the WA Arts Council and the Censorship Board. It was envisaged that only five new positions would be required.

"In this way, we plan to achieve a highly professional overview of the complete arts scene in Western Australia, independent of special interests," he said.

"The Department will provide a forum for research, policy formulation and discussion for coherent policy development and improved decision-making.

"One of its aims will be to encourage diversification and innovation while still pursuing excellence in targetted areas.

"Another important objective will be the implementation of peer group assessment processes for the distribution of arts grants."

Mr Parker said any necessary legislation would be introduced in the Spring session of Parliament.

While the Museum and Art Gallery would come under the umbrella of the Department of the Arts, Mr Parker said they would retain their status as statutory bodies.

ART GALLERY

New Works: Acquisition

97. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

Will the Minister advise the amount allocated for and spent on the acquisition of new works by the Art Gallery in each of the past five years?

Hon. J. M. BERINSON replied:

The following funds were allocated from the Consolidated Revenue Fund for the acquisition of new works at the Art Gallery—

Year	Allocated	Spent
1980-81	\$525 748	\$614 118
1981-82	\$546 000	\$666 297

Year	Allocated	Spent
1982-83	\$570 000	\$589 539
1983-84	\$572 000	\$610 322
1984-85	\$516 000	\$514 959

In addition the following sums were expended on acquisition from funds provided by bequests and donations—

1980-81	\$1 000
1981-82	\$45 274
1982-83	\$263 501
1983-84	Nil
1984-85	Nil

ART

Contemporary Artists: Purchases

99. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

- (1) Does a special fund exist to promote or acquire contemporary WA art, particularly the work of young artists?
- (2) If so, what is the source of funds?
- (3) How much has it spent for this purpose in each of the past five years?

Hon. J. M. BERINSON replied:

- (1) A special collection of works by young emerging Western Australian artists has been formed since 1978 using funds appropriated for general acquisitions. There are no separate funds for this purpose and, otherwise, Western Australian art is included within the realm of Australian art as a whole.

(2) See above.

- (3) Expenditures on Western Australian art are not separately analysed. The following amounts have been spent on purchases of work by young emerging Western Australian artists—

1980-81	\$10 928
1981-82	\$3 420
1982-83	\$1 450
1983-84	\$2 310
1984-85	\$395

ART GALLERY

Bookshop

100. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

- (1) Who conducts the bookshop situated within the Art Gallery?
- (2) Are its accounts kept separate from the Art Gallery finances?

Hon. J. M. BERINSON replied:

- (1) The Art Gallery bookshop is managed by the Art Gallery staff.
- (2) Separate accounts are maintained but it is otherwise conducted as part of the Art Gallery operations.

ARTS

Drama Groups: Disabled Persons

107. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

- (1) What funding has been allocated this year to drama and/or arts groups which cater specifically for disabled or handicapped participants?
- (2) Have any funds been allocated in any of the past four years?

Hon. J. M. BERINSON replied:

- (1) In 1985-86 \$691 was granted for an individual artist to gain skills in music therapy.
- (2) A total of \$57 200 in WA Arts Council and Instant Lottery grants has been made for arts and the disabled projects in the last four years. These grants represent a diversity of projects from specialist dance or drama therapists conducting workshops with disabled participants to full-scale theatrical productions being presented by an integrated company of abled and disabled performers.

In providing funds for these projects the WA Arts Council was always concerned about funding the "arts" or "creative" components of the projects rather than the therapeutic-educational aspects. This meant that funds were often related to professional artists' input.

ART GALLERY

Attendance

111. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

How many people visited the WA Art Gallery in the last 12 month period for which figures are available?

Hon. J. M. BERINSON replied:

1 June 1985 to 31 May 1986 attendance was 181 876.

ARTS

Entertainment Centre: Attendance

112. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

How many people attended live performances at the Perth Entertainment Centre in the last 12 month period for which figures are available?

Hon. J. M. BERINSON replied:

358 734.

ARTS

His Majesty's Theatre: Attendance

113. Hon. P. G. PENDAL, to the Attorney General representing the Minister for The Arts:

How many people attended performances at His Majesty's Theatre in the last 12 months for which figures are available?

Hon. J. M. BERINSON replied:

146 217.

EMPLOYMENT AND TRAINING

Unemployment: Bunbury

118. Hon. V. J. FERRY, to the Leader of the House representing the Minister for Employment and Training:

What was the percentage rate of unemployment in Bunbury CES district as at:

- (a) 31 December 1980;
- (b) 31 December 1981;
- (c) 31 December 1982;
- (d) 31 December 1983;
- (e) 31 December 1984; and
- (f) 31 December 1985?

