

Legislative Assembly

Thursday, 13 September 1990

THE SPEAKER (Mr Michael Barnett) took the Chair at 10.00 am, and read prayers.

PETITION - MT LESUEUR NATIONAL PARK PROPOSAL

Coal Mining or Power Stations - Opposition

MR KIERATH (Riverton) [10.04 am]: I have a petition couched in the following terms -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request that the Parliament, in recognition of the immense biological diversity and importance of the Mt Lesueur area:

- 1) create a National Park with boundaries as recommended by the Environmental Protection Authority,
- 2) no coal mining or power stations be permitted within the boundaries or adjacent to the Mt Lesueur National Park.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 105 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 116.]

PETITION - NORTH BEACH ROAD, ERINDALE-KARRINYUP ROADS

Urgent Traffic Management Control

MR CATANIA (Balcatta) [10.07 am]: I have a petition to present in the following terms -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned citizens of Western Australia urge the Government of Western Australia that urgent action be taken on the Traffic Management Control for the section of North Beach Road between Erindale Road and Karrinyup Road. To slow down the traffic to the required speed limit as there is a school on this section of the road. It is a danger to children and adults alike when crossing.

North Beach Road is the only access road that the residents of Gwelup can use to leave their suburb. As this road is carrying a very high volume of traffic it is feared that a fatal accident is bound to occur in the near future.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 297 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 117.]

PETITION - POLICE STATION

Australind Establishment

MR D.L. SMITH (Mitchell - Minister for South-West) [10.08 am]: I have an important petition addressed in the following terms -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request that a police station be set up as soon as possible in Australind, due to recent breaking and entering offences and robberies in the area.

Your petitioners therefore humbly pray that you will give this matter your earnest consideration and your petitioners as in duty bound will ever pray.

The petition bears 624 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 118.]

MEN TAL HEALTH AMENDMENT BILL

Second Reading

MR WILSON (Dianella - Minister for Health) [10.13 am]: I move -

That the Bill be now read a second time.

This Bill introduces a number of legislative reforms to the Mental Health Act 1962 to further protect and safeguard the rights and welfare of persons treated in psychiatric facilities established under that Act.

The amendments set out in the Bill fulfil the Government's commitment to implement, in full, recommendations contained in the "Report of an Inquiry into the Treatment of Psychiatric Patients at Graylands Hospital and Other Psychiatric Hospitals in Western Australia", April 1989, produced by Mr C. L. Zelestis, QC. An edited version - edited on the advice of the Crown Solicitor - of the Zelestis report was released to the public in August 1989.

As some time has passed since the Zelestis report was released I believe it would be of benefit to members if I recounted, in general terms, the circumstances which resulted in my appointing Mr Zelestis, QC to undertake the inquiry which culminated in his issuing of that report. Following an incident of alleged mistreatment of a patient by a nurse at Graylands Hospital in January 1989, further allegations of mistreatment of other psychiatric patients were reported in the media. It was further claimed that staff employed at psychiatric facilities administered by the Health Department of Western Australia were reluctant to report patient mistreatment to the administration. Due to the potential harm such allegations and claims could cause to the public confidence in the State's psychiatric services, the Commissioner of Health issued an open invitation to all staff working in those facilities to make submissions or complaints concerning the general treatment of patients directly to him, on a strictly confidential basis. The responses received as a result of that open invitation reinforced the need for an independent inquiry to be held in order to placate community concerns and to ascertain what measures needed to be taken to rectify deficiencies in existing practices and procedures relating to patient management.

Mr Zelestis, QC was appointed to undertake that inquiry under a set of reasonably broad terms of reference centred on the allegations made in connection with patient mistreatment. Of the 14 recommendations contained in the Zelestis report, 12 have already been implemented. The remaining two are the subject of the amendments contained in this Bill. One of those recommendations is covered by clause 4 of the Bill which provides for the insertion of five new sections in the Act to empower the Minister of the day, who has responsibility for the administration of the Act, to hold investigations into any matter or matters concerning any service established under the Act. Appropriate supporting powers are provided to ensure that such investigations can be conducted by the investigator to the fullest possible extent allowed under the law.

In the course of conducting his inquiry Mr Zelestis, QC found that he lacked statutory power to compel persons to attend for questioning or to provide information and to answer potentially incriminating questions. These and other powers of investigation are set out in new section 7A, and such provisions are normally made available to persons undertaking such statutory investigations. These powers of investigation are supported by offence provisions covered by new sections 7B, 7C and 7D. Similar powers of investigation into matters concerning public hospitals can be found in section 9 of the Hospitals Act 1927 and it is equally, if not more, important for such powers to be available in the case of psychiatric facilities established under the Mental Health Act 1962.

The remaining recommendation is dealt with by clause 5 of the Bill which amends section 18 of the Act to enable boards of visitors to the four "approved hospitals" - Graylands, Heathcote, Lemnos and La Salle -

to delegate their powers of inquiry, examination and inspection to a person approved by the Minister; and

to refer matters to the Minister for investigation under new section 7.

Section 11 of the Act requires that a board of visitors be appointed for every "approved hospital". These boards are responsible directly to the Minister. Their statutory role is to safeguard the rights and welfare, other than the medical treatment, of patients admitted to approved hospitals. In his report Mr Zelestis, QC drew attention to the importance of these boards in the protection of patients' rights, and stressed the need for the boards to be adequately resourced to ensure that they can meet their statutory responsibilities. The amendments to section 18 of the Act will improve the capacity of each board to fulfil its role.

The amendments contained in the Bill constitute additional protection mechanisms to ensure that legal ability exists for full and proper independent investigation of matters which impact on the care, welfare and treatment of patients under the Mental Health Act 1962. Accordingly I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

SOUTH WEST DEVELOPMENT AUTHORITY AMENDMENT BILL

Third Reading

MR D.L. SMITH (Mitchell - Minister for South-West) [10.20 am]: I move -

That the Bill be now read a third time.

MR OMODEI (Warren) [10.21 am]: During the past couple of days I have talked to people in local government in the south west to ascertain the extent to which this Bill has been circulated in that area. To my disappointment, even members of the South West Development Authority advisory committee were unaware of some of the amendments proposed by the Bill.

The matter of area advisory committees, rejected by members opposite, is of great concern to those people, especially those involved in local government. I plead with the Minister to reconsider the matter of advisory committees under this legislation. This Bill will cut across local government and once again create divisions between regional development and local government.

I cannot leave unchallenged some of the statements made by the Minister during the debate. First, in relation to the extension of the number of board members, some 18 months or two years ago the Minister appointed further members to the board without proper authority. One of those members, John Brockman, came from the South West Shire Councils Association; he is the president of the Nannup Shire at the moment and is a stable, sensible local government man with great credibility in his district.

As a result of my efforts as President of the South West Shire Councils Association the Minister was convinced that we needed a representative of local government on the board so he appointed John Brockman. Rather than ratify that appointment by introducing an amending Bill when the Opposition made it clear that was not a legal appointment and the legislation needed to be changed, the Minister terminated the appointment. That was an insult to the people who had been appointed to the board. It was not members on this side of the House who forced those people to be removed from the board but rather the inability of the Government to introduce a Bill to ratify the appointments. I am pleased that the Minister is now extending the board to seven members. I ask the Government to reconsider its position and to allow local government to appoint one of those members in its own right rather than the Minister making that appointment.

MR D.L. SMITH (Mitchell - Minister for South-West) [10.23 am]: I turn, first, to the issue of whether the advisory committee members and local authorities are aware of the content of this Bill. As the member for Warren has indicated rightly, the need for a substantial part of this Bill arose because the previous Minister appointed seven directors to

the authority and called for applications for a Peel advisory committee. The Opposition then pointed out that the current Act did not provide for seven directors or for area advisory committees.

Mr Omodei: One member of the Opposition.

Mr D.L. SMITH: Publicity was given to that fact as a result of which I acknowledged that they could not be appointed under the Act. For that reason I had to give Mr Brockman and another person who had been appointed notice that their appointments would be terminated. I also advised the people who were to be on the Peel advisory committee that their applications would not be considered because of the illegality of that move as pointed out by the Opposition. The Bill now before us is to ratify the position.

I endorse the member for Warren's comments about Mr Brockman. He has recently been appointed as the local government representative on the regional advisory committee. He was appointed by exactly the same system I am now proposing in relation to the local government representative on the board. I think that is evidence that the method works and does not result in political appointments but in finding people of the calibre of Mr Brockman. I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Council.

GOLDFIELDS-ESPERANCE DEVELOPMENT AUTHORITY BILL

Second Reading

Debate resumed from 12 September.

MR AINSWORTH (Roe) [10.28 am]: I referred yesterday to an attempt over several years by farmers in the Esperance region to provide an export standard abattoirs and their inability at the end of the process to do so. One of their aims was to gain a Government guarantee for some of the borrowings to establish that abattoirs. The result is that no export standard abattoirs exists in Esperance. It has a local abattoirs but that is insufficient to cover the needs of all livestock producers in Esperance so they are suffering at the moment from high transport costs to other areas and an inability to market some of their produce as they would like to.

The establishment of a tannery and the production of small goods are two developments that could take place in Esperance to process some of the agricultural products of the region and to remove freight costs. There is also scope for processing grain in the region, and that matter should be addressed also. The whole of the south coast area of Western Australia - and the Esperance-Ravensthorpe area takes in a large part of that - has scope for a timber industry. Much coastal land has trees planted on it to provide windbreaks and shelter for livestock and to prevent soil erosion and minimise the encroachment of salt into some low lying areas.

Both pine trees and eucalypts are being planted and lend themselves to a future timber industry on the south coast. In recent years a large increase in timber plantings on local farms has included many quick growing species. Small enterprises are already being set up on farms by individual farmers who are processing pine logs for local use. I see this as having big potential for the future of Esperance.

Some notable attempts at value adding to fishing products have been made to increase the productivity and value of individual fisheries because quotas are now severely limited, particularly the amount of tuna which can be caught. These projects have not been entirely successful because of other restraints and particularly because of further reductions in quotas. However, local people have at least made noteworthy attempts to add value to products, and quite successfully as far as the quality of those products is concerned. Two examples are the production of sashimi, which is a high grade fish product sold mainly to the Japanese market, and the Esperance smoked tuna factory, which is operating quite satisfactorily and produces a high quality product which many members may have tasted here in the Parliament House dining room. I do not know whether members were aware that they were eating a product of Esperance, but if they were not I bring it to their attention now.

Members may not be aware of the potential for mineral production in the Esperance and Ravensthorpe region. Ravensthorpe is a mining town as well as an agricultural town, but Esperance is probably not associated so much with mining activities in its own right. There is potential for the production of mineral sands. Gypsum production is also going on at this very moment. High grade salt production has been a longstanding operation, and there is also a large quantity of coal in the area. Admittedly it is low grade coal and suffers from water and salt content problems, but as technology improves and as time goes on, particularly with the energy crisis that we are facing at the present time, a new focus will need to be placed on some of these resources which will undoubtedly be utilised in the future.

For the betterment of the whole region, the road service to Esperance needs to be improved from the lakes area and further north. That is outside the area encompassed by this proposed regional development authority but products do come through to the Port of Esperance; therefore, they have a large bearing on the economy of the region. I mention in particular the proposed road link from Lake King through Cascades to Esperance, which has been the subject of much debate both in this place and outside over recent years. That is a significant road, which needs to be upgraded. It has been put through largely by the efforts and expenditure of local people who have spent their own money and expended their own time to develop a road that they see as vital to the future of the region which will not only service the transport of grain to the Port of Esperance but also, and more importantly, will in the future be the road link for much of the mineral production from the Forrestania area. At the moment nickel and gold are being mined in that area, and much of that product will come through the Port of Esperance. The fuel to run those mines is already being road freighted from Esperance to the Forrestania region. That industry has great potential, and the road link must be put in place, and reasonably quickly, in order for that potential to be realised to its fullest extent.

Another aspect of the south coast which I believe is still underutilised is its huge tourist potential. Esperance is a magnificent place for tourists. It has a huge number of islands. Recherche Archipelago is a very picturesque part of the south coast, and I am sure anyone who has been there would agree with me. The whole of the south coast region included in this regional development area, which stretches from east of Esperance to beyond Hopetoun, is a really beautiful area. It has lovely beaches and includes several national parks. Esperance offers a very interesting tourist attraction because it has connections with the French explorers who came here very early in the piece. Esperance and a town in France called St Martin de Re have a twin town relationship. Hopetoun is an attractive and historic seaside town, and is adjacent to the Fitzgerald National Park, which is a very large and beautiful national park. Ravensthorpe is also a most picturesque mining town and it has some beautiful old civic buildings, some of which are being restored. That area has huge potential for tourism. I pay tribute to the work that has been done by the Esperance Tourist Bureau, in particular, which has done a lot to promote tourism on the south coast. However, more can be done, and it ought to be encouraged through this regional development authority.

The National Party supports the introduction of the proposed Goldfields-Esperance Development Authority. However, we do so on the basis that we support also the establishment of development authorities Statewide because we believe that they should focus not just on specific or specialised areas if the State is to develop on an even basis. It is very important that local input in development authorities be at its absolute maximum and also that control of development authorities remains in local hands to the maximum extent possible, rather than its being imposed by the Minister or by the board of the authority. We seek Government commitment to decentralise its own departments to aid in regional development. We seek also a re-evaluation by the Government of its metropolitan expansion policies, and the direction of more emphasis to regional development and decentralisation throughout Western Australia.

MR FRED TUBBY (Roleystone) [10.35 am]: Members may wonder why I am speaking on this Bill, but as members are probably aware I have spent 35-odd years in the country. Three of those years were spent in the goldfields - one year at Boulder and Kalgoorlie, and two years at Leinster - so I have an affinity for that area. It is a great part of Western Australia. The second reason for rising to speak on this Bill is that I have a few fears about

the development authorities which are being established throughout the State and about the direction which they are taking.

I fully support some form of regional development organisation in the goldfields, along similar lines to what has been established in other areas. However, I fail to see why we need now to set up another bureaucratic structure in the goldfields to undertake this task. We should put to better use local authorities and regional advisory councils. This could quite adequately be catered for through the Department of Regional Development without setting up bureaucratic structures all over the country. Unfortunately, as we have seen with the other development authorities that have been established, they are a double edged sword. They are a great stimulating influence for the development of tourism and the industries and economies of the various regions, and they are a great conduit for Government funding into those areas. However, the other side of the sword is that they are blatant political machines which work on behalf of the Labor Party.

We should not utilise taxpayers' money now for these purposes because the State is suffering economically and we just do not have the money to establish any more of these bureaucratic structures. I draw members' attention to the Ministers responsible for these regional areas. The Minister for North-West happens to be the member for Kimberley; the Minister for South-West happens to be the member for Mitchell; the Minister for Mid-West happens to be the member for Geraldton; and the Minister for Goldfields happens to be the member for Kalgoorlie. It is interesting to note that this proposed development authority reared its head during the middle of last year, at almost precisely the time that the member for Kalgoorlie moved his residence from Kalgoorlie to Perth.

Mr Gordon Hill: That is not true.

Mr FRED TUBBY: That is precisely true, and that is a political reason for putting something out there which will look after the member's area while he lives in Perth. There is a similar situation in Geraldton. The member for Geraldton lives in Perth, but he has a ministerial office, a development authority and an electorate office in Geraldton, which all do the electorate work that the Minister should probably be doing.

The SPEAKER: Order! We should not apply improper motives to members of this House unless it be by substantive motion. I do not think that is what you are doing but it does appear to me that you might be -

Mr FRED TUBBY: It is fairly close to the bone. I have sat quietly in this place for just over two and a half years and have observed what has been going on and what has been emanating from the Government. I can say without fear or favour that this Government has one prime motivating force behind all the decisions and all the things that happen; that is, what is the best political advantage which the Australian Labor Party can gain from any move that is made? That is a disgraceful way to run this State. The first motivating factor before anything is authorised or comes into existence should be: What will benefit our State economically? What is the best thing for the welfare of the citizens? After that, if some political kudos eventuates, well and good. But the Government's prime motivating factor always is: What is the best political advantage to the ALP? That is when I draw the line.

Mr D.L. Smith: Political considerations have nothing to do with it.

Mr FRED TUBBY: They have nothing to do with it! We can trace this back to Rothwells or any of a number of examples. We can trace it back to the PICL plant. Why did the Government go into the PICL plant? Not to set up an industry for Western Australia.

Mr Shave: There are more journalists in the South West Development Authority than there are on the *The West Australian*. That is the very strong rumour.

Mr FRED TUBBY: I can believe that, because the second time I stood up in this House after my maiden speech was to talk on the Mid-West Development Authority. I was lambasted for that speech all over the south west by journalists - and there must have been a lot of them because a lot of Press came out of that five minute speech. They were not on our side; it was a fairly one sided portrayal of my speech.

Mr D.L. Smith: Are you saying the local papers are biased?

Mr FRED TUBBY: No; I am saying there are political journalists in the South West Development Authority who present material to the papers which is more to one side than the other.

Mr D.L. Smith: That is an insult to people in the authority; they do not do that.

Mr FRED TUBBY: I did not appoint them; the Minister appointed them.

Mr D.L. Smith: The Press officer concerned is attached to my office, not to the authority.

Mr FRED TUBBY: How many Press officers does the Minister have?

Mr D.L. Smith: One.

Mr FRED TUBBY: How many has the South West Development Authority?

Mr D.L. Smith: It does not have a Press officer as such. We have a few people. It is an insult to suggest that that person works in any political way.

Mr FRED TUBBY: Let us look at the Albany regional authority or whatever it is called. Who is the chairman of it?

Mr Gordon Hill: Who is the chairman?

Mr FRED TUBBY: Who was the chairman?

Several members interjected.

Mr FRED TUBBY: I am not very far out. I cannot keep up to date completely with all these things. Who was the immediate past chairman?

Several members interjected.

Mr FRED TUBBY: It was the ex-candidate for Albany, Brian Bradley.

Mr D.L. Smith: A local lawyer; a nice fellow.

Mr FRED TUBBY: In fact his daughter spent a weekend at my place; I have nothing against him at all, but it seems a little obvious when the candidate for Albany is the chairman of that development authority.

Mr Carr: Are you going to criticise the chairman of the Geraldton authority?

Mr FRED TUBBY: No, I am not.

Mr Carr: I am pleased.

Mr Gordon Hill: You are being very selective.

Mr FRED TUBBY: I am very selective. Look at Manjimup. No doubt the member for Warren was thrilled when SWDA set up an office in his electorate. Another example is Collie; another seat which we won. Another example is Mandurah. Every time we win a seat from the Government it sets up a branch office of the South West Development Authority. Who did the Government employ as the development officer in Mandurah?

Several members interjected.

Mr FRED TUBBY: I have absolutely nothing against the member for Murray's father; I think he is a great bloke. I do not deny him the opportunity of having a Government post after he leaves this place. For the same reason I would not deny the former member for Scarborough the right to work for Government after he left this place. What I am saying is that the Government is very selective where it places some of these people. The former member for Mandurah is ideally placed as a development officer for the South West Development Authority, with a car, a salary and everything to do the job. That is a blatant political position.

Several members interjected.

Mr FRED TUBBY: I have nothing against the person involved; I have the greatest respect for the member's father, but it is a blatant political appointment.

Let us look at the former chairman of the regional advisory council in Collie. Who was chairman of that advisory committee? Was it not John Mumme? Was he not the ALP candidate for that area?

Mr D.L. Smith: He is also the chairman of the shire council.

Mr FRED TUBBY: That is not a bad reason for appointing him. Who is the current chairman? She is also on the board. It is Roseanne Pym. I will lay London to a brick that Roseanne Pym will be the next endorsed candidate to stand against Dr Turnbull.

Mr Carr: For which party?

Mr FRED TUBBY: We will see. If she is not the next endorsed candidate for Collie, the Government will probably not endorse her because I have said it will.

Several members interjected.

Mr FRED TUBBY: Hopefully I have just cut off the member for Collie's most aspiring opponent.

Mr D.L. Smith: She would make an excellent candidate but it really had not crossed my mind.

Mr FRED TUBBY: All this has been going on at a time when this Government is desperately short of funds. It is slashing the Public Service. I do not know if members have had the opportunity of listening to some of the radio advertisements which have been going on in the last couple of days, but the CSA is not impressed with what this Government is doing to the Civil Service. This Government is slashing TAFE courses at a time when the Federal Government is trying to get Australia going and achieve more skills in the workplace so that we can become more competitive. What are we doing? We are going in the opposite direction and cutting TAFE courses.

There is insufficient money to maintain our schools, and we are cutting back on hospital facilities. The Premier is currently going through the Budget line by line and cutting out anything which she considers to be a luxury or unnecessary. What are we doing now? We are debating a Bill which will establish a new bureaucratic structure which will chew up extra funds from the taxpayers at exactly the same time as we are trying to save as much money as we possibly can.

We have seen taxes increased; we have seen Transperth increase its charges; we have seen water and sewerage rates go up astronomically. The last increase concerns the Supreme Court charges, which have been raised from \$40 to \$250 in some cases. That is a little higher than the rate of inflation. In other cases the increase has been from \$13 to \$100. It has also been indicated that there will be increases in taxes on businesses, and these will flow on to families.

If any time is the wrong time to expand the bureaucracy, this has to be it. For us to debate such a Bill as this at this time is ludicrous. The job the Goldfields-Esperance Development Authority will do could be adequately done by a regional advisory body working in conjunction with local authorities in the area, and it would cost us nothing. The advisory body could go straight to the Minister for Regional Development and work through that department. I can see no reason now to establish another bureaucratic structure in the goldfields. However, it has been proved in the past that this is the only way that the Government will supply funds and stimulate country regions - through development authorities - so I shall very reluctantly support the Bill. That is only because I have spent time in the goldfields and I appreciate the need for the development and stimulus there. If this development authority is the only way the Government can stimulate the goldfields, with some reluctance I shall support the Bill.

MRS BUCHANAN (Ashburton - Minister for Regional Development) [10.50 am]: I thank members opposite for supporting the Bill and for their generally positive contributions, until the member for Roleystone spoke. I do not know that I ought even to respond to his remarks, because they hardly touched on the Bill at all.

I was very pleased to hear the member for Roe acknowledge the need for and the value of a Goldfields-Esperance Development Authority. Even the member for Nedlands made some very positive remarks, although his speech ranged far and wide. A number of the issues he raised have already been responded to by the Minister for Goldfields when he spoke. However, I want to respond to one or two matters. I am sorry the member for Nedlands is not in the Chamber at the moment, but I am sure he will be made aware of what I say.

The member for Nedlands referred to a political appointment to the Great Southern Development Authority and implied that that had lent itself to political interference. I totally reject that claim and would simply ask the member to look at the calibre and make up of the Great Southern Development Authority, the calibre of the chairperson, Mr Ross Anderson, and in particular the calibre of the director, Mr Rick Grounds, who works extremely hard and

very closely with the board and the advisory group. I must say his demeanour is beyond reproach.

Mr Blaikie: Rick Grounds was around during one of the Cottesloe by-elections.

Mrs BUCHANAN: I do not deny he has been involved with the Labor Party, but he is doing an excellent job down there on behalf of the Great Southern Development Authority.

Mr Blaikie: He is almost in the Neil Bartholomaeus class.

The SPEAKER: Order!

Mrs BUCHANAN: Mr Speaker, I take exception to the remarks about Mr Grounds. Nobody denies his involvement with Labor Party politics in the past. However, he performs his job in an exemplary way, and as a result the Great Southern Development Authority is working extremely well and achieving a great deal of progress for that region.

