

Legislative Assembly

Thursday, 3 May 1984

The SPEAKER (Mr Harman) took the Chair at 10.45 a.m., and read prayers.

RAILWAYS

Albany-Perth: Petition

MR STEPHENS (Stirling) [10.47 a.m.]: I have a petition in the following terms—

The Hon. the Speaker and the Members of the Legislative Assembly in Parliament assembled.

We, the undersigned residents of the District of Albany, in the State of W.A. do hereby pray that Her Majesty's Government of W.A. will reconsider its policy in respect to the Passenger Train Service between Perth and Albany.

We believe there is little justification on economic grounds for the continued elimination of this service.

The previous government's alteration in the reduction of railway services has imposed an unjustifiable burden on citizens of this town (and all other towns concerned), particularly on children, disabled and elderly people, and many will find it difficult to travel by bus. This entails two out of three days in travel alone, leaving only one day in Perth, and also the expense of two nights enforced accommodation in the city.

We maintain that the government should take immediate action to expedite the restitution of train services, to service the numerous large and small towns between here and Perth.

Your petitioners therefore humbly pray that your Honourable House will give the matter earnest consideration and your petitioners as in duty bound will ever pray.

The petition contains 3 635 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. 104.)

PORNOGRAPHY AND VIOLENCE

Video Films: Petition

MR BATEMAN (Canning) [10.49 a.m.]: I have a petition which reads as follows—

TO:

The Honourable the Speaker and Members of the Legislative Assembly of the Parliament

of Western Australia in Parliament assembled.

We, the undersigned plead that because it will cause serious harm to the community the Parliament will not legalise the sale, hire or supply of any video tape, video disc, slide or any other recording from a visual image which can be produced, which portrays scenes of explicit sexual relations showing genitalia detail; acts of violence and sex; sexual perversion such as sodomy; mutilation; child pornography; coprophilia; bestiality or the use and effect of illicit drug taking.

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

This petition bears 110 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. 105.)

HOMOSEXUAL ACTIVITIES

Legislation: Petition

MR D. L. SMITH (Mitchell) [10.51 a.m.]: I present a petition from constituents of mine which reads as follows—

To the Honourable Speaker and the Members of the Legislative Assembly of the State of Western Australia in Parliament assembled.

We the undersigned residents of Western Australia hereby respectfully petition that:—

- (i) There be no change in the law relating to Homosexuality.
- (ii) That if there is to be any changes the age of consent be at least eighteen (18) years of age.

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 has 218 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. 106.)

NOTICE PAPER*Error: Statement by Speaker*

THE SPEAKER (Mr Harman): I wish to advise members that where the Notice Paper says under Order of the Day No. 1, "Time allowed for third reading debate: 30 mins." this should apply to Order of the Day No. 2.

**PAY-ROLL TAX ASSESSMENT
AMENDMENT BILL 1984**

Report

Report of Committee adopted.

Third Reading

MR BRIAN BURKE (Balga—Treasurer) [10.52 a.m.]: I move—

That the Bill be now read a third time.

MR HASSELL (Cottesloe—Leader of the Opposition) [10.53 a.m.]: I will speak only briefly to the third reading of the Pay-roll Tax Assessment Amendment Bill to make the point again that the Opposition is opposed to the legislation.

The legislation extends the incidence and the burden of payroll tax. In doing so, it is contrary to the stated policy of the Government and the climate of expectation that the Government, when in Opposition, created by its statements in the lead-up to the last election. It is not simply a matter of curing a technical deficiency; in fact, it is a matter of making a substantive change to the law.

In making a substantive change to the law, the Bill seeks to change a number of employers into employees for payroll tax purposes. This is an increasing and undesirable trend and one that should be resisted. To some extent, it has been applied under the Commonwealth income tax law and the Opposition, as a party, resisted that when it was mooted by the then Treasurer, Mr Howard. The former Commonwealth Government, led by Mr Fraser, abandoned its proposals for a withholding tax because the widespread implications included a change of status of employers to employees.

This Bill does exactly the same. It seeks to make a number of people who are independent contractors or employers into employees for payroll tax purposes, and it seeks to treat the income which they receive by way of commission as salaried income, despite the fact that that income is gross income which is applied by the agents to operating their offices, paying their staff, and meeting the normal expenses of a business operation.

The Opposition has demonstrated, and the Treasurer has finally acknowledged, that there was absolutely no consultation with the industry. That is a very poor approach by a Government at

any time, but it is a particularly poor approach by a Government that professes to be interested in, and concerned about, the business community.

The Opposition demonstrated, in the second reading debate, the substantial increase in tax which the insurance industry is being forced to meet in the current financial year. As a result of the nature of that industry, every bit of that substantial increase in tax will be passed on to the consumers of this State—the people who eventually pick up the tab for these charges.

The Opposition has demonstrated also that the legislation contains other provisions which are potentially oppressive, unfair, and undesirable. The Opposition succeeded in forcing the Government to withdraw one of its amendments, by forcing it to recognise that its proposal to allow the State Taxation Commissioner to be directed by a Minister to disclose information about taxpayers was very dangerous, unprecedented, and undesirable. To its credit the Government withdrew that provision after considerable pressure from the Opposition.

In addition, the Opposition has raised the issue of the reversal of the onus of proof in regard to grouping provisions which imposes a further burden on the taxpayer and again tilts the balance of the scales against the taxpayer.

In many respects, in fact in all respects, this is a bad piece of legislation. It adds to the general approach that the Government has adopted in taxing and charging. There have been substantial increases in taxes and charges.

The Treasurer sought to quibble with me over the fact that his own Budget figures included some millions of dollars which had been extracted from the Argyle joint venture as an item of income which could not be regarded as a tax. As is the Treasurer's style—it is, of course, a clever tactic—he picked on the issue, tried to identify it as inaccurate, and tried to centre the argument around it. The Treasurer has acknowledged that his increase in State taxes was more than 20 per cent in the current financial year. Taking out all the figures that he would like to take out, it was more than 20 per cent, and that is an enormous increase.

According to a report in this morning's *The West Australian*, the Treasurer has acknowledged that the increase in taxes and charges by the State Government has provided a significant disincentive to business and investors. In response to that disincentive, which he created, he has now instructed departments that we must not have increases of that magnitude in the year ahead. That is not very much comfort for business, particularly small business, in Western Australia which has

suffered so substantially in a time of economic downturn.

The Treasurer claimed that many of the increases in taxes and charges were a result of what he called "natural growth". He said that if, in its Budget, the Government did nothing about tax scales, that growth would have occurred. He subtracted what he referred to as "natural growth" from the overall increase which had taken place, and having subtracted that figure he then said that the net increase imposed by the Government was a smaller figure. That is a manifestly silly argument which cannot be sustained.

Each year it is the responsibility of the Government to introduce its Budget and impose taxation at the levels at which it wants to collect. It is within the discretion and control of the Government to set the rates to collect the amount of tax it wants. At no time can the Government escape, in any circumstances, the responsibility for the tax collections which take place. Of course, there may be occasions on which it is caught out by some sudden increase in transactions or income resulting in a larger tax take than was expected. However, in a general sense, having made estimates at the beginning of the year and calculated what tax will be collected, whether under rates to be continued or new rates it proposes to apply, the Government is totally responsible for the result.

The Premier's argument is interesting when it is contrasted with his actions. Very soon after the present Premier became Leader of the then Opposition, the Court Government introduced its Budget. In promoting himself as the new Leader of the Opposition, the new Premier caused to be inserted in *The West Australian* a full page advertisement attacking the Court Government's Budget. That advertisement appeared at the time of the Budget in 1981, and it is very interesting reading. The then Leader of the Opposition attacked the increases in taxes and charges brought about under this Budget and resulting from it.

Natural growth of the tax take is not mentioned and no calculation is made in the advertisement suggesting that the so-called natural growth in tax should be deducted. In fact, that Budget did not impose any increases in rates of taxes as I recall and, therefore, according to the Premier's current logic—not his then logic—he should have said there were no increases in taxes and charges that year because they were "natural" increases. The word "natural" needs to be in inverted commas to make it clear that it is not a natural use of the word.

Once again we see the Government is acting in a way which is inconsistent with what it says. We have said this on a number of occasions, and we

will continue to do so. I refer to the production of a Government newspaper—this was roundly and consistently condemned by the then Opposition which attacked it with the assistance of sections of the media who at that time were prepared to take up the cudgels. However, the Government is now introducing its own newspaper.

For almost two years the Premier, as Leader of the Opposition, deliberately made consistent statements to the media, in his political notes column and in advertisements, creating a climate of expectation that the new Labor Government if elected would take substantial action to eliminate, or towards the elimination of, payroll tax. No such action has been taken. In last year's Budget the Premier extended the range of concessions. That extension was in line with what has occurred in previous years.

During the second reading debate I referred to statements recorded in *Hansard* from the then Leader of the Opposition in which he said very clearly that simply extending exemptions and concessions was no way to deal with payroll tax. He said that it had to be confronted and moves should be made to get rid of this "iniquitous tax". What has he done in his own Budget? He has extended the concessions but abolished the phasing-in of those concessions so that a number of businesses which previously gained some benefit from the concessions no longer do so. The Government is now moving to extend the burden of payroll tax and in doing so introduces other undesirable subsidiary measures. It is as simple as that. This is a further example of Government inconsistency and lack of commitment to its own statements; of a Government committed to increase the tax burden in various ways to sustain expenditure programmes which should be curtailed or at least disciplined; and, of a thoroughly bad way to approach legislation without any consultation with the industry affected by the legislation. For all those reasons the Opposition maintains the strength and determination of its opposition to this legislation.

We oppose the Bill.

MR COURT (Nedlands) [11.12 a.m.]: During my second reading speech I asked the Premier to give an assurance that if payroll tax holidays were to be given to sections of industry as a whole, those holidays would first be offered to Western Australian companies ahead of foreign companies. It would be scandalous if the Government offered payroll tax holidays to foreign companies before it attempted to use the same tool as a means of encouraging industry with regard to existing companies in Western Australia. Would the Premier now give an assurance that the Govern-

ment has not offered payroll tax holidays to foreign companies to encourage them to come to Western Australia?

Mr Brian Burke: I do not immediately know of any case in which it has happened. The Government has no policy to do such a thing. We have a policy of extending certain concessions, guarantees, etc.; for example, guarantees such as those which were given to Bunbury Foods by the former Government, which guarantees involved a foreign component and cost a fair amount of money. We do not have a policy which distinguishes foreign companies and states that will give them concessions. I will arrange for a list to be supplied of companies to which your Government extended concessions.

Mr COURT: I realise that payroll tax concessions have been given to companies in special circumstances. However, I would not like to think that the Deputy Premier in his enthusiasm to attract foreign companies will be offering such concessions to them before WA companies.

Mr Brian Burke: He said he would answer the question tonight if you put it on the Notice Paper.

Mr COURT: During the second reading speech the member for Kalgoorlie kept interjecting, saying that we would see what is happening at the next Budget. The Deputy Premier, in answer to a question last night, said the Government wants to give payroll tax concessions to the electronics industry, and it would like to try to expand that to the medical industry and the like.

Businesses have to plan. If the Government intends to give payroll tax incentives, which I would endorse, to encourage Western Australian companies to expand employment in their businesses, that is well and good; but things are starting to appear a little sloppy. If these incentives are to be offered to the electronics industry and to the medical technology industry, other industries will say, "We want the same sort of support". I would think that payroll tax incentives should be given to industry as a whole. I am sure, if it is left to the Government to pick particular industries or sectors of industries, it will be quite disastrous in that many people in many industries will be upset.

I would like an assurance from the Premier that payroll tax incentives will be offered to Western Australian companies first, because they are currently in a pretty tough climate. They are struggling to survive without encouragement. I am sure payroll tax incentives would help many of those companies to make investment decisions which would assist the employment situation.

Secondly, I would like an assurance that payroll tax incentives will not be used to entice foreign companies to come here before the same incentives

are offered to companies operating in Western Australia, or companies which would expand into Western Australia if they were given those incentives.

MR BRYCE (Ascot—Deputy Premier) [11.13 a.m.]: I believe it is appropriate for me to comment, because the member for Nedlands based his questions on his understanding of the statements I have made, both in this place and in other public forums, about the question of payroll tax. He seems to be a little agitated. I suspect he is even building up straw men to be knocked down on this subject.

There is no need for him to be as concerned as he seems to be, because I told him at question time yesterday that the Government indicated at the last election that it believed there was very sound justification for attributing special status to the Western Australian electronics industry. Governments in many parts of the world, in this last five, six, or seven years, have made decisions to attribute special status to targeted industries which they believe are of particular strategic importance to that nation's development.

One of the weapons available to a State Government in this country to do that is the provision of payroll tax rebates or concessions, and perhaps in respect of the provision of land and services, if it is considered by the Government that that is in the strategic best long-term interests of the State and of the nation.

I am fully aware that every industry in the State would like to have eliminated forthwith the obligation to pay payroll tax. We certainly would like to wipe it out with the wave of a wand, but we will not shrink from the economic significance and the challenge of selecting targeted industries which we believe it is in the State's best long-term interests to encourage simply by recognising that certain people may wish they were in that sector. One either accepts that general strategy or one does not.

As the Premier said yesterday in response to an argument put to the Chamber, it seems that members opposite want it both ways. If the Government proceeds to implement its election policies it is criticised, and if it fails to implement its election policies there are members opposite who are keen to hop in and criticize that as well. It must be understood clearly by members opposite that the Government gave the undertaking that it believes the electronics industry is an important industry and for strategic reasons it ought to be encouraged. I make no bones about the fact that I have set myself about the task with the representatives of the departments that work with me to look

at a very attractive package of forms of encouragement to the electronics industry.

Mr MacKinnon: Could that package be extended to the tourist industry?

Mr BRYCE: Not necessarily; not the same package, by any means. That is one of the things which is wrong with our existing legislation covering incentives to industry. It is not an unfair criticism of the legislation which was brought in in 1980. Times have changed; things have moved very quickly, and we need to operate with a great deal more flexibility in 1984 than we were able to in the early 1980s and the 1970s.

Members need only to look about them and see what Governments in Western European States, North America, Japan, and South-East Asia are actually doing in this field. They have no qualms whatsoever. If they believe a particular industry should be encouraged in the long-term national strategic interest, that industry is targeted for assistance and encouragement. We intend to do precisely the same. If that means some people in other industries feel less than 100 per cent happy about that, it will be perceived to be an unpopular decision in some quarters. But I believe that most responsible businessmen and women in most sectors will recognise that some sectors of our economy are of strategic importance in 1984, and in fact they will not be as concerned about this concept as the member for Nedlands.

I indicated by way of answer to him yesterday that if it is possible to extend that incentive system generally to the medical technology industry, we will certainly do it. It seems that as far as high technology industry development in Western Australia is concerned, the electronics industry and the medical technology industry warrant encouragement incentives and a general guidance from the State. They seem to be the two areas in which we have a certain amount of comparative advantage. As far as this particular question is concerned, payroll tax constitutes one of the principal forms of assistance available.

MR BRIAN BURKE (Balga—Treasurer) [11.19 a.m.]: There is not a great deal to which to reply, because not many new points were raised. I would like to make one comment on the contribution by the Leader of the Opposition, because his was a contribution which indicates one aspect of his concern in these matters. Whenever he makes a mistake, he uses every opportunity which presents itself to make reparation. He did it again today. His miscalculation in respect of the amount

of the increase in taxes and charges imposed on the people of this State—the ordinary families—was a mistake that he made and I suppose he has to wear it, but it is now the fourth or fifth occasion on which he has attempted to rationalise mistakes. It would be better not to use occasions like this for such rationalisations, but rather simply to say that a mistake was made and that was that.

I am pleased to say that, for the first time in this State's history since payroll tax was introduced, some prospect exists for something substantial to be done to relieve those who are presently liable to pay the tax of some or all their obligations. The first substantial thing that has been done in the history of the State since payroll tax was imposed by the State came as a result of an initiative by this Government some time ago, when we were able to persuade our Federal colleagues and gain the agreement of other State Premiers to the complete revision of the relevant taxing powers of the States and the Commonwealth. That reassessment is presently under way.

I would have thought the Leader of the Opposition would be pleased about that because I know he has often said that he is concerned at the drift of financial and other power to the Commonwealth. We have succeeded in having a complete study into relative taxing powers, the result of which will be presented at the next Premiers' Conference. That is quite an achievement and it is really the first substantial step which has ever been taken towards what the Leader of the Opposition professes is his end; that is, the abolition of payroll tax, and that is certainly our commitment. It is a commitment we have restated time and time again within the context of the State's taxing revenue and within the principle that payroll tax makes up 50 per cent of the State's revenue raised from taxes.

Therefore, the achievement of this State Government in respect of that study of relevant taxing powers as between the States and the Commonwealth is a major one. I am looking forward to the Premiers' Conference and the presentation of the report from the working party which has been carrying out the study. I cannot predict what the working party will say, but all the Premiers have expressed their reservations about payroll tax and its impact on employers and employment, and all have evinced a willingness to co-operate with each other and the Commonwealth to help to relieve their States of the burden of payroll tax.

I commend the Bill to the House.

Question put and a division taken with the following result—

Ayes 25	
Mr Barnett	Mr Tom Jones
Mr Bateman	Mr McIver
Mr Bertram	Mr Parker
Mr Bryce	Mr Read
Mrs Buchanan	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Burkett	Mr A. D. Taylor
Mr Carr	Mr I. F. Taylor
Mr Davies	Mr Tonkin
Mr Evans	Mrs Watkins
Mrs Henderson	Mr Wilson
Mr Hodge	Mr Gordon Hill
Mr Jamieson	
Noes 18	
Mr Bradshaw	Mr Mensaros
Mr Clarko	Mr Old
Mr Court	Mr Rushton
Mr Cowan	Mr Stephens
Mr Coyne	Mr Thompson
Mr Hassell	Mr Trethowan
Mr Laurance	Mr Tubby
Mr MacKinnon	Mr Watt
Mr McNee	Mr Williams
Pairs	
Ayes	Noes
Mr Pearce	Mr Peter Jones
Mrs Beggs	Mr Blaikie
Mr Bridge	Mr Crane
Mr Troy	Mr O'Connor
Mr Grill	Mr Spriggs
Mr Terry Burke	Mr Grayden

Question thus passed.

Bill read a third time and transmitted to the Council.

FINANCIAL INSTITUTIONS DUTY AMENDMENT BILL 1984

Third Reading

MR BRIAN BURKE (Balga—Treasurer) [11.26 a.m.]: I move—

That the Bill be now read a third time.

MR HASSELL (Cottesloe—Leader of the Opposition) [11.27 p.m.]: It is unusual for us to refuse leave to the Government to proceed forthwith to the third reading as occurred the other night on this Bill. I will mention why that was done. Firstly, I indicate to the Treasurer, not in a rancorous way, but simply to convey it to him, that when the Government wants to proceed forthwith to a third reading, it should tell the Opposition in advance of seeking leave to do so, as clearly we do not want to refuse leave when it may be done, but there are occasions when we have reasons not to want legislation to proceed in that way. It raises the more general question of the Government's communication with us as to what it wants to do.

If, as I understand it, the Government wants us to give notice of certain things we want to do in the House, similarly the Treasurer's staff could undertake, on behalf of the Treasurer, to advise

the Opposition when, for example, the business of the day is to be commenced with a condolence motion. That was not done this week. It is only fair to the families of those concerned that it be done, so that we can be prepared properly.

I take the opportunity to ask the Treasurer at the same time that we also like to know when the Government wants to proceed forthwith to a third reading, although I understand at the moment the Standing Orders are suspended and the Government can do so anyway.

The other reason I did not allow the third reading of this Bill to proceed was simply to give the Treasurer the opportunity to have a further look at the amendments we had put forward. I assumed he would do so, and I am disappointed that, in moving the third reading, the Treasurer did not indicate that he had caused further examination to be made of the Opposition's amendments, and if they were found to be necessary in terms of his own drafting in one case, and desirable in respect of the other amendment, did not seek to recommit the Bill so that those amendments could be dealt with further.

I noted that the Treasurer complained that we had not given him enough notice of the amendments. I said at the time that I thought he could have had an adviser here to assist him.

Mr Brian Burke: You could have given us a little more notice.

Mr HASSELL: True, but we remedied that by not having a third reading at the time so that the Treasurer would have the opportunity to look at the amendments. I repeat that I am disappointed he did not, in moving the third reading, at least indicate the outcome of any further advice he had received.

Mr Brian Burke: I told you in my second reading speech that those matters would be considered as part of the six-monthly review.

Mr HASSELL: I remind the Treasurer of some other things he told us. He told us in December, when the original Bill was put through, that the arrangements for charities would not cause them any difficulties—that was proved to be wrong. The Treasurer told us that if they were having difficulties he would deal with them at the end of six months. He did not do that either, because he introduced this amendment before that time had elapsed, so everything the Treasurer says is not true.

Mr Brian Burke: Would you prefer that we did not amend it to help the charities?

Mr HASSELL: We have received advice that the Treasurer's amendment in relation to charities is deficient, and that is the reason we moved a

further amendment. The Governments' amendment sets out to do what it wants to do—what we want to do also, and the Treasurer knows we wanted to introduce a private member's Bill to achieve this—but it will not work.

We have been advised that it does not adequately do what it attempts to do and that a further amendment is desirable. The Treasurer said in the Committee stage that he did not have the time to consider the amendment. He now has had time to deal with the matter further and I am disappointed that when he moved the third reading he did not deal with the matter.

Mr Brian Burke: You will have to live with your disappointment.

Mr HASSELL: The Treasurer has not received any further response.

Mr Brian Burke: I do not think I can relieve your gloom.

Mr HASSELL: That demonstrates the very point I was making the other night when the Treasurer would not accept what the Opposition said when it introduced legislation to help charities. The Premier tried to discredit what the Opposition said in January and February about the impact this legislation was having on churches and charities. He has had to acknowledge that impact was very real. He has had to introduce the amendment prematurely in terms of his own programme for the review of the legislation. We are telling him again that what the Government is doing is inadequate, but the Government has wiped that off without giving consideration to it. We have said all along that we support this Bill, but it is a shame that the Government has not taken the trouble to deal properly with issues we have very properly raised.