Hon. D. K. DANS replied:

The Bunbury CES district comes under the portfolio of the Federal Minister for Employment and Industrial Relations.

ENERGY: ELECTRICITY

Power Stations: Bunbury

121. Hon. V. J. FERRY, to the Attorney General representing the Minister for Minerals and Energy:

With regard to the Bunbury power station—

- (1) Is it still producing electric power?
- (2) What is the future role of the station?
- (3) When will the station be closed?
- (4) What purpose will the land be used for when the SEC has no further need for the facility on which the power station stands?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) and (3) Based upon current load growth forecasts, Bunbury power station will continue operating until at least 1995.
- (4) There are no current plans for the disposal of Bunbury power station or the land on which it stands.

PRISON

Bunbury: Staff

123. Hon. V. J. FERRY, to the Minister for Prisons:

How many warders, trade instructors and other staff were employed at the Bunbury Regional Prison as at—

- (a) 30 June 1985; and
- (b) 31 May 1986?

Hon. J. M. BERINSON replied:

- (a) Prison Officers 44
Trade Instructors 14
Administration and Others 6 and 2 part-time
- (b) As for (a) above.

PORTS AND HARBOURS

Marine and Harbours Department: Staff

127. Hon. V. J. FERRY, to the Leader of the House representing the Minister for Transport:

How many people were employed with the Department of Marine and Harbours as at—

- (a) 30 June 1985; and

(b) 31 May 1986 at

(i) Bunbury

(ii) all other centres of the south west, each detailed separately?

Hon. D. K. DANS replied:

(a) 142.

(b) (i) 4.

Note: An additional 18 people were employed at 31 May 1986 under a CEP programme for the restoration of the Bunbury timber jetty.

(ii) Mandurah	2
Albany	4
Esperance	4

MAIN ROADS DEPARTMENT

Staff

130. Hon. V. J. FERRY, to the Leader of the House representing the Minister for Transport:

How many people were employed with the Main Roads Department, Bunbury division, as at—

(a) 30 June 1985; and

(b) 31 May 1986?

Hon. D. K. DANS replied:

Insofar as the Main Roads Department is concerned—

(a) 137

(b) 135

LAND: RESERVES

Stream: Forestry

134. Hon. A. A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

Further to question 27 of 12 June 1986 will any of the assessments be published by the department?

Hon. KAY HALLAHAN replied:

Yes, when the trials are completed.

FORESTS: SAWMILLS

Pine: Viability

135. Hon. A. A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

Further to question 29 of Thursday, 12 June 1986 should the answer to question (1) be 800 000 cubic metres?

Hon. KAY HALLAHAN replied:

No.

FORESTS

Softwood: Properties Leased

136. Hon. A. A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

Further to question 33 of Thursday, 12 June 1986, of the five leases being negotiated how many are in the—

(a) Manjimup shire;

(b) Bridgetown shire;

(c) Nannup shire; and

(d) Boyup Brook shire?

Hon. KAY HALLAHAN replied:

(a) Manjimup shire—1

(b) Bridgetown shire—2

(c) Nannup shire—1

(d) Boyup Brook shire—Nil

ROAD: LIGHTING

Hayman Road, Bentley

141. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Minerals and Energy:

(1) Is the Minister or the State Energy Commission aware of community concern over the lack of street lighting in Hayman Road, Bentley?

(2) Is the provision of such lighting solely a matter for the commission or does the South Perth City Council have a responsibility in the matter?

(3) If it is a joint responsibility have any approaches been made by the local authority to the commission?

Hon. J. M. BERINSON replied:

(1) No.

(2) Council is responsible for funding.

- (3) Lighting proposal prepared by SEC and submitted to South Perth Council for approval on 11 November 1985.

Awaiting South Perth Council's authority to proceed.

Section of Hayman Road between South Terrace and Kent Street.

HEALTH: RADIATION

Powerlines: Tests

143. Hon. G. E. MASTERS, to the Attorney General representing the Minister for Minerals and Energy:

- (1) How often are tests carried out on the effect of radiation from SEC main powerlines in the Forrestfield area?
- (2) Does the SEC intend to increase the present load of 300 000 volts on the existing lines?
- (3) If so, when and by how much?
- (4) Have investigations in other parts of the world shown health problems do exist near very high voltage powerlines?
- (5) Do the present powerlines meet the World Health Organisation's health standards?