I want to put on record that if the member for Nedlands will be in Albany in the near future I issue an invitation to him to have a briefing by the Great Southern Development Authority, as other members of the Opposition have done in the past. I am sure that if he takes advantage of that briefing he will be much more aware and appreciative of the value of the authority and the contribution made by the people who are involved. The member for Nedlands also questioned the size of the board and foreshadowed an amendment which will be moved during the Committee stage. I consider it necessary to have 10 people on the board and two advisory bodies because of the geographical location and the diversity of the goldfields-Esperance area.

Mr Omodei: How much will that cost? Ten board members is three more than any other regional authority.

Mrs BUCHANAN: The member is overlooking the fact that we must take into consideration the needs of each area. We cannot simply set up identical square brown box organisations across the State; we should meet the very special and unique needs of each region. As the member for Nedlands himself said, there is enormous potential in the goldfields region and we must realise that potential. The Esperance region also merits very special attention; hence the need for a development authority and for a board of 10 and two advisory groups. More immediately, the way in which this authority has been set up is in accordance with the requirements of the people in the area, and I believe they have the interest and the enthusiasm to warrant our doing exactly what we have done in this regard.

I noted with interest the special issues concerning the goldfields area raised by the member for Nedlands and I am sure they all are matters which can be properly dealt with by the authority. I was particularly interested in his comments about the need to promote tourism, and also his excellent idea for the establishment of a mining museum. I am sure all these matters will be tackled with great enthusiasm by the new Goldfields-Esperance Development Authority.

As to the member for Nedlands' remarks that the development authority ought not to be used for blatant political purposes - and we heard a repeat of that from the member for Roleystone - I want to assure members opposite that that will not be the case. The Minister for Goldfields and I have gone to considerable lengths to ensure that the best possible people will be involved on the board and the advisory committees. I think all members might be agreeably surprised when they see the quality of the people appointed, and those people's names will be announced once the Bill passes through the Parliament. I have no doubt that the board and committee members will work very hard to ensure maximum benefits are achieved for that region, as has been done in all of the other regions.

The member for Roe made some very positive remarks, which were pleasing to hear, and I have no doubt that all of the matters he raised concerning the Esperance area will be referred to the new authority and dealt with with great enthusiasm. He did, however, suggest that having development authorities would overcome all of the difficulties that have been experienced recently in rural areas. We must be a little careful there, and not put too high an expectation on what development authorities can do. Simply putting in a regional development authority may not always resolve all of the problems in those sorts of situations. The potential for development really must exist for a development authority to be successful, and I think most of the remarks made during this debate by members on both sides of the House indicated that that potential does exist in the goldfields-Esperance region.

I was very pleased to hear about the member for Roe's involvement and personal experience in serving on a regional advisory committee. In general we are using those advisory bodies throughout the State and they are operating extremely well. However, the member for Roe did express some concern about excessive ministerial direction, and I just refer him to the amendment on the Notice Paper which will ensure that any direction on the part of the Minister will be required to be reported to the Parliament.

I reiterate that the prime purpose of the Goldfields-Esperance Development Authority is to coordinate and promote economic and social development in that region, and I am confident that it will be successful. Again I thank members opposite for their support of the Bill and I commend the second reading to the House.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Marlborough) in the Chair; Mrs Buchanan (Minister for Regional Development) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Establishment of Goldfields-Esperance Development Authority -

Mr COURT: The authority will be capable of acquiring, holding and disposing of real and personal property; and suing and being sued, among other things. I understand that the converted house out of which staff is working presently has been labelled with the authority's title.

Mrs Buchanan: We have set up an interim body; not the board, the committee, or the other parts of the operations.

Mr COURT: But there is no development authority as yet.

Mrs Buchanan: An interim authority has been set up.

Mr Shave: Has anyone been appointed?

Mrs Buchanan: Naturally people are working in the office; they are people who worked for the Department of Regional Development before we planned for the authority.

Mr COURT: Will that building remain the property of and be vested in the authority? Is it the intention to have an office in Esperance as well? If so, what property will be purchased or leased for that authority? Have any development authorities to date been involved in legal action, such as that referred to in subclause (2)(b)?

Mrs Buchanan: I am not aware of any such action.

Mr D.L. Smith: Development authorities have not been sued; I would not like to say that they have not been threatened.

Mr OMODEI: I support the establishment of the Goldfields-Esperance Development Authority. My grandparents and my father were born in the goldfields; and I have relatives with extensive farming enterprises in the Esperance area. I am concerned that once again a development authority is being set up which has been described by other members as part of the Fabian move to have regional government. We are aware that development authorities have a dual role. Opposition members have no problem with lean, efficient regional development. This Chamber should recognise that members on this side are totally in favour of regional development, but that such development should be lean and efficient and that such authorities should adopt a facilitating role.

Point of Order

Mrs BUCHANAN: I do not know what these matters have to do with this clause.

The DEPUTY CHAIRMAN (Mr Marlborough): I have sought guidance because I thought the member was straying from the content of the clause. Subclause (2) does allow for slightly wider debate. However, the member for Warren should restrict his comments to the content of the clause rather than covering his understanding of the history of development authorities.

Mr Court: I understand the Standing Orders, but the member for Warren was delayed outside this place during the second reading debate and could not come into the Chamber.

Mr Pearce: That does not mean he can speak on the second reading now.

Mr Court: I ask for some leniency. The member can extend his remarks over the Committee stage. Our purpose is not to delay matters and the member for Warren will get to the point.

The DEPUTY CHAIRMAN: I thank the member for Nedlands for his advice but we do not need it. I had already sought advice from the Clerks because I was concerned that the member was straying from the provisions of the clause. The member for Warren should confine his remarks to the clause.

Committee Resumed

Mr OMODEI: The heading of the clause allows great scope for discussion. Discussion on regional development is important; Opposition members do not wish to trivialise the aims of regional development. The concern is that we are setting up another Government instrumentality at a time when amendments are being made to the Local Government Act to set up regional councils. The result will be that local authorities will do the same things as the regional development authorities propose to do.

Mr Pearce: Why did you vote for it? Why did your colleagues vote for it?

Mr OMODEI: We will vote for it.

Mr Pearce: Then why complain?

Mr OMODEI: I will not be baited by the Minister. I will repeat my remarks: The Opposition is saying that regional development authorities should be lean, efficient and adopt a facilitating role. This authority is yet another bureaucracy similar to the South West Development Authority.

Mr Pearce: Why did you vote for setting up this bureaucracy?

Mr OMODEI: We are not yet at the stage of voting for it.

The concept of the development authority for the goldfields is a good one. However, the Goldfields-Esperance Development Authority has been modelled yet again on the Victorian Economic Development Corporation and it is well known that that corporation lost in excess of \$130 million over the last few years. The Government must be wary about how the authority is implemented and how it operates in the community, and particularly in the business community. On that basis the Opposition supports the establishment of the Goldfields-Esperance Development Authority.

Mr SHAVE: The concept of a development authority in the goldfields area is a good one. My only concern is that the Government's funds are being allocated to the wrong areas. Governments should be reducing their involvement in regional areas and encouraging the business sector to improve the economy to provide for increased employment. When this development authority is established, perhaps its first priority should be to eliminate the gold tax introduced by the Labor Government. All the goldfields-Esperance development authorities in the world will not remove the damage caused by the Labor Government's gold tax. The Government should save the funds to be allocated to this authority and remove the gold tax; that would contribute to the prosperity of the goldfields.

The Minister mentioned that the office was already operating and that people were working in the office.

Mrs Buchanan: It has been carried over from the days when it was the Department of Regional Development. The office is still there; we did not take it away.

Mr SHAVE: How many people are in the office at the moment?

Mrs Buchanan: A director and associated staff. I am not sure exactly how many.

Mr SHAVE: Has the director been appointed?

Mrs Buchanan: An interim director - a person in charge of the office - is performing the normal work of a regional development office.

Mr SHAVE: By whom is that director being paid? I presume he is not working for nothing.

Mrs Buchanan: He is paid by the Department of Regional Development and the North West.

Mr Troy: It is the same procedure that has been used for the establishment of each development authority. There is a transition phase where the regional development departmental office leads in to becoming the core of the authority until the legislation is passed.

Mr SHAVE: In conclusion, the establishment of this authority is a classic example of the Government's policy. I hope this authority is not politicised in the same manner as is the South West Development Authority. However, I have more confidence in the local member for Kalgoorlie than I do in the Minister for South-West.

Mr P.J. Smith: The South West Development Authority has not been politicised, except perhaps by the Liberal Party.

Mr SHAVE: The member for Bunbury must be walking around with blinkers.

Mr P.J. Smith: You have no evidence of that at all. Half the regional appointed committee comprises members of the Liberal Party.

Mr SHAVE: When Baden Pratt was working for the South West Development Authority he had a full-time job promoting Labor candidates. I happen to know him personally, and he is not a bad bloke. However, he supported the Labor Party. If he and the member for Bunbury were truthful, they would agree that that was the case. Does the member for Bunbury deny that when Baden Pratt was working for the -

The DEPUTY CHAIRMAN (Mr Marlborough): Order! I remind the member that this Bill is the Goldfields-Esperance Development Authority Bill. The South West Development Authority Bill has already been debated. The member for Melville should proceed with his statement about the setting up of this authority and the debate on this clause will conclude fairly quickly.

Mr SHAVE: Thank you, Mr Deputy Chairman. I conclude by saying that I have considerable faith in the local member for Kalgoorlie and I hope he does not take the same approach to this authority as that which has been taken to the South West Development Authority. I hope the money that will be spent on the new authority will benefit the goldfields area.

Mrs BUCHANAN: The only speaker on the opposite side who dealt with clause 4 was the member for Nedlands and I congratulate him on observing the rules of Parliament.

Mr Omodei: Rubbish!

Mrs BUCHANAN: The other members should have spoken during the second reading debate.

Mr Omodei: You should have listened. I thought the clause was headed "Establishment of Goldfields-Esperance Development Authority".

Mrs BUCHANAN: The members' speeches ranged fairly widely for a Committee debate. The inclusion of subclause (2)(a) is not an indication that that will be the main role of the authority; it is more an instrument to ensure effectiveness of the authority. There may be times when the need will arise to acquire property and provide services etc, before vesting with the final owner. I am not aware of the details of the ownership of the property housing the interim authority at present and, therefore, I am unable to comment on the question. These matters will be dealt with by the board once it is established.

Clause put and passed.

Clause 5: Board of management of Authority -

Mr COURT: The board of management will comprise a chairperson, a deputy chairperson, the director ex officio and seven other members. The other authorities have been established with a total of seven members on their boards, not 10, and the amendments in the South West Development Authority -

Mr Omodei: It was increased from three to seven.

Mr COURT: That authority's board membership has also been increased to seven and it seems rather strange that two Bills are on the Notice Paper, one of which standardises board

memberships on authorities to seven while the other proposes to set the board membership of the authority, the subject of this debate, to 10. It is not an issue on which one would go to the barricades but -

Mr Pearce: I thought you were giving your normal speech on inflation.

Mr COURT: What is my normal speech on inflation?

Mr Pearce: We have all heard it; it's the same as your dad's. The evil of inflation - you could point out that the normal processes of inflation have now reached the boards of statutory authorities, but if you don't want to do it, you don't have to.

Mr COURT: I have not heard that one before.

The DEPUTY CHAIRMAN: Order! I was happy to allow the member for Nedlands to provide a brief explanation of his amendment, but his speech has gone a bit beyond that and it may be more appropriate to put the amendment so that it can be debated. If it is defeated, he can debate the original clause.

Mr COURT: I move -

Page 4, line 3 - To delete "7" and insert "4".

It seems strange to the Opposition that the Government has chosen this number and a concern we hold is that the board may become too large and may become unwieldy and less effective. The proposal is for a board of 10, but the best committee is a committee of one; the bigger the committee the more cumbersome it becomes. On a recent trip to Kalgoorlie I asked a few questions about why so many people were to be on the board, and I was told that the initial concerns about representation on the board was that the various areas in the region wanted to ensure that they would not be dominated by other areas; that is the same situation as with other development authorities and would apply to Geraldton, Busselton, Albany or wherever. The way to overcome the problem is to have proper representation and it does not matter whether the number is five, 10 or 50 - it is a matter of ensuring that the proper individuals are appointed.

As was mentioned earlier, some people have been appointed for political reasons.

Mr P.J. Smith: That is rubbish!

Mr COURT: I have seen what happened down in the south west, and I would not say that my comment is rubbish.

Mr P.J. Smith: Give me an example.

Mr COURT: I will give the member an example.

Mr P.J. Smith: Give me half a dozen examples, and start with the Liberal Party people on the board.

Mr COURT: During the last election campaign I was doorknocking in the south west and I noticed that a car was following me around. It turned out that this was a Government employee who wanted to know what I was doing. The Government appointed many Government people, paid by the taxpayer, as straight out political operators. It will not matter because come the next election -

The DEPUTY CHAIRMAN (Mr Marlborough): Order! I have already indicated that we are discussing the Bill before the Chamber regarding the goldfields. I indicate to Government members that interjections which stray from the Bill should not be encouraged; I indicate to the Opposition member that he should continue as he started by discussing his amendment to the clause so that we can all reach a happy and agreeable conclusion fairly quickly.

Mr COURT: I am sure we will, Mr Deputy Chairman. I am sure the Government will support us on the amendment as it is in line with its policy of having seven people on these boards. No logical explanation has been given for the increase to 10, and I am sure that an additional cost will be involved as the board members are paid for travel, meeting time and other such things. These development authorities are run on tight budgets. So, in view of these points, I am sure the Government will vote for the amendment.

Mr OMODEI: I support the amendment. I could understand the Government proposing a 10 member board without an advisory committee. However, the Government is proposing to

have a 10 member board plus a 12 member advisory committee. Other development authorities throughout the State have operated, in the main, with three member boards, and in recent times the Government has standardised this by increasing the South West Development Authority board to seven members. I cannot understand why the Goldfields-Esperance Development Authority cannot be represented by a seven member board - that would seem adequate. If the Government pursues its 10 member board, it will indicate to the people of Western Australia that it will create a huge bureaucracy in Kalgoorlie which will take over a number of functions of local government. Also, it will become involved in business and other aspects peculiar to business, and these things should remain in the business area. A seven member board is an appropriate number to constitute an efficient board for this development authority.

Mr FRED TUBBY: I support the amendment. What does the Minister mean when she refers to the area of representation? Does she mean the geographical area in that more people are required on the board to represent the vast areas ranging from Kalgoorlie to Esperance, or does she refer to different areas of activity such as agriculture, mining, unions etc?

Mrs Buchanan: I am talking about the geographical area.

Mr FRED TUBBY: So the Minister is referring to the areas such as the southern goldfields, the eastern goldfields, the Eucla etc?

Mrs Buchanan: We want as wide a range of people as possible.

Mr FRED TUBBY: The cost of travel would be horrendous.

Mrs Buchanan: There will be an increase in the cost of travel, I have no doubt about that; however, this is not being done simply on the basis of cost as the authority will be established based on the needs of the area.

Mr FRED TUBBY: I appreciate that the area is vast, but the main economic activities in the area are mining, fishing, agriculture and tourism. Geographically the area is very similar in these activity areas, and the area does not involve the great scope and diversity as is involved with the South West Development Authority - the SWDA requires a whole range of expertise on the authority. However, as this is not the case with the Goldfields-Esperance Development Authority, the range of expertise is not required. So, I fully support the amendment to have four more members on the board added to the original three.

Mr AINSWORTH: The important thing with any board of management, or with any regional development authority, is not so much the size of the body but the calibre of the people appointed. If we have a smaller board, as suggested by this amendment, I cannot see a problem provided that those people on the board are sufficiently experienced and of the calibre, not only to assess projects and development ideas in the area in which they have the expertise, but also to assess matters outside their area of expertise on a non-parochial basis. As I said yesterday, the old goldfields-Esperance regional development advisory committee, of which I was a member, comprised people from right across the eastern goldfields and the Esperance-Ravensthorpe areas, yet I cannot recall one occasion on which a member of that committee adopted a parochial attitude. In fact, members were most supportive of one another and the areas represented by other members when it came to development projects and ideas. I would like to think that this non-parochial attitude could be adopted on this board. I am sure that this will be the case because I have some degree of faith in the Minister's ability to choose the right type of people. I assure the Minister that sufficient people of a high calibre are available in the area; therefore, I support the smaller board of management because the people chosen will act in a way that does not differentiate between the northern and southern areas covered by the new development authority.

Mrs BUCHANAN: I appreciate the remarks of members opposite. However, a 10-person board is not excessive but necessary because of the size and diverse nature of the goldfields-Esperance region. A suitable range of expertise is required with knowledge of the social and economic factors which come into play in the area. I reject the claim of a political motive behind the appointments. The board will include people of all political persuasions as well as those who are politically neutral. A broad cross section will benefit the goldfields-Esperance region.

Amendment put and negatived.

Mr COURT: I am disappointed that the Government has not agreed to support my amendment. Will the size of the South West Development Authority, the Geraldton Mid-West Development Authority and the Great Northern Development Authority be increased as well?

Mrs Buchanan: I doubt very much they would want to immediately convert to the same number. It is up to the individual members and the needs of the community.

Mr COURT: We might have the Government's appointing three extra members to those authorities who can help it with the next election campaign. Is that the game we will see played?

Mrs Buchanan: That will not be done and I am sure that my colleague, the Minister for Fuel and Energy, will agree with me.

Mr Carr: There is no intention to increase the size of the Geraldton Mid-West Development Authority.

Mr COURT: I do not understand why the Government will not support the amendment as it made the decision to standardise a seven member board. That seems to be a workable size. In this time of budgetary restraint we must look at the running costs as members will be attending meetings all over the goldfields and Esperance region.

Mr FRED TUBBY: Has the Minister any estimate of how much will be allocated for travel?

Mrs Buchanan: That will be at the discretion of the Minister who assumes responsibility for the authority.

Mr OMODEI: Could it be that the Minister has been acting with these 10 people over the past months and that the Government now has some kind of obligation to them?

Mrs Buchanan: We have an office but we do not appoint the board or the advisory committees until such time as the Bill passes through the House.

Mr OMODEI: In a time of budgetary restraint when the Premier is proposing to go through the Budget line by line it is inappropriate to increase the size of the board. Surely it is better to have a lean board and a larger advisory committee. Unlike other development authorities this authority will have two advisory committees, and a board of almost equivalent size to those committees. More than 30 people will cover that area in addition to existing local government authorities.

Mr AINSWORTH: The board as proposed in this Bill is somewhat larger than other development authorities. It will operate in conjunction with two advisory bodies. I congratulate the Minister for proposing the two committees, which will allay the concern expressed by members of the Shires of Esperance and Ravensthorpe that the goldfields would dominate the board. I did not share that concern having knowledge of the way the two areas worked together in an advisory capacity. However, the increase in the size of the board is a different issue. The board can function perfectly adequately in the goldfields-Esperance region with seven members.

Clause put and passed.

Clause 6: Membership of Board -

Mr FRED TUBBY: What parameters will the Minister use in the selection of members? How many will come from local government, from the union movement, from the northern and central goldfields, and from the agricultural area? There is no formula to apply to appointments. I am concerned that local government will not be represented and, if it is, which areas will be represented?

Mrs BUCHANAN: Positions will be advertised and board members will be appointed according to nominations received. It will be the responsibility of the Minister for Goldfields once the Bill has passed through the House.

Clause put and passed.

Clauses 7 to 10 put and passed.

Clause 11: Functions of Authority -

Mr OMODEI: I refer members to paragraph (a) of this clause and I ask the Minister to give

an assurance that there will be no duplication in services. We already have in this State a Department of Resources Development and a Department for Community Services and I am concerned that in the current economic climate we are providing the opportunity for a duplication of the services they provide.

I refer again to the situation which prevails in the south west. The Minister for South-West recently announced that there would be a reduction in the social development services provided by the South West Development Authority. I am at a loss to understand how the Government will provide a social development service in the goldfields region. It may interest the Minister to know that the Department of Resources Development undertook an industrial sites study in the south west. Immediately after that study was undertaken the South West Development Authority conducted a similar study which undoubtedly led to a duplication of studies and is a waste of public resources. I can see the same thing occurring in the goldfields.

Mrs Buchanan: You mentioned a possible duplication of services in the goldfields-Esperance region, but the actual coordinating role of the authority would do the reverse - it would stop any duplication which might be perceived.

Mr OMODEI: This Bill is promoting a course of action which will duplicate services which are already provided by the Department of Resources Development and the Department for Community Services. I ask the Government to give an assurance that there will not be duplication of services or any waste of public money. We already have enough duplication of services in this State and in this nation.

I tend to think that the function of this authority will be to keep the serving member in Parliament. It is rumoured that the member for Eyre will take the current member's place and that a member in the other place representing the Mining and Pastoral Region will take over the member for Eyre's seat.

Mrs Buchanan: I am sure you can treat them simply as rumours.

Mr OMODEI: I am only a country boy, but these rumours are flying thick and fast. I would not like to see an adjoining door between the development authority and the local member's office, as is the case in Mandurah.

I ask the Minister to give an assurance that there will be no duplication of services and that the authority will function on a non-partisan basis.

Mrs BUCHANAN: It is hard to understand why the Opposition is supporting this Bill when it is seeking assurances that there will not be duplication of services. I do not know what members opposite are talking about. As I said by way of interjection the coordinating role of the authority will overcome any duplication of services. It would be a silly Government which put in place a body which would duplicate existing services.

Mr Omodei: That is what is happening in the south west. If you cannot see it you are blind.

Mrs BUCHANAN: The member for Warren and I will have to agree to disagree on that point. I have great hopes for the authority and I am sure the concerns he has expressed will not come to pass.

Mr COURT: The member for Kalgoorlie would agree with me that the local authority in Kalgoorlie consists of a group of very determined people. The local authority in Kalgoorlie - previously there were two authorities, but now there is one only - takes a strong interest in what happens in the town. That council campaigns vigorously for the projects it wants and it will be interesting to watch how the Goldfields-Esperance Development Authority will work with a local authority which has always, under different leadership, been very supportive of, and has fought very hard for, the development of the region. It will also be interesting to see how the people appointed to the board and the local councillors will work together.

The member for Warren made the point that in the south west there are a number of local authorities and when we visit them they always raise the question about the duplication of roles or their powers being usurped by another Government authority.

Mrs Buchanan: I do not think that is the case with the Great Southern Development Authority because the mayor of that town is on the board.

Mr COURT: Will there be a local government representative on the Goldfields-Esperance Development Authority?

Mrs Buchanan: I cannot say at this stage who will be on the board, but the opportunity is there and I feel sure the local government there will be interested.

Mr COURT: I hope we do not end up with a situation where the local authority and the development authority will be at loggerheads on different issues when they should be working together to promote activities in the region. This is the type of problem that occurs with duplication of the different levels of government. It will be the case in Kalgoorlie because the local authority has a track record of being a strong fighter and is proud of its achievements in the town. It will be interesting to see how the two authorities work together.

Mr TRENORDEN: I would be pleased to see some activity in Kalgoorlie and I will not refer to how inefficient the Government's structure of regional development is. We will allow the Government to establish development authorities, but when we win the next election we will give them back to the people. I do not oppose the establishment of an authority in the goldfields-Esperance region; some inept action is better than no action at all.

I hope the establishment of an authority in Kalgoorlie will be of benefit to my electorate because the Government refuses to do anything in it. The Government has written off the electorates of Narrogin, Avon, Merredin and Moore. I visit the Kalgoorlie region from time to time and it is a fascinating part of the State. It is my regret that in the last four weeks I have not been able to travel through that area and the Murchison to view this season's wildflowers. The pastoral activities in that area have declined and it is now very dependent on mining. We all know what is happening to the goldmining industry at the moment, and small operators will be especially hit by the imposts from which we all suffer. I have great sympathy for the town of Kalgoorlie, with regard to its unemployment rate and its social wellbeing. Concentrated activity is needed to bring new industry to that town.