Question put and passed.

Bill read a third time and transmitted to the Council.

MUSEUM AMENDMENT BILL 1984

Second Reading

Debate resumed from 12 April.

MR SPRIGGS (Darling Range) [11.34 a.m.]: The Opposition has had a look at this Bill.

Mr Carr: Doesn't it usually do that?

Mr SPRIGGS: We totally support the Bill, because it can do nothing but improve the existing situation. It allows a broader recognition of our museums and it provides for the appointment of associates, and this will allow our non-municipal museums to receive assistance to catalogue items contained in their museums.

Mr Brian Burke: Where are the non-municipal museums?

Mr SPRIGGS: Some museums are not connected with the local authorities, and this legislation allows those museums to be recognised.

Mr Brian Burke: Where are they? I do not know of any.

Mr SPRIGGS: Denmark has one of the best museums in the State. There is also one at Kelmscott. We totally support this legislation and applaud the Government for its introduction.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Evans (Minister for Agriculture), and transmitted to the Council.

VALUATION OF LAND AMENDMENT BILL 1984

Second Reading

Order of the day read for resumption of debate from 12 April.

Debate adjourned until a later stage of the sitting, on motion by Mr Brian Burke (Premier).

RURAL RECONSTRUCTION AND RURAL ADJUSTMENT SCHEMES AMENDMENT BILL 1984

Second Reading

Debate resumed from 19 April.

MR OLD (Katanning-Roe) [11.39 a.m.]: This Bill generally has the support and approbation of the Opposition. I do have a few comments to make and questions to ask. In his second reading speech the Minister mentioned that the amendments provide for use of reserve funds held under the rural reconstruction and rural adjustment schemes for other assistance measures to farmers. The word "other" is very wide ranging and I am wondering just how far the use of funds from the rural reconstruction trust fund can be applied. Perhaps when the Minister is replying he will give us some idea whether it is envisaged that there will be a wider use of these funds. I have no great objection to utilising the funds, especially the money that is virtually lying idle in the trust fund. It is most essential that it should be used for the benefit of agriculture. We fought very hard to obtain the permission of the Commonwealth to recycle this

money, because at one stage there was great reluctance to utilise the money left in the trust fund.

When money is provided by the Government on the basis of loan, plus a grant component—I think, from memory, the loan repayment period was 15 years—with changing circumstances in the rural industry—and the changes have not always been for the worse—it is pretty obvious that some people were able to repay their money in advance of the period that had been stipulated when the money was advanced to them. So this money came back and sat in the trust fund pending the time that it had to be repaid to the Commonwealth.

I was puzzled by the verbiage further on in the second reading speech when the Minister referred to the provision of Bills for seasonal carry on loans to be offered to farmers in situations of financial emergency. He went on to say that this loan would be available only to farmers who still have an adequate equity in their farms and whose financial problems are a result of adverse seasons. Prior to that he had said that the Government expressed concern at the erosion of farm profitability and was determined to ensure that wherever possible farmers were given the chance to demonstrate that they could re-attain viability.

In answer to a question asked last night, the Minister indicated that those people who still retained adequate equity in their farms but were doubtful of retaining or regaining viability could be assisted with some of the \$5 million to be taken out of the trust fund. This would be a temporary relief. I am puzzled at the verbiage used because if a farmer had adequate equity in his farm and no viability, it would indicate to me that he lacked the expertise to run the farm. If those are the sorts of people we are going to help, surely to goodness we would be better off assisting them out of their farm now than to fund them, knowing they do not have any hope of returning to viability, thus further reducing their equity in the land they currently hold. If that is the object of the exercise, I believe it is an exercise in futility.

I would like some explanation of the rationale of lending money to people whom the Government and the department obviously do not think are capable of regaining a viable situation.

The Minister further states that the scheme is consistent with the overall aims of the rural adjustment scheme, and I do not cavil with that one bit. I quote as follows—

It could not be funded from monies held in the reserves of that scheme and the rural reconstruction scheme because the farmers to be assisted cannot be judged to have sound long-term prospects.

I wonder whether we are aiming at the right people. Surely we must aim our assistance at people who have the ability to farm, not this year, but in years to come. I am quite sure that the Minister can adequately answer those queries even though he looks a bit puzzled.

Mr Evans: I am, with your confused approach to it.

Mr OLD: If the Minister is confused, I will tell him again: If we are to fund people who have equity in a farm and who have no chance of long-term viability, what good will we do them or the industry? That is what the Minister said in his second reading speech. I want the Minister to explain that to the House.

Mr Evans: Look, if they have viability, funding is available.

Mr OLD: But these people do not have viability.

Mr Evans: You are getting senile; you really are.

Mr OLD: I will read the Minister his own words. Maybe it will infiltrate a growth of bone. He said—

The Bill provides for seasonal carry on loans to be applied to farmers in situations of financial emergency.

That is admirable. It continues—

These loans will only be available to farmers who still have an adequate equity in their farm and whose financial problems are a result of adverse seasons.

The Minister went on to say that the loans could not be funded from moneys held in the reserves of that scheme and the rural reconstruction scheme because the farmers to be assisted could not be judged to have sound long-term prospects. If one can make sense out of that one is doing very well! We will judge the Minister's skill now. I ask him to answer those few queries.

An amount of \$28 million was made available for drought relief in this State and, to my knowledge, something like \$10 million has been approved and only a few applications remain to be processed. The question of what will happen to the rest of that money needs to be answered. If \$18 million is available for drought relief, that money should be re-channelled into short-term relief of people who can demonstrate viability or to assist people to liquidate their assets if that is their desire. If it is to go into the Consolidated Revenue Fund by some dubious means, we really will want to know why. An amount of \$5 million has been made available from the rural reconstruction trust fund, and this virtually is State money; it is State money waiting to be repaid to the Commonwealth. I assume that the Government of the day has

requested the Federal Government to match that money, so we should have \$10 million.

I am sure that the Minister will give an assurance to the House that that request has been made to Mr Kerin, who has only recently visited this State and who, I understand, is sympathetic to the plight of the farmers. If that is the case I am sure his sympathy will be manifested in a matching amount from the Commonwealth to assist the people concerned. It is important that that question be dealt with.

Clause 5 which amends section 16 of the Act refers to all moneys which are not immediately required for the purposes of a scheme within the meaning of the Rural Industries Assistance Act, or, notwithstanding that they are immediately required for the purposes of such a scheme, are required for the purposes of the rural reconstruction scheme or of a repayment to the Commonwealth under the first agreement or the second agreement. This means that if the money is sitting there and it is not required for the purposes of the rural reconstruction scheme or for repayment to the Commonwealth, it may be utilised for other purposes, with the permission of the Treasurer.

Does this mean that all money in the trust fund, not immediately required, should be recycled? If that is the case, what happens in the event that we have ongoing droughts—I sincerely hope we do not—and people are unable to repay that money and repayment has to be made to the Commonwealth? Is it the intention of the Government to ensure that there is enough money left in the trust fund so that all liabilities to the Commonwealth are met, or has the Commonwealth indicated that it is prepared to either waive the repayment of those funds, or at least extend the term of the loan?

Another part of the amending Bill on which I seek some explanation appears on page 5 where it states the Minister may, with the consent of the Treasurer, from time to time in writing, permit the authority to place the whole or part of any moneys, etc. That provision allows the Minister access, with the permission of the Treasurer, to withdraw X number of dollars from the trust fund for application to a particular purpose. Let us assume that the Minister has withdrawn \$5 million and that the money is required for a particular project which, in the event, requires only \$3 million. What happens to the balance of the money if it is not required? There is no provision for it within that part of the Bill which relates to repayment of unutilised money taken out of the trust fund.

Does the Minister have complete jurisdiction over this money? If not, in what part of the Bill does it state that he has to confer again with the Treasurer with regard to the disposal of the unspent funds? My query may sound frivolous, but it is not, because that money is taken out of the fund which provides assistance to the agricultural industry.

Assistance to the agricultural industry can be widely defined; it could well be research. I do not quarrel with that, but if the money is for rural reconstruction, it should not be utilised for any other purpose. The Minister should give an assurance to the House that such will not be the case.

Finally, I ask the Minister the reason that 30 April was set as the deadline for the receipt of applications from people to participate in the distribution of these funds. I am sure some people are still trying to arrange their financial requirements with lending institutions. Some have been cut back on their requirements, and some have been denied those requirements. Not all of them know. We hear every day of farmers who are unable to fund their next crop.

We are now past that deadline, so I ask that the Minister give consideration to extending the period. I am sure cases will be cited of people who require consideration for funding now and in the next month.

With the qualifications I have expressed—and I am sure my questions can be answered—the Opposition supports the Bill.

MR McNEE (Mt. Marshall) [11.56 a.m.]: I take this opportunity to make some remarks about this Bill because I am concerned that it does not go far enough.

Mr Evans: Your colleague says it goes too far.

Mr McNEE: Just let me make the point: My colleague said what he wanted to say in his words, I will say what I want to say in my own words. The members on this side of the House are not like members on the other side of the House who are orchestrated to say the same thing, in the same words and phrases.

Mr Evans: As long as you make sense.

Mr McNEE: My words will make much more sense than does the Government's attitude to this serious problem.

Mr Old: Hear, hear!

Mr McNEE: Let me make that quite clear.

Mr Evans: Why didn't your Government bring in something like this?

Mr Tonkin: Asleep for nine years!

Mr McNEE: That may be the opinion of Government members.

Several members interjected.

The SPEAKER: Order!

Mr Old: When all else fails, shout and criticise.

Mr McNEE: The problem with this Bill is that it is about gaining access to some dollars. The situation is that some farmers are in a desperate situation and are unable to finance this year's cropping programme.

Some of the farmers who qualify for some of these funds have lost equity in their properties. Perhaps I should speak for one moment about equity, because it is important that members understand this matter. The reason some farmers have run down their equity is that they have experienced poor seasons over the past eight to nine years and have used up their equity to continue the project. It might seem rather strange to some people that farmers should put their equity on the line, but we must remember that many of these farming enterprises have been in the same families for many generations. They will not give them up so easily. It is interesting to note that the sort of people in the farming industry whom one might call "businessmen farmers" have in many cases closed down their farming enterprises. In our industry, however, the people are made of a different fibre. We have not closed down; equities have been run down to allow people to carry on.

This means that when a fellow puts in his application and goes to the end of the line at the Rural Adjustment Authority he is deemed to have some equity, and that apparently is a necessity. He is then given a loan which is conditional upon his being able to make some other arrangements, perhaps with his hire-purchase company or whatever, to allow him to put in the crop and use the dollars he can get from the authority. That sounds all very well, but it does not really help the applicant. One of the reasons is that the amount of money available, I understand, is \$40 000; that is not enough to help a person in such a serious situation.

I ask the Minister if he will consider looking very closely at the question of equity and viability. Those factors are very hard to determine, particularly with the industry in the situation it is in at present. I assure the Minister that, given the opportunity and some prudent management by the farmer himself and careful management by Governments as to where we are heading, the situation relating to equity and viability can quickly change. The situation is so serious that even the Prime Minister should stop trying to talk up the economy and look at the problem. Governments are putting money into the economy in what appears to me to be strange areas. Unless our farming and mining industries are sound there is little

chance of doing anything for the rest of the nation by trying to plug holes that I consider to be artificial. Our economy is based on the rural and mining industries and we ignore them at our peril. The Prime Minister who said 12 months ago somebody needed to pull the nation together—after having spent the previous 10 years pulling it to pieces—should look at the situation and see how he can assist the State Governments to overcome this serious problem, particularly in Western Australia.

Mr Bryce: He is doing a pretty good job as Prime Minister.

Mr McNEE: That is the Deputy Premier's opinion, and not necessarily mine. Time will tell.

Mr Bryce: Are you one of the 28 per cent who do not agree?

Mr Wilson: He is a supporter of Malcolm Fraser.

Mr McNEE: All that does not matter. A lot of talking-up of the economy is being done not only by the Prime Minister, but also by this Premier. This is quite futile as is well known by members who represent rural electorates and who are daily involved with people trying to obtain finance to put in this year's crop. I have just left the telephone after talking to one of my constituents who faces this problem. It is easy to hold him off and say he has no chance. The Government did not hold off Mr Fagan; it went to a lot of trouble to get him a job.

Mr Old: Was that the fellow in Charles Dickens' book? Perhaps not, he used to work didn't he?

Mr McNEE: I do not think Fagan would work in an iron lung, but the Government looked after him. At the same time the Government is prepared to walk past those who provide our base products. The Government says it understands, but I am quite sure that it does not. It will take considerably more than words to right this situation.

In a great part of Western Australia, and certainly in the granary of this State, this year is shaping up as the best season for a long time, probably 10 or 12 years, or even more than that. It has the prospect of being an ideal season. I would not like to see too many people in those areas miss this opportunity.

Leave to Continue Speech

I seek leave to continue my remarks at a later stage of this day's sitting.

Leave granted.

Debate thus adjourned.

(Continued on page 7833.)

PUBLIC MEETINGS AND PROCESSIONS BILL 1984

Second Reading

Debate resumed from 17 April.

MR THOMPSON (Kalamunda) [12.07 p.m.]: The Opposition opposes this legislation.

Mr Tonkin: Not enough confrontation in it for you?

MR THOMPSON: It is important that we trace the history of this matter. From as early as May 1975 it was believed that power existed under the Road Traffic Act to control public processions. Under a provision of that Act the police and the Road Traffic Authority over a considerable period of time required those who wanted to conduct processions to make application, and upon application conditions were sometimes imposed and the procession was held in an orderly manner.

In 1976, it was discovered as a result of a court challenge that the power conferred in May 1975 did not exist. The Government of the day in a Bill that was presented to the Parliament by the member for Mt. Lawley enacted legislation designed to tighten the loophole. I want to make it clear that until 1976 no-one in the community had objected to the requirement that police permission be obtained to conduct a procession or a public rally. I am sure we can all recall the many meetings and particularly the election rallies that were held in Forrest Place. All those were held under the provisions of the Road Traffic Act.

It was not until a case was taken to court that it was found that the power did not exist. In 1976, a Bill was introduced to give the police power to issue permits. In August 1979, another Bill was brought to this Parliament to enact section 54B of the Police Act. I am sure that all members can remember the great hoo-ha that went on over that Bill. It is as a result of the things that were said during that debate that we find this Bill before the House.

It was during the debate on section 54B of the Police Act in August 1979 that the Labor Party said that, if elected, it would enact legislation to repeal the section because it considered it was oppressive and did all sorts of dreadful things.

If we look calmly at what has happened, all those reprehensible things the Labor Party envisaged as a result of section 54B simply have not occurred.

Have any members in this House had their attention drawn to any problems that have arisen because of section 54B?

Mr MacKinnon: No.

MR THOMPSON: Of course we have not; and the legislation is here now only for political reasons. The Labor Party became sore about something years ago and, having given an undertaking, has brought this legislation before the Parliament. The Labor Party will regret its action, and I will refer at a later stage to another Labor Government which found itself without an answer when an incident occurred on the steps of its Parliament House. The South Australian Government then took action to protect itself.

Mr O'Connor: Section 54B protects the general public.

MR THOMPSON: Indeed, and if we look at the purpose of 54B and the other provisions which preceded it, it will be found they were instituted for two principal reasons. Firstly, they were to ensure that people going about their ordinary lawful business were not subjected to inconvenience or any sort of trauma. Secondly, and more importantly I think, they were instituted to protect the rights of people who wanted to demonstrate. The police have a serious responsibility to both groups of people.

Basic reasons exist for the inclusion of section 54B in the Police Act. The Bill before the House purports to be designed to protect the people who wish to demonstrate and to protect the ordinary public. However, the Bill is deficient in that it will finish up meeting neither objective in the case of some processions and public meetings. No obligation is placed on anyone to seek the permission of the Police Department to conduct a rally or a meeting.

The Bill provides the opportunity for people to apply to the Police Department for a permit. The department may issue a permit and may lay down conditions under which a meeting can be held. However, if a group of people choose not to make an application, they can still conduct their procession or meeting and the Police Department need never know a thing about it. If application is made to conduct a procession or a meeting and conditions are laid down, the police can then ensure that those conditions are adhered to. The police can ensure also that the public at large are not inconvenienced, and the people who are participating in the procession or meeting are likewise not inconvenienced or subjected to any undue harassment.

I submit there will be very few applications made if this Bill is passed because there is no real encouragement for people to comply with its requirements.

When introducing the Bill the Minister said that it would not be mandatory for people to make application to conduct a procession or rally, but that there are benefits from making an application. What happens in the case of a politically motivated rally? What happens if someone makes an application and, for good and sufficient reasons, the application is rejected? Can the rally or procession still take place with all the inconvenience that it may cause the public?

Mr O'Connor: What about at 4.30 p.m. on Friday?

Mr THOMPSON: Yes, a procession could be held at 4.30 p.m. on Friday in the middle of St. George's Terrace. It would not be unlawful to do that and no-one would offend against this legislation if it were done. It is true that the group of people responsible could be taken to task under some other Act, but the police can do nothing under this legislation to prevent that occurring. Even if the police were aware that something of this nature was to occur, no action could be taken by them. The rights of perhaps hundreds or thousands of people would be eroded if such an event were to take place. The police would be powerless to assist those people in the community who would be inconvenienced by that activity. I believe that to be a totally undesirable situation.

The community needs laws which enable the police to ensure not only the proper conduct of the people who wish to express a point of view by way of a procession or public meeting, but also the protection of people going around their normal lawful business.

Mr O'Connor: The laws today are assisting those who want to disrupt other people.

Mr THOMPSON: Yes, and I think that if members were to read the debates which took place in 1976 and 1979 they would come to appreciate whose interests the present Government is serving.

Indeed, the member for Collie, who was the Opposition's spokesman on police matters when this issue was debated in 1976 and 1979, went to great lengths to protest against the impact the legislation would have on the Trades and Labour Council and on the trade union movement. It was that section of the community which obviously had the ear of the Opposition at that time, and I submit that it is the same section of the community which has the ear of the Government at this time. It is at their behest that this legislation has been introduced, and it was at their behest that all the hoo-ha occurred in 1976, and more particularly in 1979.

Mr Speaker, you will recall that the stiffening of the legislation in 1979 occurred at the time when some trade unionists carried out a procession in Karratha in defiance of the law. The debate that took place in this House was somewhat stifled. As the Speaker at that time, I recall having to prevent members from referring to the Karratha incident in the 1979 debate, because a court case was proceeding at the time.

It was clear that some people within the trade union movement did not want to obey the law. They wanted to carry on in a way they thought was acceptable, but, indeed, in the view of many people that way was disruptive to the community. The militant people within the trade union were the greatest opponents of this legislation—people who wanted to take the law into their own hands to disrupt the community.

Mrs Buchanan: People in Karratha did not disrupt the community. Were you there?

Mr THOMPSON: No, I was not.

Mrs Buchanan: I am telling you they did not disrupt the community.

Mr THOMPSON: I will take the member's word for it.

Mr Hassell: Did they block the train crossing?

Mrs Buchanan: They had a meeting on a vacant block and walked to the shire office.

Several members interjected.

Mr THOMPSON: Whether or not the community at large was inconvenienced in the Karratha incident, those people precipitating the incident did not care one way or the other.

Mrs Buchanan: Of course they did.

Mr THOMPSON: It was just a chance happening that they did not disrupt the community; their actions could easily have caused disruption and there would have been no opportunity for the police to protect the community.

Mrs Buchanan: You do not know what happened at Karratha. I was there at the time.

Mr THOMPSON: I am sure the member for Pilbara, who makes many speeches in the House, will get to her feet in time and tell us what happened at Karratha from her point of view.

Mrs Buchanan: I can tell you exactly what happened.

Mr THOMPSON: That is good. We shall have the story first-hand.

Mr Wilson: Don't be so patronising.

Mr THOMPSON: I am not being patronising. I am suggesting to the member that there is a more appropriate way to speak on this subject than by interjecting.

Mr Wilson: Of course you are being patronising. As spokesman on women's affairs you should not adopt a patronising tone when speaking to women.

Several members interjected.

Mr THOMPSON: The proposed legislation has no requirement for people to seek the permission of the police to conduct a rally. I suggest that is a most unsatisfactory state of affairs. It could result in disruption occurring in the community and the police, not having been previously notified of the rally, could be unable to do anything about it. I appeal to the Government to reconsider this matter because it is not in the interests of the community for the police to be unaware that a rally or march will take place.

I am prepared to make one concession with respect to section 54B of the Police Act as dealt with in this House in August 1979: I believe, and I think the Opposition believes, an appeal provision should have been included in the Act. With the advantage of hindsight and, perhaps, having cooled down from the days of the debate of 1979, one can see that the legislation should have contained the right of appeal for those who had made application in good faith and whose application had been turned down by the commissioner or one of his authorised officers. That is the only defect I see in the present Act.

If one looks at the events since 1979 it is found that no-one has been inconvenienced as a result of the existence of this law. The legislation has come to the House for political reasons only. No incident has occurred where the law has proved to be deficient and has resulted in a group being unable to conduct a rally. On occasions applications have been made and the police, for good and sufficient reasons, have convinced those conducting the rallies that they should do so in a different way or at a different time. However, they have been able to conduct rallies with the protection of the law. More importantly, the community at large has received the benefit of the protection of the police; protection in terms of ensuring that members of the public can carry on their lawful business.

The member for Collie, speaking on behalf of the then Opposition, said many things about what should be contained in public processions' legislation; none of which is included in this legislation. It makes one smile to read what Opposition members say when in Opposition and observe what they do when in Government.