Hon. J. M. BERINSON replied:

- (1) Tests were conducted within the last two months. More will be conducted shortly.
- (2) No.
- (3) Not applicable.
- (4) Despite extensive research in several countries there is no verified evidence that electro-magnetic radiation at power frequencies and at intensities experienced in the vicinity of power lines causes adverse health effects in humans. The World Health Organisation standard sets a maximum field strength of 20kV per metre. While considered conservative, it is observed by the commission in designing its facilities.
- (5) Yes.

LAND RESERVES

Shannon: Name

151. Hon. A. A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

Further to my question 22 of 12 June 1986 regarding the Shannon State forest—

- (1) As it is now called Shannon Forest is it intended to change the name to Shannon Park?
- (2) Has the same change of name affected other State forests?
- (3) If so, which ones?

Hon. KAY HALLAHAN replied:

- (1) It is called the Shannon Park.
- (2) No.
- (3) Not applicable.

ENERGY POLICY AND PLANNING OFFICE

Establishment

154. Hon. G. E. MASTERS, to the Attorney General representing the Minister for Minerals and Energy:

With respect to the Office of Energy Policy and Planning—

- (1) How many Public Service positions will be created?
- (2) What Public Service classifications/levels will each position hold?
- (3) What salary scales apply to each position?

Hon. J. M. BERINSON replied:

- (1) to (3) No decisions have yet been made.

ENERGY POLICY AND PLANNING OFFICE

Costs

155. Hon. G. E. MASTERS, to the Attorney General representing the Minister for Minerals and Energy:

- (1) What are the projected costs for establishing the Office of Energy Policy and Planning for the financial year ending 30 June 1987?

- (2) What are the projected costs for the Office of Energy Policy and Planning for the financial year ending 30 June 1988?

Hon. J. M. BERINSON replied:

- (1) and (2) See answer to question 154.

ALUMINIUM SMELTERS

Establishment: South-west

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

What progress is being made towards the establishment of an aluminium smelter in the south-west?

Hon. D. K. DANS replied:

The Government has the aluminium smelter under continual review.

BREAD ACT

Amendments

162. Hon. V. J. FERRY, to the Minister for Community Services representing the Minister for Industrial Relations:

- (1) Does the Government intend amending the Bread Act?
- (2) If so, what will be the nature of any change?

Hon. KAY HALLAHAN replied:

- (1) A decision is yet to be made.
- (2) As above.

MINERAL

Uranium: Exploration Permits

165. Hon. FRED McKENZIE, to the Attorney General representing the Minister for Minerals and Energy:

- (1) Are exploration permits issued for uranium mining in Western Australia?
- (2) If so, how many are currently under issue?

Hon. J. M. BERINSON replied:

- (1) Exploration licences (other than those for iron ore) are issued for all minerals.
- (2) Not applicable.

QUESTIONS WITHOUT NOTICE

GOVERNMENT CHARGES

Increases: Decision

34. Hon. G. E. MASTERS, to the Minister for Budget Management:

Will the Minister confirm that the recently publicised increases in Government charges were decided upon before the Premiers' Conference?

Hon. J. M. BERINSON replied:

I have some difficulty understanding which particular charges are being referred to, but in any event these are matters under the authority of the respective Ministers and I would not be in a position to provide specific details of dates.

STATE FINANCE: RECURRENT EXPENDITURE

Federal Allocation

35. Hon. G. E. MASTERS, to the Minister for Budget Management:

Is it correct to say that the Federal Government's allocation to the Western Australian State Government for recurrent expenditure resulted in a net gain of \$115 million, or thereabouts, for 1986-87?

Hon. J. M. BERINSON replied:

Again, I do not have the figures before me, but it is well understood that the Federal Government maintained its earlier undertaking to meet the two per cent real increase in the grant, and if that turns out to be the figure that the honourable member mentioned, then that is the increase.

MINISTERS OF THE CROWN

Credit Cards

36. Hon. G. E. MASTERS, to the Leader of the House:

- (1) I ask whether Ministers are issued with Government credit cards.
- (2) If they are, are the cards American Express cards?
- (3) If not, which credit card company issues them?
- (4) Are the cards solely for the use of Ministers?

Hon. D. K. DANS replied:

- (1) to (4) That is not a question that I could rightly answer. I can only speak for myself and my own portfolios. A credit card is issued to me by my department for my sole use.

GOVERNMENT EMPLOYEES

Credit Cards

37. Hon. G. E. MASTERS, to the Leader of the House:

Would he advise me whether Government credit cards are issued to Government advisers and senior departmental officers under the same arrangements as he has just outlined whereby he receives a card?

Hon. D. K. DANS replied:

I am not in a position to answer that. I can only answer on my own behalf. My department has issued me with a credit card. I am not in a position to issue credit cards to anyone.