I recently wrote to local authorities in that area and in my electorate in relation to a proposal to construct a gas pipeline to Kalgoorlie. Such a pipeline would run through my electorate and would certainly be of benefit to Narrogin. That is probably the only good thing I could hope for from this Government. It is important for the wellbeing of the Kalgoorlie area that projects such as the natural gas pipeline be embarked upon by the whole community with great vigour. Although there is no point waxing lyrical about C.Y. O'Connor's water pipeline and the good it did for this State, particularly the region between the metropolitan area and Kalgoorlie, the proposed gas pipeline would have similar benefits. Almost all industries rely on a cheap source of power, and the proposed gas pipeline would be of great benefit to the communities between the metropolitan area and Kalgoorlie.

I share the concerns of members on this side of the House that conflict will arise between the community, local government and the proposed authority. That has been the experience in Bunbury. However, the authority will do much more good than harm, and when the Opposition is in Government it will give the authority the right direction. The National Party supports in principle the establishment of a regional development authority in the area, and hopes that this authority will be of great benefit to Kalgoorlie. The Minister will receive our strong support in this regard.

Clause put and passed.

Clause 12: Powers of Authority -

Mr OMODEI: I am most concerned about the provisions in this clause. When speaking to clause 4 of the Bill I referred to my concern about the Victorian Economic Development Corporation. I reiterate that all the regional development authorities in this State have been modelled on the Victorian Economic Development Corporation. I investigated that authority and the results of my investigation indicate that dozens of ventures orchestrated by it have gone bust. The losses amount to \$130 million.

I refer the Committee to the provisions in subclauses (2)(a) and (2)(b). The Opposition believes the Government has gone too far in giving these powers to development authorities. It allows the authorities to move away from a facilitating role and to become involved in business ventures which would be better left to the private sector. I am concerned that in the not too distant future these development authorities may become involved in joint ventures that will go wrong, and the taxpayers will be required to pick up the bill.

Mrs Buchanan: They cannot become involved without the approval of the Minister.

Mr OMODEI: The Geraldton Mid-West Development Authority is involved in a marina project, and the South West Development Authority, under the Bunbury 2000 concept, is proposing to become involved in a harbour development.

Mr Carr: There is no way that the development authority could become involved in a harbour development in Kalgoorlie!

Mr OMODEI: Of course, we are both intelligent enough to know that no marina will be developed in Kalgoorlie. However, if the development authority became involved in private enterprise and business ventures, as this Government has in the past few years, millions of dollars could be lost. Businessmen can see bureaucrats coming a mile off. I am aware that these proposals must be approved by the Minister, but projects such as the silicon smelter, and DTX Australia Ltd, have lost tens of millions of dollars for this State. I am not happy about this part of the Bill. Regional development authorities should employ people with expertise to coordinate Government departments and the private sector, and to coordinate local authorities and Government instrumentalities, to ensure that projects are undertaken and completed to the satisfaction of the community. However, I see no reason why Government should get involved in business, especially bearing in mind the track record of this State Government. I hope that the situation is changing, and that the South West Development Authority, for example, will see the error of its ways and keep out of the harbour development. If it does not do so, the taxpayers of this State could lose more money. I do not want to come back to this Chamber some time in the future and say to the Government that I told it so.

Mrs Buchanan: I am sure you will not have to.

Mr OMODEI: I am pleased to hear that interjection from the Minister. I have no problem with development authorities working with Government instrumentalities in a facilitating role, but that is all they should do.

Mr FRED TUBBY: I fully support the comments of the member for Warren. I am concerned that this Government seems incapable of learning from past experience. This Bill will enable what has happened in the past seven years to continue. I said in the second reading debate that I had no qualms about development authorities having a facilitating and stimulating role in getting industry going, encouraging tourism, and undertaking peripheral activities in developing regions for the economic welfare of the people who live and work there and the social benefits that can be derived therefrom. However, with this Government's track record, there is no way that clause 12(2)(a) should be included in the Bill. Following the events of the past seven years the Government should not get involved in any more of these types of activities. It is an absolute nonsense that the authority cannot do anything without the approval of the Minister. This has been happening over the past seven years resulting in large debts for which the State will be paying for many years to come. Legislation should not be passed that allows the same thing to occur.

Mr COURT: The member for Warren has pointed out that this clause gives very wide ranging powers to the authority to carry out its operations. Further clauses in the Bill, such as the clause dealing with secrecy, will provide for that also. If this occurs some very interesting problems will arise in the relationship between the authority and local government; the authority will become involved in a range of activities.

The South West Development Authority Bill provided similar powers. It was said at that time that the South West Development Authority would be able to run amok. It ran pretty close to doing that.

Mrs Buchanan: That is a bit far-fetched.

Mr COURT: The Auditor General was amazed that after the South West Development Authority had been established for a couple of years it did not have proper accounts.

Mr Shave: Are you talking about the South West Development Authority or WADC?

Mr COURT: I am talking about the South West Development Authority. Millions of dollars could have been lost and it would not have been discovered for three years. However, under the rules that apply on the other side of the House if it is an old problem it does not matter; it is forgotten.

Mr Bradshaw: The Auditor General did not say it once, he said it two years in a row.

Mr COURT: Provisions had to be introduced to make sure that proper reporting occurred. The authority believed that because it had those powers it could do what it liked. It thought that it was different from other parts of Government.

I attended the briefing on the siting of the Picton silicon smelter. We were told at the briefing that it would be ridiculous to site the smelter at that location. However, the South West Development Authority told us not to worry because that was where the smelter would be placed. The authority did not consider the case put forward by the local people who gave reasons for the smelter not to be located in that area. The South West Development Authority thought it had the power to do what it liked because it had been given the job to facilitate that project. It did have the power to do that.

These authorities were given extremely wide powers which were misused, as was the case with the Western Australian Development Corporation and Exim. The Opposition will not allow a repeat of the slack ways which were demonstrated by the South West Development Authority in its early days when it took advantage of powers for which it was not accountable.

I am pleased that the Government intends to move amendments to the next clause because I could not believe that the authority was to be given such wide powers. No mechanism is in place to make sure that those directions are properly reported. The powers are extremely wide and capable of abuse.

Mr SHAVE: I find it incredible that the Government could even consider including clause 12(2)(a) in the Bill. The Government has spoken in Parliament over the past month about abolishing the Western Australian Development Corporation. The Government's reason is that it wants to get out of business. However, a host of regional authorities are being set up, the officers of which are being given the authority to -

purchase, sell, lease, take on lease, mortgage, exchange or otherwise acquire, deal in or dispose of real and personal property -

Mr Omodei: You should look at paragraph (c).

Mr SHAVE: That provision relates to the provision of energy, water and other services and that is behind the times. Paragraph (c) also refers to the construction of roads and other works.

Mrs Buchanan: That is not its primary role.

Mr SHAVE: I accept that is not its primary role. However, I suspect that when the Western Australian Development Corporation was set up its primary role was not to get involved in deals that would lose hundreds of millions of dollars. The Government does not seem to realise, and this is not a reflection on the competent people who are involved in the authorities, that some of the people who are in positions of authority on these bodies are not very competent. Failed people have a habit of disposing of other people's money as well as disposing of their own money. A person in a comfortable position in Government or on one of these authorities can easily come up with ideas on how to spend taxpayers' money. When one spends one's own money it hurts; however, when it is the taxpayers' money it does not seem to matter too much.

Under no circumstances can the Opposition support this proposal when only two weeks ago it was told the exact reason for the Government's getting out of the Western Australian Development Corporation. A Bill is now being introduced that will not only allow the Minister and the Government's direct employees to become involved in these deals, but will also allow groups to put pressure on the Government on a regular basis to come up with the same wonderful ideas as those suggested by Mr Bond and Mr Connell. These regional groups will tell the Government that they know how to create employment, increase productivity and reduce taxation. It may sound very nice in practice but it will not work. Before this Bill goes to another place, I ask the Minister to review the whole structure of clause 12 because it is totally inadequate. Furthermore, it is opposed to what the Government has been saying over the past three or four weeks about winding up the Western Australian Development Corporation.

Mrs Buchanan: Does that mean that you are not really supporting the Bill?

Mr SHAVE: I support the Bill in part, but I do not support this clause and neither should the Minister.

Mrs Buchanan: You cannot have it both ways.

Mr AINSWORTH: The National Party has some concerns about clause 12 because it is wide ranging in its potential. While the Minister has said that it will not do some of the things that have been suggested, it has the capacity to allow some of those things to occur; that is, to allow the authority to purchase and sell property and to enter into what would normally be commercial business dealings. The National Party does not consider that is a role for development authorities. They should be facilitators rather than act as major protagonists in any new project that is put forward. They should certainly not be a partner in a new project, own land or use taxpayers' money in new ventures. They should exist only to help other people; that is, both Government instrumentalities and private individuals to put together deals which include property deals and the investment of funds in new developments. They should not be capable of doing these things in their own right. Therefore, we have difficulty with this clause.

Clause put and passed.

Clause 13 put and negatived.

New clauses 13 and 14 -

Mrs BUCHANAN: I move -

Page 7, line 25 - Insert the following new clauses to stand as clauses 13 and 14 -

Minister may give directions

13. (1) The Minister may give directions in writing to the Authority with respect to the performance of its functions, either generally or in relation to a particular matter, and the Authority shall give effect to any such direction.

(2) The text of any direction given under subsection (1) shall be included in the annual report submitted by the accountable authority of the Authority under section 66 of the *Financial Administration and Audit Act 1985*.

Minister to have access to information

14. (1) For parliamentary purposes or for the proper conduct of the Minister's public business, the Minister is entitled to have information in the possession of the Authority and to have and retain copies of documents.

(2) For the purposes of subsection (1) the Minister may -

- (a) request the Authority to furnish information to the Minister;
- (b) request the Authority to give the Minister access to information;
- (c) for the purposes of paragraph (b) make use of the staff of the Authority to obtain the information and furnish it to the Minister.

(3) The Authority shall comply with a request under subsection (2) and make its staff and facilities available to the Minister for the purposes of paragraph (c) of that subsection.

(4) In this section -

"document" includes any data that is recorded or stored mechanically, photographically, or electronically and any tape, disc or other device or medium on which it is recorded or stored;

"information" means documents or other information relating to the functions of the Authority being information, as so defined, specified, or of a description specified, by the Minister;

"parliamentary purposes" means the purpose of -

- (a) answering a question asked in a House of Parliament; or

- (b) complying with a written law, or an order or resolution of a House of Parliament, that requires information to be furnished to a House of Parliament.

The Bill had been drafted before it was realised we had left out an important part relating to the accountability aspect. The amendment is to remedy that and has been drafted in accordance with the recommendations of the Burt commission's report relating to accountability of Government agencies. It is part of the Government's commitment to implement the recommendations of that report. The wording is in standard form and was prepared on advice of the Crown Law Department and Treasury for inclusion in this and future Bills. This may allay some of the concerns expressed by members on the other side.

Mr COURT: Direction by a Minister has been a controversial matter over the years because a number of transactions took place as part of WA Inc dealings which resulted in huge losses to the taxpayers of this State. At the moment the Government is ducking and diving as to who directed whom in relation to some of the dealings of the SGIC. It is important that a proper procedure is put in place so that when a direction is given a time is specified within which that direction is reported to the Parliament. I would like that period to be twice yearly so that such directions are fairly quickly known to the Parliament because, if a direction is given at the beginning of a financial year, it could be 18 months before a report is issued and we become aware of a direction.

The whole issue of the public knowing when a Minister issues a direction is important, particularly when under earlier clauses of this Bill the authority has power to become involved in a wide range of transactions. New clause 13(2) states -

The text of any direction given under subsection (1) shall be included in the annual report submitted by the accountable authority of the Authority under section 66 of the *Financial Administration and Audit Act 1985*.

Is this access to information provision included in legislation referring to the Great Southern Development Authority, the South West Development Authority and to Geraldton Mid-West Development Authority?

Mrs Buchanan: It may not be as this has only been done since the Burt report came down.

Mr COURT: Is there a reason for this? Have there been cases where Ministers have been unable to access information from those authorities and is that why this special clause is to be included? New clause 14(1) states in relation to the Minister having access to information -

For parliamentary purposes or for the proper conduct of the Minister's public business, the Minister is entitled to have information in the possession of the Authority and to have and retain copies of documents.

The clause then lists how that information can be requested and must be provided. That is followed by a definition of the words "document", "information" and, "parliamentary purposes".

Mrs Buchanan: I can assure the member that this has been done with the best of intentions.

Mr COURT: The best of intentions for whom? Under this definition a document includes any data recorded, stored mechanically, photographically or electronically or any tape, disc or other device or medium on which documentation is recorded or stored.

Mrs Buchanan: What is wrong with that?

Mr COURT: It means that the Minister can go to an authority with a list of business people it deals with and access that information. Has there been a problem in the past which has resulted in the Minister being unable to get information? Why is this power introduced under this clause? I would like an explanation as to why these clauses have been included.

Mr AINSWORTH: When I first looked at the Bill, and particularly at clause 13, I was shocked, as I think were many members on this side, that the clause related to direction by the Minister. I was pleased to see the Minister's amendment dealing with ministerial direction to the authority as that is a step we welcome. The second part of the Minister's amendment refers to access to information. Like the member for Nedlands, it concerns me. I mention particularly the part relating to the Minister's ability to obtain information because later in the Bill clause 16 relates to secrecy and states that personal information shall not be

communicated to another person. Does this amendment allow the provision to the Minister of private and personal information which would not otherwise be able to be disclosed to another person?

Mr OMODEI: Once again we see a development authority involved in business and the provision of services, things already undertaken by various Government departments in the community. The situation could arise where the Minister is involved in a joint venture with private enterprise and Government backing and the Minister will be able to delve into all those dealings. That really is an intricate web. Clause 20 provides that the State will guarantee the provision of funds for the authority. That reeks of something that will go terribly wrong, and we have already seen examples of that in this State. I am concerned that the Minister's power to give directions will only confuse the matter and create conflict. I am at a loss to understand why the Minister should have the power to direct any development authority.

New clauses put and passed.

Clauses 14 and 15 put and passed.

Clause 16: Secrecy -

Mr OMODEI: Clause 16(2) says -

This section applies to every person who is or has been a Board member, a member of a Board committee, an Advisory Committee member, a member of an Advisory sub-committee, the Director or another officer referred to in section 14(1) . . .

This clause seems to go a little further than other development authority Bills because it includes members of the advisory committee and the advisory subcommittees. Would this secrecy provision prevent an advisory committee member or a board member who has been appointed from local government, from bringing information back to his or her council?

Mrs Buchanan: It is pretty obvious -

Mr OMODEI: So it would stop them. So what would be the benefit of having someone who represents local government? I would expect there to be a free flow of information between the regional development authority and local government.

Mrs Buchanan: But not on the affairs of another person, surely?

Mr OMODEI: Is the Minister saying it is restricted specifically to information about another person, not a project?

Mrs Buchanan: I suggest you read the clause.

Mr OMODEI: I have, but I am trying to get confirmation about whether this will apply to a person or a project.

Mrs Buchanan: The clause says clearly it applies to the affairs of another person.

Mr OMODEI: Clause 12 provides that the authority will have the power to purchase, sell, lease, mortgage and exchange real and personal property and improve and develop real property. I assume that some of those activities will be joint venture activities, which has been the case in the past. How will the local authority be able to find out what is happening if all these things involve people's private dealings, yet under this secrecy provision no board or advisory committee member will be able to divulge any information to another Government department?

Mrs Buchanan: It is not any information but information concerning the affairs of another person.

Mr OMODEI: There is no faceless body.

Mrs Buchanan: If a body is conducting its business in the normal way there is no reason why the local authority will need to know what is happening.

Mr OMODEI: Let me give an example. If the South West Development Authority were to enter into a joint venture arrangement on the harbour city development in Bunbury, it would be dealing with a person who is the head of a corporation or company. This secrecy clause concerns me. I accept the Minister's explanation but I will be interested to see how it works.

Mr COURT: In the Great Southern Development Authority legislation the secrecy provision applies only to a person who is a member of the board. The member for Warren raised a valid point. A pretty hot issue in the town of Kalgoorlie at present is whether a new airport should be built or whether the existing one should be updated. No doubt when this development authority is established that is one of the issues it will be looking at. A representative of the local authority may be at a meeting in the morning where the development authority is examining a proposal to build a new runway, and discussing how it will be funded, and the contribution to be made by State, Federal and local authorities. That afternoon he may go to the council meeting but he cannot talk about -

Mrs Buchanan: That will be up to the discretion of the board as a whole. The board will decide when these sorts of announcements will be made, after which time the local council can discuss it all it likes.

Mr Omodei: So if you wanted to gag a person you need just appoint him -

Mr COURT: The clause provides that a person to whom this section applies shall not communicate to any person any information concerning the affairs of another person. The Minister should not laugh about it because I am asking a serious question. A person may be at the development authority meeting in the morning, and the chairman of the board may say that his company will pay for half of the airport if the local authority does certain things. That afternoon that person may go to a meeting of the local authority and say he has heard that a certain company will pay half of the expenses. However, that will be prohibited under this secrecy provision.

The member for Warren hit the nail on the head when he said that if people wanted to take out of circulation a certain person in the town - for example, the mayor - all they would have to do is appoint him to the development authority because he would then be sworn to secrecy and could not divulge to council anything that was discussed by the authority. If someone like Mr Finlayson, the mayor, who is active in the town, who knows what the main issues are, and who is fighting for something to happen in the town, were appointed to the authority -

Mrs Buchanan: I cannot see a conflict there, and if it was a question of his having some interest or of some company in which he was involved having an interest, then the protection would come in by virtue of the pecuniary interest provision.

Mr COURT: I am not talking about pecuniary interest; I can only take the legislation as it is presented here.

Mrs Buchanan: You read it; it talks about the affairs of another person.

Mr COURT: The authority is made up of persons.

Mrs Buchanan: If they have a pecuniary interest.

Mr COURT: I am not talking about a pecuniary interest. This has nothing to do with a pecuniary interest.

Mrs Buchanan: You are saying people may somehow or other use the authority for the benefit of their own businesses.

Mr COURT: I am using a hypothetical example.

Mrs Buchanan: It is a bit too hypothetical.

Mr COURT: Do not just brush it off. Once this becomes law, it will be the law. If a person is on the local authority, and he is also on the development authority, under this provision he cannot divulge or communicate to any person any information concerning the affairs of another person.

Mrs Buchanan: It does not say any information about what the board has been doing; it says any information about the affairs of a particular person.

Mr COURT: It says, "... the affairs of another person acquired by him or her by reason of his or her office or employment under or for the purposes of this Act".

Mrs Buchanan: It does not say information about the board; it says any information about the affairs of a particular person.

Mr COURT: When one is on the board -

Mrs Buchanan: At the discretion or direction of the board; what the board decides people can discuss; anything which might be happening, or anything that the authority or the board might be doing. They are restricted from divulging anything concerning the personal affairs of another person.

Dr Gallop: We do not want it to develop into a gossip club.

Mr Omodei: An example would be BTW in Bunbury -

Mrs Buchanan: Let us just -

The DEPUTY CHAIRMAN (Mr Ripper): Order! It is entirely appropriate for there to be some interchange between the speaker on his feet and another member, but if we have an interchange between two members neither of whom has the call we will be in trouble.

Mr COURT: This clause highlights the problems which result from duplication in the process of government. This authority has extremely wide powers, and the local authority also has wide powers to carry out its activities in the same area. This duplication creates a problem. How do we ensure that one authority does not overflow into the other? Some of the appointments the Government made to this authority will put individuals into a position where they will not be able to be of help to their local authorities, because under this secrecy clause, if they abide by the law, they will have to shut their mouths. They will not be permitted to refer to information which they have received as a result of their activities on the authority. I am highlighting the problems of duplicating who is responsible for what is happening in the goldfields-Esperance area.

Mr FRED TUBBY: Clause 16 refers to the affairs; it says nothing about personal affairs. Members on this side are saying that as this clause stands, if, for example, a businessman puts up a proposal to the authority for some development within its area, the board members cannot discuss that proposal.

Mrs Buchanan: They cannot discuss that person's personal business. You would not want them to say, "Bill Jones has \$100 000 he wants to invest," or give any other details of his personal business.

Mr FRED TUBBY: The clause speaks about affairs. If a businessman has a proposal, that proposal is his affair. The clause means that a member who is also a member of a local authority cannot report to his local council about that proposal because it is that person's business affair. The clause does not mention personal affairs or business affairs. If the Minister is trying to cut out gossip about personal affairs, she should put in "personal affairs". She should not just say "affairs" because businessmen are people; their proposals are their affairs. If a businessman puts up a proposal to a development authority, it is his affair, and under this clause members who are also members of local authorities cannot discuss that information anywhere else.

Mr Carr: When a businessman puts a proposal forward to an authority, that businessman expects it to be held in some confidence. He does not expect members of the authority to go all over the place talking about his proposal. That is the reason for that clause.

Mr FRED TUBBY: How does the local authority in that area find out about it?

Mr Carr: If the person needs local government approval, that person goes directly to the local authority.

Mr FRED TUBBY: What happens if the authority is trying to do something to which the council is absolutely opposed? The council cannot find out about the proposal because the member on the board has been silenced.

Mr Carr: If the council needs to know about it there will be a direct approach.

Mr Omodei: If there is a project in which the development authority is involved and it concerns the local council, the member there is sworn to secrecy so he cannot bring that information back to the local authority until he has the blessing of the authority.

Mr FRED TUBBY: By then it may well be too late for the council to have its sixpenny-worth in the project. If a councillor from the Kalgoorlie-Boulder City Council is on that authority, he is not there representing only Joe Bloggs; he is there representing the council as

well as Joe Bloggs. In other words he is trying to weigh up all the benefits for the area, so he should have the power to take that business back to the council for discussion.

Mr BRADSHAW: I do not think the Minister has given a satisfactory explanation in this case. I would like her to explain why she needs this clause in the Bill. We can understand that we do not want gossip mongers going about the place, but we must give these people some credibility for not being gossip mongers and talking about what is going on concerning other people's affairs. If people are going to do those sorts of things they will probably do them regardless of the secrecy provisions in the Bill. This clause is not specific, it is a generalised secrecy section, and we do not feel it is necessary. It is going overboard, and it could be used in a vindictive fashion. If someone really wanted to be nasty, he could pull this provision out and use it against a person on the board. Several previous speakers have stressed that this provision ties people down. They may have a divergence of interest, being on local government or in some other position. They are tied down as a result of not being able to speak in regard to certain information.

Mrs BUCHANAN: We do not know of any problems which have arisen out of this clause. The member for Nedlands pointed out that the provision already exists in another development authority Bill. Basically the clause is to ensure confidentiality and it applies to every person who has been or is a member of a board, committee or advisory committee, and the director and staff. In this respect, of course, the staff are also covered by the provisions of the Public Service Act.

Members will note that the clause provides a penalty of \$2 500 for every person who is a member of the board or an advisory committee. This is really to prevent people from making unauthorised disclosures and it has particular relevance to people's business or personal affairs. That is why this provision appears in the Bill.

Clause put and passed.