I draw attention to a passage in this Bill and remind the Government of the great carry-on which occurred with regard to the legislation on fuel and energy and the use of a phrase in that legislation. The phrase to which I refer is "state of

mind". It is interesting to note that when the member for Floreat was in charge of the fuel and energy Bill he was taken to task because of the passage in the Bill referring to the Minister's state of mind. However, we find in this legislation that the Minister and those who have assisted him in drafting the legislation have resorted to the phrase "state of mind". I wonder what has happened in the 10 years since the introduction of the fuel and energy Bill to make the Government reach the point of accepting that to express a particular situation it can use this phrase which it found so reprehensible 10 years ago. I have digressed a little but I wanted to deal with some of the irregularities in this Bill compared with the statements made by the then Opposition through its spokesmen in 1976 and 1979. At that stage the Opposition was suggesting that local authorities should have control over public meetings and other processions. Indeed, the member for Collie said that the City of Perth should determine whether, when, and how rallies should be held in the city and that local authorities in other parts of the State should do the same in their areas. We disagree with that. That is what the Opposition was talking about at the time.

I would like to raise another point in respect of the debates which occurred previously and compare that with what has happened on this occasion. A lot of fuss was made about the assembly of three people. There were jokes around this House that if three people were seen chatting in the corridors they would probably find themselves subjected to an action under section 54B. In this Bill we find the Minister has to resort to the use of the phrase "three people or more".

Mr Carr: You would have to have three people or more. You do not have to.

Mr THOMPSON: You do not need a permit to allow three people to meet in a corridor. You do not need a permit for 3 000 people to march down St. George's Terrace at 4.30 on Friday afternoon. They can do it.

Mr Bryce: That is democracy.

Mr THOMPSON: I wonder whether it is democracy. Is it democracy if 3 000 people do it and inconvenience 30 000? Of course it is not. That has been our approach to this matter all the way through. We want to give an opportunity for minority groups to hold processions and to have meetings, but at the same time we want to ensure that the majority of the community is afforded some protection from interference in their normal operations.

This Government is not concerned about the majority; it is reacting to a vocal minority group within the trade union movement. This has been

the push behind this legislation. I do not think this legislation would be before the House at all if it were not for some hotheads in the trade union movement and at Trades Hall who keep prodding the Government to get rid of section 54B. I am sure of the maturity of the people who sit opposite. Although we argue with them and question their motives from time to time, they are mature enough to know that the legislation on the Statute books has served this community well. It has served the wider community well, and it has served the interests of those who want to conduct rallies as well.

I challenge the Minister to tell us, when he replies to the debate, on how many occasions people have been inconvenienced as a result of the existence of section 54B of the Police Act. Tell us how many times those who have wanted to conduct a meeting or a procession have been denied that right. How many times have people had to cancel arrangements? I would be surprised if there are any. I am aware that there have been some occasions when, at the suggestion of the police, or perhaps even at the insistence of the police, some arrangements have been changed. There was one occasion, the details of which I cannot bring to mind at this moment, where it appeared as though an organisation was in jeopardy of losing its right to hold a procession. Ultimately the procession was held, but it was held under some changed arrangements. The Commissioner of Police was able to state quite categorically the reason it was necessary for some conditions to be imposed in that case.

The Government will place this community in a very awkward position. It will create a situation where the community can be disrupted and where there will be no opportunity for the police to do anything about it.

I want to draw the attention of the Minister to a situation which occurred in South Australia where legislation similar to that which we now have on our Statute books did not exist. A very ugly incident occurred on the very steps and in the precincts of the South Australian Parliament House. This was during the time of the Labor Government in South Australia. The police were powerless to do anything about it. After that incident occurred, the Government of the day introduced legislation to give the police the necessary power to deal with that type of situation. The Government of this State is going against the trends in other States.

When the member for Collic spoke on behalf of the Opposition when this matter was before the Parliament previously, he made a lot of noise about the police having power to lay down con-

ditions for the approval of processions. I note with interest that in this legislation there is power for those who make application to have conditions imposed by the police on how a procession is to be held. It is interesting that the Labor Party, having made all that noise previously, has written into this proposed legislation the power for the Commissioner of Police or those deputised by him to impose conditions.

I want to refer again to what I said a little earlier when I asked the Minister to tell us in his reply to the debate who it is who has been inconvenienced as a result of the imposition of section 54B. I believe no justification has been demonstrated for the introduction of this legislation. In the absence of some justification, the Government should drop the legislation. I believe quite sincerely that in honouring an election undertaking, the Government is ignoring the interests of the wider community. Experience not only in this State but also in other States indicates that the police need to have power to control assemblies, to protect not only the community at large but also those people who are involved in the processions themselves.

We have seen in recent days, unfortunately, incidents such as the one in London, where the policewoman was shot. That was a situation where the police acted as a go-between between two political factions.

I am sure that the community we represent in this place wants to give the police the necessary power to ensure that that sort of thing does not happen in this country. I do not know what power the police had in the case of the demonstration that occurred outside the Libyan Embassy in London, but it is clear the police there were doing their best to ensure that law and order were maintained. It was a great pity—in fact it was a tragedy—that a police officer, in this case a woman, should have been shot when she was simply trying to do her job.

We have been fortunate in Australia in that a great deal of that sort of activity of a serious nature has not occurred. To some extent I suppose this debate is really academic, because we have not had to deal with the serious situations which have occurred in other parts of the world. But mark my words, as sure as night follows day, there will be occasions in Australia and Western Australia when undesirable activities will occur. In those cases we need to ensure the police have the necessary power to protect the community.

Mr Gordon Hill: That is part of your Thatcherism style of Government.

Mr THOMPSON: My fear, and the fear of the Opposition, is that the stripping away of the power

that the police now have will contribute to an undesirable situation. It will result in the police not having the power it has been demonstrated they need in order to serve the community.

Not much interest will be generated in the community in respect of this measure, because it is an unfortunate trait of human nature that until such time as a catastrophe occurs, very few people consider the lack of power available to the police to do something about it.

I ask the Minister: What is the attitude of the Commissioner of Police and his commissioned officers to this legislation? Does the commissioner support this legislation? Indeed, was the commissioner consulted prior to this legislation being drafted?

Mr Carr: I shall answer that later.

Mr THOMPSON: I shall leave the Minister to answer that when he replies. I ask whether the commissioner was consulted and, if so, what was his attitude to the matter? I would certainly be interested to know the commissioner's attitude, and that of the officers under him, to this legislation, because I do not believe the police could be happy with it bearing in mind that it is "nothing" legislation—it will give the police nothing at all on which to hang their hats.

From my involvement in the previous legislation introduced here in 1975, 1976, and 1979 I am aware that it came here as a direct result of input by the commissioner and senior officers of the Police Force. That legislation was not the result of a political move, but it was introduced because the police and the Government believed the power should be available.

I believe the police are not happy with this legislation. I have not asked them, because I would not embarrass them by asking whether they were consulted and, if they were, what they thought about it. However, I leave it to the Minister to report faithfully to the House whether the police were consulted and, if they were, what were their attitudes to the legislation? I suspect that the police did not have a hand in drafting the legislation, because it is politically motivated and it would have been drafted at the request of the Minister, probably employing the skills of some of his highly paid advisers.

We are opposed to the legislation because it strips away a power in the Police Act which has been proved conclusively to be necessary, and which works well. That power is being replaced by a provision in the legislation which simply cannot work. It will work only in the case of those who are responsible enough to seek permission to meet and, in those cases, there is not likely to be a

problem. However, it certainly will not work in respect of militant groups—groups which go about deliberately disrupting and causing strife.

The member for Pilbara took umbrage at my reference to the situation which pertained in the Pilbara. Although there are members on this side of the House who may say disruption occurred, I am prepared to accept the word of the member for Pilbara that no disruption occurred; but that is not the point. The point is that it may have occurred and, for that reason, the police need to have some sort of input and involvement in that matter.

We are extremely fortunate in Australia. We have great freedom, but we can only continue to have that freedom if the interests of society are protected by sensible laws. I submit firmly to the Parliament that the proposed change to the Police Act contained in this Bill is not in the interests of the community.

MRS BUCHANAN (Pilbara) [12.47 p.m.]: I shall comment briefly on the remarks made by the member for Kalamunda. Certainly I support the Bill. I see it as being of great importance to the people in my electorate. I take great exception to some of the remarks which have been made, particularly those levelled at the unionists in my area who, as we all know, were involved in the kerfuffle which occurred in June 1979 when, in going about their normal, lawful, union business, they were arrested. On a number of other occasions following that they had to appear before the court, and because they spoke to people outside the court, they got into further trouble, and they were up on further charges.

I make the point that the people who assembled in Karratha in 1979 certainly did not set out to disrupt the community. That was never their intention. It was not on their minds. They were going about their normal business of resolving a strike.

Mr Thompson: They set out to defy the law.

Mrs BUCHANAN: They did not set out to defy the law. They were carrying out their normal business and in fact they were trying to resolve the protracted dispute which had been going on at Hamersley Iron Pty. Ltd. for approximately 10 weeks. If the Opposition does not think that union people should meet to try to resolve those sorts of disputes—

Mr Thompson: When have we said that?

Mrs BUCHANAN: That is what they were doing. They were not trying to disrupt the community. They were going about their lawful business.

Unlike the member for Kalamunda, I happened to be there at the time. The member for

Kalamunda really cannot speak with any authority as to what happened on that day. I was attending a luncheon in Karratha which was given in honour of Bill Hayden who was visiting the area. I was invited to attend the meeting which took place on the vacant block next to the TAB in Karratha.

I duly went over after the luncheon and I found the meeting to be most orderly, one which was not disrupting the community or upsetting the people. Those in attendance were very quiet and there were no incidents or problems. The police were also present. The people were listening to what the unionists were saying about the Hamersley strike; they were being updated on its progress.

It was decided to walk over to the shire offices, which were only a short distance away, and everyone took great care not to disrupt traffic or upset the community in any way.

Section 54B disrupted the community by prolonging the strike and making it worse by having the police interfere under that provision. Somewhere in my notes here I have a reference to a paper written by a Mr Lovett from the Monash University. Referring to section 54B, he said there could be no doubt that it had the effect of lengthening the strike in 1979 and affecting the Karratha community in an unreasonable way. If members opposite want to talk about the community being disrupted, they should talk about section 54B, because it was that which was responsible for protracting the strike.

Mr Hassell: Were some of those 1979 charges subsequently dismissed by the courts?

Mrs BUCHANAN: Some were, but the point is that people do not like suddenly to be arrested when they are going about their normal business.

Mr Thompson: But if they are breaking the law—

Mrs BUCHANAN: There would have been probably 100 people at that so-called march to the shire office, so how is it that the only people arrested were unionists? As it happens, I took part in that march, but I was not arrested or harassed by the police. The police seemed to pick on the people who had addressed the meeting, people who just so happened to be unionists. It was an out and out attack on unionists in the area.

Mr MacKinnon: By the police.

Mr Tonkin: By the Government.

Mrs BUCHANAN: What occurred was absolutely outrageous.

Several members interjected.

Mrs BUCHANAN: I had not intended to speak but I could not allow to pass the comments made

by the Opposition; I had to defend the people in my electorate, especially those people who are in fact responsible unionists.

Mr McNee interjected.

Mrs BUCHANAN: Here is a classic example of a real dill who does not know what he is talking about. I am right up with matters in my electorate and I know there is a downturn in the industry and that it has not been caused by industrial disputes, but by the world-wide situation.

Again I emphasise that the people were not disrupting the community. Section 54B was designed to provoke the sort of confrontation that took place in Karratha.

Mr Tonkin: Hear, hear!

Mr Thompson: How much of it has there been since 1979?

Mrs BUCHANAN: The Minister can explain the situation better than I can. My point in rising was to defend the people of my electorate, particularly those union people, who are responsible people, and who were at the time legally going about their business. These people were harassed and arrested, and in fact a number of follow-up incidents occurred as a result of this terrible section 54B which members opposite perpetrated upon the community when they were in office.

I have no doubt that the previous Liberal Government made sure that the police acted under section 54B against those people. It was quite deliberate. Section 54B helped to protract the strike, and the previous Government enjoyed that because it loved to see strikes in the Pilbara. Members opposite seem to think strikes give them some electoral advantage, but they should think twice. Members opposite also said that a woman could not win the seat of Pilbara. I have proved them wrong.

Mr Tonkin: They refer to women on committees as "hobos".

Mrs BUCHANAN: The member for Kalamunda claims that section 54B serves the community well. I say it does not, and that we should get rid of it. I support the Bill.

MR COWAN (Merredin) [12.56 p.m.]: When section 54B was being debated previously, the National Party continually maintained that any person or group of people wanting to conduct a march or to hold a meeting should be required to receive permission to do so. We maintained that the responsibility for determining whether permission was granted should not rest solely with the Commissioner of Police. At the time, we attempted to amend the Government's proposals in order to provide for a right of appeal against a denial of permission to conduct a public demon-

stration or march. Our amendment was not accepted.

The National Party does not believe that a completely new Bill is necessary. We believe it would be appropriate for the Minister simply to have introduced an amendment to section 54B of the Act. In glancing through this Bill, I am disturbed to note that it will not be made mandatory for people to apply for permission to conduct a public meeting or march. We believe such an application should be necessary.

The Commissioner of Police should be given as much information as possible about these things. We cannot look at this issue solely on the basis of giving protection to people who want to be part of a public demonstration; we must also give consideration to protecting people who may have the conduct of their own lawful business disturbed by other people who are marching or holding a meeting. An amendment should be made to provide that it is mandatory that an application be submitted.

I repeat: We believe it would be perfectly adequate for the Minister to have introduced an amendment to section 54B in order to provide that it is necessary for people wanting to hold a public march or demonstration to submit an application to the Commissioner of Police; that the commissioner should not be the only person to make a decision to grant or refuse an application; and that an appeal provision should be provided. A further amendment is required to define precisely what a public place is; the present definition needs to be changed.

We will support the second reading, but we will attempt to amend the Bill in Committee.

Sitting suspended from 1.00 to 2.16 p.m.

MR HASSELL (Cottesloe—Leader of the Opposition) [2.16 p.m.]: This legislation is of the utmost importance because it deals with an issue which concerns and touches almost everyone in the community and which goes directly to the protection or otherwise of fundamental rights and liberties. There is no doubt that if the right of public assembly and public protest is not fully and effectively protected, the right of freedom of speech in which we all believe will be significantly diminished. It is therefore legislation which deals with a matter fundamental to our system of Government and fundamental to democracy itself and it should be approached in that manner. The emotional speech made by the member for Pilbara—

Mr I. F. Taylor: An emotional and factual statement.

Mr HASSELL: I repeat: The emotional speech made by the member for Pilbara indicates how very strongly people feel about the issue, and it is right that they should do so. It is right that we on both sides of the House should be concerned to ensure that the fundamental liberties of the subject are preserved. Fundamental to those liberties is, of course, the right of freedom of speech.

Mr Tonkin: Hear, hear!

Mr HASSELL: One of the concerns about which I personally feel very strongly is that a considerable amount of legislation currently in vogue in Australia and popular in a passing and temporary way is legislation which in fact diminishes the freedom of speech and freedom of public expression. That is another issue. So our starting point is a belief that I think we share without any equivocation with every member on the Government side of the House; namely, that the freedom of expression and the effective exercise of that freedom of expression through public demonstrations and public meetings is something that we want to preserve, and that is so whether those public meetings or processions are carried out by people with whom we agree or people with whom we totally disagree.

When I think of this subject I am always reminded of the occasion when I observed a protest march or a public demonstration being carried out in the streets of Perth by a very large group of homosexuals and their supporters, flanked on all sides by police officers, providing them the protection that they were entitled to have when expressing their point of view.

It is important that we preserve the rights of all other groups to express their points of view, but as with all issues, it is unwise and difficult to be absolute. The free exercise of the rights of one person must always be carried out with a proper regard and a proper balance so as to protect the rights of others. So that we can ensure that the freedom of speech and of expression is preserved, we must necessarily regulate and control the manner in which that freedom and that right is expressed. On that issue also there is no difference between the Government and the Opposition.

While we have legislation which for a variety of political reasons the Government seeks to change, the Government seeks to replace it with a different form of regulation. Both Government and Opposition therefore recognise that the right of public assembly and public demonstration must be regulated so as to give adequate protection to other people in the community who are not engaged in that particular demonstration or meeting. The Government recognises, as we do, that a free and unfettered right of public demonstration is a

licence which is a threat to liberty, because a completely unfettered right is capable of being exercised so as to deprive other people of their rights. That applies whether one is referring to individuals, groups of individuals, or organised groups such as trade unions, or any other people.

The real argument today is about the quality and form of the regulation.

Mr Tonkin: It is good at least to have a bipartisan attitude to that question.

Mr HASSELL: There was never an attempt at bipartisanship on the part of the then Opposition or the trade union movement when we introduced section 54B in years gone by, before I was a member of Parliament, or as we amended it when it was found to create some difficulties.

Mr Tonkin: Did you attempt bipartisanship?

Mr HASSELL: There was a concerted campaign by certain elements of the trade union movement deliberately to challenge the law. That is on the public record in the statements of the people concerned.

The quality and form of the regulation which ought to be imposed on the exercise of the right of free speech is important to all of us. Both sides recognise there must be regulation and that it must relate to the time, place and conduct of those who wish to engage in a public meeting in a public place, or in a public procession.

The member for Pilbara made a number of remarks about section 54B which indicated that she really did not have much knowledge of that legislation.

Mrs Buchanan: I just saw the results of it. That was enough for me.

Mr HASSELL: Perhaps the member does not realise that section 54B was amended after 1979, if my recollection is correct.

Mrs Buchanan: The legal opinion of the time was that it had not changed much.

Mr HASSELL: The legislation was amended by a very careful process and one that involved much careful consideration.

Mrs Buchanan: Subsequent to that a lot of people were arrested.

Mr HASSELL: The member for Pilbara should understand that in a number of respects the legislation for which she will undoubtedly vote will also on occasions require that people be arrested, and on occasions will involve those people being subject to quite significant penalties.

Mrs Buchanan: The basic right of citizens to assemble lawfully and exercise freedom of speech will be restored.

Mr HASSELL: That really is the starting point—there has to be a regulation. Sections of the trade union movement were saying—and this led them to get the Government to propose changes—that no fetter whatever should be placed on their right to demonstrate or hold meetings at any time and in any place. Only sections of the movement were involved, and much of it was politically motivated. They were seeking to use this issue as a means by which to confront the Government of the day.

This legislation provides no less opportunity for confrontation than ever was provided by section 54B. Indeed, there is every chance that this legislation will provide more occasions on which confrontation is likely to occur.

I do not come to this debate—and I have been careful in the lead-up to this over several months of Government announcements—on the basis of attempting to say that section 54B is the be-all and end-all of public assembly law and that it bears no reconsideration or that it cannot be improved. I do not think I have ever said that; I certainly have not said it in the lead-up to consideration of the Government's new legislation. Most of section 54B's critics have never read it. Time and again during the more controversial periods of its application I would be confronted by journalists and people in the public arena who would launch into a diatribe of comments or questions about the section. If one stopped them and asked, "Have you read it?" there would be a dumbfounded silence for a moment as they thought of what to say other than the simple word "No".

Mrs Buchanan: I saw clearly the results of that section.

Mr HASSELL: Has the member read it?

Mrs Buchanan: No, I have not. I said from the beginning I had seen the results; I have seen what happened, particularly the protraction of that strike. It is a bad law.

Mr HASSELL: The member has made a speech in this House in opposition to section 54B and in support of a new Bill, and has admitted she has never read the section. What kind of standard is that for a law-maker?

Mrs Buchanan: Has the Leader of the Opposition read every Act on the Statute books?

Mr Carr: She is not the only member of Parliament to have admitted that.

Mr HASSELL: Of course not, and I commend her for her honesty in admitting she has not read it.

This is a very important debate. Members would agree with me that it is important because

it deals with a fundamental right of the people in this community.

Mr McIver: The fundamental desire of the Liberal Party to get more votes! It is the most obnoxious piece of legislation ever to come before this Parliament.

Mr HASSELL: The Minister for Works should go and check the Fagan files.

Mr McIver: There is nothing on the Fagan files. The Opposition will have egg on its face over this matter.

Mr HASSELL: I bet there is nothing on the Fagan files at this stage.

Several members interjected.

The DEPUTY SPEAKER: Order!

Several members interjected.

The DEPUTY SPEAKER: Order!

Several members interjected.

The DEPUTY SPEAKER: Order! Will the Leader of the Opposition please resume his seat. With so few members in the House, I think it would be relatively easy for members to hear when I call for order. I have done so on three occasions and members have taken no notice. It is not my wish to take any action against members who ignore my rulings. However, I shall do so in future if members take no notice of my call. When I call for order I expect members to come to order without my having to impress upon them that I mean it.

Mr HASSELL: The member for Pilbara will no doubt have noticed that clause 5 of the Bill before the House provides that a person or body proposing to hold a public meeting in the street, conduct a procession, or both, may give written notice to the commissioner. Subclause (2) states that "notice given for the purposes of subsection (1) . . . shall provide, with as much detail as is reasonably practicable, the following information". Subparagraphs (a) to (j) detail what must be provided in the notice. However, the key provision in section 54B under subsection (2) states—

A person or body who or which proposes to conduct or organise a public meeting in a public place or a procession, not being a funeral procession, in, or which is to proceed through, any street or public place, or both such a public meeting and such a procession, shall give notice, in accordance with this section to the Commissioner of Police or an authorised officer under this section, requesting that a permit be issued . . .

No doubt members will already have noticed the remarkable similarity between the opening words. There is one key difference; section 54B states that

the person proposing to hold the public meeting or procession "shall" give notice whereas clause 5 of the Bill states the person "may" give notice. However, apart from that, the words are almost identical and could, indeed, have been drafted by the same draftsman. The defined detail required to be given by the applicant under subsection (2) of section 54B is set out in subparagraphs (a) to (g) of subsection (2). Indeed, I am sure it might have escaped the notice of the member for Pilbara that there are more requirements as to detail in terms of the number of subclauses in the new legislation than in the old legislation.