GOVERNMENT EMPLOYEES

Credit Cards

38. Hon. G. E. MASTERS, to the Leader of the House:

Is the Leader of the House aware whether or not any departmental officers or advisers within his department have credit cards?

Hon. D. K. DANS replied:

In the first instance, I can answer the question about advisers in my department. I have none.

However, I cannot be specific. I have signed expense accounts for the director of the Building Management Authority, but whether or not that is on a credit card account, I have not had the opportunity to note. I would imagine that if credit cards are issued in the department they would be issued by the head of that department, and if the head of that department were issuing credit cards I suppose he would be first cab off the rank—he would be the first one with a credit card.

Hon. G. E. Masters: Are you saying you do not know whether your departmental officers have them?

Hon. D. K. DANS: I am not sure, but if the Leader of the Opposition would like me to ascertain that for him, I can surely do so; but only as it relates to my department.

PRISONER

Raymond Mickelberg: Classification

39. Hon. P. H. LOCKYER, to the Minister for Prisons:

- (1) Is the Minister aware that this afternoon in Fremantle Prison Raymond Mickelberg was reassessed as to his suitability for transfer to the Canning Vale Prison, even though the Minister advised this House last week that Mr Mickelberg would be reassessed in the next couple of months? Obviously, things move quickly.
- (2) If the Minister is not aware could he, by tomorrow, be in a position to answer the question?
- (3) If the Minister is aware, is he also aware that Mr Mickelberg's application was refused this afternoon and that he will remain in Fremantle Prison?
- (4) If that is the case, do prisoners have the right of appeal to the Minister, or is the capacity for assessing prisoners left in the hands of the Fremantle Prison assessment board?

Hon. J. M. BERINSON replied:

- (1) to (4) I have had no departmental advice on this question but I am quite happy to obtain it for the honourable member tomorrow; and I will advise him at the same time in respect of the question related to appeal procedures.

Since Mr Lockyer gave the impression that his question last week might have expedited the processing of this matter, let me say that I was simply in error last week, on one view of the facts, in suggesting that Mr Mickelberg's review would take place within the next two or three months. As I have indicated on many occasions, it is very difficult without having the files available to be sure of specific facts of this nature. I give myself the leeway of saying that I was only incorrect on one view of the facts because, on another view of the situ-

ation, this week is in fact within two or three months of last week.

ABATTOIR: MIDLAND

Contract of Sale

40. Hon. NEIL OLIVER, to the Leader of the House:

Last Wednesday I asked the Leader of the House a question regarding the Dwyer report and whether the Minister for Agriculture would table that report and the contract of sale. The answer I received was that the Dwyer report would be available from the State Government Information Office but that the contract of sale would be tabled in the House.

When can we anticipate the contract of sale being tabled in the House in accordance with the answer given by the Minister?

- Hon. D. K. DANS replied:

Mr Oliver knows I am not the Minister for Agriculture. I will ascertain privately—which is a thing that he could do quite easily himself—whether the Minister has actually tabled that report in another place, or at least ask him when he will do so.

I know the Minister for Agriculture quite well and I am sure he will not bite me if I ask him that question. I am very sure that if Mr Oliver asked him that very simple question the Minister would not snap his head off.

MEMBER FOR WARREN

Ministerial Car: Use

41. Hon. N. F. MOORE, to the Minister for Budget Management:

In view of the Government's call for budgetary constraints because of difficult budgetary circumstances, how does the Government justify the pro-

vision of a ministerial vehicle—a Statesman, I believe—to a Government backbencher, Mr Dave Evans, as advised today in the questions supplementary Notice Paper?

- Hon. J. M. BERINSON replied:

One might as well ask how the Government permits the continued use of a car by the Leader of the Opposition.

- Hon. N. F. MOORE: Because he holds an office.

- Hon. J. M. BERINSON: The fact is that particular work is regarded as justifying the availability of certain facilities and that is a matter which runs right across the provision of Government services.

- Hon. N. F. MOORE: What absolute rubbish. He is the only one who is not holding office who gets a car, and you know it.

- Hon. D. K. DANS: We can take cars away.

- Hon. N. F. MOORE: I hope that was recorded, Mr Deputy President.

FORMER MINISTERS OF THE CROWN

Ministerial Cars: Use

42. Hon. W. N. STRETCH, to the Minister for Budget Management:

Are any of the other ex-Ministers shuffled out of the Cabinet entitled to the use of ministerial cars?

- Hon. J. M. BERINSON replied:

I do not know. I am not the Minister responsible for the allocation of cars; and if the member wishes to have advice on that matter he should place the question on notice.