Clause 17: Funds of Authority -

Mr COURT: During the second reading debate I said that when I was in Kalgoorlie recently I listened to the member for Eyre mention on the radio that the Government was cutting back funding for all Government authorities across the board, and was aiming for a five per cent cut in the levels of funding. I presume this new structure being set up will be considerably more expensive to run and operate than the existing regional development operations in this area. I am not asking the Minister for the precise figures, because this is the first time provision will be made in the Budget for the Goldfields-Esperance Development Authority; but, as a rule of thumb, what is the additional cost compared with the regional development structure at present? I think the Minister said two people were running that operation out of Kalgoorlie.

Mrs Buchanan: I am not sure of the staffing arrangements.

Mr COURT: This new set-up will have a board, and I presume there will be considerable expenses for travelling, meetings, and so on. Can the Minister indicate the comparative funding levels?

Mrs BUCHANAN: I cannot provide that information; I do not have a comparison at all. The member for Eyre is quite correct in saying we will have a tight budgetary situation. I am afraid the member for Nedlands will have to wait until the Budget is introduced into the Parliament to see how the authorities fare.

The DEPUTY CHAIRMAN (Mr Ripper): Order! I ask members if we could have a decline in the level of conversation, please.

Mr OMODEI: I was interested in the Minister's last comments. If funds are so tight across Western Australia, perhaps the setting up of this development authority should have been deferred.

My question relates to the Goldfields-Esperance Development Authority account. As to the funds received by the authority - whether appropriated by the Parliament or whether received from profits from the sale of land or rent derived from the land leased by the authority, and so on - how does the authority assess what rents and incomes it accrues? Is the interest accrued to those funds taken into account in the Budget?

Mr BRADSHAW: This clause refers to rents derived from land leased by the authority, and proceeds of sale by the authority of land or any interest in land. It is time the authorities got out of this sort of thing. When we look at the mess the Government has made with all of its WA Inc and business activities, it is wrong for the authority to be dealing in land or leasing land. I believe development authorities should be facilitators and not wheelers and dealers or players in the game. Unfortunately this clause will permit the proposed Goldfields-Esperance Development Authority to have that role.

Mr FRED TUBBY: Clause 17 follows on directly from clause 12. Clause 12 related to the powers of the authority, and now we come to the funds of the authority. Under this clause we have almost exactly the same thing being established as was established with the Western Australian Development Corporation and all those other marvellous instrumentalities. The Government is very slow to learn. How can it have, in 1990, halfway through the year, a Bill such as this which seeks to establish another of these development authorities when at the same time a WADC repeal Bill is going through the Parliament? It is absolutely crazy. The Government is getting rid of one and setting up another. As fast as one goes down, another comes up to take its place. We are sowing the seed for reaping future benefits in exactly the same way as we have seen with all of the other WA Inc enterprises the Government has become involved in. It is disgraceful.

Clause put and passed.

Clause 18: Borrowing by Authority from Treasurer -

Mr COURT: Can the Minister indicate the reasons why the Goldfields-Esperance Development Authority would be required to borrow money from the Treasurer, and whether she knows of any projects to be undertaken in the first year of the authority's operation which would require an ability to borrow from the Treasurer? I mentioned the office out of which the staff are currently working. Would the authority buy that office as an asset in its name and, if so, would that be funded by borrowings from the Treasurer?

Mrs BUCHANAN: That may very well be the case, but in any event it would be up to the board, with the approval of the Treasurer. I cannot say what will happen in the future. It will be at the discretion of the board as to how it handles its affairs. The Minister will also have a role, and any money which is to be borrowed can be borrowed only with the authority of the Treasurer.

Mr BRADSHAW: The Minister has just hit the nail on the head - she does not know what will happen; neither do we. The Bill should be more tightly drafted so that we do know, and so that there are guidelines. A few years ago the South West Development Authority bought a piece of land at Picton, which cost a couple of million dollars by the time it had put in roads and services.

Mr Court: The company was glad to sell it. They bought it for the original aluminium smelter, and were stuck with it. When the Government came along, it fell for it hook, line and sinker.

Mr BRADSHAW: Then they were going to put the silicon smelter on it and that turned out to be a dead loss.

The DEPUTY CHAIRMAN: Let us come back to clause 18.

Mr BRADSHAW: I used that example to illustrate my concern that the authority will be able to borrow from the Treasurer. As I said during debate on clause 17, it is wrong for the authority to be able to wheel and deal and be in the business of buying and selling. We have all seen the fiasco which has taken place in Western Australia over the past few years. I do not want to see a repeat of that, and I do not want to see an authority which will run off the rails because we get another four on the floor Premier who wants to make money for the people of this State. The authority should not be able to borrow, from either the Treasury or any other avenue. I do not support the clause.

Clause put and passed.

Clause 19: Borrowing by Authority generally -

Mr AINSWORTH: Clause 18 refers to borrowings by the Goldfields-Esperance Development Authority and, by my reading, clause 19 refers to additional borrowings from

outside the Treasury sources such as commercial sources, both within Australia and from overseas. This clause allows a Government instrumentality to borrow money for business purposes and clause 20 provides for the Treasurer to guarantee those loans. That provision is unacceptable, given the abysmal business record of the Government over the last seven years. The guidelines for previous loans were exactly the same; that is, individual Government instrumentalities were able to borrow from various sources and those borrowings were guaranteed by Treasury. When those business dealings collapsed, the taxpayers, who provide the source of Government funds, were forced to foot the Bill.

I support the establishment of the authority but am concerned that it is to be given the power to borrow money from various sources and those loans are to be guaranteed by Treasury.

Mr FRED TUBBY: Clause 19 provides for the Goldfields-Esperance Development Authority to borrow money at any time with the approval of the Treasurer. Clause 20, yet to be debated, provides for taxpayers to guarantee the borrowings. I agree with the member for Roe that it is incredible that this Chamber is processing a Bill which will allow the same financial losses to occur that have occurred over the last seven years. The development authority should be established to stimulate, encourage and facilitate economic growth. However, it should not become involved in borrowings. The Bill is exactly the same as the Bill which passed through the Chamber a few years ago and which resulted in this State's present financial difficulties. It is incredible that we are debating similar provisions, despite all that the State Government should have learnt over the past couple of years.

Clause put and passed.

Clause 20: Guarantee by Treasurer -

Mr COURT: When I see provision for guarantees by the Treasurer I become concerned because I can still hear the argument, "When is a guarantee not a guarantee?" concerning the problems with the PICL deals. In recent years a large number of Government guarantees have been given on borrowings. Fortunately, some changes have been made to the reporting requirements of Government guarantees, allowing us to be informed eventually of what guarantees were given.

Some years ago a Bill which should now be reintroduced and supported, was introduced into Parliament. It provided for Government guarantees to be tabled in Parliament within a certain time; they could be debated, but the Chamber would not have the formal power to approve the guarantees. In other words, if the Government wanted to guarantee Mr Bond \$5 million to buy the *Daily News*, that guarantee would have to come before Parliament and be debated within a certain time. However, Parliament would not have the power to refuse the Government the ability to implement the guarantee. That legislation would enable everyone to know what guarantees were given and would allow members the opportunity to place on record what they thought of them. At present, guarantees can be given by Treasury and, sometime later, under the reporting requirements of the Financial Administration and Audit Act, the public can be told of those guarantees.

More and more legislation which provides for statutory bodies to be given Government guarantees has been introduced into Parliament, so it would be sensible to introduce the legislation I referred to, to ensure that Parliament and the public are aware of Government guarantees. It would also take pressure off the Government because, if it provided a guarantee on a controversial development, at least the issue could be debated. The Opposition would then have to decide whether it supported the guarantee. Legislation to enable that process to be put in place should have the support of members opposite. A guarantee involves a very important decision by the Government and, as taxpayers have found out in recent years, guarantees can be called up. When Government guarantees are called up the taxpayers must hand over the money.

Progress

Progress reported and leave given to sit again, on motion by Mrs Buchanan (Minister for Regional Development).

Sining suspended from 12.58 to 2.00 pm

[Questions without notice taken.]

STANDING ORDERS SUSPENSION - "DAILY NEWS"

The West Australian Purchase Legislation

MR PEARCE (Armadale - Leader of the House) [2.32 pm]: I move -

That so much of the Standing Orders be suspended as is necessary to enable consideration forthwith of the following motion -

That this House support in principle legislation to allow the purchase of the *Daily News* by *The West Australian*.

In support of that motion might I say -

Mr Lewis: I thought you sat down.

MR PEARCE: The member must have blinked.

The Acting Premier will outline the principles underlying the motion. It is clearly the case that with the demise of this State's only afternoon newspaper rapid action must be taken if that position is to be reversed. It appears to be the case that if both Houses of Parliament are able to make a clear statement on the issue that will be a guiding factor for the receivers and others involved in the future of the *Daily News*. Thus it is important that a statement by the Parliament be made rapidly.

Question put and passed with an absolute majority.

MOTION - "DAILY NEWS"

The West Australian Purchase Legislation

MR TAYLOR (Kalgoorlie - Acting Premier) [2.34 pm]: I move -

That this House support in principle legislation to allow the purchase of the *Daily News* by *The West Australian*.

This motion has not been moved lightly by the Government. The information we have received yesterday and today indicates that if both Houses of this Parliament are able to indicate support in principle for the proposed legislation, or any legislation that may be possible - and I will deal with that later - then it is more than likely that those who are involved with the ownership and running of the *Daily News* may make a decision to reopen the door. However, that will, of course, be entirely in their hands.

It is absolutely critical on an issue such as this which deals with the Press and with, once again, the Government's making a decision about the decision of a Federal tribunal - the Trade Practices Commission - which may require both Houses of this Parliament to enact legislation that would effectively and retrospectively override that Federal legislation, that those who will be involved in the decision making process are aware one way or the other that this action has bipartisan political support. I am not saying to the Opposition that it must accept the proposed legislation without even knowing what may be in that Bill. I am saying that I hope the Opposition will be able to give us an indication today, both in this House and in the other Chamber, that it is prepared to support in principle legislation that would allow the purchase of the *Daily News* by *The West Australian*.

Mr Blaikie: Why didn't you bring forward the legislation to test the will of the House? Why do you need a motion?

MR TAYLOR: I will deal with both those issues. I addressed the second issue a moment ago. In respect of the first issue, it was not until the Trade Practices Commission had made its decision that we were faced with a situation where the *Daily News* may have to close. The Trade Practices Commission's having made that decision, we then said that 200 jobs, or thereabouts, have been lost as a result of that decision. There was criticism of that decision on both sides of politics, both here and in the Eastern States, although not from the Federal Government, of course. People from my office sat down with representatives from the *Daily News* yesterday and asked, what might be possible in the sense of overcoming this problem? Would it be possible to find a way around it so that, first, 200 people will not lose their jobs, and, secondly, and just as importantly, that Perth and Western Australia will still have two daily newspapers, in particular an evening newspaper?

That is a fairly important issue because as we have seen happen elsewhere in Australia - and reference has been made to this in the Press - these sorts of decisions have seen the demise of evening newspapers. These decisions are based on a view about monopoly power, yet it is a strange decision because by bringing about the closure of the *Daily News* it has established very firmly the monopoly situation of *The West Australian* as our only daily newspaper.

This motion is necessary because we would like to believe that in-principle support will be forthcoming from both Opposition parties about this issue so that when Cabinet considers the issue on Monday it will be aware that if legislation is introduced into this Parliament it will be passed. Otherwise, we will quite frankly be wasting our time.

Today the Australian Press Council released a Press statement on this issue, which says -

The Australian Press Council is deeply disturbed by recent events which may lead to the permanent closure of the *Daily News*. The *Daily News* has, for 108 years, provided the people of Perth and Western Australia with a unique newspaper, one which has had its own distinct theme and style, -

And I might add not one that we have always found to our liking, but nevertheless that is the nature of the Press. It continues -

- and which has presented news from a different viewpoint.

Mr Thompson interjected.

Mr TAYLOR: I doubt that. I think we will all still be on the receiving end on more than the odd occasion.

Mr House: I am willing to bet more on your side than on ours.

Mr TAYLOR: The member should start collecting Press cuttings if that is his view. I seem to have had three or four files of recent times. It continues -

This has been the case under successive proprietors, and competition has been provided and maintained, including the periods when there have been close proprietorial links with *The West Australian*. At the same time, *The West Australian* has shown itself by its high standards, its fierce editorial independence and its adherence to, and strict observance of, -

And I did not write this -

- the principles of the Press Council to have been, above all, a good corporate citizen.

The Australian Press Council goes on to say -

It was for these reasons that the Council indicated previously to the Trade Practices Commission that, should there be an absence of other viable bids, the Council would support the takeover by *The West Australian* of the *Daily News*, editorially independent as it had been to that time. That remains the position of the Council.

So the Australian Press Council is supporting the position which, unfortunately, the Trade Practices Commission has said is not to be. The Press Council goes on to say -

It is undoubtedly in the public interest that the *Daily News* continue, that its skilled journalists and staff not therefore suffer and that they not be lost to the industry and, above all, that the people of Western Australia continue to enjoy an alternative and unique daily newspaper which has been so demonstrably independent.

The Press Council also said it -

has always insisted that the determination of the ownership of newspapers is not, and never should be, the proper role of a government in a democracy. At this very late stage, the ways of saving the *Daily News* may well include the possibility of legislation by the Parliament of Western Australia.

The Council goes on to say - and this is the critical issue in relation to the motion -

If this is so, to avoid any taint, however untrue, of political patronage, it would be of primary importance that there be bi-partisan support for any such proposal.

The Council is confident that, in this moment of crisis for the press in Western Australia, both Government and Opposition will give the highest priority to the

public interest. In this important endeavour, they would of course have the strongest support and encouragement of the Press Council, which would commend any appropriate measure that might be taken to ensure the continued existence of the *Daily News*.

That Press release from the Australian Press Council quite adequately sums up the reasons for and the thinking behind this motion before us today, and the motion which I hope will be moved in the Legislative Council.

I also want to make it clear that we do not treat lightly the question of Government, or Parliament, having a say or an involvement in the future of the Press in this State. It is not a decision which should in any way be made lightly by any of us, but it is an important decision. From my viewpoint, as a Government member of the Parliament I feel more than a little uncomfortable in finding the Government in a situation of once again dealing with people associated with Bond and once again being seen to be in a relationship with those sorts of people.

Mr Lewis: They are the ones you do not trust?

Mr TAYLOR: I will take up that matter of trust. It is difficult when we do not trust people, but our experience - not so much my own experience, because I have little experience in dealing face to face with these people, but the experience of the Government - has been a very difficult one when it comes to trust. Nevertheless, I think members of this Parliament should insist that we see in black and white from those who own *The West Australian* that, if legislation on this matter were to go forward, the great majority of those people who lost their jobs would be re-employed and that the newspaper would remain open for at least a couple of years. We need to know that, and we need to see it in black and white. I would expect that the board of West Australian Newspapers Ltd would have to be able to say to this Parliament that that will be the case and that this Parliament would not be used as some sort of patsy, whereby the *Daily News* would be absorbed into *The West Australian* and we would hear or see little of it a few weeks down the track. I certainly want to see some guarantees in relation to that. I have discussed this issue very briefly today with senior counsel, and it may be possible in relation to that sort of guarantee that if the legislation were to come forward we could incorporate in it clauses which would impose upon *The West Australian* conditions which would enable us to isolate the *Daily News* in that sort of retrospective fashion from the decision of the Trade Practices Commission. If it were possible to put into a Bill a clause which imposed upon those who own the newspaper requirements relating to, firstly, an evening newspaper being established in this State and this city; secondly, the employment of the people associated with the newspaper; and thirdly, the long term future of the newspaper, we should bring that legislation forward.

Another important point about which I should advise the House is that we have received an opinion from a Queen's Counsel about the *Daily News*. So that all members are aware of the opinion, it reads in part -

I have been asked to provide an opinion as a matter of urgency on the possible application of s51(1)(b) of the Trade Practices Act ... to a proposed acquisition by West Australian Newspapers Limited of the balance of the issued share capital in the company which owns the assets and goodwill of *The Daily News*, a Perth afternoon newspaper.

The QC goes on to say -

... There is no Act of the Western Australian Parliament presently in force which specifically authorises or approves the proposed acquisition; nor, a fortiori, are there any regulations under an Act which would have that effect. The present question revolves on whether such an Act could be enacted effectively.

Without giving the full detail of this opinion, the QC goes on to say later -

... The essential issue in any attempt to invoke s51(1)(b) is whether the conduct is "specifically authorised or approved" by the relevant State enactment. It is not sufficient that the conduct derives its authority from the Act or that the Act assumes it to be lawful; rather the Act must identify the conduct and specifically permit it.

That was said in relation to a building society back in 1978. I do not want to go into the

details of the precedents, and I do not think it is necessary, but towards the conclusion of the opinion the QC said of a decision relating to Olympic Park Management and Victorian Arts Centre Trust in Victoria, and involving the National Tennis Centre Trust, in May 1988 -

... This decision thus indicates, not only that legislation may satisfy s51(1)(b) if it operates retrospectively, but also that conduct which gives effect to the agreements authorised and approved or which is inherent in them is protected.

That is a fairly critical issue in respect of any legislation. The QC goes on -

The proposed acquisition under consideration is presumably alleged to be a breach of s50 of the Trade Practices Act. So far as the contractual arrangements provide for the acquisition of any shares in the capital, or any assets, of a body corporate, s45 would not apply so far as s45(7) was satisfied.

The QC then makes this important point -

... If s45(7) does apply to the proposed acquisition, the only "provision" of Part IV in respect of which "a contravention" is in contemplation is s50. Accordingly the drafting task in relation to a Western Australian Act designed to take advantage of s51(1)(b) is to select the acts or things which arguably constitute a s50 contravention. The primary act which constitutes a s50 contravention is an acquisition, because s50 provides: "A corporation shall not acquire ... any shares in the capital, or any assets, of a body corporate ..." Accordingly, a possible formula for use in such an Act would be:

"The Agreements referred to in the Schedule and any acquisition of shares or assets pursuant to them, are specifically authorised and approved."

That would be the nature of the legislation. I gather there would be a schedule to the Bill which would say the agreements referred to in that schedule and any acquisition of the shares or assets in relation to that would be specifically authorised and approved.

The QC goes on -

The Schedule would then refer to the contracts which would effectuate the proposed acquisition mentioned in the first paragraph of this Opinion. That proposal is put only as a suggestion which is in no way intended to bind or inhibit those responsible for drafting the legislation. The precise form of any draft would, of course, depend on the precise form of any instructions to them.

The QC says also -

One other relevant consideration arises in relation to the application of s51(1)(b). The exemption is not attracted unless it can be said that the State enactment applies "in the case of acts or things done in a State". It would follow that the acquisition in question would have to be an acquisition effected in Western Australia.

In other words, it would have to be a body actually here in Western Australia, such as West Australian Newspapers.

The QC undoubtedly is of the view that, based on the precedents of law, it is possible to enact legislation to effectively quarantine the *Daily News* in a retrospective way from the decision of the Trade Practices Commission.

Mr Wiese: There was no reference to retrospectivity in any of the document you read.

Mr TAYLOR: Yes, there was; I cannot find it immediately but I did mention that it needed to be retrospective but not from the document.

Mr Wiese: I know that you mentioned that it had to be retrospective.

Mr TAYLOR: Certainly, it would be necessary for the legislation to be retrospective on this issue.

Mr Lewis: Why is that so?

Mr TAYLOR: It would be necessary to put the commission's decision about the *Daily News* to the side.

Mr Lewis: It cannot make it void as of now.

Mr TAYLOR: Not according to the advice we have received. It would be nice if we could as we are all deeply concerned about passing retrospective legislation and the principles involved. It is a little frightening to deal with these matters as a Parliament.

Mr House: Absolutely!

Mr TAYLOR: We are all aware of that. The key issue is whether we will see an evening newspaper and whether we will see the re-employment of these people. It is a rare event indeed for us to be able to legislate to keep people in a job. Most of the time, whether it be in a case of the 32 BHP employees, or whether it be the likes of the people employed by this newspaper, people usually lose their jobs with little said about it by us.

In relation to the retrospectivity matter, the opinion referred to a Victorian decision and reads as follows -

This decision thus indicates, not only that legislation may satisfy S51(1)(b) if it operates retrospectively, but also that conduct which gives effect to the agreements authorised and approved or which is inherent in them is protracted.

Mr Blaikie: Is that in relation to the price of beer?

Mr TAYLOR: The case was the agreement in Victoria and again I quote from the document -

On the other hand, there is a recent illustration in the Full Federal Court of S51(1)(b) being successfully invoked. In The Paul Dainty Corporation v The National Tennis Centre Trust (1990) ... the application of S5 of the Victorian Arts Centre (Amendment) Act to certain conduct alleged to be exclusive dealing.

Mr Blaikie: How does that relate to the Western Australian newspaper circumstance?

Mr TAYLOR: The QC is saying that the Victorian legislation effectively made it certain that the art centre trust was -

Mr Blaikie: It was a Government body.

Mr TAYLOR: That is right. That would be the effect of the legislation. It was quarantined from the Trades Practices Commission regarding that Act and was able to override what was happening in that case.

Mr Blaikie: Section 51 was included so that the State bodies could apply selectively to the Federal court - it has only applied once.

Mr TAYLOR: It has applied more than once.

Mr Blaikie: I tell you that it has applied only once.

Mr TAYLOR: It is a section which deals with State bodies and says that the Lamb Marketing Board and other such bodies are able to deal as a monopoly in Western Australia.

Let us not kid ourselves about this. We have our cards on the table; let us make up our minds on this matter and make an heroic decision to keep the *Daily News* afloat so that this State has an evening newspaper, and also to keep these people in a job. We must face this decision. I know that the Opposition may have had some discussion about where it stands on this matter. Therefore, it is better to sort this out today and indicate where we stand otherwise we will keep people in hope over the weekend that they may have a job. Let us be serious about this. I have indicated where the Government stands, and it is important that all of us decide whether the legislation should be pursued.

Mr Blaikie: Having pursued the legislation, the Federal Government also has the absolute right to agree or disagree with the request of the State. What is the response from your Federal colleagues?

Mr TAYLOR: My Federal colleagues are not able to override our decision.

Mr Blaikie: Yes, they can.

Mr TAYLOR: They could pass legislation which would override our legislation.

Mr Pearce: There is no suggestion that they will override the legislation, if that is what the member is suggesting.

Mr TAYLOR: This is up to us.

Mr Blaikie: Will you give us some sort of response from your Federal colleagues about whether they are prepared to agree to the legislation?

Mr TAYLOR: It is our legislation. We run this matter in our State. If we want to pass it, we will. The Federal Government has made it quite clear that, as far as the *Daily News* is concerned, it accepts the Trade Practices Commission's decision - it has washed its hands of it. I do not agree with that, but that is the view held even though that has not been made clear on the public record.

I realise that this kind of issue causes all of us concern. From the Government's point of view I reassert the position that it is a worthwhile action. If it was not worth pursuing, we would have forgotten about it by now. From the very time that the QC made the view known that it was possible to legislate in this manner, we could have said that that cannot be done.

Mr House: That opinion is very important. Are you prepared to table that for members in this House?

Mr TAYLOR: Yes, I am. It is an important issue which members should consider seriously and it bears on the decision which will have to be made next week regarding the legislation. In the meantime, we as a Government want to know where the Opposition parties stand regarding this issue. It would be a waste of time dealing with the matter in Cabinet on Monday and perhaps introducing legislation early in the week if we were aware that the legislation would cause a furore in the Parliament, and cause people who used to work for the newspaper to have a hope over the weekend that their jobs may be saved only to find that the legislation is going nowhere. I do not pretend that it will not be difficult for all members. I realise the difficulties it might cause in the ranks of the Liberal Party in particular, but it is something that all members must face up to and give an indication of where they stand. Members should support the motion I have moved which states that this House should support in principle legislation to allow the purchase of the *Daily News* by *The West Australian*. It is important that we have an evening newspaper in Perth and it is important that we give these people an opportunity to have a job. It is absolutely critical that we receive from the board of West Australian Newspapers Ltd a clear and unequivocal indication that not only will the newspaper open and people be re-employed, but also that that will be the case for a couple of years ahead. That is an essential part of any legislation which may come before the Parliament next week. I ask members on both sides of the Chamber to support this motion.