If one looks at section 54B one finds another key provision which states what the commissioner must do when confronted with an application for a permit. These are the most important words in the whole of section 54B. It is, in fact, a very long section which covers several pages, but these are the most important because they define the right of people to hold a procession or demonstration. They read as follows—

(6) The Commissioner of Police or an authorised officer shall not withhold permission for a public meeting or procession in respect of which due notice has been given under this section unless he has reasonable ground for apprehending that the proposed public meeting or procession may—

- (a) occasion serious public disorder, or damage to public or private property;
- (b) create a public nuisance;
- (c) give rise to an obstruction that is too great or too prolonged in the circumstances; or
- (d) place the safety of any person in jeopardy.

Which of these considerations does the member for Pilbara, the Minister, or any other member of the Government believe should not be taken into account in determining whether a public meeting or procession might be held? Which one would Government members say was not important: the serious public disorder, the possibility of damage to public or private property, the creation of public nuisance, an obstruction that is great or prolonged, or, placing in jeopardy the safety of any person? Of course, there is no question but that all members of the Government, as well as members of the Opposition, would consider it to be logical, sensible, reasonable and, indeed, an essential requirement for the protection of liberty that those matters should be taken into account. It should be noted in terms of section 54B that the Commissioner of Police is required to give permission unless he can satisfy himself on reasonable grounds that one of those conditions might arise.

What a surprise to read subclause (2) of clause 7 of the Bill, which states the following—

(2) The Commissioner or an authorized officer shall not refuse to grant a permit for a public meeting or procession in respect of which notice has been given unless he has reasonable ground for apprehending that the proposed public meeting or procession may—

- (a) occasion serious public disorder, or damage to public or private property;
- (b) create a public nuisance;
- (c) give rise in any street to an obstruction that is too great or too prolonged in the circumstances; or
- (d) place the safety of any person in jeopardy.

These things clearly illustrate that the Government recognises, as fully as we do, that issues of this nature need to be considered in relation to any public procession or demonstration. However, the Government fails to provide adequate protection of the public requiring that these matters be considered before a public meeting or public procession takes place. That is the essential failure of the Government's legislation because it leaves it open to the lawless and those who wish to create confrontation and trouble to proceed with their public meetings and demonstrations without those factors being taken into account.

The Government brings in a Bill that removes the teeth of the law and the power of the police to protect the public. Fundamentally, there are only two differences between section 54B and the Government's legislation. The first is that obtaining consent is now optional. That is undesirable in terms of the Government's values as set forth in this Bill. Secondly, the Government's legislation provides a right of appeal if permission is refused. I agree there should be a right of appeal; I have no quarrel with that aspect of the legislation. It is one thing that might have been done to improve section 54B, if there were a genuine dispute with the old section. In practice, there never was; but if there were a genuine dispute or concern on the part of some people—and in practice that was never demonstrated—that concern might have been overcome by the insertion of a right of appeal.

In my own thinking, that right of appeal might have been to a judge rather than to a magistrate, as provided for in the Government's legislation. However, that is a technical point and I do not intend to canvass it in this debate.

The key point which must be raised is that the Government has included in this legislation a clear recognition of two things: Firstly, that the right of

public expression must be regulated to balance the protection of human rights; secondly, that the rights of other people must be protected by some person—the Government acknowledges that it should be the Commissioner of Police—taking into account those factors relevant to the rights and protection of people and property by the Commissioner of Police.

Having recognised those things, the Government then takes away the effectiveness of this legislation by using the word "may" instead of the word "shall". It leaves it open to anybody who wants to run the gauntlet of the law, the Parliament, or the streets to proceed without giving notice, and to cause disruption and conflict unnecessarily. Surely to goodness the right of free speech is protected by provisions which prescribe and direct the commissioner to give his consent, and then subject the commissioner to a right of appeal on the part of any dissatisfied applicant. How can the commissioner and the police do their job if they have no notice of what is going on and they are suddenly confronted by an unruly mob on the streets or on the steps of Parliament House? What is the job of the police? More fundamentally than anything else, the job of the police is to protect the liberty of the subject. How can they do it if a law says, "If you want to tell the police you are going to have a riot, you can tell them. If you don't want to tell them, you don't need to tell them. You might still commit an offence, but it is too late when the offence is committed".

Section 54B, and indeed the whole of the Government's legislation is directed to creating a balanced, regulated system, except for the fatal flaw in the Government's legislation which provides that one simply may give notice, but not that one shall give notice.

What is the justification for that? Is it simply a nice, technical appreciation of a subjective and individual view of human rights? Even the international covenant, which is capable of any kind of interpretation, has been recognised as allowing the proper regulation of public assemblies.

We do not come here necessarily as the defenders of section 54B. We come here as the defenders of the rights of individuals in the community. They are permitted to demonstrate, to march, and to have their say; but equally the rights of others not to have their property damaged, not to be improperly inconvenienced, not to be physically assaulted, and not to be left without a balance of protection should be observed. Providing that balance of protection is the responsibility of the police. The Government's legislation denudes the commissioner of the capacity to do his job.

MR CARR (Geraldton—Minister for Police and Emergency Services) [2.46 p.m.]: I thank the members of the House who have contributed to this debate. The contributions made by the shadow Minister for Police and Emergency Services and the Leader of the Opposition have highlighted the dilemma faced by the Opposition with regard to this legislation.

Two principal arguments have been put before the House by the Opposition during the last hour or so: Firstly, that the legislation which is proposed by the Government takes away necessary powers and opens up a situation in which enormous problems can be confronted by the police; and, secondly, the legislation does not involve a great change from the legislation which previously existed. It seems that the Opposition is not quite sure whether to say that the Government is taking a drastic and dramatic measure which will cause anarchy, or whether to say that we have not changed a thing. When one tries to balance those two things, it really means that the Government has pitched its approach to this issue at approximately the right level. We have been moderate; we have sought to consider and encompass the differing views that prevail on this issue; we have sought to protect all of the different parties involved in this problem.

The first point to be considered is the point made by the Leader of the Opposition that regulation is needed to deal with the type of problem we are talking about—that of demonstrations, processions, assemblies and the like. There is no argument with that. Both sides of the House agree with the proposition; it is only a question of an appropriate mechanism to enable the situation to take place.

The Leader of the Opposition went to some lengths to establish his support for the principle of freedom of speech and the right to assemble. I make the point strongly that the reason for bringing this Bill before the Parliament is the strong commitment by the Government to the fundamental principle that people in the community should have the opportunity to assemble and to express their views together in the way that they wish.

I noted the claim made by the member for Kalamunda that the Government was introducing this Bill for political purposes. I guess we could talk backwards and forwards all day about who is doing what for political purposes. Perhaps that is the reverse of the truth, because my argument is that section 54B was introduced for political purposes—

Mr Hassell: That is not so.

Mr CARR: —and that the Government is setting about righting a wrong done on a previous occasion.

Mr Hassell: Section 54B was introduced because the city council's by-laws were found to be invalid. They had then to fill up a gap in the law.

Mr CARR: The Leader of the Opposition can make that claim if he likes, but I do not think there is a person in this House who was here at the time of the section 54B debate, who sat through that debate, who saw the way in which the law was used in Karratha, who would have any doubt that there was a very strong motivation by the previous Government and the person of seniority in the police force at that time, to set about turning the issue into a political one.

This highlights the difference between this Government and the previous Government, because we want to bring about a situation where a compromise can take place and where people have the opportunity to assemble freely without any unreasonable imposition being placed upon them.

Members opposite indicated that there were no problems with section 54B, or more precisely that there were some, but not many. Some applications were refused.

Mr Hassell: How many?

Mr CARR: I cannot give the Leader of the Opposition the exact number, but not many have been refused.

Mr Hassell: Less than the fingers on one hand?

Mr CARR: It would be close to that many which have been refused.

Mr Hassell: In eight years?

Mr CARR: I will give the House the reason for that.

The member for Kalamunda went to great pains to put the argument that there had been no problems and that the reason was section 54B. The reason there have been no problems is the very responsible attitude taken by the current Commissioner of Police, a person who has very deliberately set about to be a conciliatory person.

The present commissioner has used or not used the powers available to him under section 54B so as to deliberately avoid the possibility of confrontation that might have been caused because of the existence of section 54B. I am happy to pay tribute in this House to the present Commissioner of Police, because he has played a very good role by acting in this way.

It could be argued that this approach of conciliation would continue indefinitely under future commissioners and future Governments; I would like to think that would be so. However, one can-

not be sure of that, and while I would expect successive commissioners to be conciliatory persons like the present commissioner, one cannot rule out the theoretical possibility of our having another commissioner like the previous one or another Government like the Court Government, which in its time set about to provoke and confront in this field.

The reason this legislation is before the House is to set right a fundamental issue; namely, the right of people to assemble. This right is a fundamental principle of liberalism pursued and advocated by true liberals. I am referring to real liberals such as John Stuart Mill and others who have followed him over the years and have supported genuine liberal principles.

Mr Hassell: Do you agree with it?

Mr CARR: With the right of people to assemble, yes.

Mr Hassell: Does that make you a liberal?

Mr CARR: That makes me more closely a real liberal than the terminology involved in the name of the member's party, which is anything but a truly liberal party.

Mr Tonkin: You are just reactionaries. You don't even know the ABC of politics.

Mr CARR: I refer now to the main issue between the Government and the Opposition on this matter; namely, if no offence is being committed, what is the problem? If no offence has been committed or is being committed against any Statute, law, or regulation, what is the problem and why should we have a measure to make an offence out of something that did not involve any other offence?

If road safety problems are involved, we have road safety laws to deal with them. The Government is not saying that we should ignore breaches of road safety regulations or that we should make legal such breaches of road safety regulations. We are saying that if breaches of other substantive legislation occur, those breaches should be dealt with by the provisions of the appropriate legislation, including the Road Traffic Act.

In this instance we are talking about a situation where no other offence is committed except the offence created by section 54B, which has created an offence of not obtaining a permit. We see that as being quite unreasonable.

Mr Tonkin: Well put.

Mr CARR: The difference between the Government and the Opposition seems to be that the Opposition wants to have as much regulation as possible.

Mr Tonkin: They are in favour of big government.

Mr CARR: Precisely; they are in favour of excessive regulations.

The member for Kalamunda made the comment that it would be perfectly all right under our Bill for 3 000 people to march down St. George's Terrace at 4.30 p.m. without having obtained a permit. That is not true. If 3 000 people marched down St. George's Terrace at 4.30 p.m., they would commit an offence under other legislation and could be dealt with under that legislation. This Bill will not allow people to march down St. George's Terrace like that in breach of other substantive legislation without first getting a permit.

The point of this legislation is that if people want to carry out an action which would otherwise be in breach of other substantive law, they can gain exemption from some of those other laws under certain circumstances by applying for and being granted a permit.

Mr Watt: If you tried to disperse that crowd at 4.30 p.m. one week day, and they didn't disperse, who would be at fault—the whole bunch or the organisers?

Mr CARR: If we had a disorderly assembly that needed to be dispersed, the power is not under 54B but 54A.

Mr Watt: But someone has to be ultimately responsible for the organisation of these things, so who would be responsible?

Mr CARR: People are aware of the traffic laws with regard to movement on roads. They know that if they obstruct traffic they commit an offence and can be dealt with under the Road Traffic Act. If an offence is likely to be committed against a substantive law, an exemption from that law can be gained under certain circumstances.

This highlights the difference between the Opposition's approach and our positive approach of saying to people that we are prepared to provide them with a positive advantage if they apply for a permit. The previous Government seemed to concentrate more on the negative by making lots of offences, including making it an offence not to apply for a permit. We are saying it is not necessary to apply for a permit, but if people are likely to be in breach of any law, positive benefits are to be gained by their making an application for a permit.

The member for Kalamunda claimed that not many applications are likely to be made. My firm expectation is that there will be just as many permits granted, probably more, under this proposed legislation, because we are offering people the positive benefit of protection. If they want the assistance of the police and if they want to be able

to carry out actions which would otherwise be in breach of other substantive law such as the Road Traffic Act—they might be in danger of obstructing traffic—they will be able to gain some protection. People wanting to organise marches will have this positive benefit available to them.

Mr Thompson: What would happen if a group decided to ask for a permit to march down St. George's Terrace at 4.30 p.m. on a week day?

Mr CARR: The permit they asked for would become subject to this legislation; the permit would be either approved or rejected. If it were rejected, they would have the right of appeal.

Mr Thompson: But they could still march.

Mr CARR: But they would break the law.

Mr Brian Burke: It is a very sensible system that works well in South Australia. If under the present system someone applies for a permit, is rejected, and then goes on and marches—

Mr Thompson: They are in breach of 54B.

Mr Brian Burke: Yes, and that is the law under which they are prosecuted. When they are in breach of other laws it is good sense that those other laws should be the vehicle for prosecutions against them.

Mr Thompson: Do you take a prosecution against 3 000 people?

Mr CARR: Whom do you prosecute under section 54B?

Mr Thompson: The organisers.

Mr CARR: Who are they?

Mr Brian Burke: I suppose if you want to provoke the situation, one or two people could put themselves forward and take the rap. That would be preferred, but the other way is much more preferable.

Mr CARR: It is obvious members have their own views on this matter. I wish to answer another point raised by the member for Kalamunda. He asked me to comment on the attitude of the Commissioner of Police and the Police Force in general, and whether they had been consulted in this matter. Yes, they have been consulted from the time this party became Government. The police did participate in the drafting of the legislation and many discussions have been held with other people.

We have consulted fairly widely on this question and a number of opinions have been sought. I am not saying that the Police Force would have finished up with the same legislation if they were solely responsible for drafting it. There were some discussions where differences of points of view occurred, but the police were consulted all the way

through and we have reached agreement on the major thrust of the legislation.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mrs Henderson) in the Chair; Mr Carr (Minister for Police and Emergency Services) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Public meetings and processions—

Mr THOMPSON: I would like to make some general comments on this, the first of the operative clauses of the Bill, and in so doing respond to a couple of points made by the Minister when he wound up the second reading debate.

There is one fundamental difference between the legislation which is before the chamber and section 54B and I will speak about that when we deal with clause 5. The point I want to make relates to our discussion on the possibility of a procession occurring at a time when it could be inconvenient to the wider community.

Under section 54B, permission must be sought before a procession can take place, and the police, armed with that information which is contained in the Act, can make a judgment as to whether they should grant permission for a march to take place. If the application is refused and the procession then proceeds, action can be taken against those people who organised the march.

Under the provisions of this Bill, if an application for a permit is refused and the march still goes ahead, that would be a breach of the Act. How can we take action against 3 000 individuals? We could not, and under the proposed legislation, action cannot be taken against the people who organised the procession. There is a fundamental difference between the two approaches.

This proposed legislation is undesirable and unworkable, and in the fullness of time the Government will come back to this place with an amendment requiring a permit to be sought. I do not think many organisations will apply for a permit under the proposed law.

A militant group which wishes to draw the maximum amount of attention to its cause could not organise a procession under section 54B without placing itself in a position of being charged and dealt with by the courts, but under this law, such a group could do so, and I suspect would do so.

If an organisation wished to draw the maximum amount of attention and publicity to its cause, it

would pull a stunt that would create confusion for the public. Even if the organisation requested permission to hold a procession, it would fly in the face of a refusal and no action could be taken against it. Even so, there would not be enough room in the East Perth lock-up for the people involved in the demonstration; that is, even if there were enough policemen to deal with the situation.

The Government is making an absolute farce of the situation, and it will be to the detriment of the community.

Mr STEPHENS: I would like to support the remarks made by the member for Kalamunda, remarks which really bear out what the member for Merredin said during the second reading stage. In order to permit the freedom of people to march and to have public assembly without unnecessarily or wantonly interfering with the rights of others, all that is necessary is an amendment to section 54B along the lines of a right of appeal so that people are not judged solely by the Commissioner of Police or his officers.

We in the National Party believe that that would be a fairer and tidier way to handle the situation. What the member for Kalamunda has said is true: It is quite possible that we are creating problems for the Police Force. When the Minister was summing up during the second reading stage I interjected to say that the Government is creating problems for the Police Force, problems which it may not have the manpower to overcome.

The Government should be prepared to accept an amendment to provide a degree of control to protect the rights and interests of other people who wish to go freely about their business.

Mr CARR: The situation has been somewhat misrepresented by the emphasis placed on the large crowd of 3 000 people marching in contravention of section 54B of the Police Act, or without a permit. It is not right for the member for Kalamunda to say that in either of those two disorderly situations, totally different situations would apply. If 3 000 people were marching without a permit they would be breaching the Road Traffic Act and would be dealt with accordingly under that Act.

Mr Thompson: Did you say dealt with?

Mr CARR: The problem would have to be handled in that situation. A similar situation would apply under the previous Government's legislation.

It is not reasonable to say that, in this situation, the police would have to arrest 3 000 people; but under section 54B of the Police Act only three or four people would be arrested and everyone else would meekly go home.

If there were a disorderly march involving 3 000 people, the police would know about it, and if it were conducted in breach of the provisions of the existing Act, or if a permit had not been obtained under this proposal, it would be a difficult situation for the police to handle—it would be an extreme situation.

More importantly, when we compare the two pieces of legislation, the question is whether ordinary Western Australians, who are going about their activities in a normal lawful way, are protected. Under the Government's legislation it is proposed that those people should be able to continue to go about their activities in their normal lawful way as long as they do not break the substantive laws which exist in the community.

The legislation which was introduced by the Opposition, when in Government, places great restrictions on the public. A permit must be obtained, and if a permit is not obtained, an offence is committed. The Opposition is misrepresenting the situation.

Mr JAMIESON: Members of the Opposition do not appear to understand crowd psychology. Both the member for Stirling and the member for Kalamunda have had enough experience in life to know that in some cases—it may be only one case in a hundred—a group of people becomes hot under the collar because of some local activity which affects them. They may decide to march on the local shire council knowing that a council meeting is under way. They may scream obscenities at the councillors and no-one would be able to stop them. It would not matter if one was the best organiser or chairperson in the world, one would not be able to stop them. A group of unionists might decide to march on Parliament House because of a decision that has been made and no-one could persuade them not to. These are examples of mass psychology as exhibited in our community.

We do not want to put the Police Force into confrontationist situations any more than is necessary. If legislation which causes confrontation is placed on the Statute book, anger will exist within the community. This sort of thing is unnecessary and should not be cultivated.

When section 54B was originally debated I remember telling the Chamber that when the Labor Party came into power it would remove the legislation from the Statute book because it was confrontationist legislation and would not work.

An application for permission to march will be obtained in most cases, but occasionally the public will be inconvenienced. It is better to let the safety valve explode and allow people to march on Parliament House, rather than having the confrontation take place in Hay Street. If members of the

Opposition are not prepared to accept that, they do not understand mob psychology.

The existing provisions have not been successful and I suggest that the members in this Chamber give this legislation a chance.

Since the new Commissioner of Police has been in office, the Police Force has been administered in a different way. If the legislation is left on the Statute book, trouble will arise if it is not administered properly. One is inclined to handle things with kid gloves when the dynamite is about to go off. We should try to overcome this problem and I hope that the members who have been objecting to the legislation before the Chamber on the basis that there should be some control over processions and public meetings, will realise that problems of this nature sometimes occur in their electorates. Even the farmers, if they become upset and they know that the relevant authorities are in town, will march on them and abuse them accordingly. It is better to let people get rid of their frustrations rather than to bottle them up for another day. The Bill, as proposed by the Minister, should be given a chance because the existing legislation does not operate effectively.

Mr THOMPSON: I listened to the member for Welshpool and I agree with him that it is an undesirable situation to have the type of demonstration to which he referred suppressed. I agree that the community needs a safety valve and that there are occasions when meetings pass resolutions and, on the spur of the moment, seek to do something about them.

I doubt whether any prosecutions have ever resulted from that sort of thing. Every day the police, in the performance of their duties, are exercising discretion as to the sort of charges that will be laid.

Indeed, if every breach of the law that becomes known to the officers of the Police Force resulted in prosecutions, one would never be able to get into the courts.

We must take into account the volatile nature of some people in the community when involved in processions and public meetings. From the day this law is passed it will be extremely easy for hot-heads to attract a lot of attention to their activities simply by disturbing the community, without any prior notification to the police. Not too many people are needed to cause a disruption to the community. We were referring to a mythical figure of 3 000 people—not as many people as that would be needed, but it would not be hard to get 3 000 people together on some issues, and they could cause all sorts of chaos in the community.

There would be no prospect of any action being taken to curb that activity. I agree with the Minister when he says that under this legislation there is power to take action against individuals because there would be breaches of other Acts. But that cannot happen, because there would not be the ability to do so. Under section 54B of the present law an opportunity is provided to take action against the organisers. That is effective. There would be prosecutions against individuals. An example would be set. If one flies in the face of section 54B, then one would be prosecuted, and no-one likes the thought of that. So people will not be prepared to undertake the organisation of these things because they will know there is some sanction required.

There is no redress at all against someone who wants to disrupt the community to draw attention to a particular cause which may be affected by the Bill currently before the Parliament. Neither the Minister nor the member for Welshpool has been able to convince me there is any justification for the passage of this legislation.

Clause put and passed.

Clause 5: Notice of assembly—

Mr THOMPSON: This clause makes provision for people who wish to organise a march or a meeting to apply for a permit. The clause reads—

5. (1) A person who, or body which, proposes to—

- (a) hold a public meeting in a street;
- (b) conduct a procession (not being a funeral procession) in, or which is to proceed through, any street; or
- (c) both hold such a public meeting and conduct such a procession,

may give written notice to the Commissioner—

I believe that the opposition which we have to this clause can be overcome by the simple change of one word—by taking out the word “may” and substituting the word “shall”. Then everyone’s wishes will be met. It would mean then that a person who wants to hold a procession can make application to do so. The interests of the community can be protected by the police making a determination about the time, mode, and route to be adopted so that it will not interrupt the community. The same things which are happening under the law at the present time will continue.

The Minister has been unable to give us any detail of any inconvenience caused through any of these groups which have been holding processions since 1979.

Mr Carr: A number of applications have been refused—something in the vicinity of 56 or so.

Others have made applications, but they have not been allowed to use the route chosen and negotiations have been undertaken to adopt an alternative route. There was one in the last month or so.