MR MINSON (Greenough - Deputy Leader of the Opposition) [3.00 pm]: A number of very important principles are involved in this debate, not the least of which relates to a single newspaper covering an area the size of Perth. Every city the size of Perth, or even considerably smaller, should have more than one newspaper. A second principle concerns the fact that about 200 jobs have been dispensed with when that may have been avoided. The Trade Practices Commission could have shown more concern for those 200 jobs. A third principle concerns the fact that, by making this decision, the Trade Practices Commission has created a monopoly - the situation that it endeavoured to avoid.

The Opposition would prefer that the *Daily News* was owned independently from *The West Australian*. However, it has become obvious in the last few weeks that there is no other -

The SPEAKER: Order! I am quite happy for the people in the Gallery to listen to Parliament but they do not have the right to slam the chairs down deliberately and disturb the Parliament, as they have been doing. If they continue to do that I will clear the Gallery. I would rather have them here, but when they are here I expect them to display reasonable manners.

Mr MINSON: A genuine buyer for the *Daily News* has not emerged over the past few weeks; therefore this State is faced with deciding whether two newspapers should be owned by the same company. If that were Hobson's choice, Western Australia would probably be better off with two newspapers. The *Daily News* and *The West Australian* shared common ownership for many years and, as far as is known, that did not create problems. Joint ownership does not necessarily mean that editorial collusion will occur, or that pressure will be placed on both newspapers by the owners.

The SPEAKER: Order! I will point this out once more. The next time a seat is slammed down I will clear the Gallery. Matters of public importance are being discussed in this place

and members of the public must behave in an orderly fashion, as must members of Parliament. The next person who chooses to disrupt the Parliament will prompt me to clear the Gallery. Please abide by my request.

Mr MINSON: Another principle concerns the fact that a commission based in the Eastern States has told Western Australia what is good for it and what it can have. The events of the past few days have provided a good illustration of the reason State Governments are needed. Isolated States like Western Australia should resist controls imposed by a central Government. However, the Trade Practices Commission's ruling must have been based on reasons which members of Parliament need to know. Because this motion was introduced suddenly no-one in this House - certainly not on this side of the House - has been able to review the ruling of the Trade Practices Commission. It is not known whether the decision has wider ramifications that may cause problems in other areas; therefore, while agreeing to this motion, the Opposition will seek a full legal briefing on the ramifications of the relevant legislation to be passed next week.

A further concern raised with the Opposition in the last hour or so is that there may be more to the move by the owners of Western Australian Newspapers than meets the eye. I refer to allegations by some people that the owners of the *Daily News* have for some time been warehousing that newspaper for the owners of *The West Australian*. The people making those allegations asked the valid question, why had that newspaper's debt been allowed to build up?

Mr Taylor: That is a fair question.

Mr MINSON: I thank the Acting Premier for that comment. The Opposition's support for the legislation would be subject to its not involving any State Government financial or contractual obligations. By provisionally supporting the legislation today, the Opposition reserves the right to change its position after reviewing the legislation and after receiving a legal briefing.

I agree with the Government on the issue of watertight agreements. We understand that it is not possible to receive watertight assurances in these situations. Nevertheless we will be seeking legislation which, as near as possible, protects the jobs of *Daily News* employees. We will also be looking for some assurance that *The West Australian* will not take over the *Daily News*, keep it running for a few months, and then close it. We would not like to find out afterwards that that was *The West Australian's* intention all along. In other words, the Opposition would like the legislation to include provision for *The West Australian* owners to on-sell the *Daily News* if, after a time, they did not want to continue publishing it.

The Opposition will look for those assurances that I have outlined when the legislation comes before the House next week.

MR HOUSE (Stirling) [3.08 pm]: The National Party strongly supports keeping the *Daily News* open. It supports the principle of retaining a second newspaper in Western Australia. It further supports the principle of legislating to allow the *Daily News* to remain operational in Western Australia. However, we have a number of questions, because it is very difficult to give unqualified support to something we are not sure about. Provided the proposed legislation does not differ in principle from the issues we think are important, which I will outline in a moment, we support this move by the Government.

The Acting Premier made the point very clearly that setting a precedent in relation to retrospective legislation is a very difficult thing for us to do. Most of us have agreed in the past that we are not keen to support retrospective legislation. In that context I find it difficult to understand how it can override Federal legislation. That is why I requested the Minister to table a copy of the decision of the Queen's Counsel from which he quoted.

Mr Taylor: Table it or give it to you?

Mr HOUSE: Table it. Then all members of Parliament can look at it.

Mr Pearce: I will speak in a moment and table it then.

Mr HOUSE: I thank the Minister. I would like to have a copy of that opinion to look at over the weekend so that we can form a conclusive opinion about it.

Among other important matters to be considered is the guarantee of jobs to the people who

have been employed in the *Daily News*; not only the immediate staff and reporters, but also those who are involved outside the *Daily News* building. The distribution network and other people need to be supported.

Mr Taylor: Like the guy who flies the papers to Kalgoorlie. He will probably lose his airline.

Mr HOUSE: That is the sort of example we need to consider.

I am concerned that, if we pass this legislation, the State will not be liable for any losses that might be incurred. Everybody is aware that the *Daily News* has been running at a loss and that there needed to be some reorganisation. If we, in supporting this legislation, incur a loss -

Mr Taylor: I give you an absolute guarantee that not one single taxpayer's dollar will be guaranteed.

Mr HOUSE: I am pleased to hear the Acting Premier say that. I would like to be absolutely sure that the legislation is as specific about that, too. I would like the Acting Premier to clarify that when he has the opportunity to sum up the debate rather than give that guarantee by interjection.

I am also interested to know how long the legislation will remain in force because that may have an ongoing and continuing effect, not only on the *Daily News* but also on *The West Australian* because West Australian Newspapers Ltd owns 49 per cent of the *Daily News*. We need, therefore, to look at what effect that legislation might have. We may not be aware of all the ramifications that might come from a decision of this Parliament.

I guess that leads me to the future ownership of the newspaper. We do not want to be locked into a position whereby West Australian Newspapers Ltd cannot in time divest itself of the *Daily News* if the opportunity presented itself and it wanted it to do so. I agree with the Deputy Leader of the Opposition who said that the *Daily News* and *The West Australian* had one owner in the past. The situation may come when they need to be separated in the future and when we should make sure that the legislation does not prohibit that.

Mr Pearce: They were originally separated because Bond bought Channel Nine and he breached the cross-ownership rules.

Mr HOUSE: I understand that. However, the legislation may interfere in an area in which we have not been involved before. Everybody in this State would agree that the less Government interference, not only in newspapers, but also in other matters, the better. The Government would agree to that also, given the benefit of hindsight. I want to make sure that the National Party will not be locked into legislation which might cost us dearly in the future and which might prohibit ownership of the paper being transferred which may well be in the best interests of the people we represent.

With those qualifications, we will support the legislative package proposed to be introduced next Tuesday.

MR CLARKO (Marmion) [3.15 pm]: It would be advantageous for our State if the *Daily News* continued being published. However, that must not be at any financial cost either to the general community or to the taxpayers of Western Australia. The *Daily News* has been an important part of my life. I have been buying the *Daily News* for about 40 years, ever since I first went to work as a teenager. I bought it every day and read it on the bus as I travelled home.

Mr Taylor: I used to watch you struggle over the crossword.

Mr CLARKO: I will come to that. I enjoyed the *Daily News* and have missed it since it ceased publication. I want that newspaper to begin publishing again. Like many other Western Australians, I read the newspaper backwards. I invite those members who are old enough to remember the days when Kirwan Ward had his column and Paul Rigby his cartoon on the back page of the *Daily News*. The member for Bunbury is nodding his head. We would buy the newspaper, turn it over and read the column and look for the little urchin in the cartoon. Since I have come to the Parliament, I have noticed a few of those here. That was a six day event. On Saturday it was a little difficult to carry on with the ritual because, in winter, if members were like me and had an avid love for football, they would go to the football. I would watch the best team in the league, Claremont, play.

Mr P.J. Smith: With your handbag?

Mr CLARKO: Not at all. In those days, not like today, they lost most of the time. I would look for the newspaper boy and buy the early edition. I would devour it during half-time and about six o'clock in the evening, like many others in the metropolitan area, I would go to the newsagents and buy the late sports edition with the green pages inside and read about what I had seen. Some members may think that is trivia but that was part of the lifestyle of a large proportion of people living in the metropolitan area with variations in the country. That part of our social history is important to us all.

Since I have been in Parliament, I have welcomed almost all of your decisions, Mr Speaker. However, the one decision with which I never agreed was the decision barring members from reading newspapers in the House. Many people can do several things at once. While I was reading the newspaper if somebody spoke about education or local government, I picked it up immediately as would other members pick up on their areas of interest. One of my colleagues who does not have the dreadful background of being a chalkie like me asked me how he could improve his fluency in English and I told him to do crosswords.

Dr Watson: He asked you to help?

Mr CLARKO: No, he was not that foolish. He became a good doer of crosswords. Members opposite may appreciate that doing the crossword in the *Daily News* is like doing seconds at football. All of the highly educated people in the Gallery would do the crossword in *The West Australian*; however, I did the crossword in the *Daily News*.

Mr Court: Whenever I borrow your paper, you tell me not to do the crossword.

Mr CLARKO: That is right.

There is a story in today's *The West Australian* about an elderly gentleman who enjoyed reading the *Daily News* in the later hours of the day. I hope the *Daily News* is published again and that it gives pleasure again to ordinary citizens.

It appears that the only way that we can re-establish the *Daily News* is for this Parliament to pass legislation to bypass the Trade Practices Commission. I support that, subject to an examination of the legislation. Most importantly, the legislation must not commit the State in any financial or contractual way. Obviously, the majority of people in Western Australia do not want to extend the activities of WA Inc.

Mr Taylor: It will not be legislation dealing with financial matters; it will deal with a legal route around the Trade Practices Commission's ruling.

Mr CLARKO: A real need exists for West Australian Newspapers Ltd to commit itself to purchase the *Daily News* and agree to operate it for a specified period. I understand a period of two years is being floated; however, that is not long enough and I do not believe the newspaper should be pressured by limiting the period. In the last few days we have witnessed the results of the release of the report of the Trade Practices Commission and comments made by the chairman, Professor Baxt. He said that if the *Daily News* were acquired by West Australian Newspapers Ltd it would create a monopoly on news in Perth. He then took action which he knew full well would lead to the closing of the *Daily News*, and thus created a monopoly. In the first place he argued against a monopoly situation and in the second place he took action to create one. That is ridiculous in the extreme. I do not understand how he could have passed his examinations. A system exists in India whereby one person will sit an examination on behalf of another; perhaps that is how Professor Baxt gained his qualifications. I cannot understand how a professor could have made such a decision. A 10 year old boy selling the *Daily News* could whip a person with such an intellect when doing a crossword.

Mr Taylor: I think it is fair to say that the blame is not with the professor but is with the legislation he is required to deal with.

Mr CLARKO: I watched a television program in which the *Daily News* journalists asked Professor Baxt some questions and I understand from that program that the Trade Practices Commission had the capacity not to take the action it took.

Mr Pearce: It could have decided not to take that action. It was done in a case in which I was involved to keep Skywest Airlines Pty Ltd going. I made several direct representations

to the Trade Practices Commission and, although it was a monopoly situation, the commission was prepared to allow Skywest to operate on the basis of the best interests of the State.

Mr CLARKO: If Professor Baxt and other members of the commission had the capacity to take alternative action and did not do so, they are a bunch of dills. That is a handy word for crosswords because it fills up the spaces.

Mr Pearce: What is the clue?

Mr CLARKO: Pickle, and I am not referring to WA Inc or the petrochemical project. I refer to dill pickles. A person must do crosswords to understand that.

If the State Government were to step around Federal legislation, it would be like devouring fresh marron, which is a delightful experience. Those who have lived in Perth for many years will know that *The West Australian* and the *Daily News* were owned by one organisation for years. Both newspapers had a clear editorial policy to be discrete and they took different standpoints on many issues. The journalists fought at the coal face to beat each other to different stories, and the *Daily News* broke many news items. At present no afternoon newspaper is circulated in Western Australia. By the time we receive our newspapers at six o'clock in the morning, much of the news is old. I hope that journalists from *The West Australian* are in the Press Gallery and listening to my comments. It is ridiculous that people in the northern suburbs get the same early edition of *The West Australian* as do the people in the country. I have spoken to Leo Johnston of *The West Australian*, a former Claremont footballer, but I have not received a satisfactory explanation as to why people in the northern suburbs get such an early edition.

When West Australian Newspapers owned *The West Australian* and the *Daily News* we got information from both sources; that was the practice and not the theory presented by Professor Baxt and company. We read differing viewpoints in each newspaper although they were owned by one company. In all those years no significant protest was ever made in Perth about the fact that the newspapers were owned by one company - although an odd letter or two may have appeared - nor was it suggested that Western Australians were denied an alternative point of view. It is important that we support the people employed by the *Daily News*, subject to my earlier proviso. I want to be able to read the *Daily News* each afternoon. I am aware of a problem with a debt of approximately \$17 million and of course that matter must be resolved. However, this Parliament will not legislate in that area.

Mr Taylor: Absolutely not.

Mr CLARKO: I ask the Minister to restate the legal position. Is it quite clear from his advice that this Parliament can take action to bypass the Trade Practices Commission?

Mr Taylor: I will table the legal opinion when I reply to this debate. That opinion states, and the Crown Law officers who have looked at it, although they have not had much time, have reached the conclusion, that there is a way around it.

Mr CLARKO: Of course, Professor Baxt argued that if the *Daily News* ceased operation that would leave a void which could be filled by other newspaper proprietors. We have heard that argument in Western Australia for decades. We recall the actions taken by the late Mr Holmes a Court. When he published *The Western Mail* he created a dummy which later enabled him to take over *The West Australian*. Unfortunately, that alternative newspaper did not continue for long. Of course, the financial situation has a bearing on these matters and that is why no-one else is interested in publishing another newspaper in Western Australia. For that reason it is important to support the only player in the field at present, West Australian Newspapers. I hope the Government will take the proper steps to ensure that whatever is done, this legislation will not commit this State in financial or contractual terms to become involved in the financial difficulties of the *Daily News*. The Government should also ensure that the Opposition has ample opportunity to study the legislation, which we hope will produce an excellent result for Perth in particular and for Western Australia in general. In conclusion I say: Bring back the *Daily News*.

MR THOMPSON (Darling Range) [3.28 pm]: Notwithstanding the fact that the management of the *Daily News* caused me severe financial injury in the past, I have recommended to the members of my party that we join the Government and the Opposition in supporting this motion.

Mr Pearce: Did you get agreement?

Mr THOMPSON: Total agreement. We had a full-scale debate, but finally we reached a unanimous decision.

Mr Pearce: Was your party meeting held on a fence?

Mr THOMPSON: Perhaps. The financial injury to which I refer occurred when the price of the *Daily News* was increased from tuppence to threepence. In those days I was a paper boy and sold the *Daily News* outside the Midland Workshops at a time when it employed 3 500 people. The public sector has suffered an emasculation over the years, and I believe some people at the front of the building are talking about that today. Many of those 3 500 workers passed my stand and at that point I had the most lucrative position in the line. The custom was that new boys were in the worst position and as those ahead of them left, if one could fight well enough, one moved up the line. I was in the best position when the price was increased from tuppence to threepence. When the price of the paper was tuppence those workers who were prepared to give me a threepenny bit and take the paper and not accept the penny change very significantly advanced my financial position. However, when the price of the paper increased to threepence, that was the end of the penny tip.

Mr Troy: So did you sell out?

Mr THOMPSON: No. So despite the financial injury that it did me I am prepared to stand here today and support this move to allow the *Daily News* to continue. To give support for other newspapers in this State is not something that is new to me because in the early 1970s when the *Independent Sun* started - and I think it produced only about four or eight issues - I used to sit behind the then Leader of the Opposition, who thought he was somewhat of a target of the *Independent Sun*, and he was not too worried about the *Independent Sun*'s going under. I can remember asking the then Deputy Premier, Don Taylor, why the Government had adopted a policy of not advertising in the *Independent Sun* because on the front page editorial of the last edition of that newspaper the editor quoted a letter that had been written by the then Government to the newspaper, saying that the Government would adopt a "wait and see" policy with respect to advertising in the *Independent Sun* to see whether the newspaper would continue. The editor was making the point that without its getting the support of advertisers, the newspaper could not continue.

I can remember asking a question about that at that time. I telephoned the question through to the Minister's secretary, and he commended me on the quaint terminology I had used. The question concluded by asking, "Will the Minister concede that he contributed to the setting of the sun?" I thought that was a pretty good question, but my leader subsequently put me on the mat and gave me a bit of a dressing down for it.

It was my view then, and it is my view now, that there should be a second newspaper in this State, not only an afternoon paper but also a second daily morning paper. The attempts that have been made over the years for that to occur have failed. We have seen *The Western Mail* go out of existence, and that was a pity. We need to look more deeply at what has given rise to this situation. My good friend, the member for Marmion, has demonstrated that there is no lack of support from readers of the *Daily News*. Obviously the newspaper is in financial trouble because there has not been support from advertisers. Anyone who knows anything about the running of a newspaper will know that the price that is paid for it barely pays for the newsprint. Newspapers survive on their advertising revenue.

The fact that the *Daily News* is in trouble and that small businesses throughout this State are feeling the pinch is a demonstration of the parlous state of the economy in this country. It is because of that economic situation that the *Daily News* has got into difficulty, and this will not be the end of it. The *Daily News* is only one example of the economic plight that this country faces, and failures in business will continue while the economy is as sick as it is. So it is not enough to just blame the Trade Practices Commission. The commission has certainly brought about this situation by the action that it has taken, but we need also to take into account the more serious factors that lie behind this position.

The demise of afternoon newspapers did not start in Perth. In fact, the demise of afternoon newspapers in cities around the world has been going on for some time, so we are not out of step in that respect. I really cannot see why that has occurred, although I suppose one must accept that commercial television has contributed to that because only a certain amount of

advertising dollars is available, and given the attraction that television has to advertisers, and given that the *Daily News* is published not much earlier than when most Western Australians are watching television news programs, I suppose preference is shown by advertisers for the more glamorous - although some people would say that, I do not necessarily agree - medium of television.

The moves that are contemplated by the Government deserve support, and I hope they succeed, but I say very deliberately that until such time as the economic situation changes, no matter who owns the *Daily News* it will be difficult for it to survive. The mere fact that the *Daily News* has had this hiccup at this time, and even if this proposed Bill is passed, and I expect it will be, and if the *Daily News* gets going again, means that it will require the support of advertisers to make it a viable operation. It is necessary to do more than just pass this legislation to patch up something that has gone wrong. We as leaders in our respective communities need to encourage people to advertise in the *Daily News* because if the advertising dollars are not there then the paper will most certainly become a financial burden to whoever owns it.

I recall the days when the *Daily News* and *The West Australian* were owned by the same company, and I confirm what the member for Marmion has just said; that is, there was rivalry between the journalists and editorial staff of those newspapers. Indeed, I cannot recall very many times when it was suggested that there was anything other than a very independent operation of each of those two newspapers, although I can certainly say that in the time that the Bond organisation has owned *The West Australian*, and particularly when the Bond organisation has been involved in all the business dealings that have been going on around the town, that people on this side of the House have seriously questioned whether *The West Australian* is free of direction from its ownership. It is laudable that the Opposition is prepared to support a second newspaper in this State, under the ownership of the same organisation, notwithstanding the fact that many members in our ranks have been critical of the editorials or of the performance of *The West Australian* because they have sensed some sort of interference by the owner in the editorial policy of the newspaper.

While the Trade Practices Commission has come in for a hammering on this occasion I believe it is a very necessary organisation in Australia. It is a pity that it has been brought into disrepute as a result of this situation, but I suppose it was placed in a very awkward position. It clearly wanted to adhere to its responsibility of ensuring that monopolies do not exist, and has taken a decision which it believes would leave open the possibility for there to be no monopoly in respect of newspapers in Perth. However, the actual outcome of its decision is that we will finish up with only one newspaper, and that is a pity. I concur with the view that it is better to have two newspapers owned by the same organisation than to have one newspaper. So for that reason and the other reasons I have enunciated, I support the motion.

MR PEARCE (Armadale - Leader of the House) [3.40 pm]: I have probably been on the receiving end of more nasty editorials in the *Daily News* than anyone in the course of the past few years, but I support the motion to support the proposed Government legislation in principle.

In doing so, I say that the Government is not setting out to solve the problems of the *Daily News*, nor can it, and many of the comments made by the member for Darling Range were apposite with regard to that. In effect it is not Government interference at all in the process of newspapers or of business, it is Government interference in the process of Government; because all that the legislation will do is make null and void a decision of another Government's regulatory agency. If the newspapers were left to themselves, by now the *Daily News* would be in the stable of *The West Australian* and still on the streets of Perth. The Government would not be interfering in any business matter here, but rather in a Government matter. That is done on the basis that we do not accept the decision of the Government regulatory agency in this matter.

We believe that we are on strong ground, even in relation to previous decisions made by the Trade Practices Commission. I was involved at a stage when the Trade Practices Commission ordered Ansett Airlines to divest itself of the East-West/Skywest group. Members will recall that East-West Airlines was set up - and I think it owned Skywest Airlines at that stage - to operate in competition with Ansett. It was not able to operate

viably so it was put up for sale. No-one would buy it but its competitor; Ansett Airlines bought it and that level of competition disappeared. The Trade Practices Commission then gave an instruction to Ansett Airlines to divest itself of East-West Airlines and Skywest Airlines but there were no viable buyers in the marketplace.

As the then Minister for Transport, I met all of the potential buyers. The position was that, because of the way in which the Trade Practices Commission forces these things on people, Skywest could have been forced to be sold at a discount to an incompetent potential operator. I was quite satisfied that none of the people who were proposing to bid for East-West and Skywest could in fact operate those airlines - they had no history of airline operation. The Government of Western Australia might have an ideal of competition but it has an absolute responsibility to provide service, and if Skywest had been operated incompetently, made bankrupt or forced to close down, which Ansett was threatening to do, the service to major Western Australian towns would have been lost. I made a direct approach to the Trade Practices Commission to say that the State of Western Australia supported the position of Skywest's staying in the Ansett stable, purely on the basis that it was the only way to guarantee service to the towns. I must say that on that occasion the Trade Practices Commission bought that argument and did not insist on its former ruling.

Mr Blaikie: On that point, it bought that argument because of the service to the wider community, not because of the lack of employment for staff.

Mr PEARCE: That is right; but that is why they should do it in this case. The Government is not seeking to solve the problems of the *Daily News*; nor can it. It is seeking to allow a climate in which the *Daily News* may be able to continue. That is why I found a little strange the suggestions some members on the other side of the House put forward about all sorts of conditions which should be attached to the proposed legislation. What they are seeking to do, in fact, is to put Government regulation on the way in which business might operate, with all of the things which flow from that. We agree with those things in many cases, but there is no proposition that the legislation would prop up the *Daily News*. It would not be legislation to prop up the *Daily News*, legally, financially or in any other way. It would be legislation to strike out an action by a Federal Government regulatory body which would allow the business people involved in the media in this State to get on with it and to keep the *Daily News* going. So it is not a Government involvement in business in that sense, it is the State Government using its clear power to defeat a decision of a Federal Government agency. It is between the Governments and has nothing to do with involvement in business in that sense.

Mr Clarko: You should not protest too much, seeing as the SGIC owns 19.9 per cent of *The West Australian*.

Mr PEARCE: I am sure the SGIC would get out of it if it could find a buyer.

Mr Clarko: You people probably approved the SGIC going into it.

Mr PEARCE: No, Cabinet has never approved any of those things and I made that quite clear to people who were here for the discussion about that yesterday afternoon.

The problems with the *Daily News* are far wider than the problems simply of its shift from one ownership to another. In my view, for the past three or four years the *Daily News* fundamentally has been a bad newspaper, and that is one of the reasons people have not been buying it. The irony is that I think it has improved over the past few months. One of the reasons it has been such a poor newspaper over the past few years is that it was trying different avenues in order to try to capture a readership. People will recall that brief foray into tits and bums which went with the change of ownership.

Mrs Edwardes: Page three!

Mr Clarko: Sir Larry Lamb.

Mr PEARCE: I can recall page threes being in the *Daily News* for a long time before "page three" came to have the meaning to which the member for Kingsley points. We had that brief foray; then we had the Sir Larry Lamb sort of stuff. We had all sorts of cheap sensationalism in order to try to capture a share of the market.

Mr Clarko: It passed out of that stage. You said it had improved over the past few months but I think it improved before that.

Mr PEARCE: The *Daily News* had passed out of that stage, but I thought one of the most compelling comments on this issue was made by three ex-reporters of the *Daily News* who were interviewed on a television current affairs program about those very things. One of them made the point - and I suppose retired people always do - about journalistic standards and the like. I think the *Daily News* really has a question to answer in that regard. In fact, the people of Western Australia have been holding it to answer some of those questions and they have been voting with their threepences by not purchasing it. That has been one of the problems for the *Daily News*. It is not a problem unique to the *Daily News* because, as other members have said, afternoon papers generally have had a hard time in the marketplace because of the incursion of evening television, which has really replaced the role the *Daily News* might have played in the boyhood days of the member for Marmion and myself. Therefore, the newspaper had to find a different level, but it must be a level which has some journalistic integrity. I have crossed swords often enough with the *Daily News*.

Mr Clarko: That is not surprising. You would expect that, wouldn't you?

Mr PEARCE: I do expect that, and I do not mind it. That is why I support the proposition that there should be an afternoon newspaper for the people of Western Australia. We have only one, the *Daily News*, and it ought to be allowed to continue and not be struck down by what I think is a whimsical decision of a Government regulatory authority which is not made in the best interests of the people of Western Australia. We are not seeking to protect the *Daily News* from competition. Anyone can start a daily newspaper, today or tomorrow.

Mr Blaikie: Don't you mean you are not seeking to protect *The West Australian*?

Mr PEARCE: We are not seeking to regulate a monopoly to any of these newspapers. Anyone could buy the *Daily News* if he wanted to do that now, and that would end the problem; but no-one wants to. Anyone can start a daily newspaper if he wants to, but no-one wants to. In the meantime there is one group which is prepared to keep an afternoon paper going. That is *The West Australian*, and it should be given the opportunity. That leads to the ultimate irony: The situation we are facing is not different from what we have had over almost the whole history of newspapers in this State. As I pointed out by way of interjection, when Mr Bond was forced to divest himself of the *Daily News* because of the joint ownership of *The West Australian* and the *Daily News*, it was not because of the *Daily News* being in the same stable as *The West Australian*; it was because Mr Bond bought Channel 9 and ran foul of the cross-ownership media rules of those times. Now, of course, Mr Bond does not own Channel 9 at all, so the situation has returned to what was previously the case.

When there was a proposal for the *Daily News* to go back to *The West Australian* - previously knocked back by the Trade Practices Commission - it was on the basis that it would take with it all of the community newspapers, so that the Community Newspaper Group, the *Daily News* and *The West Australian* would all be in the one stable. The Trade Practices Commission, again I think reasonably, said, "No, that is too much concentration." So, at long last, the owners of the *Daily News* did what they probably should have done in the first place; that is, they detached the *Daily News* from the rest of the conglomerate - because the community newspapers operate very profitably - and returned to the situation that applied for much of the history of the State between the *Daily News* and *The West Australian*. I cannot understand why the Trade Practices Commission decided to knock that back, particularly as it had given a fairly broad hint the last time around that it would be prepared to accept an arrangement made on that basis.

It is not in the best interests of the State of Western Australia for there not to be a metropolitan afternoon newspaper. The people of Perth are entitled to one. The action the Government proposes to take by this legislation is designed to allow that to happen - not to set it up or force it, but simply to allow it to happen. The reason we are doing it by way of motion today rather than by waiting a week or two for legislation to be drafted is this: If there is a clear statement by both Houses of Parliament that they are prepared to pass legislation to this effect, the receivers and owners of the *Daily News* will know the grounds on which they are working. If the hints made by some people in *The West Australian* are right, they may be prepared on the basis of a commitment by Parliament to reopen the *Daily News* prior to the passage of legislation. If we can have the *Daily News* back on the streets next week as a result of this motion's passing both Houses this afternoon we will have done a great service to the people of Western Australia.

Every time I read an unfavourable editorial from the *Daily News* I will probably regret this speech. Even if I do regret it I will be wrong in that regret because the democracy we have requires a lively and vigorous medium. Whatever else one might say about the *Daily News* one could not say that it was not a vigorous participant in the media life of this State.

MR BLAIKIE (Vasse) [3.51 pm]: Debate on this motion is probably one of the most difficult debates in which I have taken part. I question the motion, but I am not at this stage prepared to oppose it. After spending 19 years in this place, whatever reasons I may pose for my questioning of the motion, one substantial reason would be that some of the decisions made in Parliament have subsequently proved to be ones about which we should have been more cautious and considerate.

This House is urged to support in principle legislation to allow the purchase of the *Daily News* by *The West Australian*. The journalists and staff employed by the *Daily News* find themselves in an uncomfortable situation and we have a great deal of sympathy and understanding for them. It is a matter of concern to all members of Parliament when an institution such as the *Daily News*, which has been running for about 100 years, closes its doors. The motion will receive a great deal of sympathetic support.

The Leader of the House expressed his concern that the problems of the *Daily News* were wider than the change in ownership. I do not know if that is the case. I am not aware of all the facts. I am aware only of comments on the electronic media and the comments I have read in the printed media. Very few members of Parliament would have read the report of the Commissioner for Trade Practices, Professor Baxt, so most members would have formed their opinions from comments by the media. If decisions in Parliament are made purely on the contents of the printed and electronic media, without members' informing themselves properly of the true circumstances, the Parliament does a disservice to the people of this State.

I have taken the trouble to obtain part of the Trade Practices Commission report relating to the *Daily News*. I have been advised that only three people have received that report, one of whom is the Acting Premier. I am not sure whether other Government members have received copies of that report or whether they understand the contents of it.

Mr Taylor: I have a copy; I do not know of any other member who has.

Mr BLAIKIE: Have other members read it?

Mr Taylor: We have discussed the issue.

Mr BLAIKIE: I have considered part of the report and wish to place some comments on the record.

Part 8.39 of the report indicates -

The accumulated losses of the *Daily News* have increased from \$371,517 for the year ended 30 June 1987, to \$4,471,552 for 1988 and to \$12,613,657 for 1989. In the circumstances the Commission would have expected decisions affecting levels of employment to have been made some time ago. In any case it is almost inconceivable that levels of employment could remain at the present levels.

So notwithstanding any action we may take, it appears on my reading of the report that the *Daily News* was already in fairly significant trouble.

The report goes on to indicate that notwithstanding the fact that the *Daily News* is in trouble with its outstanding commitment to WA Newspapers, WA Newspapers had a significant shareholding in that newspaper, something like 49 per cent. That being the case, why did not WA Newspapers act sooner in relation to its level of indebtedness rather than allow the situation to continue? That is of great concern to me.

The Trade Practices Commission has made a decision and several hundred people are faced with personal ruin. As members of Parliament, we should find a way to assist those people but I am not sure that the passage of this motion will bring about the conclusion for which members hope. I consider it unusual for us to debate such a motion, in that the proposal is that legislation will be brought before Parliament next Tuesday - subject to the attitudes of members of Parliament - and I do not wish to signal the demise of future legislation. Yet we have received no briefings regarding the circumstances of the employees of the *Daily News*,

the management of the *Daily News*, the attitudes of the *The West Australian*, or the attitudes of the Heytesbury Group.

Have Government members received a briefing from the interested parties?

Mr Taylor: No. I have had a briefing.

Mr BLAIKIE: Some discussion should have taken place. I will stress to members on this side that we should undertake some discussion - whether with the liquidator or the management of the *Daily News*. The motion represents placing the cart before the horse.

I would have expected the Australian Journalists Association to contact the Opposition, the Government, or individual members of Parliament to brief them about its members' concerns. As I have said, we have read comments in the printed media but we do not always act on what is contained in newspapers. I would expect a far wider interest than has been the case. Three or maybe four members at the most - that is probably being generous - have bothered to read Professor Baxt's report, and that is of concern. I plead with the Acting Premier; if it is the Government's intention to proceed with this legislation, the Government has an obligation to ensure that members of Parliament on both sides are properly briefed and whatever questions are raised should be answered. If the Government is indicating open cheque support without a briefing for all members, that is simply not on. We must know the full financial implications if the State is to be involved in this way. In recent years we have heard comments which have proved to be valueless; I am not making a political reference; I am referring to good business sense and propriety. We need to sit down on a one to one basis on this matter.

Mr Pearce: What was the decision in your party room on this? I believe that in another place your colleagues have refused to pass a similar motion.

Mr Shave: They held a meeting after we did.

Mr Pearce: I am curious about what the party position is.

Mr BLAIKIE: My time is too short to discuss this.

Mr Pearce: We did not anticipate that anybody would not want to help the *Daily News*.

Mr BLAIKIE: I look forward to a response from the Acting Premier as to whether the proposed legislation will affect any court proceedings currently before the courts such as the Bond Corporation suing the State Government Insurance Commission. If any effect on the proceedings is likely regarding the SGIC and its transfer of Bell shares and its attitude to Bond, this is a matter which the Parliament needs to understand. I was concerned that some of the matters discussed here today were in line with a number of court cases before the Supreme Court. On Monday morning members of Parliament and West Australian Newspapers Ltd will contest a matter and I wonder whether the sub judice rule would apply to these matters. These are all issues which should be properly addressed by members of Parliament before members can understand the issue and offer support.

I have received advice - I hope that it is not correct - that while the State can move legislation in this way to allow WA Newspapers to buy the *Daily News*, the Federal Government has a regulation which enables it to oppose a State decision. In proceeding down this path, and in gaining the support of the House for this legislation, we must be sure that the Federal Government also supports the legislation. The next avenue open to the State, if the Federal Government opposes the legislation, would be an appeal through the High Court, and that process could go on for a long time. The worst set of circumstances is the fate of the hundreds of people who are expecting assistance from the Parliament and believe in their heart that what the Parliament is attempting to do is in their interests. I raise the question with the Acting Premier: What decision has he had from the Federal Government regarding its approval of the transfer?

Mr Taylor: The QC's opinion does not refer to what you are talking about; if we put it together, it will overcome the problem.

Mr BLAIKIE: This is not matter of determination by the QC's opinion and it is not a matter of determination by law; it is a matter which will be determined by the policies of the Federal Government in Canberra. That Government will determine whether it agrees with the State legislation and this matter needs to be resolved. The decision from the Federal Government

must be conveyed to the members of this House and to the people of Western Australia. The sooner we know the better.

In conclusion, section 843 of the report states -

In relation to Heytesbury's intentions, the Commission notes that WAN's guarantee to continue publication of the *Daily News* is only for a period of 18 to 24 months (and even subject to a general qualification), and would not necessarily hold if Heytesbury were to enter the market in this period of time.

The Trade Practices Commission said that notwithstanding the decision of West Australian Newspapers Ltd to buy the *Daily News*, it has already said that the newspaper would exist for only 18 to 24 months. Also, under certain qualifications Heytesbury Holdings would produce a newspaper anyway. Section 842 of the report states -

First, Heytesbury Holdings has signalled an intention to enter the Perth newspaper market irrespective of the Commission's decision. Second, if Heytesbury were to acquire the *Daily News*, it has indicated that it would maintain the *Daily News* as an evening newspaper until at least 1992.

These are two serious points: First, the Heytesbury group could only operate the *Daily News* until 1992 and, second, there is no guarantee that if WA Newspapers acquires the *Daily News* it would continue beyond 1992. My assessment is that what the Parliament is being asked to do is to consider whether the masthead price of \$250 000 from Heytesbury was fair and reasonable and whether WA Newspapers' agreement to take over the accumulated debt of \$13 million was fair and reasonable. We should not be involved in these things. The commission's conclusion was as follows -

The anticompetitive effect that would flow from the creation of a dominant firm, if the acquisition, the subject of this application, was allowed, would make competitive entry for a new metropolitan daily paper difficult by virtue of the barriers created.

The conclusion then stated that a decision "would constitute substantial deterrents to any new entrant". While there is some commendation of the Government's intention in its care for the hundreds of people who are now unemployed, a series of questions must be answered to satisfy the Parliament and to satisfy the concerns of the people. Members on this side of the House have not been given all the facts and they are not sure whether the proposed legislation, if it is introduced, will achieve the full results. I urge the Government to seek the responses it requires in the next two or three days and to ensure that briefings take place to allow members to become better informed than they have been to date.

MR SHAVE (Melville) [4.11 pm]: Some members on this side of the House have considerable concerns about the *The West Australian* taking over the *Daily News*. I am one of those members because I am concerned about monopoly situations. No-one objects to the principle of retaining jobs and no-one objects to the principle of having an evening newspaper. However, the principle of a monopoly situation concerns me and other members on this side of the House.

It is not a matter of the interference by the management of *The West Australian* in the operations of the *Daily News* that concerns the Opposition; it is a matter of what will happen to other areas of the newspaper media in which the proprietors of the *Daily News* have an interest. We are concerned about what will happen to the community newspapers if the *Daily News* is taken over by *The West Australian*. It would allay the fears of some members on this side of the House if the two groups remained in separate companies and were not controlled directly and no joint control over the community newspapers was given to *The West Australian*.

If *The West Australian* gains control of the community newspapers through its acquisition of the *Daily News*, the Opposition will have major objections, particularly with the issue of job security. Some members on this side of the House believe that for some time *The West Australian* would have dearly loved the community newspapers to go out of production. When one conglomerate gains control over the industry and is able to get rid of community newspapers and channel the amount of advertising that goes through those newspapers into *The West Australian*, it would make that newspaper more profitable and it would reduce its overheads by not having to continue producing community newspapers.

I am told that *The West Australian* endeavoured to compete with community newspapers, hopefully to eliminate that opposition. I am not sure whether that is correct, but I hope that over the next few days I will be enlightened on the subject. I would not like to see the demise of the community newspapers and a supplement included in *The West Australian* to take their place. It may create a monster which we are not looking for. We could re-employ the people from the *Daily News*, only to find approximately 300 people employed by community newspapers will be out of work. Members on this side of the House want the board members of *The West Australian* to give an undertaking that if it takes over the *Daily News* the community newspapers will continue to operate in the same manner as they are now.

We must take into consideration that a number of people in my electorate and other electorates look forward to the community newspaper which, in many cases, is the only form of newspaper they receive each week. Their reason for that is simple: Many of them cannot afford to purchase *The West Australian* or the *Daily News* on a daily basis. Earlier today I discussed this matter on a confidential basis with the deputy leader. If *The West Australian* proceeds with its acquisition or takeover of the *Daily News*, members on this side of the House want, before they vote on the legislation, a commitment from the directors of *The West Australian* regarding the future of the community suburban newspapers.

If we are to agree to the proposal it will make it very difficult to establish an alternative newspaper. It will be less attractive if *The West Australian* controls the *Daily News*. As I said, if that is to occur we want an undertaking that the suburban newspapers which are enjoyed by many people will remain. Many people believe they are of better quality than *The West Australian*, but I do not want to be drawn into that discussion. However, the community papers certainly provide a lot of information on local issues and they have competent people working for them. I look forward to a response from the directors of *The West Australian* regarding their view on the future of suburban newspapers.

MR MENSAROS (Floreat) [4.16 pm]: To enable the Acting Premier to reply, I will be brief. All speakers, with the exception of one, indicated their support of the motion. At the same time, none of them was enthusiastic about a monopoly situation. The Government, when considering the legislation which will enable the Trade Practices Commission to exempt West Australian Newspapers from the monopoly situation, should consider some of the comments which have been made in this House, together with the proposal I will put forward.

Although there is no better present solution than that of *The West Australian* taking over the *Daily News*, the monopoly situation should not be perpetuated. In other words, I do not think it would be impossible to obtain a legally binding commitment from West Australian Newspapers, whoever the owners are, to divest themselves of the *Daily News* and to on-sell it if an offer is forthcoming. Of course, that offer should represent the market price and perhaps should not be less than the purchase price paid. This is only one condition and others have been mentioned by the member for Melville. It would reinforce the situation that although this Parliament appears to want to maintain the *Daily News* as a second newspaper, it is not enthusiastic about a monopoly situation.

All the comments about non-collusion in editorial policy were based on present and past premises. They could not have been based on future premises. Anyone who considers the financial situation seriously would not think that *The West Australian* will remain under its present ownership for very long. Sooner or later its ownership will have to change, therefore we must consider who would be interested in it and who would be in a position to buy it. Presently, there are only two people in the world - one is Maxwell and the other one is Murdoch.

Will the situation of non-collusion - of not using a monopolistic situation - prevail under this possible new scenario? That is the reason I ask the Government to try to devise - not necessarily in this legislation because it will aim to achieve something different; it will be requesting exemption which may or may not be granted - a method which will ensure that the monopolistic situation will last only for as long as it is necessary and will be alleviated by a commitment to on-sell the newspaper.

I agree that in a metropolis of more than one million people one or two newspapers are not enough. Of course, I can go back further than the member for Marmion, who sold

newspapers on the street. I can go back to a situation, particularly on the continent, where even small cities had a dozen newspapers, albeit there were few electronic media and no television. I wonder why Australian newspapers always try to claim to be neutral as I see no merit in claiming to be neutral when they cannot be, anyhow. I would prefer to see three or four newspapers, one conservative, one socialist, and the others of whatever description. Then, as in England today, that would be a much cleaner and more acceptable situation. People could read a paper knowing the editorial view of that paper. That would enhance competition as it does in England.

I ask the Government to take these matters of monopoly into consideration when preparing its legislation and perhaps gain some commitment or agreement from West Australian Newspapers to discontinue the monopoly as soon as there is an outside offer for the *Daily News*.

MR BRADSHAW (Wellington) [4.21 pm]: I have great sympathy for the closure of the *Daily News* and the people who will lose their jobs; it is a sad state of affairs. The *Daily News* has a track record of which it can be proud. It has had great journalists and other people working there over the years; people such as Kirwan Ward, Rigby and some of the best investigative journalists. Also, the sporting papers by Ernie Manning; he was with the *Daily News* for many years and made a great contribution in that area.

I have great difficulty with a situation where a Government interferes with a system that has been place for some time. I do not think we should get into such areas. These systems have been put in place for particular reasons. This is a bit like, for example, a court of law making a decision that we are not happy with: Do we introduce legislation to say the court is wrong and start interfering with it?

A good example of this was the Mickelberg case. They had a great deal of public sympathy. It was believed they were framed or wrongly put away. I did not go out and campaign to have the system changed in that case because I felt it was properly in place and it is not up to the Parliament to overrule the courts in that situation. The Parliament exists to make the rules and regulations, not to interfere with them. Once it starts interfering on an ad hoc, rushed basis, one generally finds that things go wrong in the long term.

Mr Lewis: As with Rothwells.

Mr BRADSHAW: Yes. I feel that we will fix up one problem and create another.

Mr Thomas: This is not a judicial matter.

Mr BRADSHAW: It does involve the Trade Practices Commission, which is an umpire or judge for the community set up for a particular reason.

Mr Thomas: It is one of those situations where you have what is basically a traditional framework making administrative or political decisions. That is the problem.

Mr BRADSHAW: I am not sure it is a political decision. We make political decisions but the Trade Practices Commission does not. Some people feel that the Trade Practices Commission shut down the *Daily News*. However, it was Brian Coppin who did that.

The Trade Practices Commission said that West Australian Newspapers could not buy the *Daily News*. What I find strange is the speed with which Brian Coppin started liquidation of the *Daily News*. I would like to know why he suddenly whipped in and said, "We are going to liquidate." It would be normal business practice to try to sell the business as a going concern and put it on the market as such. However, because the Trade Practices Commission came down against the West Australian Newspapers takeover, it was, "Bang, we are going to put it in the hands of the liquidator." I would like to know why that was done with such haste. It makes one wonder.

Mr Thomas: It was losing money day after day.

Mr BRADSHAW: I know that, but it had been losing money for many years.

Mr Wiese: And in that case, why is *The West Australian* moving in?

Mr BRADSHAW: Yes, why is it? Mr Coppin could have appealed to the Federal Court against the decision of the Trade Practices Commission and the hearing could have been implemented with haste under the circumstances. I wonder why it is being liquidated at such speed without traversing the other areas that could have been traversed. There was no reason

to close the business. I appreciate the fact that it was losing money but I re-emphasise the fact that it was not the Trade Practices Commission but Brian Coppin who decided to liquidate it.

I have great sympathy for the employees of the *Daily News*, but other businesses go broke every day. Such a business in my electorate is Harvey Fresh dairy which employs about 50 people. What will we do to stop that closing down? Will anybody suddenly rush in to help?

Mr Pearce: If someone were there to buy Harvey Fresh and keep it going and the Federal Government moved in and said, "You cannot do that," would the member not support action to keep it going?

The DEPUTY SPEAKER: Order!

Mr BRADSHAW: I would have to consider that. I do not think I would do things under the same circumstances as this is being done. When things are done in haste and someone tries to change a system that is in place by overruling it, that leads to all sorts of problems. By fixing one problem, another is created. I also have problems with the existence of a monopoly situation, even though the *Daily News* and *The West Australian* were one in the past. Under the circumstances, I have difficulty supporting the motion but would like the *Daily News* to continue in Western Australia.

MR TAYLOR (Kalgoorlie - Acting Premier) [4.28 pm]: It seems that the motion before the House will pass, I hope without dissenting voices. A number of important points have been made by Opposition members, and hopefully by members on this side of the House.

The member for Melville raised the matter of the Community Newspaper Group, which is a valid concern relating to the future of that organisation should we find that one of the motivations is to put that newspaper group back into *The West Australian*, so to speak, resulting in a number of people in the community missing out on their free newspaper. This important matter should be taken up with West Australian Newspapers in relation to this exercise.

The member for Floreat raised the matter of a monopoly situation and how it might best be addressed. As the member indicated, it cannot be addressed through the sort of legislation proposed which has a different motivation. However, there must be concern about the way those sorts of things are done in a State the size of Western Australia. I am not sure what we can do at the State level in relation to those sorts of issues. The important point is that people in general - and I would not say all members who have spoken have indicated their support for legislation in principle and some have reserved their judgment - support this approach.