Mr THOMPSON: I accept that. Let me qualify the word "none". None has been of such consequence that it has caused any sort of ripple in the community. I believe that the actual applications since 1979 of section 54B have shown that the law is working with satisfaction to all parties. In those cases where different routes have been adopted or chosen by the commissioner or officers delegated by him, that has obviously been done for sensible reasons.

The only deficiency—and I stated this in my second reading speech—in section 54B is that there is no right of appeal. I believe there ought to be. If there were, everything the Government seeks to do in this legislation—with the exception of that one objective—would be satisfied. The Government believes people can just march at any time and in any place without the authority of the police. I do not believe that is a practical proposition.

I was in the city of Athens in 1974 when a demonstration took place, and I was very scared. I have never seen a mob in such an angry mood. I do not want to see that sort of thing happen in this country. My wife and I were merely visitors to that city, and for the best part of 40 minutes this mob of people—

Mr Bertram: Where was that?

Mr THOMPSON: In Athens, in Greece. I do not know the laws the Greeks have for controlling these things. Obviously they were not too effective, because for 40 minutes it was impossible for the tourist bus we were in to cross the street and continue on its way. It was frightening for me, because no-one on that bus, including the driver, could speak English. We could not find out what the demonstration was about.

Mr Carr: You might have joined it if you had known.

Mr THOMPSON: I do not know whether I would have joined it. I could not get out of the place quickly enough.

We are very fortunate in this country that we do not have these extravagant demonstrations as they do in other parts of the world. As I said in my second reading speech, it will come, and if we have not given the police in this State and in this country the necessary power to deal with those situations, then this community will suffer the consequences.

I believe that it is fair and reasonable for anyone organising a demonstration to give notice of

that demonstration to the police so that the community and the demonstrators can be afforded the necessary protection of the law.

The matter raised by the member for Welshpool is significant. I suppose breaches of section 54B are occurring now when a group of people—it has only to be three or more—decide to march on the local council to express their points of view on a matter. As I said a little earlier, the police exercise a discretion. There is no way in the world they are likely to take action under section 54B in such a minor situation. However, without section 54B and the powers contained in it, we run the risk of having major disturbances in the community.

Pursuant to the notice I have given, I move an amendment—

Page 4, line 24—Delete the word "may" with a view to inserting the word "shall".

Mr STEPHENS: We in the National Party fully support this proposal. During the second reading debate the Leader of the National Party indicated we were prepared to support the second reading and that he would move an amendment in the Committee stage. This is the amendment he had in mind.

We believe that the use of the word "shall" is imperative. The police should be given some forewarning of what is going on and they should be allowed to make any necessary arrangements. I do not think this would impinge in any real way on a person's rights.

If the Government accedes to this amendment, it will bring the legislation into line with the point of view held by the National Party in 1979 during debate on the amendments to section 54B. At that time we tried to amend the legislation to provide for a right of appeal. The present Opposition, which, of course, was the Government at that time, denied us that amendment. I found it very interesting in this debate to hear the Leader of the Opposition indicate he believed there should be a right of appeal. The member for Kalamunda expressed the same point of view, but, in his case, he could argue quite correctly that in 1979 he was Speaker of the House and was denied the opportunity to express his view.

Over the years, we in the National Party have noticed that sooner or later the Liberal Party tends to get in behind the forward thinking ideas we have advanced, and it is very encouraging to note, now the Liberal Party is not in power, that it has accepted the words of wisdom we advanced.

I hope the Government gives serious consideration to this amendment. It would overcome a great deal of the conflict which may arise and we

could then feel that we had a reasonable consensus on the legislation.

I strongly support the amendment and I trust the Government will, in its wisdom, accept it.

Mr CARR: My reply will be brief, because basically the argument involved in the amendment is the one we had on clause 4 and during the second reading debate.

The main point of difference between the two sides is seen in a statement made by the member for Kalamunda which went something like this: The Government believes that anyone can march at any time, in any place, without a permit. That is really not our position at all.

We are saying people can march at any time, in any place, without a permit, so long as they are not breaching other substantive legislation, and that where a situation arises in which they will breach that substantive legislation, if the people concerned do not get a permit, they will breach the legislation, and they can be dealt with under it. They would be well-advised to get a permit, because of the benefits it conveys to them.

I am opposed to the amendment.

Amendment put and a division taken with the following result.

Ayes 18

Mr Bradshaw	Mr Mensaros
Mr Clarko	Mr Old
Mr Court	Mr Rushton
Mr Cowan	Mr Stephens
Mr Coyne	Mr Thompson
Mr Hassell	Mr Trethowan
Mr Laurance	Mr Tubby
Mr MacKinnon	Mr Watt
Mr McNec	Mr Williams

(Teller)

Noes 25

Mr Barnett	Mr Jamieson
Mr Bateman	Mr McIver
Mr Bertram	Mr Parker
Mr Bryce	Mr Read
Mrs Buchanan	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Terry Burke	Mr A. D. Taylor
Mr Burkett	Mr I. F. Taylor
Mr Carr	Mr Tonkin
Mr Davies	Mrs Watkins
Mr Evans	Mr Wilson
Mr Grill	Mr Gordon Hill
Mr Hodge	

(Teller)

Pairs

Ayes	Noes
Mr Peter Jones	Mr Pearce
Mr Blaikie	Mrs Beggs
Mr Crane	Mr Bridge
Mr O'Connor	Mr Troy
Mr Spriggs	Mr Tom Jones

Amendment thus negatived.

Clause put and passed.

Clauses 6 to 12 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Carr (Minister for Police and Emergency Services), and transmitted to the Council.

VALUATION OF LAND AMENDMENT BILL 1984

Second Reading

Debate resumed from an earlier stage of the sitting.

MR MENSAROS (Floreat) [3.40 p.m.]: This is a very simple piece of amending legislation which, as I understand it, is partly trying to remedy an anomaly in the parent Act and which is also to validate the existing and quite acceptable practice, and so it reinforces the original intention of the Act. In addition to this, the time frame within which appeals can be lodged is extended pending discretionary judgment of the Valuer General. Lastly, a printing error is corrected.

I want to examine these provisions very briefly, but separately. In cases where clearing bans in catchment areas exist to prevent salinity in the creeks and rivers which ultimately flow into the dams which are the basis of the water supply to the area, hopefully in the long-term this will remedy the existing damage from the point of view of salinity in such cases. Where a farmer is barred from using his property, he can obtain, instead of compensation in money terms, land, in kind. If he does get such land—that will be let to him under lease—the lease itself could vary up and down from five per cent of the commercial value of the land. If it does, for instance, if the rent were about 10 per cent of the commercial value of the land, then automatically, according to the present provisions of the Act, the unimproved value of that land would have to be set at twice as much as the commercial value of that land. This is because the statutory unimproved value of leased land is 20 times the rental, the rental being assumed to be five per cent of the unimproved value.

As I understand it, this provision aims to bring the valuation back to a more commercial basis; and allows the Valuer General to value the land on a commercial basis. The way this is being done is by taking such cases out of the enumerated special provisions and bringing them back to the general provision which says that the Valuer General values the land according to its commercial value.

There is no objection to this. It seems to be quite equitable and, in any event, I think without exception, it can only work to the benefit of the farmer concerned.

The next provision is the clarifying one in that it aims to clarify the parent Act. It is a quite commendable aim, but I do not really think that the wording in the Bill does this clarifying job. The Bill could have been drafted much more clearly in order to achieve this objective. Also, the officer concerned could have written a much clearer, much more explanatory second reading speech for the Premier. The aim of the amendment is to allow the Valuer General to have a choice between either separately valuing parts of a holding and then adding up these values to arrive at the aggregate value, or to do the opposite: namely, to value the whole holding and then apportion it to the individual parts in question. So that we may more clearly understand the position I will refer to a rural example and a more common urban example.

The rural example would be the holding where some parts of the land have a very low or no potential yield at all because, for example, they are affected by salinity. In this case the aggregate value would obviously be inequitable, but the individual valuation where some parts have no value and some parts have a high value appears to be just.

For an urban example, let us consider a high-rise block of flats. Each flat might be, from the point of view of its ground plan and the finish, identical and yet half the flats overlook the river and the other half overlook rooftops.

The higher flats, of course, have more value than the ones on the ground floor. Consequently, in this case, if one were to take the aggregate value of a block of flats and divide it by the number of flats in the block, say for the purposes of sewerage rates—and this is the requirement—it would be inequitable on a value based rating because obviously a top floor flat overlooking the river would be much more valuable than a basement flat on the other side. Again, if the value were established in parts, it would be more equitable.

The wording in this provision is hardly less confusing, I submit, than the original provision in the parent Act which it sets out to correct. I give one example only of the reason I am complaining. One could deduce from the wording that non-contiguous rural properties would be valued as just one holding. That often happens in the country and the Valuer General can choose to value a property as one entity. I am further given to understand,

not because of the wording of the Bill, but because of judicial precedents, that that would not happen.

I understand that in the south-west, based on the present provisions of the Act, that was attempted. A case was then brought to the Supreme Court, which ruled that non-contiguous units could not be valued as an entity. Valuers with long experience know this, and I wonder why that fact could not have been communicated to the draftsman and for the new provisions to be drawn up in a clearer form which stands on its own and does not have to rely on the judicial decision beyond the wording of the legislation.

Of course I have no objection to the final provision. Some members would have some experience of a constituent asking him for help to draft an appeal against a valuation. One has to obtain various facts and difficulties may arise in doing this within the 42-day period. It is a blanket extension, but it is left to the discretion of the Valuer General. I support that provision and hope that it will be used fairly in all cases.

The Opposition has no objection to the Bill, but again it reminds the Government to exercise more scrutiny in the drafting of legislation generally.

MR GRILL (Esperance-Dundas—Minister for Transport) [3.50 p.m.]: I thank the member for his support of the Bill. I have taken note of his remarks about the drafting; those remarks were also made in another place to the Attorney General. I think we are well and truly covered by past practices and procedures, but nevertheless we will take that matter in hand.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Grill (Minister for Transport), and passed.

MAIN ROADS AMENDMENT BILL 1984

Second Reading

Debate resumed from 19 April.

MR LAURANCE (Gascoyne) [3.53 p.m.]: The Opposition will not oppose this measure, but I would like to comment briefly on it. It is a simple measure to change the method of appointment of officers of the Main Roads Department. To date, such appointments have been made on the recommendation of the commissioner. This measure will give the Minister the power to ap-

point those officers. We do not see anything particularly sinister in that; we hope it is being done for the right motives. I guess any Opposition would question why a Minister would want more power over appointments than he has. He has some power now under the Act which requires the commissioner to gain the Minister's approval before making appointments, although it is the commissioner who makes the appointments. Under this measure the Minister will now assume that responsibility. No doubt the two of them would confer, regardless of whether they were operating under the existing law or the proposed law.

We are anxious to know whether any other reasons exist apart from those set out in the Minister's second reading speech. We want to know whether he intends to interfere with the operations of the Main Roads Department or whether the Government wants to become more directly or personally involved in senior appointments to the department. We want to know whether any change is contemplated by the Government. If none is planned, this is a machinery change which we would not oppose in any way. Naturally I would be supporting it wholeheartedly if I were the Minister responsible.

Mr Grill: I will explain that in a minute because there are a couple of matters I should mention.

Mr LAURANCE: We are taught to be cautious in Opposition, so we question why the Government is seeking to take the power which now resides in the commissioner and give it to the Minister.

The second part of the Bill, clause 4, deals with the delegation of ministerial power back to the commissioner. It seems rather quaint that the Minister is removing the commissioner's power to appoint officers to the department and in the same Bill is giving himself power of delegation to hand such authority back. That seems a little topsyturvy but it sometimes happens in legislation and the administration of Government agencies.

The third and final point in the Bill relates to the validation of previous appointments. Appointments have been made in the past on the recommendation of the commissioner and subsequently have been approved by the Governor-in-Executive-Council. As the Minister pointed out in his second reading speech, this is rather cumbersome and in most cases has led to the appointments being approved retrospectively. That has obviously caused concern and Crown Law advice was sought which was to the effect that the Executive Council had no authority to approve anything retrospectively.

The Minister said this legal advice also was given to the previous Government. I checked with the previous Minister, who is not clear on that

point, but we take it as correct from the present Minister, and this situation will be remedied. I will not go into a longwinded harangue about retrospective legislation, but that is exactly what this clause is—it validates appointments some of which presumably were made many years ago. We have no particular objection to that.

I was a little embarrassed towards the end of the previous Government's term in office when I had to bring a similar measure here to retrospectively approve additions to "A"-class reserves that had been approved by the Governor-in-Executive-Council for many years—probably about 50 years—and which should have come to the Parliament. I brought the measure here and the Parliament agreed to validate those retrospective actions. This Bill is very similar and it would be a mite hypocritical of me to criticise the Minister for taking a similar action.

In recent years it has been a cause of some embarrassment to Governments to legislate retrospectively. If it is the case that this has been a problem in the past and these appointments have not been legally correct, obviously the Parliament, no matter who is in Government, would be quick to see that things are done in a legally correct way. We have no option but to agree with this move if it is necessary to validate previous appointments.

MR GRILL (Esperance-Dundas—Minister for Transport) [4.00 p.m.]: I thank the member for his support of the Bill. I think he will be happier with this Bill after he has heard my comments. The member has understood the general thrust of the amendments but has not picked up the thread of them. The situation is that the commissioner has been taking on the services of various officers on a more or less probationary basis, and in due course the Governor-in-Executive-Council has appointed those officers. The appointments were not made by the commissioner but by the Governor-in-Executive-Council. Rather than that situation continuing, the legislation will now allow the Minister to deal with such appointments, which is a far less cumbersome arrangement and also, as was mentioned in the second reading speech, the Governor-in-Executive-Council was not legally able to apply retrospectivity to the approval. That legal hurdle has now been overcome. I am simply delegating the power to the commissioner where it should be with all but senior appointments and thus streamlining the operation. I think that should clarify the situation.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Grill (Minister for Transport) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 10 amended and transitional provision—

Mr LAURANCE: I understand what the Minister is saying about the method of appointment and the delegation of power from the Governor-in-Executive-Council to the Minister. I concur with that change, and I believe many Bills could be amended delegating such power to Ministers or their senior officers, particularly when the appointments are not to senior positions.

In my experience, a number of matters are referred to the Governor-in-Executive-Council for which there is no reason; it is simply a hangover from previous days. There are often time delays, and a great deal of documentation must be prepared.

I mentioned to the Minister for Lands and Surveys that it might be a good idea if many operations in the Lands and Surveys portfolio were streamlined with delegation of powers to the Minister rather than the Governor-in-Executive-Council.

Mr Parker: The Governor has constantly complained about the amount of paperwork and asked us to go through the legislation to find ways of eliminating some of it.

Mr LAURANCE: From my experience as Minister for Lands, I recall signing a countless number of documents which had been signed by the Surveyor General and the Governor. I got tired of signing them, and I am sure the Governor did. Many of the decisions in Executive Council are mechanical ones, but it takes time to prepare and present the documents. Complaints are often received about the time taken by Government departments to process matters. That applies particularly in the case of the Lands and Surveys portfolio.

If the sole motivating reason for this legislation is to give the power to the Minister to make the appointments, I find more favour with the legislation than I indicated at the second reading stage.

Clause put and passed.

Clauses 4 and 5 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Grill (Minister for Transport), and transmitted to the Council.

RURAL RECONSTRUCTION AND RURAL ADJUSTMENT SCHEMES AMENDMENT BILL 1984

Second Reading

Debate resumed from an earlier stage of the sitting.

MR McNEE (Mt. Marshall) [4.07 p.m.]: Before the adjournment of the debate I referred to the extremely serious problems in the rural areas, and although the action taken by the Government is commendable, it does not go far enough. I do not believe the Government really understands the problem; it has grappled with it but not grasped the seriousness of the situation.

Mr Kerin summed the situation up when he spoke at Merredin and said that one of the biggest problems with regard to Governments being slow to react to problems is the continual politicking which has brought about a flood of elections. The Prime Minister seems keen to test his popularity, so I think he will do exactly what Mr Kerin said.

Mr Evans: He learned it from Mr Fraser.

Mr McNEE: If my guess is right, he will get the answer to his question. Certainly in the rural areas I do not think his popularity will do him much good and he may get an answer he does not want. We are paying dearly for that sort of nonsense. Mr Kerin continued by saying that he understood the frustration of farmers who could not get finance and that lending agencies, both private and public, needed to change their attitudes. He also said that he believed banks had an indifferent attitude, but he could not tell private banks what they should do. In case Mr Kerin is under any misapprehensions, I believe that most farmers would say that banks had done a good job in providing rural carry-on finance.

Mr Brian Burke: They seem to have a different standard in other States. They seem to treat us in this State more harshly than in some of the others.

Mr McNEE: That might be the Premier's opinion, but I would need to see evidence to support it. I would be interested to have a look at that evidence; it might be important.

Under the circumstances, the schemes operate very well. I do not believe we can lay all the blame at the door of the Government, because we are in a difficult situation.

Mr Kerin said also that plainly there was not sufficient recognition by the Government that Australia was still riding on the sheep's back. Of

course, we know that, and while the Government is making an attempt to help in that situation we have been saying since last October that this situation was most apparent, yet we must wait until 3 May to do something about it. I appreciate that, in fact, the \$5 million has been available for some weeks; but it was very late and the amount of money is minute compared with the size of the problem.

I notice that Mr Kerin has also described the diesel fuel excise and the 50 per cent increase in export meat charges as probably the two worst decisions made for farmers by the Hawke Government. Mr Kerin says quite clearly that, as a Cabinet member, he accepts responsibility; but he adds that that highlights the problem of segmented decision making. That is the point we have been trying to make, which the Government does not seem to understand. Members of the Government mouth words which really do not help. Obviously, the Prime Minister is not prepared to do anything about it.

I hope that when the Prime Minister tests his popularity, some of the city people will recall what I have said and will have a look at the fact that their sons and daughters do not have jobs. Nonetheless, it is to the disadvantage of Australia if decisions are not made.

The Merredin meeting was interesting because it gave a great deal of information. I must say that people do not understand. The Minister for Transport said that he had a problem presenting rural issues to his city colleagues. I can understand that. There is a misunderstanding of how important it is for the rural industry to remain viable.

I sympathise with the Minister in that difficulty, because I cannot see how the Premier will create 23 000 jobs unless he is aware of the problem. If he has them under the belt, he should flash them out because plenty of people are waiting for the jobs.

Several members interjected.

Mr McNEE: These people ignore the basis of what makes it all go. None other than one of their Cabinet colleagues said so. He said he was the meat in the sandwich when it came to rural reform. The Minister for Parliamentary and Electoral Reform understands the other sort of reform, but he thinks the way to do it is to legislate it out of existence.

Mr Gordon Hill: Rubbish!

Mr McNEE: I am only talking about the things I have seen in the short time I have been here.

Mr Old: You only live up there where it counts!

Mr Bryce: At least he lives in his electorate.

Mr McNEE: We must convince people about the facts of the rural industry.

I could forgive the Government for what happened, because somewhere Mr Kerin said that it was difficult to give subsidies to the industry even if they made the situation any easier. I realise that, but this is an important issue and while the Government is taking a step, it is like the first, unstable step that an infant might take, when the Government should be taking a man's step. That is up to the Premier.

In today's *Daily News* the Minister for Transport is reported as talking about a blow-out in transport losses. He said that the MTT would have to increase fares by 36 per cent. I am not worried about that, but then he is reported as saying—

We are simply not going to go along with an increase like that.

I do not blame the Minister, but it is about time we started to use those fighting words to help the rural industries. I have said before in this House that they are the industries that will help the Government, and any other Government, out of trouble. As long as we ignore them or take actions which delay matters or put off the issue, it simply is not good enough. It simply is not good enough to say that 100 people might have to come out of the industry.

The simple fact is that it is not easy for those people to leave the industry. They are faced with the situation of leaving their homes and having their families disrupted. That does not happen to their city counterparts when they lose their jobs.

This Government does not do much about providing jobs. If it were really interested in jobs, by now it would have worked out what sort of action to take to ensure that the jobs are provided. What the Government is doing by its lack of action is contributing to the problem and tending to make it worse.

I must emphasise the seriousness of the situation, the absolute lateness of the season, and that it is high on ridiculous for people to be short of finance to sow a crop at this stage of the season. We are talking about \$40 000 per applicant, but it is not unreasonable to talk about \$25 000 worth of superphosphate. It is costing the farmer \$16 a tonne extra, supporting the Australian National Shipping Line. A farmer's fuel bill could be in the order of \$20 000, so already we have a \$5 000 override. We are not talking about big dollars, but the problem will become alarming when the transport deficit is taken into account.

During the grievance debate the other day, a member asked that buses run north-south or east-

west, whichever the direction was. I will not interfere in that member's electorate; but we must give consideration to the problems on the other side of the coin. That is what the Government is not doing. I am not opposed to people catching a bus to work, or wherever else they want to go; but we must be reasonable in our approach to these matters.

We must show a great deal of responsibility when we talk about spending taxpayers' funds on the provision of \$40 000 loans to rural people. The Government says, "You need the equity because we must be responsible with the taxpayers' money". No-one denies that.

Mr Evans: Your colleague has insisted that it is being spendthrift to do that.

Mr Old: That is how much you understand of your own Bill. You are a dolt.

Mr McNEE: That is the point I have been trying to make: The Government does not understand what it is doing. We have been trying to explain the situation to the Government.

Mr Old: You had better bring in an adviser to answer these questions.

Mr McNEE: As I have already said, at this late date the season is showing the greatest potential for some time, yet the Government has done practically nothing to ensure that the people get their crops in on time. This legislation should have been brought to the Parliament in the very early days of the session, rather than be introduced as "tail end Charlie", as if the matter was not serious. I am worried by the Government's attitude to this major industry. I am amazed!

I ask the Minister to consider changing the present cut-off date of 30 April for people who are to qualify for loans. This is a tremendously important matter because, financially, those people are in a corner at the moment. They need help and they need it quickly, efficiently, and in a manner that will enable them to sow a crop quickly. Not extending the date might well place in jeopardy some of the taxpayers' funds already held by those farmers. No doubt some of them have drought loans or rural reconstruction loans, or perhaps both.