I am not sure what happened in the Legislative Council in relation to this matter. I understand that some Opposition members hold a different view in relation to how we might best handle this sort of problem. Nevertheless, if possible, we hope that when we get the legislation up, both Houses of Parliament will see fit to pass it quickly next week so that, hopefully, the *Daily News* will be back on the streets quickly. An important part of that approach, of course, is getting it back on the streets because if we are able to do it relatively quickly it might be possible for the receiver to reopen the paper early next week.

I am hoping that the receiver may find the actions of both Houses today sufficient to decide to go ahead and reopen the paper. I do not know whether he will find sufficient strength in the debate, if he reads it, having seen where the Opposition may or may not stand on the issue. That will be a matter for him to decide.

The Government will now sit down with the Crown Solicitor and others to consider how the legislation will best fit together. I want to reinforce the view that we will certainly require the board of West Australian Newspapers to say in relation to this issue that, if it reopens the *Daily News*, the great majority of the staff will be re-employed and that the paper will reopen for a decent period - a couple of years would be fair and reasonable. We would also like an answer to the question raised by the member for Melville as to where Community Newspaper Group will stand in future.

I do not suppose we can continue to put conditions on this sort of legislation but there is certainly a requirement for a very good understanding about where we might go on this issue in the future. It may be possible to include some of those requirements in this legislation in order for it to be valid legislation.

I want to reinforce the view - and I have been asked to reinforce it in this response - that under no circumstances will any Government or taxpayers' funding be put into the resolution of this issue. That is not on, and everyone would be well aware of the reasons for that decision. I also take this opportunity, at the request of the deputy leader of the National Party, to table the opinion from the solicitor involved, Mr J.D. Heydon, about this issue so that people will be aware of the reasoning behind the view that it is possible to pass legislation to effectively set aside the *Daily News* from the decision of the Trade Practices Commission.

[See paper No 523.]

Question put and passed.

House adjourned at 4.31 pm

QUESTIONS ON NOTICE

TAFE - TUITION HOURS REDUCTION

1113. Mr STRICKLAND to the Minister assisting the Minister for Education with TAFE:

- (1) Will the Minister confirm that the tuition hours for full time TAFE certificate and diploma courses was 24 hours per week until 1989?
- (2) Has the office of TAFE issued directives to TAFE colleges to reduce tuition hours for full time students in all certificate and diploma courses by between six and eight hours per week?
- (3) What reasons are there for the cutback in hours for these full time TAFE courses?
- (4) Has there been an evaluation or estimation of the money which can be saved by these full-time TAFE hours cutbacks and, if so, how much?
- (5) Does the Government recognise that reduced hours of tuition are bringing about less thorough vocational training and if so what justifications have been put forward to allow this to develop?
- (6) What were the names of the vocational training or educational experts who recommended time reductions for these full-time TAFE courses?
- (7) Were any reports commissioned by the Government to examine the educational justification for reductions in hours for full-time students and, if so, what are their names?
- (8) What answer will the Minister provide for a parent constituent in my electorate who asks why is it that a full-time student who continues their secondary education for years 11 and 12 receives about 26 hours of tuition a week, whereas a student of the same age who elects to enter a full-time TAFE certificate or diploma course can receive as little as 16 hours per week tuition?
- (9) Can the Minister confirm that the Perth Metropolitan College of TAFE cluster which replaces the previous Carine College of TAFE, Carine's Joondalup annex and the Balga College of TAFE is now administered by a director, two associate directors and three campus managers as compared with the previous system of two principals and two deputy principals?
- (10) What are the salaries and totals for positions mentioned in (9) for the former and current situations?
- (11) Can the Minister confirm if previously no Government cars were supplied for either principal or deputy principal of TAFE colleges, whereas now three cars have been provided for the director and assistant directors?
- (12) What was the source of funding of vehicles for each of the director and assistant directors of Perth Metropolitan College of TAFE?
- (13) Can the Minister indicate where TAFE's new administrative structure is more cost effective than the system it has replaced?

Mr TROY replied:

(1)-(7)

Course tuition hours have varied over the years as historically TAFE offered courses to mature age part time students. When offered full time, adjustments to hours evolved based on the nature of the course and the type of students enrolled. Therefore full time tuition hours for TAFE award courses vary.

Student contact hours for full time TAFE courses were reassessed following research conducted by the department's curriculum research and development section. Courses have been redefined with the aim of providing quality education time and the removal of inequities between tuition hours for full time and part time students.

The changes have been put in place as part of an agreement with the

SSTUWA from 1987-88, in connection with a four per cent productivity related salary increase. Offsets related to the productivity agreement have been used to enable TAFE to accommodate increased student numbers without the requirement for additional CRF resources. The new hours of tuition delivery are designed to maximise benefit and equity for the students. There is no evidence that the quality of the program has diminished, especially as there are provisions for specific remedial programs as necessary.

The former Australian Council on Tertiary Awards (ACTA) developed guidelines to be used both within TAFE authorities and also higher education institutes to establish a consistent scheme of course structure and award nomenclature across Australia. Using the guidelines established by ACTA the department's curriculum and research development section assessed course structure and quality which resulted in the redefinition of tuition contact hours.

- (8) The comparison between school and TAFE based on the hours of tuition is not meaningful. The school program contains elements of personal development and pastoral care which are typically not part of the TAFE vocational program. A further example of the inappropriateness of such a comparison can be seen when comparing any tertiary level training with what takes place at secondary schools.

(9)-(10)

Yes; however, it should be noted that the new management structure is responsible for the entire north metropolitan region, which includes major campuses at Carine; Balga and Joondalup; full time centres at Scarborough, Subiaco, Churchlands and Woodsome Street; and part time centres at Lockridge, Swanbourne, Craigie and Wanneroo. A total increase of 80 per cent has been achieved in management hours to accommodate the extended TAFE academic year of 50 weeks. To have achieved this increase under the old management structure would have cost \$443 337. Under the new arrangements the salaries bill for college management is \$337 543.

(11)-(12)

After metropolitan TAFE campuses were clustered into multi-campus institutions at the beginning of this year, it was necessary for some colleges to buy cars which could be used for travel within the regions by staff. Under the new administration arrangements senior management perform corporate functions and industry liaison throughout a cluster region. While senior management may have garaging privileges or priority of use, the purpose of the cars is for use as pool vehicles available to all staff in the performance of their duties. It has been common practice for a number of years that directors with regional responsibilities be supplied with a vehicle. In relation to the director in question the vehicle assigned was funded through CRF, the other vehicles were purchased from college generated funds.

- (13) The restructuring of college administration has resulted in a more flexible and cost effective system. The major benefit being to accommodate an extended 50 week academic year, which would have been far more costly to implement under the old administrative system. As a consequence of the extension of the TAFE academic year to 50 weeks, colleges will be open for an additional 30 per cent of the year. Thus, these new administrative arrangements provide far greater utilisation of TAFE training facilities which have a net worth of \$500 million.

TAFE - CLUSTER DIRECTOR, SOUTH EAST METROPOLITAN COLLEGE
Thornlie, Carlisle, Bentley Colleges \$9000 Funds

1171. Mr KIERATH to the Minister assisting the Minister for Education with TAFE:

- (1) Has the Cluster Director of the South East Metropolitan College of Technical and Further Education obtained approximately \$9 000 each from the Thornlie, Carlisle and Bentley Colleges?

- (2) Further, can the Minister advise whether -
 - (a) the purpose of this money was to obtain a vehicle for use by the director;
 - (b) the money had to be removed from existing funds;
 - (c) in the case of Thornlie College the money was taken from the certified retraining fund;
 - (d) whether the use of certified retraining funds for purchase of vehicles meets the Government's policy on funding arrangements?
- (3) What action does the Minister propose to rectify this anomaly and ensure it does not happen again?

Mr TROY replied:

(1)-(2)

Yes. Each of the three campuses of the South East Metropolitan College of TAFE were invoiced for \$9 000. After metropolitan TAFE campuses were clustered into multi-campus institutions at the beginning of this year, it was necessary for some colleges to buy cars which could be used for travel within the regions by staff. Under the new administration arrangements senior management perform corporate functions and industry liaison throughout a cluster region. While senior management may have garaging privileges or priority of use, the purpose of the cars is for use as pool vehicles available to all staff in the performance of their duties. It has been common practice for a number of years that directors with regional responsibilities be supplied with a vehicle. The vehicles were purchases from college generated funds. In the case of Thornlie College, the money was "NOT" taken from the certified retraining fund.

- (3) Not applicable.

SEWERAGE - ESPERANCE *Current Extensions*

1180. Mr AINSWORTH to the Minister for Water Resources:

- (1) What was the initial cost estimate for the current sewerage extensions in Esperance?
- (2) What has been expended to date?
- (3) What was the original projected date of completion?
- (4) When is the project expected to be completed?
- (5) What is the estimated final total cost?

Mr BRIDGE replied:

- (1) \$1 104 000.
- (2) \$976 000.
- (3) August 1990.
- (4) November 1990.
- (5) \$1 290 000.

TAFE - STRUCTURAL EFFICIENCY PRINCIPLE *Productivity Exemption - Teachers and Lecturers*

1198. Mr STRICKLAND to the Minister assisting the Minister for Education with TAFE:

- (1) Was an exemption to the productivity clause of the structural efficiency principle granted for teachers in the last wage decisions in early 1990?
- (2) Are all lecturers in Technical and Further Education employed under the Education Act?
- (3) What then is the TAFE lecturers situation regarding productivity exemption?

- (4) Are TAFE lecturers being asked to trade off annualised hours for their second three per cent wage increase?
- (5) What are the details of the annualised hours proposal?
- (6) Are any other trade-offs being negotiated and if so what are these and the associated details?

Mr TROY replied:

- (1) No such clause exists.
- (2) Yes.
- (3) Not applicable.
- (4) No.
- (5) The annualised hours concept involves lecturers teaching a set number of hours over the teaching year rather than a fixed number of hours per week.
- (6) No.

FISHING - RECREATIONAL FISHING LICENCE PROPOSAL

1209. Mr McNEE to the Minister for Fisheries:

- (1) Is the Government considering the introduction of a recreational fishing licence?
- (2) If yes, will children be required to pay for this licence?
- (3) How will the licence be policed?

Mr GORDON HILL replied:

(1)-(3)

The possible licensing of recreational fishers is one of many proposals canvassed by the Recreational Fishing Advisory Committee (not the Government) in its discussion paper, "The Future for Recreational Fishing". The deadline for public submissions and community input on the discussion paper does not close until 31 October 1990 and the committee's report to Government is expected to be finalised in March 1991. Once presented, the Government will then be in a position to consider the advisory committee's report and recommendations.

TAFE - NORTH METROPOLITAN COLLEGE CLUSTER

Carine College, Joondalup Annexe, Balga College - Replacement

1219. Mr AINSWORTH to the Minister assisting the Minister for Education with TAFE:

- (1) Is the Government replacing the Carine College of Technical and Further Education, the Joondalup annexe and the Balga College of TAFE with a North Metropolitan College of TAFE cluster?
- (2) If yes, is the new cluster to be administered by a director, two assistant directors and three associate directors?
- (3) If yes -
 - (a) will six new administrators replace four administrators who previously managed the colleges;
 - (b) what would be the salaries of the six new administrators and what were the salaries of the four administrators they may be about to replace;
 - (c) will the six new administrators be supplied with cars;
 - (d) were the four previous administrators supplied with cars;
 - (e) will the Minister explain the cost effectiveness of replacing four administrators with six new administrators and an unknown number of Government cars?

Mr TROY replied:

I refer the member to the answer to Legislative Assembly question 1113.

WATER AUTHORITY OF WESTERN AUSTRALIA - GERALDTON CONTRACTS
Local Contractors' Exclusion

1220. Mr MINSON to the Minister for Water Resources:

- (1) Will the Minister confirm that major contracts were let for Water Authority of Western Australia work now being carried out in Geraldton without calling for tenders from local operators?
- (2) If yes, is this normal practice?
- (3) If local tenders were not called, why not?
- (4) What action does the Minister propose to take to ensure that local contractors are given every opportunity to tender for local work, not only in Geraldton, but in other regional centres in future?
- (5) What immediate action is to be taken to allow local contractors to be included in the work now under way in Geraldton?

Mr BRIDGE replied:

(1)-(2)

Sewerage construction work is being carried out in Geraldton by the Water Authority's own Perth based work force. Excavation and other earthmoving equipment is being hired from private contractors. The equipment is sourced from a six monthly period contract which is tendered for competitively. No individual tender was called for the equipment for this specific sewerage work.

- (3) The authority was satisfied that the equipment as sourced for the job provided the most economical overall solution.
- (4) I have instructed the Water Authority that in all future situations such as this, additional quotes be formally invited from local contractors.
- (5) Local contractors do currently have equipment on this work and the authority will, for the remainder of this project, ensure that local contractors are invited to quote for any further requirements.

TAFE - TUITION HOURS REDUCTION
Graduate Quality Maintenance

1221. Mr AINSWORTH to the Minister for Productivity and Labour Relations:

- (1) What steps are being taken to ensure that the quality of Technical and Further Education graduates does not fall on account of the significant reduction in tuition hours for TAFE students?
- (2) Is the Government committed to improving the skills levels of young persons entering the work force?
- (3) If yes, how is this being achieved by reducing the number of tuition hours for full time TAFE students?

Mr TROY replied:

I refer the member to the answer to Legislative Assembly question 1113.

TAFE - TUITION HOURS REDUCTION

1222. Mr AINSWORTH to the Minister assisting the Minister for Education with TAFE:

- (1) What were the required number of tuition hours per week for full-time Technical and Further Education certificate and diploma students prior to 1989?
- (2) What are the current directives to TAFE colleges relating to the required number of tuition hours per week for full-time TAFE certificate or diploma students?

- (3) What savings are anticipated as a result of the reduction in tuition hours?
- (4) Can the Minister list the education benefits of the reduction in tuition hours?
- (5) What was the reason for reducing tuition hours?
- (6) How does the current number of tuition hours per week for full-time TAFE certificate or diploma students compare with the number of tuition hours for year 11 and 12 students at Senior High School?

Mr TROY replied:

I refer the member to the answer to Legislative Assembly question 1113.

POWER STATION - MT LESUEUR AREA

1235. Mr MINSON to the Minister for the Environment:

- (1) Why did the Minister, as reported in an article in *The West Australian* of 6 June 1990, ask for members of the public to oppose the proposed power station near Mt Lesueur?
- (2) How does the Minister reconcile that report in the *The West Australian* with the Minister's ministerial responsibilities under the Westminster system?
- (3) Did the Minister discuss the Mt Lesueur project with the Environmental Protection Authority or officers of the EPA prior to giving the public advice as reported on 6 June 1990?
- (4) If no to (3), on what other information did the Minister base the advice as reported in *The "West Australian"* of 6 June 1990?
- (5) Will the Minister make a decision on the Mt Lesueur project in accordance with sections 44 and 45 of the Environmental Protection Act (1986)?

Mr PEARCE replied:

(1)-(2)

My purpose in raising this issue in the public arena was to encourage participation by the community in the various processes within the Government (including the environmental impact assessment process) prior to Government deciding on power options in general and the proposal near Mt Lesueur in particular. I see no conflict in this with the Westminster system.

- (3) Not specifically although various discussions at various times have taken place on this issue over the past 18 months with the EPA.
- (4) My own reading and knowledge of the subject.
- (5) Yes.

WATER AUTHORITY OF WESTERN AUSTRALIA - ANNUAL SERVICE CHARGES ACCOUNTS

Costs

1242. Mr KIERATH to the Minister for Water Resources:

- (1) In respect to 1990 Water Authority accounts, how many accounts have been sent out?
- (2) What is the total cost of sending these accounts out including stationery, envelopes and postage?
- (3) What is the cost of printing and inserting the following -
 - (a) *Telephone Account Enquiries* pamphlet;
 - (b) *Clean Drinkable Water* pamphlet;
 - (c) *For your Info* pamphlet?

Mr BRIDGE replied:

- (1) 545 996 annual service charges accounts.

- (2) \$232 519 includes account stationery, envelopes, inserting and postage costs.
- (3) (a) Printing = \$3 560) Inserting \$0.005 per
 (b) No cost to Water Authority) pamphlet the total cost
 (c) Printing = \$34 250) of which is included in
 the costs shown in
 reply to question (2).

REGIONAL DEVELOPMENT - GOLDFIELDS AREA
Funding Cut

1245. Mr COURT to the Minister for Goldfields:

- (1) Will funding be cut for regional development in the goldfields area in this year's Budget?
- (2) If yes, what are the amounts involved?

Mr TAYLOR replied:

I refer the member to question 1187.

MOTOR VEHICLES - GOVERNMENT
Statistics

1250. Mr COURT to the Minister for Services:

- (1) How many motor vehicles did the Government own and operate as at 30 June this year?
- (2) How many motor vehicles did the Government lease as at 30 June this year?
- (3) How many of these vehicles are converted to run on autogas?
- (4) Is the Government proposing to implement a plan whereby the bulk of its fleet will be converted to gas?

Mrs BUCHANAN replied:

- | | | |
|-----|--------------------|---------------|
| (1) | Passenger vehicles | 5 445 |
| | Light commercial | 4 607 |
| | Heavy commercial | 3 630 |
| | Plant | 5 631 |
| | TOTAL | 19 313 |
- (2) 270 vehicles.
- (3) 44 vehicles (33 are forklifts).
- (4) The Government has no intention at this time to convert its passenger vehicles to gas. However, Transperth is planning to convert buses to CNG in the near future.

AIRCRAFT - GOVERNMENT LEASE

1253. Mr BRADSHAW to the Minister for Services:

- (1) From which company does the Government lease an aircraft?
- (2) When did the lease start?
- (3) What are the terms of the lease as to -
- length of lease;
 - amount payable;
 - does (b) include a certain number of hours flying time;
 - If yes to (c), what is the hourly rate above this allocation?
- (4) Was the aircraft used in a sea search?
- (5) If yes to (4), what was the cost and was an account rendered for the search?

Mrs BUCHANAN replied:

- (1) Nester Pty Ltd.

- (2) 19 October 1988.
- (3) (a) Five years.
(b) \$131 687.50 per month.
(c) Yes, 70 hours per month.
(d) \$843.87 per hour.
- (4) Yes - 23 August 1990.
- (5) \$29 347.50; however, \$18 720 will be recouped from the Department of Transport and Communication.

LAMBS - SUCKER LAMBS

Fat Score 5 Producer and Distributor Price Schedules

1258. Mr McNEE to the Minister for Agriculture:

- (1) Did the Western Australian Meat Marketing Corporation producer schedule for sucker lambs on 27 August 1990, show a price of 18 cents/kg for lambs weighing in excess of 16 kg that have a fat score 5 grading?
- (2) Did the distributor or wholesale schedule of 27 August 1990, show a value of 109 cents/kg for sucker lambs in excess of 16 kg that have graded fat score 5?
- (3) Was the gross differential 91 cents/kg between the producer and distributor schedule of 27 August 1990, on fat score 5 sucker lambs weighing over 16 kg?
- (4) Would a fat score lamb weighing 18 kg on 27 August 1990, have a carcass value of \$3.24 or thereabouts to the producer?
- (5) According to its distributor schedule of 27 August 1990, would the same score 5, 18 kg lamb have a wholesale value of \$19.62 or thereabouts when sold to the domestic trade by the Western Australia Meat Marketing Corporation?
- (6) Would this result in a gross differential of \$16.38 or thereabouts between the producer and the distributor schedules for the score 5, 18 kg lamb?
- (7) If a gross differential of \$16.38 or thereabouts does exist for such an 18 kg lamb, why is the Western Australia Meat Marketing Corporation retaining such a large proportion of the lamb carcass value when the producer is paid so little?
- (8) Is the grading of a lamb to a score 5 instead of a score 4 done by visual appraisal only and therefore could vary in consistency from day to day and abattoir to abattoir?

Mr BRIDGE replied:

I am advised by the Meat Marketing Corporation that the position is as follows -

(1)-(3)

Yes.

- (4) Yes, on the assumption that the honourable member's question related to a fat score five sucker lamb.
- (5) Yes, the honourable member is advised that one (repeat one) such lamb was described of the 1 167 lambs so far declared as being slaughtered by country abattoirs on that day.
- (6) Yes, for the single lamb in this category.
- (7) The honourable member should understand that there is realistically no carcass market for fat score five lambs. The prices paid to producers and charged to distributors are consistent with the corporation's responsibility to maximise domestic sales and return to farmers and to encourage the production of what the market requires and discourage what is not required.
- (8) No. All lamb graders at Western Australian abattoirs have access to

fat scoring knives for use on any occasion that there is a doubt as to the visual approval consistency.

SOILS - SOILS REACTIVE IRON LEVEL TEST CUT OFF POINT
Rainfall Isohyets - 50 Year Rainfall Average Indicator

1271. Mr HOUSE to the Minister for Agriculture:

- (1) On what basis is the cut-off point established in the soils reactive iron level test which determines the amount of phosphate retention in the soil?
- (2) Why are the rainfall isohyets used for the "clearing guidelines for the south coast" based upon 50 year rainfall averages when the steering committee for research on land use and water in the south of Western Australia is using the 100 year rainfall average as an indicator?

Mr BRIDGE replied:

- (1) The basis for categories of phosphorus retention are field leaching studies combined with laboratory studies which determine phosphorus retention index of the soil and relate soil reactive iron levels to phosphorus retention index.
- (2) The rainfall information which is used is the Bureau of Meteorology's average annual rainfall map of Western Australia which incorporates all rainfall data where there are complete years of records.

MILK - PLANTAGENET SHIRE
Sale Procedure

1272. Mr HOUSE to the Minister for Agriculture:

In relation to the procedure regarding the sale of milk in the Shire of Plantagenet district -

- (a) are all milk processors bound to supply solely the licensed vendor;
- (b) can a retailer purchase milk from another retailer if the purchasing retailer is on a valid milk distributors' licence;
- (c) what are the penalties incurred if a licensed vendor/distributor fails to fulfil the delivery requirements set out in Schedule A - Notice of Conditions applicable to country milk distributor/vendor licences for 1990/91 of the Dairy Industry Authority of Western Australia;
- (d) have there been any breaches of the abovementioned delivery conditions in the Plantagenet Shire?

Mr BRIDGE replied:

I am advised by the Dairy Industry Authority that the position is as follows -

- (a) No.
- (b) Yes.
- (c) Any person who commits an offence is liable on conviction to a maximum penalty of \$1 000 and, in the case of a continuing offence, to an additional penalty not exceeding \$100 for each day that the offence continues.
- (d) No.

MUTTON - EXPORT FIGURES
Japan, Malaysia, Taiwan, USSR, USA

1274. Mr HOUSE to the Minister for Agriculture:

What are the total figures for Western Australian mutton exports for -

- (a) Japan;
- (b) Malaysia;
- (c) Taiwan;

- (d) USSR;
- (e) USA;
- for the years -
 - (i) 1980-81;
 - (ii) 1981-82;
 - (iii) 1983-84;
 - (iv) 1985-86;
 - (v) 1986-87;
 - (vi) 1988-89;
 - (vii) 1989-90;
 - (viii) 1990-91 (estimated)?

Mr BRIDGE replied:

[See paper No 522.]

LAMBS - WESTERN AUSTRALIAN LAMB MARKETING BOARD
"Fresh Australian Lamb" Program Participation - North American and European Sales

1275. Mr HOUSE to the Minister for Agriculture:

Is the Western Australian Lamb Marketing Board participating in the "Fresh Australian Lamb" program which has recently announced projected sales of more than 70 000 lambs to North America and Europe?

Mr BRIDGE replied:

I am advised that the Western Australian Meat Marketing Corporation is a foundation member and accredited supplier to the fresh Australian range lamb program which at present is aimed only at the United States market. The corporation is not currently supplying to the program because there are insufficient suitably weighted carcasses and because of its air freight price disadvantage to that market compared with Eastern States operators. The corporation, however, exported a total of 8 317 tonnes (725 000 carcass equivalents) in 1989-90 representing more than 50 per cent of that year's lamb production. Of this total more than 100 000 carcasses were exported to Europe.

EFFLUENT - WALPOLE, IRWIN AND NORNALUP INLETS
Fertiliser and Town Effluent - Nutrient Losses Research

1276. Mr HOUSE to the Minister for the Environment:

- (1) Has the Environmental Protection Agency ceased to collect information relating to -
 - (a) the amounts of fertilizer and town effluent flowing into the Walpole, Irwin and Nornalup inlets;
 - (b) the levels on nutrient losses in the Walpole, Irwin and Nornalup inlets?
- (2) If so, what are the reasons for the cessation of such vital research?
- (3) Are there any future plans to collect data relating to the discharges into the Walpole, Irwin and Nornalup inlets by any Government department, authority or agency or private firm?

Mr PEARCE replied:

- (1) (a) Yes. The Environmental Protection Authority collected information on river flows and nutrient loads entering Walpole, Irwin and Nornalup Inlets during 1988 and 1989. From the information collected it is not possible to distinguish the contributions made by town effluents and fertilisers.

- (b) The data suggests that Nornalup Inlet's water quality is satisfactory; Walpole is generally satisfactory but algal blooms can occasionally occur; and Irwin Inlet is showing symptoms of nutrient enrichment.
- (2) At this time information collected is adequate to assess the nutrient enrichment status of these estuaries and the authority's scarce resources are being deployed elsewhere; e.g. the Blackwood estuary, so that our knowledge of all south and west coast estuaries can be more complete.
- (3) The Environmental Protection Authority has a program to monitor, analyse and report on the nutrient status of all south and west coast estuaries, and to make the findings available to Government and community groups as appropriate. Not all are monitored continuously in all years.

PORK - CANADA
Brand

1285. Mr HOUSE to the Minister for Agriculture:

- (1) Will Canadian pigmeat imported into Australia be branded as such so that the consumer can distinguish between Canadian pigmeat and the Australian product?
- (2) Will a penalty be introduced for retailers advertising Canadian pigmeat as Australian pigmeat?
- (3) Will Canadian pigmeat be subject to an import duty?

Mr BRIDGE replied:

(1)-(3)

These issues are Commonwealth responsibilities. I will write to the Minister for Primary Industry and advise the honourable member of his response.

SPORT AND RECREATION DEPARTMENT - CAMPS AND HOSTELS USE
Bed Occupancy Statistics

1299. Mr COWAN to the Minister for Sport and Recreation:

What has been the usage of each of the Department's camps and hostels for each of the last three years?

Mr GORDON HILL replied:

The requested information expressed in terms of both the number of people using the camps and bed occupancy is as follows.

	Number of people using camps			Bed occupancy*		
	1987-88	1988-89	1989-90	1987-88	1988-89	1989-90
<u>Accommodation</u>						
Dormitories (self catered)						
Bickley	2 988	3 036	2 960	8 621	7 669	7 243
Point Peron	4 249	3 735	4 018	13 247	12 186	13 136
Ern Halliday - accom	5 679	6 254	6 224	18 564)	23 067)	16 216
tents	1 492	2 476	2 164))	6 460
picnic	2 989	4 963	7 001	-	-	-
York	2 390	2 288	2 253	6 162	6 880	6 082
Dormitories (catered)						
Woodman Point	5 486	6 803	8 145	17 304	16 056	26 304
Quaranup	2 505	2 252	2 798	7 878	7 182	7 410
Conference/accomm- odation centres						
Point Walter	1 899	2 702	3 162	7 343	6 509	7 631
Noalimba	8 723	8 771	9 126	32 993	53 477	44 741

Cottages

Myalup Pines	3 279	2 782	3 476	9 070	7 475	8 722
Wellington Forest	3 966	3 466	4 105	11 404	10 211	11 807
Lewana Valley	1 364	1 383	2 051	4 190	4 027	5 055
Tone River	<u>3 624</u>	<u>3 771</u>	<u>4 700</u>	<u>12 713</u>	<u>14 111</u>	<u>16 491</u>
Total	<u>50 633</u>	<u>54 682</u>	<u>62 183</u>	<u>149 489</u>	<u>169 728</u>	<u>177 298</u>

* Bed occupancy is based on the number of people using the camp multiplied by the number of nights they stay.

McCUSKER REPORT - CRIMES (CONFISCATION OF PROFITS) ACT 1988
Retrospectivity - Proclamation

1304. Mr BRADSHAW to the Minister representing the Attorney General:

In regard to the Premier's statement to Parliament regarding the McCusker Report into Rothwells -

- (a) Is the Crimes (Confiscation of Profits) Act 1988 retrospective;
- (b) when was the Bill proclaimed?

Mr D.L. SMITH replied:

- (a) The material provisions of the Act do not apply to an offence for which a conviction was entered prior to the commencement of the Act, but will apply to any conviction recorded after the commencement of the Act, regardless of when the offence was committed.
- (b) 28 November 1988.

TIMMINS, MR MALCOLM - PRODUCTIVITY AND LABOUR RELATIONS DEPARTMENT
Appointment Involvement

1309. Mr COURT to the Minister for Productivity and Labour Relations:

- (1) Was the Minister involved in the appointment of Mr Malcolm Timmins to the Department of Productivity and Labour Relations?
- (2) If yes, what was his involvement in this appointment?
- (3) What was the Minister's involvement in Mr Timmins' rapid promotion to an Acting Level 7?

Mr TROY replied:

- (1) No.
- (2) Not applicable.
- (3) None.

QUESTIONS WITHOUT NOTICE

PARKER, MR DAVID - PACKER ANDERSON INDEPENDENT AGENT
St George's Terrace Property Deal - Premier's Statement

360. Mr LEWIS to the Minister for Consumer Affairs:

I refer the Minister to the recent action of former Deputy Premier Parker when saying that "he had to live" and he was acting as an independent agent for the Packer-Anderson connections when presenting a St George's Terrace property deal to the State Government Insurance Commission and ask -

- (1) Is the Premier's statement that Mr Parker has not broken the law correct?
- (2) If yes to (1), does section 60 of the Real Estate and Business Agents Act prohibit unlicensed persons from acting for a commission and provide for a penalty of \$500 for such transactions?

- (3) If yes to (2), will the Minister have Mr Parker's self confessed activities as an agent investigated to establish whether he has contravened the Act?

Mrs HENDERSON replied:

(1)-(3)

That is a very odd question. The section of the Act to which the member referred certainly reads as he read it. A number of legal opinions have been obtained regarding this section of the Act as to whether the one real estate transaction constitutes the carrying on of the business of a real estate agent. I did not hear the detail of the question, so if the member sends me it in writing -

Mr Lewis: Oh, come on! You are dodging the question.

Mrs HENDERSON: I am not dodging the question. As I understand it, three independent legal opinions were obtained as to whether one transaction constitutes the activities of a real estate agent, and in the opinion of those QCs the answer was no.

PUBLIC SERVANTS - CIVIL SERVICE ASSOCIATION PROTEST MARCH
Budget Cuts Proposal

361. Mr RIPPER to the Acting Premier:

- (1) Is he aware of the protest by members of the Civil Service Association of WA Inc which is being held today?
- (2) Is he also aware that the reason for that protest is proposed Budget cuts and the effect that will have on Public Service jobs?

Mr TAYLOR replied:

(1)-(2)

I am aware of today's protest and, if I have the opportunity, I will be more than happy to address the people who take the time to come to the meeting. Firstly, I indicate to the CSA that 14 997 people were employed under the Public Service Act in Western Australia in 1982, and in 1990 the figure is 19 735 - this represents an increase of nearly 5 000. Regarding the general Public Service sector, it was only in 1987 that it was possible to work out the situation on the available data, but members would be interested to know that 97 218 people were employed in 1987 in that area and in 1990 the figure was 97 465 - this was a small increase which indicates our determination to hold down the numbers in this sector.

I say to the CSA - I will say this to the meeting - that public servants have security of tenure and although the forthcoming Budget will be tough and frugal, we will not be sacking public servants. That cannot be said for people employed at the *Daily News* or the 32 people dismissed by BHP, referred to in an article in today's *The West Australian* under the heading "Dismissals stun BHP employees". That article reads in part -

The stunned workers had 10 minutes to collect belongings and were offered a farewell pep-talk before being escorted away from Australia's biggest company.

I understand that BHP felt it had no choice other than to take the actions it did. Certainly, the position of those 32 people is in marked contrast to the position of those people who are employed by the Government of Western Australia and who have security of tenure.

That does not mean that every job which is vacated will necessarily be filled; a decision may be made not to replace the position. That does not mean that people cannot be moved from one job to another and that will certainly be the case if we believe that some person can fit into a vacated position. Public servants must realise that they do not face dismissal action which is faced by people in private enterprise, and that is a rare position to be in in today's

economic circumstances. If I have the opportunity to go to the meeting today to speak to the public servants, this is the message that I will give. I will tell the meeting that we understand their concerns regarding the work required of them. The most important issue of all for those public servants is that they have security of tenure and I hope that this is generally recognised by those involved in the protest and by the CSA in particular. Also, the CSA has seen its membership rise from 17 086 in December 1983 to 19 988 in June 1989.

BELL GROUP SHARES - NATIONAL COMPANIES AND SECURITIES COMMISSION INQUIRY

State Government Insurance Commission - False Evidence

362. Mr COURT to the Acting Premier:

- (1) Has the Acting Premier read the National Companies and Securities Commission memorandum prepared in 1988 in relation to the investigation into the purchase of Bell shares by the State Government Insurance Commission and Bond Corporation?
- (2) Is the Government aware that the NCSC reported that it was presented with false evidence from the SGIC?
- (3) If yes, does the Government condone this action?
- (4) What steps have been taken to have the responsible parties brought to account?
- (5) Is the Acting Premier aware that the provision of false evidence is a serious offence under the NCSC legislation?

Mr TAYLOR replied:

(1)-(5)

That question was rolled out by the member for Nedlands yesterday. I will refer to a report in *The Australian Financial Review* of 6 June which reproduces a transcript of a document prepared by the NCSC outlining the results of its inquiry. Let no-one be in any doubt about what the NCSC had to say about the agreement -

The significance of the agreement lies in the fact that all of the shareholders of BGL who did not have an equal opportunity to participate in the benefit derived by Mr Holmes a Court on the sale of his BGL shares will now have that opportunity.

It continued -

Having achieved this result, the commission does not believe that it is necessary for it to take any further steps in the matter. The objects of the code have been fulfilled. Matters about which public complaint has been made have been resolved.

Mr Court: I am talking about false evidence which the Acting Premier is now supporting. What a high standard your Government has!

The SPEAKER: Order!

Mr TAYLOR: The member should stop bouncing up and down on his pogo stick.

The SPEAKER: Question time can last for 11 minutes or 30 minutes. It is up to the members, but if they choose to extend it they should do it without interjection.

PACRIM CONFERENCE - TRIPARTITE STATEMENT

363. Mr P.J. SMITH to the Acting Premier:

Is the Acting Premier aware of a tripartite statement which has been issued following the conclusion of the PacRim 90 Conference in San Francisco?

Mr TAYLOR replied:

I am aware of the statement. It is a joint communique following the conclusion last night of the PacRim 90 Conference in San Francisco. This

communiqué has been issued by Premier Carmen Lawrence, Opposition Leader Barry MacKinnon, and National Party Leader Hendy Cowan. I hope the nature of that joint communiqué is followed today by the same sort of positive response from the Opposition in relation to the future of the *Daily News*. The communiqué states -

Pacrim '90 provided an outstanding forum for the promotion of trade and cultural relations between some of the most powerful economies in the world.

The delegates from 23 countries who attended this three-day symposium in San Francisco generally indicated that the organisation and standard of PacRim '90 was world-class.

Eventscorp, supported by corporate sponsorship totalling \$1.3 million provided an excellent symposium which helped foster contact between key businesses and political figures.

The symposium reinforced our view that Western Australia has exciting prospects in this dynamic region.

Capitalising on these prospects might be better achieved by modifying the Pacrim concept and involving WA business people to a much greater extent.

It has pleased me to see a joint publication. I have been told that the Leader of the Opposition is less than pleased with the statements made by the member for Nedlands on the PacRim Conference. I also understand there is some concern in the Opposition ranks about the so-called shadow Minister for WA Inc being relegated to well back in the field by the member for Nedlands. The member for Nedlands' leader is away and once again he is trying to make hay while the sun shines.

FORESTS - BRANDING REGULATIONS *Changes*

364. Mr HOUSE to the Minister for the Environment:

- (1) In relation to his answer to question 1239 of 1990, is the Minister contemplating changes to correct the anomalies which exist in the current forest regulations relating to branding?
- (2) If yes, what specific changes will be made?
- (3) When does the Minister anticipate that these changes will be introduced into Parliament?

Mr PEARCE replied:

(1)-(3)

I thank the member for about 30 seconds' notice of the question. The questions asked by him usually stand out in one's mind, but I do not recall the precise question and answer to which he refers.

The branding regulations were made under the old Forests Act, which was repealed when the Department of Conservation and Land Management legislation was introduced. They continue to be in force, although they are not followed to the letter of the law because the systems are different. I have instructed CALM that it is not to wait for the drawing up of all the regulations for the CALM Act, but it is to concentrate on the forest regulations in order that they reflect the system which is used to account for logs in the forest. Last week I received from CALM a very detailed set of proposals for those regulations and I have forwarded them to Parliamentary Counsel with the request that they be attended to during the course of this parliamentary session. I expect the new regulations to be tabled before the end of this session.

I cannot be specific about what changes are proposed, but in general terms

there will still be a requirement to mark an account for logs which will reflect modern practice, rather than the old practice of using a branding hammer to mark both the stump and the log so the feller can be paid on the basis of the work he has done.

Mr House: It is also an identification method to show where the log came from and which mill it is going to.

Mr PEARCE: Most of the logs are chalk marked for the purpose of grading, which is important for royalty assessment. The destination of the log and where it came from is marked on the tree. Information about where the log came from has to be fed into the computer program. Very often logs are dealt with by the truck load rather than individually. The truck picks up the logs from where they are felled and takes them to the mill. The proposed regulations are specific with regard to accountability for the logs. The checking and accounting methods will be included in the regulations, as well as provisions for policing. The regulations will be more comprehensive than are the current regulations.

DUCK SHOOTING BAN - LEGISLATION

365. Dr ALEXANDER to the Minister for the Environment:

In view of recent public discussion on the issue of duck shooting will the Minister inform the House what is the guiding principle behind the proposed legislation to ban duck shooting?

Mr PEARCE replied:

I thank the member for his question. I guess it will be one of the more controversial pieces of legislation to come before the Parliament this session. It is a pity, because, in deciding to put before the House legislation to ban duck shooting, the Government is giving the Parliament the opportunity to make a definitive ruling on an issue which is dividing our community and which, if left unattended, will result in confrontation on the wetlands every time a duck season is declared.

We are guided by the desire to resolve the controversy in a clear way by an Act of Parliament. In putting up the resolution the Government proposes we are guided by the view that wildlife by and large should not be shot for recreation purposes. We do not agree, as a matter of principle, with the indiscriminate slaughter of sections of wildlife for fun. Public attitude towards other animals on this earth has changed from that of 20 or 30 years ago. Also there is the religious view that God, or someone, put animals on the earth and made us superior in order that we could exploit the others as we desired. The supremacy of the human creature was demonstrated by his dominance over other species.

The killing of whales was often looked on as the epitome of that, indicating what strong and important creatures we were by our capacity to slaughter creatures bigger than ourselves. Attitudes towards wildlife have changed dramatically since those times and generally people believe that, unless there is an extremely good reason for animals to be killed, they should not be, and that wildlife particularly should be preserved. People such as I have a very strong view that it is entirely inappropriate for the nature reserves of this State - that is, the areas put aside for the preservation of our natural resources - to be the killing fields for duck hunters. The House will have an opportunity to debate this and related matters at a later stage.

With regard to comments made when the Government made its announcement, none caused me more concern than an article in *The West Australian* which attributed a comment to Hon Max Evans in another place. He was reported as saying that most duck shooting weekends were organised more as an excuse for a drinking session than to shoot ducks. That claim is hotly disputed by the leaders of the pro-duck shooting movement who say it

is not true. I put that on the record because they hold that view very strongly, and in making that statement Max Evans is at odds with them.

Mr Clarko: You sound as though you are trying to shoot him down.

Mr PEARCE: A person would be a sitting duck to have made a comment such as that in the first place. Nothing would cause me more concern than to think any member of Parliament in any civilised society considers that a reasonable way to spend a weekend - as Hon Max Evans says he does himself, so I suppose he is speaking from experience - is for people to take off into the bush, get smashed and blast away at the wildlife.

Mr Lewis: Are you implying that Max Evans does that? Max is a teetotaler.

Mr PEARCE: I am saying that Hon Max Evans -

Mr Lewis: You are attacking the man, as usual.

Mr PEARCE: Perhaps it is the case that I am attacking Hon Max Evans but I am doing it in what I find the most effective way of attacking the Opposition; that is, by quoting their own words. There is no more effective way of discrediting members of the Opposition than by rolling out their statements. I repeat that he said that most duck shooting weekends were organised more as an excuse for a drinking session than to shoot ducks. I pointed out that the leaders of the pro-duck shooting group did not agree with that but I can only assume that Hon Max Evans is making that statement based on his own experience. If he is not making that statement based on his own experience, perhaps he should have made that clear. I personally find abhorrent the view that people have a good time by going into the bush, getting smashed and blasting the wildlife. That is not the way for civilised people to conduct themselves.

DAIRY INDUSTRY AUTHORITY - MILK PRODUCERS

Payments Liability - Harvey Fresh Payments

366. Mr BRADSHAW to the Minister for Agriculture:

- (1) Did the Minister and his department seek legal advice on the Dairy Industry Authority's liability for payment for milk producers and, if so, with what result?
- (2) As a result of the advice, has he spoken with the Dairy Industry Authority?
- (3) Will he advise the House whether the Government and/or the Dairy Industry Authority will ensure payment of milk processed by Harvey Fresh?

Mr BRIDGE replied:

(1)-(3)

It is disappointing that the member for Wellington should continue to pursue this line of questioning.

Mr Bradshaw: This is the first question I have asked in the Chamber.

Mr BRIDGE: It may be the first question the member has asked in the Chamber, but I have spoken to him on this subject on other occasions, and have indicated the very delicate nature of this matter. A receiver has been appointed to assist in the resolution of a very serious financial problem. As I have indicated previously, I have sought advice on this matter, but I have not yet received that advice. As I said in reply to a question in this House from another member, I am keen to be advised of any quite clearly established liability the responsibility for which falls upon the Government.

We would honour that. I have to be clearly satisfied in my own mind about any course of action that might be contemplated. I hope that will not happen, and the receiver has been appointed to resolve the position. It would be preferable that the Government not enter into this issue as it is essentially a commercial matter involving commercial breakdown and it is preferable that the matter be resolved at the commercial level. In the end, if it is up to me as

Minister for Agriculture to take a certain course of action, I will be quite happy to do so.

SPORT AND RECREATION - EAST GERMAN GOVERNMENT
Sports Training Program Benefits

367. Mr READ to the Minister for Sport and Recreation:

Can the Minister advise the House what contact the Western Australian Government has had with the East German Government with a view to this State's benefiting from that nation's impressive sports training program?

Mr GORDON HILL replied:

As I told the House recently, I have just returned from highly successful talks with Government and sporting officials overseas. I am convinced that Western Australia will achieve great benefits as a result of those discussions and the commitments arising from them.

When in the German Democratic Republic I was privileged to be not only the first Australian sports Minister to visit the top secret East German elite sport performance testing and training laboratories of the Institute of Sports Science, but also the first foreigner. This facility is part of the East German University of Sport in Leipzig, and in the past it was said to be more difficult to get into than it was to cross the wall dividing East and West Berlin.

At the institute I received a full briefing and had lengthy discussions with the sports university director, Professor Bath, and the Chairman of the Institute, Professor Tuennemann. I reached agreement with the institute for Western Australia to have access to its technology and information. There is no doubt that will be of enormous benefit to Western Australia and to Australia in general.

In addition, I held talks with all of the heads of sporting agencies and organisations in East Germany including the Minister for Youth and Sport, Mrs Cordula Schubert, and Mr Killian, President of the German Gymnastic and Sport Federation.

The German Democratic Republic has agreed to make available to Western Australia the following: The exchange of academic staff in the areas of sports research, sports coaching, sports medicine, sports administration and management, as well as in the area of education and training sports coaches; literature and research documents; expertise in the design and operation of sports training programs in all sports; and highly technical sports equipment facilities, including swimming flumes, along with the expertise required to operate them.

It is appropriate that there will be a focus on swimming in this exchange of data because of Western Australia's world-beating swimming and water-sports facilities. As a first step, a video and comprehensive documentation is being prepared by the East German sports authorities and will shortly be sent to Perth. Members would be aware of the enormous success of East Germany in its sporting participation and history and Western Australia is privileged to have been given access to this information. Given the enormous changes which lie ahead for both Germanys in coming months we are indeed fortunate at this time to have had such a close viewing of the German Democratic Republic's sporting activities.

I had discussions yesterday and today with representatives of the Australian Sports Commission with a view to funding a Perth based laboratory of swimming science using East German information and sports technology. The response from Federal sporting officials has been both enthusiastic and fully supportive. It is my intention to discuss this matter further with the Federal Minister for Sport, Hon Ros Kelly, and other Federal Ministers and officials to ensure we can facilitate the establishment of this technology in Western Australia.

Mr Lewis: Before the Minister sits down he should tell us about his blazer.

Mr GORDON HILL: The member for Applecross should be able to see it from his seat, but if his sight is failing him there is a good reason for that.

**CRIMINAL CODE AMENDMENT (INCITEMENT TO RACIAL HATRED)
BILL - CABINET REFERRAL**

368. Mr AINSWORTH to the Minister for Multicultural and Ethnic Affairs:

I will give the Minister one more chance to stand because my question is to the Minister for Multicultural and Ethnic Affairs -

Mr Read: With or without blazer!

Mr AINSWORTH: Yes, and he can take it off because I have got my boxing gloves on.

Mr Pearce: You are a real featherweight, my friend.

Mr AINSWORTH: Just wait. I ask -

- (1) Can the Minister confirm that the Criminal Code Amendment (Incitement to Racial Hatred) Bill 1990 was considered by the Legislative Review Committee of the Legislative Council, was reported back to the Council on 22 August, and appeared on the Legislative Council Notice Paper on 23 August?
- (2) If yes, why has not the Government progressed this matter further, given the Minister's comments in this House yesterday and the fact that the Bill has been on the Council Notice Paper for nine sitting days?

Mr GORDON HILL replied:

(1)-(2)

The member purports to have listened to my comments in the House yesterday but clearly he did not because, as I said yesterday in the Parliament, Cabinet has considered this matter and has referred it to the newly established Ministerial Advisory Committee on Community Relations for comment. That committee is meeting at this time and will refer the matter back to Cabinet in the near future.

Before I sit down, I might tell members opposite that the emblem on my blazer is the emblem for the World Swimming Championships. It has a "P" representing Perth and a "6" contiguous to that to represent the fact that it is the sixth World Swimming Championships, which will be held in Perth from 3 to 13 January next year. This will be the biggest international competition organised in Australia since the 1956 Olympic Games. The spotlight of the world will be on Western Australia during that time and I trust that members on all sides of the House will get fully behind the Government in organising this event.