Mr Evans: This scheme has been operating under a Treasury agreement, and the legislation was introduced nearly three weeks ago to ratify the situation, so you are completely wrong and misleading.

Mr McNEE: I am telling the story as I find it. It is all very well for the Minister to say I have been misleading; but I know I am not being misleading about the fact that a number of farmers have not yet received their money. The method the

Minister uses to get that money to them concerns me, because he should get it to them very quickly.

Unless the Minister extends the cut-off date for the farmers who are desperately in need of money, he could place taxpayers' funds in peril. I support the Government's actions in endeavouring to resolve this very difficult problem, but it is a very serious and complex problem we are confronted with.

It is very easy to become involved with the large numbers of people affected by the current situation. These people are prepared to produce; they are not dole bludgers, or people slack at getting around to doing something. Unfortunately, they have been beset by bad seasons and other problems beyond their control. They have been confronted with a cost structure the likes of which we have never seen before. They need sympathy from the Government, and they need assistance to help them grapple with this very serious problem confronting them.

MR TUBBY (Greenough) [4.25 p.m.]: I support this Bill to amend the Rural Reconstruction Scheme and the Rural Adjustment Scheme to permit reserve funds to be released to assist farmers to continue their farming operations. This is a special measure to assist farmers who have been unable to attract finance from other lending sources to enable them to remain on their farms for another year. I commend this move.

However, the real benefits are being reduced day by day, because the amount to be released is too little and too late. Many farmers find themselves in a predicament because of the very favourable indications for a good season in the good rain that has fallen throughout most of the agricultural areas. Because of the predicament in which these farmers find themselves, they are unable to obtain fertiliser or fuel, or to have their machinery serviced. This puts them at a very considerable disadvantage. It frustrates them to see a neighbour who has raised finance and is in a position to take advantage of the expected good season.

No doubt the farmers who have been unable to obtain finance are finding their ability to take advantage of the good season to come is being considerably reduced. They could lose the benefit of the funds being released. The benefit could be nullified by their being placed in a position where they were unable to take full advantage of present indications of a favourable season.

As I said before, many of these farmers are being refused assistance from other lending sources, so whether they receive assistance at the end of this year may determine their ability to have the opportunity of taking advantage of the expected favourable season.

Despite their disadvantages, if they are able to fluke a reasonable harvest, it may be the telling factor in whether they will be able to stay in the farming industry or whether they will have to walk away from their farm properties. In many instances, this would mean severing a lifetime involvement with farming, perhaps going back three or four generations. Many farmers face having to walk away from a lifetime's work. They are not afraid to work, but they may be forced to leave their homes. They know how to work, but what opportunities will be open to them if they are forced to leave their farms? They will have to go on the dole. They are facing a very serious situation indeed. They are accustomed to working hard, and they are proud of their contribution to the State's export income.

We were recently visited by the Federal Minister for Primary Industry (John Kerin). A meeting at Mingenew was very well attended, and farmers were able to put forward their concerns. One concern continually expressed was that while it was all very well to receive assistance to carry on at this stage, the situation was so serious that even a good season for the rural industries would create only a holding situation, and that something drastic had to be done about the cost input in the rural industry.

Some of the comments made by Mr Kerin were interesting. He said he had problems convincing the Federal Government of the problems of the industry, perhaps because of the weighting of members in the city and the country. He said—

A growing dichotomy between country and city people is showing itself increasingly at a political level and is one of the main reasons for government inaction towards the rural industry.

Mr Bryce: He did not mean just the Hawke Government.

Mr TUBBY: I have not said the Hawke Government. This is a comment made by the Federal Minister. There is no doubt that this has been promoted and is continuing. It is clearly indicated in this Parliament, with calls for one-vote one-value and electoral reform, that this situation will be accentuated further with the reduction in country representation. There will be serious consequences as a result. To continue—

Several politicians, including Primary Industry Minister John Kerin, underlined the problem at public meetings in Mingenew, Merredin and Esperance last week.

While Mr Kerin gave assurances to farmers that 90 per cent of loan finance would reach them within the next month, he alluded to the more serious problem of the

lack of comprehension of farmer problems at government level.

In a frank exchange with farmers, Mr Kerin said the basis of lobbying the government was to convince the policy makers.

"My problem is in a bureaucracy that doesn't recognise issues other than dollar ones," he said.

I think that is important.

Mr Bryce: Could I suggest a good, constructive solution for the farmers? Vote Labor and have representatives in Mr Hawke's Cabinet!

Mr TUBBY: I think they would rather suffer these consequences than vote Labor because they have had a raw deal from Labor Governments. If the member were to go to the farming communities today he would see the results of the actions of this Government. I have only just received a phone call from someone in my electorate who said that because of the indications of actions to be taken by this Government, if our party were to get out and look for members there would be queues of people supporting the Liberal Party's position on Aboriginal land rights. To continue—

Primary Industry Association president Winston Crane, who also attended all meetings, said there was a need "to improve our lobby position outside the farm gate".

"I believe there is a necessity for tough decision-making by governments for the long-term future of our industry," he said.

"We may not like them but we will have to cop them to survive."

Mr Crane said it was difficult to "get the message through" to governments. The presence of Mr Kerin at least gave farmers some hope.

I must say I believe Mr Kerin dealt with the situation well. To continue—

Mr Kerin said that while he could make no promises to farmers regarding solutions to problems such as tariff and taxation imposts, it was clear farmers had to become more lobby intensive.

"The only way I've got a hope of putting up your case in cabinet is if I am equipped with thoroughly documented evidence from the WA Government," he said.

I would like to ask the Minister just what he proposes to do about these issues with the Federal Minister.

Mr Evans: Has done.

Mr TUBBY: He did not indicate at the meeting that something had been done. The meeting was disappointed—

Mr Evans: The same submission as to the IAC—very comprehensive.

Mr Old: Was the Minister there?

Mr TUBBY: He was present. I hope in answer he will indicate to the House what he has done about this matter.

Mr Old: Was Mr Campbell there?

Mr TUBBY: Yes, he was there, but Mr Kerin shone because of the inadequacy of the member for Kalgoorlie—the more he opened his mouth, the more ground he lost. I believe that this happened at other meetings also.

Mr Tonkin: They have been unbiased reports, I suppose.

Mr TUBBY: They were factual.

Mr Tonkin: You agree that they were factual and biased?

Mr TUBBY: I would not say they were biased. I have heard Mr Campbell speak at times and he has come over well, but at this meeting with Mr Kerin he did not. The feedback was not favourable. I would not say that if it had not been reported to me. It was an observation of mine also. I thought I might be biased but the people who spoke to me were not.

I commend the Government for the move it has taken, but say it is too little and too late. I certainly do not envy the farmers who have to make a decision as to whether they will take advantage of this small assistance. It is small when we consider the cost of farming today. They must decide whether they should decline the assistance or take the risk and carry on for another season. They could be in a situation of having to walk off their properties at the end of the year. It is a serious situation, and I cannot stress that strongly enough.

I hope our Minister will accept the challenge of the Federal Minister to put forward a strong case on behalf of Western Australia because at this stage we are at a considerable disadvantage. The Prime Minister is always talking about the position of the rural industry in the Eastern States and how the rural income has lifted. That only lifted after a devastating drought in 1983 and a bumper year in 1984.

Naturally, it will show up as a bumper year after a drought year. It is a serious situation which pertains in this State for those people who are really carrying the weight of this nation. I do not think anyone works harder than a farmer or those who are involved in the rural industries. The number of hours they contribute and the returns they receive are shocking.

MR CRANE (Moore) [4.38 p.m.]: It would be remiss of me if I did not say a few words about

this Bill, in view of the situation facing the rural industry and the prominent part in that industry I have played over the past few months in the inquiry of our select committee.

I support the member for Greenough in his commendation of the Minister for this legislation. I believe the legislation is necessary and most welcome. I will not criticise it and say that it is too little too late. As far as the rural industry is concerned there has been far too little far too late over many years, and it would be unfair of me to single out the Minister or the Government in this instance.

Mr Brian Burke: We have not done too badly in 12 months.

Mr CRANE: I have no argument with that. My argument is that it has taken so long to recognise the problems of the industry. However, this legislation will help in the short term.

There are a couple of matters relating to the Minister's second reading speech to which I would like to refer. Firstly, the accumulation of reserves which this Bill proposes to make available to the rural industry was brought about because much of the money which has been built up in the reserve was in the form of grants and did not have to be returned to the Commonwealth Government. All members would be aware of that. Secondly, the Minister said—and this concerns me—that those funds accumulated because many of the loans have been repaid faster than was required.

I am not criticising the Government, but the fact that the money was returned faster than it needed to be returned is one of the crucial points facing the industry today. In almost every instance the farmers who returned the money could ill afford to do so. The money should not have been returned so quickly. Evidence of this was made available to the Select Committee into rural hardship.

Some of the points members are making today would have been *sub judice* had they been made yesterday because the interim report of the select committee had not been presented to Parliament. However, now that it has been presented, members have the privilege of mentioning matters that are likely to be included in the final report.

I was concerned to read in *The West Australian* on 26 April an article headed, "More will leave land, says Kerin". I suppose that we must recognise that over many years there has been an exodus of farmers from the rural industry and it is natural to assume that more farmers will leave in the future. However, there are other matters raised in that article to which I take issue. One of these reads as follows—

But most could survive with short-term finance, he told a meeting of farmers.

Let me assure the House and everyone else that short-term finance is not the solution to the problem and very few farmers will survive with it. I will correct one statement which appeared in the article. I do not believe that Mr Kerin would make such a statement. It reads as follows—

Most farmers would be in a better position in two or three years.

We would hope they would be, but some members who have undertaken a serious study of this matter have grave fears that farmers will not find themselves in a better position.

Two factors will allow farmers to be in a better position. One would be a tremendous increase in the price they receive for their commodities. This price is controlled by overseas interests and we do not have an input. It is unlikely there will be such an increase. The second factor required would be a sharp decrease in the costs which are facing the industry. That is an area in which the State Government and its Commonwealth counterpart can play an important role. The other factor is left to God almighty—we hope that he does provide farmers with better seasons, and that they have more good seasons than bad seasons.

Over the last few years there has been a succession of dry seasons, verging on drought in some areas; and with diminishing returns and increasing costs, the industry finds itself in a serious situation.

I can remember three years ago saying in public on a number of occasions that unless things changed the rural industry had only five years of life left. I said that three years ago and I was called an idiot by many people—perhaps I am, but if I am an idiot I am in very good company in this House.

I remind the House that my prophecy of three years' ago leaves us with only two years left, and I would defy any member to be brave enough to say that the rural industry will not be in serious trouble or finished in two years if things continue along the same lines as today. It is a bold statement to make, but I will repeat it. Within two years the situation will be so serious that the rural industry will collapse unless we have a return to better seasons, coupled with a decrease in costs and an increase in the price of commodities. Unless those three things occur at the same time, farming will practically be finished as an industry in Australia.

The legislation before the House will provide money to those people who otherwise would not be able to obtain finance. One of my concerns is that

a farmer is required to prove that he is in a viable situation and will be able to repay the funds. This is mentioned in the Minister's second reading speech as follows—

The Bill provides for seasonal carry-on loans to be offered to farmers in situations of financial emergency.

There are no problems finding emergency cases within the rural industry today. It continues—

These loans will be available only to farmers who still have an adequate equity in their farms and whose financial problems are a result of adverse seasons.

That is only half the story.

Mr Evans: What page of *Hansard* is that on?

Mr CRANE: It is on page 7458. I thought it was an omission on the part of the Minister because not only does it concern farmers who have financial problems as a result of the adverse seasons, but it also concerns adverse cost increases, and I believe that is important.

Another area which I believe is worth mentioning concerns the problem the Select Committee on rural hardship found when interviewing farmers; that is, that it is difficult for farmers to be eligible for assistance. Because of the set of rules laid down by the Rural Adjustment Authority, a person is required to do a certain amount of work on his farm or have an active interest in his farm. However, some farmers—I was one—developed their properties by undertaking contract work. I ploughed firebreaks for the Western Australian railways to bring in money to take me through the year. Many farmers are doing contract work today, and as a result they find they have disqualified themselves from being eligible for assistance from the Rural Adjustment Authority. It is an anomaly and I have brought it to the attention of the Minister. We all make mistakes and it is not the Minister's mistake because it was made some years ago. Anomalies should be corrected as they are found, and I hope that this legislation will correct this.

Members will recall that when I moved for a Select Committee into rural hardship I referred to the Rural Finance Commission of Victoria and to what it has done for farmers in that State. I drew attention at that time—and I have drawn more attention to it since—to the difference between the Rural Adjustment Authority and that commission. The Select Committee had discussions with the chairman of the commission in an endeavour to ascertain how we could further improve the Rural Adjustment Authority, a body which was established for the benefit of the industry. If it is there for the benefit of the industry, let

us make it better than it is today. I am hopeful that in the final report of the Select Committee we will be able to put forward other recommendations which will show that further amendments can be made to the legislation or that an amalgamation of these authorities could take place using the expertise within the Rural Adjustment Authority, and bringing in other expertise in order to help the industry over its difficult times.

To sum up this legislation: It is welcome; it will help in many instances; and I am most appreciative of that.

However, only today at a board meeting, I was made aware of a very serious problem. The fact is that many farmers, while they have been granted approval for loans, have not received the funds. Superphosphate orders scheduled over an earlier period have not yet been delivered. The season has virtually broken in most of the wheat-growing areas of the State. In my own instance this is the position. This afternoon we will have finished our ploughing and will be ready to seed the crop. Fortunately, we do not have the same problem that many others have who are not so fortunate. Because the money has been slow in coming forward, they will still be faced with a serious problem which could be accentuated by the fact that the railways may not be able to deliver the superphosphate in time, because of the tremendous tonnages involved. I bring this to the attention of the Minister, because he may be able to make some inquiries regarding the delivery situation of superphosphate. That is the real problem. The Minister was possibly aware of it previously, and I have every confidence he will look into it urgently.

With those words, I indicate that we support this legislation. I feel that this is only the first of many things we need to do for the industry, some of which will involve the restructuring of the Rural Adjustment Authority along the lines suggested so that it can be of much greater benefit to the industry, and so that it could put a floor in the market where properties need to be sold because farmers have to leave. Those properties could be picked up by such an authority at a sensible price so that when the farmers move out they can leave with some dignity and perhaps with some cash in their pockets. For that reason, we need an authority which can put a floor in the market in case there is a severe exodus, which will occur if this season is not a good one, if prices of the commodities we are selling drop dramatically, and if there is any more increase in the costs facing the industry.

With those remarks, I have much pleasure in supporting this legislation.

MR STEPHENS (Stirling) [4.53 p.m.]: The National Party has great pleasure in supporting this Bill. I do not think it has ever been suggested it is anywhere near the final answer, but it gives some assistance to the farming community which is facing very deep-seated problems. This Bill really is only a short-term palliative which will enable the farmers to stay on the land while, they hope, some attention is given to the more serious problem of ensuring that the farmers can retain a greater percentage of their income as profit on their properties.

This problem has not arisen overnight. It has been said for many years that primary industry, of which agriculture is a part, has maintained buoyancy in the economy. I shall indicate how the community benefits, but not necessarily the farming community.

I have a report by Nigel Austin which reads—

Australia will benefit handsomely from a 20 per cent rise in rural exports to a record \$9.8 billion in 1984-85—but the nation's 170 000 farmers have little to be optimistic about, the Bureau of Agricultural Economics said yesterday.

The bureau said the \$1 550 million increase in the value of rural exports, reflecting last year's bumper 22 million tonne wheat crop, will boost Australia's balance of payments.

But the declining profitability of farming is expected to continue with a 10 per cent decline in gross farm product in 1984-85.

So while income is coming into the nation, the farmers are not benefiting from it.

Just to reinforce those comments, I indicate that in the *National Farmer* of 22 March there is a reference to some figures concerning agricultural economics. They indicate how farming costs and returns have moved in the last three years, and show averages for all farming industries in each State.

In New South Wales, costs increased by 34 per cent and prices by only 11 per cent; in Victoria, costs increased by 34 per cent and prices by 19 per cent; in Queensland, costs increased by 34 per cent, but there has been no increase in prices; in Western Australia, there was a 31 per cent increase in costs, but only a 16 per cent increase in prices. In South Australia, there was a 37 per cent increase in costs and a 19 per cent increase in prices. In Tasmania, there was a 32 per cent increase in costs with only a 20 per cent increase in prices. The average for Australia as a whole was an increase of 34 per cent in costs, while prices have increased by only 12 per cent.

One does not have to be a mathematician to realise that with that sort of escalation, the profitability of farming is being seriously reduced.

This has not happened overnight. When we look back at the political representation in Australia, we realise that for 25 of the last 29 years, we have had a Liberal-Country Party Government in Canberra, and for 21 of the last 25 years we have had a Liberal-Country Party Government in Western Australia. This serious decline has taken place largely during the terms of office of that political representation.

It would seem the farming community has reached a situation very similar to that which existed in the Depression years of the 1930s. Make no mistake about it, the farming community has now reached a point where it can no longer carry the burden.

I might add that much has been said of the difference between the Country Party and the National Party. Those in the Country Party who refer to the difference describe it as being one of personality, and that basically highlights the difference which has led to the present problems. It was those of us who now comprise the National Party who wanted a solution to the problems.

Mr Old: Socialism.

Mr STEPHENS: That is the basis of the problem between the parties. It is still the basis of the problem. We wanted to have an independent policy which would be of benefit to the rural community and the people who are prepared to live outside the metropolitan area.

One day, we trust, we will get around to having that effective representation for those people. It is sorely needed and, of course, they recognise that it has not been provided by the Liberal Government, bearing in mind the manner in which it has dominated the National Country Party.

Mr Crane: What have we done wrong this time?

Mr Old: We haven't been socialists, that's all!

Mr Tonkin: It is true. You have been in government for most of the last 40 years and you have done nothing for farming. You have presided over the decline in farming for 40 years.

Mr STEPHENS: What I have said is factual. The members on this side of the House who spoke before me have indicated that the Bill will only assist, but it is not the answer to the problem, which has developed over many years during which Liberal-National Country Party Governments have been in power. The policies of those Governments obviously have not been effective, because the situation has been allowed to degenerate to the point where the farming community is literally on its hands and knees.

I recognise that the problem has been exacerbated by the droughts, but even if we had not had a series of droughts, the problem would exist. Insufficient profitability was left on the farm to enable the farming community to withstand any adverse seasonal conditions. That is a fact and, if it is not, I ask: What were the members on this side of the House who have spoken before me trying to say?

Mr Old: What source are you quoting for these facts?

Mr STEPHENS: I am not quoting anyone. I am referring to the position and what members from this side of the House have said previously.

Mr Old: You would have no credibility at all.

Mr STEPHENS: Listen to who is speaking! The member for Katanning-Roe is the leader of a party in this House. He was a member of the management committee of that organisation which lost over \$1 million. He was on the management committee which controlled that organisation. The member for Katanning-Roe was on the management committee of an organisation which had a lease arrangement for a whole floor of the Royal Guardian Exchange building on the Terrace, and he walked out on it; yet he talks about credibility!

Mr MacKinnon: That has nothing whatsoever to do with what you are talking about.

Mr Old: Why don't you go and sit on the other side?

Mr STEPHENS: I am not going to do that.

Mr Old: You should!

Mr STEPHENS: I have just indicated the lack of credibility of the member for Katanning-Roe who was on the management committee of an organisation which lost \$1 million. It just walked out on its leases, and yet he talks about credibility!

Several members interjected.

Mr Crane: It was a credit when you left the Country Party!

Mr STEPHENS: It was not a credit at all.

Mr Old: It was a credit that we lost you.

Mr Crane: That sort of balanced it out.

Mr STEPHENS: I have nothing on my conscience.

Mr Old: You haven't got one. You never had one.

The DEPUTY SPEAKER: Order!

Mr STEPHENS: I am sorry, Sir, that I digressed, but I had to answer that interjection from a member who clearly has no credibility. Perhaps he does not understand the dictionary definition of the word.

The farmers' problems have been brought about over a number of years by policies followed by successive Governments, most of which were Liberal-National Country Party Governments. We saw policies in respect of tariff protection—

Mr Tonkin: Who was the greatest exponent of that?

Mr STEPHENS: —which set out to foster the manufacturing industry; but what have they done? At the moment, our manufacturing industry is in disarray. It virtually requires to be reorganised completely, but in trying to foster or prop up the manufacturing industry, previous Governments have almost stifled and killed a very efficient agricultural industry.

We have seen wages policies which have contributed to the present problems facing the farming community. We have seen currency management and interest rate increases. All these issues have contributed to the present problems of the farming community. These are the issues which have resulted in far too great a proportion of the farmer's income going off the land, inhibiting his ability to build up reserves to overcome temporary adverse conditions.

While this Bill will give short-term, temporary relief, it is essential that this Parliament and the Federal Parliament give urgent attention to a policy which would lead to an agricultural revival. We must look at tariff policies, public sector charges, wage policies, and education for farmers and bankers. We certainly need a great deal more public input into agricultural research.

These are the areas which we cannot improve overnight, but they are certainly areas to which we must give considerable attention if we are to alleviate the real problems facing the farming community today.

With those comments, I indicate we are very happy to support the Bill.

MR EVANS (Warren—Minister for Agriculture) [5.06 p.m.]: I am rather disappointed in the attitude of some members opposite, because the Bill before us has resulted from considerable effort and it is almost unique. It is something which, as far as I am aware, has never been embarked upon previously.

The member for Mt. Marshall drew attention to the fact that 100 farmers would be leaving the land this year. However, I remind him that, in the past 10 years, 1 000 farmers have left the land—that is in round figures—therefore, the situation lamented by the member for Mt. Marshall has occurred during the period of his Government.

Mr McNee: That is not true, and you know it.

Mr Old: It is untrue.

Mr EVANS: That is the situation and the statistics show it.

Mr Old: Why did they leave? Did they walk off their farms? Come on, be honest!

Mr EVANS: I shall answer the various points which were made.

Mr McNee: I hope you do a better job of it than that.

Mr EVANS: Let us deal, firstly, with what the member who has just interjected had to say. He spoke of the need to rearrange the provisions in respect of equity and viability which exist under the terms of the rural adjustment agreement. He suggested those provisions should be dispensed with to a large extent. However, the member for Katanning-Roe indicated that public funds should be safeguarded and that we should ensure the funds were paid to the Commonwealth Government as required.

Mr Old: When did I say that and what did I say? You did not understand one word of it.

Mr EVANS: The members cannot have it both ways.

Mr Old: Quote it. Come on!

Mr EVANS: When I get the *Hansard*, I shall quote it right back to the member.

Mr Old: Yes. You have no idea what you are talking about.

Mr McNee: He obviously missed the point.

Mr EVANS: The purpose of this measure is to ensure that those farmers who are outside the criteria of existing funding—that is, the levels of commercial funding which are available from the traditional houses, the rural adjustment scheme, and the drought relief-disaster relief funding—have some recourse to alternative funding. In that way, it is hoped that as many farmers as is possible will be able to get a crop in this year.

The special funding is limited by certain requirements. One is that the farmer must be able to show a reasonable equity in his property. A number of criteria of eligibility are involved. The farmer must have been refused funds by the Rural Adjustment Authority and he must demonstrate a need for funds for a crop. He must have an equity in his property and he would be expected to be able to obtain a reasonable balance.

Mr Old: An adequate equity in his property?

Mr EVANS: Yes, adequate.

Mr Old: What does that mean?

Mr EVANS: An adequate equity means that it would be sufficient to cover the debt under the

consideration of the Rural Adjustment Authority, which would be handling it.

Mr Tonkin: Hear, hear!

Mr Old: You are not taking any risk at all.

Mr EVANS: It goes far beyond the requirements of the traditional banks. I think the member for Katanning-Roe said the authority had done a good job. We might have to take that point up.

Mr Old: They have done a good job, too.

Mr EVANS: It means that the previous lending of last resort—that of the Rural Adjustment Authority—can now be extended to where there is eligibility. Surely there needs to be grounds for—

Mr Old: Adequate equity.

Mr EVANS: Yes, as determined by the Rural Adjustment Authority as it lays down the criteria and as it sees fit.

Mr Old: No-risk finance.

Mr EVANS: Why did not the member for Katanning-Roe do it when he was Minister?

Mr Old: You are talking about a lender of last resort.

Mr Tonkin: You went to sleep for nine years.

Mr Old: Adequate equity.

Mr EVANS: Why is this measure here now? Why was it not dealt with in years past?

Mr Tonkin: For nine years you went to sleep and did nothing for the farmer.

Mr McNee interjected.

Mr Old: We never had this situation.

The SPEAKER: Order!

Mr EVANS: We had funding in 1968, well and truly.

Mr Old: No, we did not. What absolute rot. We have been through up to eight years of drought.

The SPEAKER: Order!

Mr EVANS: I remember the headlines, and it can be found in *Hansard*: "3 000 farmers expected to leave the land". Tractors were driven along St. George's Terrace, and a meeting was held at Boyup Brook that pretty well settled the hash of the Brand Government. It is convenient to forget those things, but the situation has occurred at least during the last decade.

Mr Tonkin: Asleep for a decade!

Mr Tubby: Have the criteria been changed?

Mr Tonkin: You did that for nine years—just slept!

Mr EVANS: When an endeavour is made to do something about a very desperate situation—

Mr MacKinnon: What have you done?

Mr Tonkin: You did nothing.

Mr EVANS: Just because we have taken some sensible and respected action—

Mr Old: Come on, you have the bandaid out now.

Mr EVANS: —as an effort to do something, the Opposition has been operating in pique. It says, "Yes, we support it", and then damns with faint praise—a most objectionable political attitude, because it has taken a measure that at least will be of assistance to those to whom it would not have been previously available.

Mr Tonkin: Went to sleep for 10 years.

Mr EVANS: On the question of the type of funding available, I indicate that this comes from recirculated funds held under Treasury trust and the component of the rural adjustment funds that came from Commonwealth grants. I remind the member for Katanning-Roe that it was his arrangement that cost us 10 per cent of the grant component. Instead of it being 75 per cent it dropped to 85 per cent in 1976, so the State lost the benefit of all those millions of dollars. I must say that was brilliant management.

Mr Old: I hope you have read the whole transcript of what went on. You know nothing of what went on. You are ignorant.

Mr EVANS: I am telling the member what was the net result and what he cost this State.

Mr Tonkin: They did nothing for 10 years.

Mr EVANS: The question he raised was whether there were enough Treasury trust funds to repay the Commonwealth, and the answer is, "Yes, there are".

Mr Old: No, I did not say that at all.

Mr EVANS: I raised the matter.

Mr Old: I will give you verbatim what I said if you would like it.

Mr EVANS: Yes, I would.

Mr Old: I asked you in the event under that clause that the money was taken out—I have no objection to that—and was given or lent to farmers who had further difficulty and could not pay it back, and you were liable to the Commonwealth Government, would the Commonwealth Government forgive the State the debt? Get your facts right, boy!

Mr EVANS: The agreement is maintained, as the member well knows, between the Commonwealth and the State, and the guidelines and criteria are fixed.

Mr Old: Which means this must be repaid in 15 years.

Mr EVANS: We would be prepared to do so, if there was an error, but the Treasury has been

cautious about this and so have the Auditor General and the Attorney General.

Mr Tonkin: A Government of action!

Mr Old: You will be prepared to—what?

Mr Tonkin: Act!

Mr EVANS: I would be prepared to find out precisely the actuarial aspects of it, if need be.

Mr Old: I want to know if the Government is prepared to back it with CRF funds.

Mr EVANS: We put it in there and we will back it.

Mr Old: That is all I wanted to know. That is good. Thank you.

Mr Tonkin: They did not act while the farmers were in ruins.

Mr EVANS: The member for Katanning-Roe asked whether the Commonwealth would back the funds that were being recirculated. What sort of a question is that? The Commonwealth has granted that money, and he expects the Commonwealth to accept that the Commonwealth would match that money again.

Mr Old: It is our money until it is paid back.

Mr MacKinnon: On this situation of allegations, we do not know.

Mr Tonkin: You did nothing for nine years.

Mr Old: Look at the Western Australian Government. You do not understand it.

Mr EVANS: What a position to put the Commonwealth in. I know it has been suggested by the PIA and other people, but it is not on.

Leave to Continue Speech

I seek leave to continue my remarks at a later stage of this sitting.

Leave granted.

Debate thus adjourned.

QUESTIONS

Questions were taken at this stage.

Sitting suspended from 6.01 to 7.15 p.m.

INTERPRETATION BILL 1984

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Grill (Minister for Transport), read a first time.

Second Reading

MR GRILL (Esperance-Dundas—Minister for Transport) [7.18 p.m.]: I move—

That the Bill be now read a second time.

This Bill is designed to clarify and modernise the Interpretation Act 1918-1981.

The Interpretation Act is relevant to the construction of all Acts and regulations in the State, and its content is therefore of great practical importance. The Act has been amended on several occasions since its inception in 1918. This has contributed to the current lack of order in the arrangement of its provisions. In addition, because much of the Act is drafted in the style of years gone by, it is not as easy to read as are modern Statutes. The present Bill is drafted in a modern, simple, and clear style.

Mr Tonkin: They are not easy either.

Mr GRILL: The Bill will also encourage the drafting of all legislation in a modern and clear style. In this respect, it reflects the Government's intention that legislation should be drafted as far as possible to make it intelligible to all.

In the main, the Bill aims to provide a clearer presentation of material carried forward from the existing Act; however, some new provisions have been incorporated, and these are based on interpretation legislation in the other States and the Commonwealth. In particular, a provision has been included to require Western Australian courts to take purpose and object into account when interpreting written law. This will ensure that the courts have regard to Parliament's intention, especially where a strict or literal interpretation of an Act might otherwise defeat its purpose.

In addition, a provision is included to give the courts a discretion to take extrinsic materials into account as an aid to interpretation. This will include the use of *Hansard*, explanatory memoranda presented to the parliament, and reports of Royal Commissions, parliamentary committees, Law Reform Commissions, and boards of inquiry.

Members may be aware that the above provisions are based on section 15AA of the Acts Interpretation Act (Commonwealth) as amended in 1981, and the recent Commonwealth Acts Interpretation Amendment Bill 1984, which proposes to add a new section 15AB to the Commonwealth Act.

Victoria has a Bill before its Parliament incorporating provisions substantially similar to those of the Commonwealth.

Apart from these provisions, some important clauses of the Bill include the following.

Clause 4 expressly provides that the Bill binds the Crown.

Clause 5 is the definitions clause, which contains several new definitions; for example, "enactment", "subsidiary legislation", and "written law".

Clause 32 allows for a change of style in the printing of Acts whereby marginal notes become

headings. The new style will shortly be adopted by the Government Printer for all new Acts and the reprinting of existing legislation.

Clauses 43 and 46 make provision for subsidiary legislation.

This Bill, together with the Reprints Bill which will shortly be introduced, reflects the Government's wish to modernise the existing forms of Statute law.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Hassell (Leader of the Opposition).

REPRINTS BILL 1984

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Grill (Minister for Transport), read a first time.

Second Reading

MR GRILL (Esperance-Dundas—Minister for Transport) [7.23 p.m.]: I move—

That the Bill be now read a second time.

This Bill provides for the reprinting of the written laws of Western Australia. At present, there are a number of Statutes under which reprints of Acts and regulations are issued in this State. They are outdated and contain a number of anomalies and inadequacies.

The Bill introduces a number of practical improvements without altering the legal effect of the existing reprint system. In particular, provision is made for developments involving computerisation.

In that respect, the Bill is complementary to the Interpretation Bill which I have just introduced. Taken together, the two Bills demonstrate the Government's commitment to ensuring that legislation is in a form which is easy to understand and is readily available.

I draw attention to the fact that the Bill will allow the drafting and format of an Act to be modernised on reprinting, provided there is no alteration to the legal effect of the relevant legislation.

The major clauses of the Bill are as follows.

Clause 5 provides that the Attorney General may direct the Government Printer to reprint any written law. The clause requires that such a direction be accompanied by a certificate to the effect that the written law to be reprinted is in correct form.

Clause 7 allows an authorised officer, who will be a member of the Parliamentary Counsel's office, to make amendments of a formal nature to the law to be reprinted in particular, numerals and

dates will replace words, as will the appropriate symbols for money. In addition, the authorised officer may omit from the reprint transitional or expired provisions.

Clause 7 (5) authorises the officer to correct any error in spelling, grammar, or punctuation, but not so as to affect the meaning of the written law.

Provision is made for the Attorney General, when issuing a direction to the Government Printer, or at any subsequent time, to issue a certificate to the effect that an amendment has been effected in accordance with the Bill.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Hassell (Leader of the Opposition).

BUILDERS' REGISTRATION AMENDMENT BILL 1984

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Tonkin (Leader of the House), read a first time.

Second Reading

MR TONKIN (Morley-Swan—Leader of the House) [7.26 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is twofold following amendments made to the Builders' Registration Act last year.

Firstly, this Bill will entitle the Builders' Registration Board to take into account at the time of application for registration and subsequently, in relation to the revocation of that registration, the material and financial resources available to a builder to meet his financial obligations as and when they become due. This proposal has the support of the Builders' Registration Board.

At the time of an application, the board will be entitled to consider the financial resources of a builder, particularly in circumstances where a builder, who has recently failed, seeks to recommence operations under a new corporate structure, such as a \$2 company.

The board has in the past experienced situations similar to this where the Act as presently drafted does not permit the board an opportunity of refusing registration. Such registrations can adversely affect the interests of consumers and it is this situation which the amendment seeks to overcome.

While the Bill does not require in all instances the board to consider the financial circumstances of the builder, the provisions in the Bill would entitle it to do so in appropriate circumstances,

particularly where there may be cause for concern as to the builder's viability. Conversely, the board will be entitled to cancel registration when it becomes apparent a builder is insolvent and unable to meet his financial commitments.

The Bill also clarifies the position of appeals from decisions or orders of the board. The existing provisions relating to appeals from applications for or cancellation of registration or from orders made in relation to rectification or the payment of money are presently contained in two different sections with different appeal provisions.

New section 14 proposes that an appeal from a decision or order of the board be to the Local Court. Appeals are to be determined by way of rehearing. The new section replaces existing section 14 and section 12A subsections (2) and (3), and makes uniform the procedures, time limits, and powers of the Local Court in relation to appeals from decisions and orders of the board.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Trethowan.

BILLS (2): RETURNED

1. Veterinary Surgeons Amendment Bill 1984.
2. Acts Amendment (Western Australian Meat Industry Authority) Bill 1984.

Bills returned from the Council without amendment.

SUPERANNUATION AND FAMILY BENEFITS AMENDMENT BILL 1984

Message: Appropriations

Message from the Lieutenant-Governor and Administrator received and read recommending appropriations for the purposes of the Bill.

SOUTH WEST DEVELOPMENT AUTHORITY BILL 1984

Second Reading

Debate resumed from 19 April.

MR BLAIKIE (Vasse) [7.30 p.m.]: I will make a number of comments on this Bill. I heard question time tonight, and the answer the Premier gave to a question about the South West Development Authority caused me some concern. He indicated that certain comments were being made about the chairman of the authority, Dr Ernie Manea. I make it clear that any comments I may make tonight relate to the Bill and not to any person associated with it. I hope the debate will get on to a proper footing and nothing that is said is misconstrued, or attempted to be misconstrued as a criticism of any person; and the same applies to any comments made by my colleagues.

This Bill was part of the Government's election promises, and it arose from its "Bunbury 2000" policy document which was made public in 1982 during the run-up to the State election in 1983. There is a real difference between what was said by the Australian Labor Party in 1982 and what is contained in the Bill before us tonight. The Labor Party said then that it would look at an organisation which would give advantages to the south-west; a body which would be co-ordinated and complementary, and one which would undertake co-operative action. The nature of what was proposed—and it was believed by the people of the south-west—was a body which would work in conjunction with existing organisations in the area.

I intend to demonstrate to the House that a fairly dramatic change has occurred from the Labor Party's pre-election proposal to that which the Government has brought before us. It is serving notice on the south-west and its people. This legislation does not propose a co-ordinated, complementary, co-operative body; the Bill contains extremely wide powers and will give the authority free rein to do so many things. I see it as a threat to local government and to the established procedures laid down over the years by local authorities. It is all very well for the Minister for Local Government to look somewhat stunned and amazed.

Mr Carr: You see threats everywhere, don't you?

Mr BLAIKIE: Yes, when the Minister is involved.

Mr Carr: You are paranoid.

Mr BLAIKIE: I hope the Minister will not leave the Chamber, because I have more to say to him later on. We believe this Bill should be of concern to local government. The authority will have wide powers and it will be an extension of central government at the expense of local government. All members of the House should take a particular interest in this legislation because the Minister, in his second reading speech, said that depending on how successful this exercise was, the Government could repeat it all over the State. We could then see the South West Development Authority based at Bunbury and, if the Government had its way, other authorities based at Albany, Esperance, Kalgoorlie and areas to the north such as Geraldton, Karratha, Port Hedland, and Wyndham. There could be a series of regional governments. I use the term "extension of central government", but I would prefer to use the phrase "regional governments throughout Western Australia".

I refer to the Minister's second reading speech in which he said—

The Government recognises the need to encourage regional development and perceives the need for local community input into decision-making. It is only through co-operation between Governments at all levels, private enterprise, and the local communities, that development in the regions can be maximised.

This approach is unique to Western Australia because it focuses substantial resources into a specific region rather than the broad "scatter gun" approach adopted previously. If this approach succeeds, it will provide the basis for similar developments in other regions as part of the Government's regional development policies.

I believe this is phase one of the Government's proposals for regional government across the State. I have quoted what the Minister said, and I believe that is what the State will get.

It is important to go back and look at the Labor Party's attitude to local government. I know Government members do not like being reminded of it, but it is important for this debate that the record be carefully and precisely laid down because we could be taking part in an historic debate that may be looked at by scholars in future years to see what went wrong in Western Australia under a Labor Government, and what it did to local authorities. I refer to the Government's attitude to adult franchise and its failure to recognise the requests of local government and elected personnel. The Government has had no regard for the achievements of local government in this State. That is a very sad record. It is interesting that this Minister will probably go down in history as one of the most unco-operative Ministers the State has seen.

Mr Bertram: That is nonsense.

Mr BLAIKIE: If the member wants to interject, he should do so from his seat. This Minister has already created a new low level for Ministers for Local Government. I do not want to go back over the dismissal of the Shire of Carnarvon, but local government in Western Australia is aware of the offhand and cavalier manner in which the Minister attacked that local authority in the interests of his party politics. There was no other reason for his action. Although the Minister gave reasons, they had no foundation.

It should be clearly understood in this debate about the South West Development Authority that the public are aware of the Government's attitude to local government, beginning with its Ministers.

Another matter which will certainly spark the interest of all people in Western Australia, irrespective of whether they support it, is the proposal for a casino on Burswood Island. The Government has been talking up the idea of a casino in Western Australia since it came to office. Suggestions have been made of a casino in the metropolitan area and one in the country area; and country towns and various groups have been vying over this proposal.

Mr Bryce: Are you against development?

Mr BLAIKIE: I suggest the Deputy Premier should stop interjecting while he is walking, and should return to his seat.

As far as a casino on Burswood Island is concerned, the Government made announcements of its decisions to the public, but it did not consult with the local authority—

The SPEAKER: Order! This debate has nothing to do with a casino on Burswood Island.

Mr BLAIKIE: With due respect to you, Mr Speaker, the whole question of the South West Development Authority is tied up with the involvement of local government and this, in turn, is tied up with the direction the Government takes, and the attitudes it has towards local government.

I was referring to a casino at Burswood Island. The Government has made a decision that a casino will be built on Burswood Island without regard to planning requirements, and it has not offered the Perth City Council the courtesy of consultation. This occurred only recently and informally. So much for consultation! This morning's *The West Australian* published a letter to the editor and the writer has assumed that on Monday Cabinet will make a decision relating to a boat harbour at Fremantle, and will ignore the wishes of the Fremantle City Council. I am not saying whether it is right or wrong, but if the Government's track record is any indication, it would probably be close to the truth.

How much consultation has the Government had with the Fremantle City Council and how anxious is that council to have that sort of development in its area? If local authorities want to do their own planning, they should be permitted to do so. However, local authorities should not be made offers that they cannot refuse. It is not a direction of the Government; it is a matter of co-operation.

While on the subject of co-operation, I point out that only recently the Minister for the Arts requested the Bunbury City Council to make up its mind regarding development of an art and cultural complex in Bunbury. He told the council that if it did not make up its mind, the Government would allocate the funds to another local authority. A local authority should be able to make up

its own mind about a development of this nature without being pressured by the Government. Projects of this nature should be funded by the Government upon application, and should be approved according to the needs of the community. The Bunbury City Council should have been given time to consider this development without being told by the Minister that if it did not submit its application for funds, the money would not be available. Surely other local authorities which have applied for funds should have—

Mr D. L. Smith: I am waiting for something relevant to the debate.

Mr BLAICKIE: I suggest to the member for Mitchell that he waits; and I would suggest that he might have time for a cup of coffee.

The response that local government has received from this Government during its 18 months in office is a matter for concern. It is little wonder that I am perturbed about what is contained in this Bill and what the Government is able to do.

I refer to a recent incident in which the Manjimup Shire Council took the Government to task. The council was most concerned about a Government policy for reafforestation and a forest management programme which the Government intends to implement in its area. Despite the pleas, protestations, and requests from the local community—I do not think the Minister for Agriculture who is the member for Warren has been too much help, but certainly the Government, the Minister for Local Government, the Premier, and other Ministers have ignored the requests from the Shire of Manjimup—the Government is proceeding on its merry way against the wishes of the local people.

The Government's attitude is not improving, and its arrogance is becoming more noticeable. Only two weeks ago, the member for Mitchell attended a meeting in Dardanup with the Minister for Water Resources. It has been the usual practice for Ministers, if they have the time when visiting local authority areas, to extend the courtesy of calling on the local council. As it happens, the Minister attended the meeting at the shire hall, but did not call on the local authority to offer the courtesies one would normally expect from a Minister of the Crown.

While indicating my concern about the Government's attitude towards local authorities, I wish to raise the matter of the future of the South West Development Authority Bill. I refer to the Government's report of the task force on land management in Western Australia. The task force was established in May 1983, and an interim report was published in November 1983. The final report was presented to the Premier on 25 January this year. The Premier, in his comments about that

report, indicated that in his view it contained some of the most comprehensive changes to land resource management in the history of the State. I endorse those views and I will refer to other matters at a later stage. I refer to one of the conclusions in that report—and there were many—concerning private land. It reads as follows—

In summary, we propose extension of land use planning in rural areas as a framework for management controls on private land where necessary. A development of a suitably staffed Urban and Rural Planning Department is then required together with a proper balance of interests on regional planning authorities, Rural and Urban Planning Boards and the Soil Conservation Advisory Committee, and the Pastoral Board. Planning and control will also create additional demands on the Division of Resource Management of the Department of Agriculture, which will, therefore, need reinforcement.

Our proposals in these areas are in principle only, and we are aware that they require development in detail and more opportunity for public inputs, particularly from local authorities. We advise that consideration and development of our proposals should be incorporated into the Terms of Reference of the Committee of Inquiry into Statutory Planning in Western Australia, and its membership should be adjusted if necessary.

I have referred to only one section of that report, which report will have a profound effect on land management, not only throughout the south-west of the State, but throughout the entire State. In addition, it will have a wide effect on local authorities. It will also have an effect on the Bill currently before the House because the South West Development Authority will be expected to plan for and work in a general sense towards attracting economic development.

A positive conclusion was reached and the request made that the membership of the inquiry committee into statutory planning be adjusted, if necessary. I understand the Government adjusted the membership only in recent weeks and the person appointed to that statutory planning review committee was Dr Maurice Mulcahy. I am concerned that although he may be well qualified in the area of scientific research, he does not represent local government. The planning review committee will be considering all aspects throughout the State and that will involve local authorities. Local government and local statutory bodies have been the cornerstones of traditional planning management in past decades and have been ignored. In yet another area the Government

has chosen to ignore involvement at a local level through local authorities. In this connection I refer to the Government's abhorrent attitude to the Busselton, Harvey, and Bunbury Water Boards and to the local communities.

The success of the South West Development Authority will rely substantially on co-operation from all people in the region. The Government will need to change its attitude and the stance it has adopted in relation to local authorities and local statutory bodies over the last 18 months. If the Government is genuine in its desire to develop this area, it must dramatically change the approaches it has adopted.

The Minister for Local Government cancelled his meeting at the end of May with the south west ward of the Country Shire Councils Association; and this is a matter for further concern.

Mr Carr: I would like to explain the circumstances: The meeting was on a Monday and Cabinet sits at 11.30 a.m. on Monday and has priority. I understand the meeting has been changed and I expect to be able to arrive at a suitable date for the next meeting.

Mr BLAIKIE: I accept the Minister's explanation. However, in line with other comments, the Minister should acknowledge that when these matters are added up people in the south-west area can be excused for feeling that this Government does not fully appreciate them.

Mr Carr: I would have thought the opposite would be true. The people in the south-west have many reasons for appreciating the concern this Government has towards the south-west.

Mr BLAIKIE: I am not talking about concern relating to putting out Acts of Parliament. It is necessary to have concern for the people, to get back to the grassroots and talk to people in the management area. The people with whom I have been associated have indicated concern that the Government is passing them by, notwithstanding that it may be well-intentioned. With regard to the reality of day-to-day working, that seems to be the case.

I have indicated that these matters lead to a diminution of the responsibility of local governments. The Government is not acknowledging the role played by local authorities as have been done in the past. It is all very well for the Government to propose legislation on adult franchise; however, it is also important that Government members, both Ministers and backbench members, explain Government policies to local government and all members of the community. It is pointless for members to hide behind the coat-tails of Ministers in Perth and hope that their politically-caused problems will blow over; they will not.

Mr Jamieson: It is all right explaining such things to members of the community, but there are problems with councillors. They will not listen because they have little kingdoms and do not want to listen.

Mr BLAIKIE: On how many occasions in the last two or three weeks has the member for Welshpool been to a local authority, explained the Government's point of view and the reasons that it is proceeding with this legislation?

Mr Jamieson: I have no particular need to.

Mr BLAIKIE: The member says he has no need to, and that is because he can hang on the coat-tail of his Minister.

Mr Jamieson: The Canning City Council has adopted the whole package and advised the Government accordingly.

Mr BLAIKIE: How many councils do you have in your electorate?

Mr Jamieson: The Canning City Council is the main one, although I do have some of the City of Perth.

Mr BLAIKIE: Has the member been to the city council?

Mr Jamieson: No, I have not.

Mr BLAIKIE: That is the point I am making. I appeal to the member for Welshpool and his colleagues that if they have a policy direction to follow, for goodness sake go out and talk to the people in local government and explain the situation. They may not like it but they will appreciate being told.

Mr Jamieson: I have done that repeatedly.

Mr BLAIKIE: The member has not been to the City of Perth.

Mr Jamieson: Not in the last couple of weeks, but I have spoken to councillors until I am blue in the face.

Mr Carr: I had a full-scale meeting with councillors of the City of Perth about a month ago, and we had full discussions.

Mr BLAIKIE: Does that not lead to better government? Even though finally one does not get one's own way and it may be agreed to disagree, at least people are aware of what is proposed. That is the point I am getting at. However, this point refers not only to the Minister but also to his colleagues who should go into all country areas and explain what the Government is doing.

Several members interjected.

Mr BLAIKIE: When introducing this legislation, the Minister said that the Government was adopting an approach of regionalisation and it would centralise development into a regional area. He indicated that this would be more preferable to the scatter gun approach previously adopted. For the purpose of this debate, I want to ensure that

the results of the so-called scatter gun approach, to which the Minister referred, are recorded so that people can see what had been achieved in recent years.

Firstly, the south-west, in fact, had been relatively well serviced; and the Government's own publication on "Bunbury 2000" indicated that between 1971 and 1981 the area known as the south-west had a growth rate of 2.47 per cent. That is a very substantial growth rate which gave considerable benefits to the area. In the period 1976-1981, that growth rate increased to 3.68 per cent. The report indicated that there would be a regional population, provided that growth rate was maintained, of more than 200 000 people by the year 2000. Although the Government brought this up in a policy document only some four or five months ago, much of this material was also the subject of an intensive two-day seminar conducted by the Liberal Government in 1980-81.

The seminar considered development policies affecting the south-west region. It described how Bunbury was the hub of the area's growth. In excess of 500 people attended the successful seminar, which was chaired by the then Premier (Sir Charles Court). I believe that the 1970s and 1980s saw some quite remarkable and dramatic projects which will be of benefit to the south-west of the State, and certainly to the State as a whole.

When one looks for projects, one sees the natural gas pipeline. Although that is now nearing completion, the planning and the policies and programmes for that world-class project were all set out during the 1970s. I want it to be clearly understood that they were set out and developed under a Liberal Government. The Collie coalfields and the expansion of Muja occurred during the same era.

While one looks at development in an industrial sense, there were also major developments in conservation and environment. While the System 6 plan was released only yesterday, during the 1970s Systems 1 and 2 were released. They were the systems which covered the south-west corner and the south coast of Western Australia. In these areas of conservation and environment we saw the establishment of a system of national parks for the first time in the southern areas of the State, to look after the environment and conservation of the State, in the south-west region in particular.

Although the Minister, in introducing this Bill, indicated a scatter gun approach, I do not think it was a fair comment. The approach of the Government of the day was very successful, because today we are reaping the rewards and benefits of the planning and policies which were implemented during the 1970s.

One may look at the fishing industry in Albany. Although there was a failure—I think the fleet of ships was called the Saxon Line—every attempt was made to get a fishing industry off the ground. There was Government backing to assist commercial enterprises. Although it did not prove successful, the attempts were made. That sort of approach tends to be overlooked in today's climate; but it should be remembered.

Albany Woolstores Pty. Ltd. was yet another project. The member for Warren certainly would not ignore the support given by the Liberal Government to the canning industry, an integral part of the south-west area. One of the new projects opened up was the development of an apple juicing plant by the international company, Bulmers.

The SPEAKER: I hope the member will be able to relate these things to the Bill.

Mr BLAIKIE: I am speaking about developments which have taken place in the south-west, and this is the South West Development Authority Bill.

Mr Tonkin: It is not the same thing. This is a Bill.

The SPEAKER: I have had a look at the Bill. It is a machinery Bill which sets out certain things. That is what the debate should be about.

Mr BLAIKIE: I will just return to the Bill for a moment. The purpose of the Bill is as follows—

... to establish a South West Development Authority to plan, co-ordinate and promote the economic and social development of the south western region of Western Australia and a South West Development Authority Advisory Committee to advise that Authority in the exercise and performance of its powers, functions and duties, and to provide for matters incidental to or connected with the foregoing.

The purpose of this Bill is to plan, co-ordinate, and promote the economic and social development of the area. Economic and social development includes the establishment of factories and other matters within the region, and for the general growth of the area.

Mr Rushton: What about the need for the Bill?

Mr BLAIKIE: Bulmers juice factory was established under the guidance and policy of the previous Government. There was an undertaking of Government co-operation in the future.

Mr Rushton: It did not need a South West Development Authority Bill either.

Mr Hassell: No, just some encouragement.

Mr BLAIKIE: In the mining industry, we are just beginning to see development. Although the Alcoa refinery has been open for some years, only in recent weeks have we seen the opening of the Wagerup refinery.

Mr Tonkin: Under this Government.

Mr BLAIKIE: It may be all very well for the Leader of the House to say that. Perhaps this Government opened it, but this Labor Government did not have anything to do with it. If this Government had its way, we would not have seen much bauxite mining in the Darling Range anyway. Next week there will be the opening of the Worsley alumina refinery. It would be galling if this Government claimed the credit for any refinery too. I just remind the House that it would have been very difficult if not impossible to get bauxite mining off the ground at all under the Labor Government. There are other projects like sand mining, the development of Bunbury harbour, the development of the woodchip berth, the development of the fishing boat harbour, and the development of Esperance and Albany in the same region.

Let us look at the timber industry in the last 10 years and how that has developed. Take the woodchip industry. Debates have been carried on in this House when the Labor Party, then in Opposition, attempted to crucify the Government for the development of the woodchip industry. That is all part of the development of the south-west of the State, and the State is getting the benefit of it today.

One can return to the multimillion dollar plywood factory in Dardanup and the contribution that is making to employment, and the fact that it is purchasing pine from the plantation. That again is as a result of planning and encouragement of investment. It did not need an authority, but only the helping hand of Government to get it through. It wanted co-operation, and it received co-operation from the Government.

In the same area, we had the development of the Donnybrook sunklands. Approximately 12 000 to 14 000 hectares of pine have been planted there. However, the Government is now stopping the development of the pine planting programme and is crucifying the timber industry.

We have seen the development of power resources and the benefits which have flowed to this State from that. We are looking now for the further development of an aluminium smelter and another power station to meet those power needs.

What is the Government's performance in that area? The Labor Party has been in Government for 14 months and what has it achieved? It has spent a great deal of money on Commonwealth employment programmes, but have any new proj-

ects been established? No, they have not. Do we need a South West Development Authority involving the heavy legislative hand of Government so that we have government for the purpose of Government-implemented progress? I hope not. I ask the Government to look at this general area.

The south-west is well governed already. A total of 15 shire councils are involved in the area referred to in the schedule to the Bill. That schedule indicates those councils extend from Augusta-Margaret River to Mandurah, and out to Collie, Manjimup and Boyup Brook. That is the area of the south-west covered by the Bill. The Bill indicates that the area to be covered is to be known as the "local authorities combined districts" which constitutes the south-west region and includes the shires I have just mentioned. The shires have definable boundaries, and the authority will superimpose itself on their areas.

The past record of local authorities in the area is good. In addition to the local authorities, the area is covered by 15 members of Parliament, including Federal members, and State Legislative Council and Legislative Assembly members.

On the one hand the Government, in its Local Government Amendment Bill, seeks to establish adult franchise to ensure more people vote for fewer people while, on the other hand, it seeks to establish the South West Development Authority to ensure we have more government by more people. It just does not seem to add up.

The Opposition supports the development of the south-west. Our track record has given a very clear indication of that. We certainly do not oppose the development of that area, but we question the direction in which the Government is going, because we believe the Government is not approaching the development of the south-west in a proper way.

Earlier you, Sir, raised a question as to what certain developments had to do with the South West Development Authority. I am now able to answer that. Clause 11 refers to the functions and powers of the authority. It reads, in part, as follows—

The functions of the Authority are to plan, co-ordinate and promote the economic and social development of the South West Region . . .

Therefore, it will be obliged to follow certain guidelines.

Clause 12 refers to the powers of the authority, and subclause (1) reads as follows—

The Authority has power to do all things necessary or convenient to be done for or in connection with the performance of its functions under this Act.

Subclause (2) reads as follows—

without limiting the generality of subsection (1), the powers of the Authority referred to in that subsection include power—

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

I hope the Minister in reply will answer these points, because they are of concern. Under paragraph (b) the authority will have the power to become a property developer, because it is indicated the authority will be able "to improve, develop or alter real property".

Under paragraph (c) the authority will have the power "to divide land, provide energy, water and other services, build roads and construct other works".

Is it intended the authority will be a construction agency in its own right or in conjunction with others? Will the Government give the South West Development Authority the right to adopt an entrepreneurial role and become involved in the marketing of land, because it can build roads and construct other works? When these provisions are seen by local authorities, it is little wonder they are concerned.

The functions of the authority as set out in the Bill include many tasks which are performed by local authorities. Are we to have yet another authority, board, or organisation which can do all manner of things also?

In addition to being able to act as a property developer, the authority will have the power to divide land and provide energy, water, and other services. I would be interested to know what those "other services" are. Will the authority be involved in the development of power stations or in building dams? These are the questions which remain unanswered. We are anxious to know the role the authority is expected to take. If it is to be involved in those general areas, the next question is: Why should a Government agency be involved in the development of land, for example? Surely there are enough people in the field already.

Mr Parker: Your Government was extensively involved in the development of land.

Mr BLAIKIE: With whom?

Mr Parker: All over the place. Virtually every Government authority was involved in the development of land, most particularly the State Housing Commission, the Urban Lands Council, and the R & I Bank.

Several members interjected.

Mr BLAIKIE: Apparently there is a degree of sensitivity to this matter.

Mr Parker: I am just trying to point out a fact.

Mr BLAIKIE: It does not surprise me that the State Housing Commission has been accused of developing land during the term of office of a Liberal Government. Be that as it may, the Bill provides that the authority should have the power to do all those things, including the provision of energy. I do not think the State Housing Commission provided power stations and dams. Perhaps the Minister would indicate across the Chamber whether that is the Government's intention. We shall have to wait until the Minister replies.

The entrepreneurial role of the authority may come under the direction of the Minister. Clause 13 indicates that clearly where it says—

The Minister may, from time to time and either generally or with respect to a particular matter, give directions to the Authority with respect to the exercise and performance of its powers, functions and duties under this Act, and the Authority shall give effect to those directions.

The authority will give effect to those directions.

While the authority will have regard for wide powers and functions, it will also have a far greater regard for the directions given to it by the Minister. That is a matter of even greater concern to us, because under these circumstances it can be seen that the authority will not be a co-operative body of south-west people, but rather a body of people brought together who will from time to time be directed by the Minister. That is not the sort of co-operation that south-westerners have become used to, but that is the level of direction provided for in this Bill.

The Minister will be able to direct the authority and the advisory committee, so I would like the Minister to indicate whether the members of the authority and of the advisory committee will be able to investigate matters of Government policy.

A controversy is raging in the south-west about the Shire of Manjimup's attitude towards the Government's policies on pine planting. The Government also has a South West Development Authority advisory committee, and one would expect that that committee, because it is charged with the responsibility of looking after the development and progress of the south-west, would have made a determination for or against the Government's pine planting programme. The advisory committee has kept remarkably silent on this. I am not aware of the reasons for this silence because members of the committee have a secrecy condition imposed on them, and I would not wish to question them because they may be encouraged

to break that secrecy provision. I have a strong suspicion that those members are not permitted to speak on Government policy, and if I am right—I have no way of finding out whether it is right, but no doubt the Minister will indicate whether it is right or not—what is the purpose of funding a body which will cost all this money if the Minister of Government of the day is to have it muzzled? That causes me concern, and I hope the Minister is able to explain what those bodies can or cannot do. How far is this Ministerial control to go?

I have no doubt that the issue of the canals at Mandurah would attract the attention of this South West Development Authority, because one of the members of the advisory committee is the President of the Shire of Mandurah. I do not have the slightest doubt that Mr Guilfoyle has made his support well known to the Government and to the other members of the advisory committee.

That raises the question: Does the Government invite comment from the advisory committee and seek its involvement in these controversial issues within the community in order that the Government can have regard for that advice when it acts within the community?

If the Government is not to seek advice from these advisory committees, what is the point of having them? It is quite important to realise that in relation to the difficulties the Manjimup shire has experienced, the shire president is also one of the people on the committee. Either these committees will work effectively, or the Government will effectively have them muzzled and will not permit them to speak out against Government policy. These matters concern us.

A further matter that concerns me is the control the Minister will have and the influence he will exert over the people on the advisory committees and the chairman, because the chairman of the authority will be appointed by the Minister, as will the other officers of the authority. Clause 29 provides for 12 people to be appointed to the advisory committee, and one of those persons will be appointed as the chairman. The chairman of the advisory committee is selected by the chairman of the board. That may sound a little confusing, but that is the way the Government intends it to be structured.

Mr Watt: It does not matter whom he picks anyway, because the Minister can direct them.

Mr BLAIKIE: It is a rather incestuous arrangement. It is interesting to remember that everyone will be appointed by this Minister.

The board chairman will cause advertisements to be circulated in the newspapers throughout the

south-west asking for able and willing candidates to nominate for appointment to the advisory committee. He must then go through the applications and select 24 names, because the Bill provides that he shall select twice as many as are required. He must then refer the list of 24 to the Minister so that the Minister can make the final 12 appointments. I will come back to this in a moment.

It is important to realise that right through this procedure it will be the Minister solely who will appoint all the members of the board and of the advisory committee, and that the board chairman will nominate the chairman of the advisory committee. This situation allows people to make the criticism of political patronage. We strongly question whether this is the fairest way of gaining nominations.

When it comes to the Minister making a final decision, he is asked, not required, to ensure as far as is practicable that the people are persons from local authorities, statutory bodies, industry and commerce, employer and employee organisations, education and training institutions, or other sections of the community with the south-west region.

I pose the problem to the Minister that, notwithstanding his intentions, the chairman of the board could well select for the Minister a list of 24 people who all came from the same town, and that would be unacceptable. More importantly, what is being sought here is to have non-elected people or people who have no elective responsibility at all placed on this authority of considerable power and influence. We regard that as a matter of great concern.

The other matter, and the one that I regard as being the most serious of all, is that the Minister has not given any regard to local authority personnel being appointed or being elected in their own right as local authority personnel of the region. Of all the people who could be appointed, at least the Chairman of the South West Shire Councils Association should have been considered. Local government at least should have been represented on it. These are the elected representatives of the region. The Government is proposing that non-elected personnel, people who need not necessarily have any responsibility to any organisation, be members of this authority, and on that ground we are certainly opposed to that portion of the Bill.

I remind the Minister—and no doubt his colleague the Minister for Agriculture would also remind him—that it was only a few short years ago that the Dairy Industry Authority got into a degree of trouble for the same reason I am discussing, when the elected personnel of that authority all came from one small region of the dairying districts. That caused great anguish and

concern throughout the dairying districts of the State, and such possible anguish and concern should be avoided. I fail to understand why the Government has not seen fit to avoid this possibility.

I have already indicated my concerns in relation to clauses 11 and 12, and they are the very important areas that give the authority the right to do whatever it eventually determines it wishes to do, even if it does not conform to the direction of the Minister. I will say more on that subject in a moment.

Clause 22 relates to borrowing from Treasury and it provides—

(1) The Treasurer may make, and the Authority may borrow, from the Public Account advances of such amounts as the Treasurer approves on such conditions relating to repayment and payment of interest as the Treasurer imposes.

(2) By virtue of this subsection the Account and the assets of the Authority are charged with the due performance by the Authority of all obligations arising from any advance made under this section.

This clause gives a wide financial capacity to the authority because, as we all know, the Treasurer is part of the Government of the day and this means, on my interpretation, that the Government may permit the authority to borrow as much money as the Government determines it needs to borrow. No financial constraints are imposed or exist. I beg the Minister to indicate whether my assumption has foundation. If the Minister could assure me that my assumption is wrong, we would be saved an awful lot of time in Committee. One would have expected that with an authority such as this there should at least be some provision for approval for funding by the Parliament. I make the point again to the Minister that he is proposing that non-elected personnel will have wide powers.

Mr Grill: You have already indicated once that the Minister has the power to elect, and you need not go any further than that. You need not bother any further with the point you are making.

Mr Laurance: Very telling points indeed.

Mr Rushton interjected.

Mr I. F. Taylor: I would be the only member of this House who is embarrassed by it.

Mr BLAIKIE: For the benefit of the member for Kalgoorlie, whom I would expect to have some Treasury knowledge, I indicate that this clause permits the Government of the day to make whatever advances it sees fit to the authority, under whatever terms and conditions it sees fit, without regard for Parliament. If one reads clauses 11 and

12 again, one realises that the authority would not need parliamentary approval if it wanted to build power stations or boat harbours, to make subdivisions, etc.

Mr Laurance: Parliament is just a rubber stamp under this Government.

Mr BLAIKIE: So Parliament would be completely ignored and this, in my view, has shades of the WADC all over again; however, this is the south-west version. How will it apply in the south-west? I make the point that there is no elective body representation. People are selected by the Minister and are answerable only to the Minister, and that is a very dangerous precedent upon which the Government seems intent on embarking. I can see the authority becoming involved in land development and being a real threat to the private entrepreneur.

Mr Rushton: And also to political management.

Mr BLAIKIE: If the private entrepreneurs became aware of what the Government was doing in this area, it would frighten them out of the field and out of the south-west, but that is possibly what this Government wants. It seems to delight in either raping or getting rid of private industry.

The advantages that this authority will have over anybody in the private sector are manifold. Interest rates and repayment charges will be determined by the Treasurer, no doubt at an extremely favourable rate under extremely favourable conditions, and if it wishes to get involved in land development, it will be free of the normal Government taxes and charges because it happens to be an instrumentality of the Crown.

It will have unlimited capitalisation because it is elected by the Crown anyhow, and it will also have a degree of freedom beyond bureaucratic and regulatory controls because it is the very body that will determine them. How will the private entrepreneur compete with that body? This is one of the real dangers, and this is why I took some time earlier to explain the record that had been achieved in the south-west in the 1970s and the 1980s without legislative direction, a record that I certainly hope will continue to be achieved in the south-west in the 1980s and 1990s. I do not believe that what the Government is proposing will achieve this.

I have already indicated the concern the Opposition has in regard to this matter generally, and also our concern as to whether the South West Development Authority will become involved in the private field.

On Tuesday, 6 December, in *The Australian* appeared an article which certainly claimed great attention in the south-west. The article was headed "WA set to fund world class hotel chain".

The article stated—

THE West Australian Government is set to become a cash investor in a series of multi-million dollar projects to build five international-standard hotels.

The hotels will be constructed in five towns in the State's south-west and become focal points of a major tourist development scheme.

Direct government involvement will come either through helping to assemble the necessary private finance, or by its own direct investment.

If direct investment is necessary the Government will use its West Australian Development Corporation as the vehicle for the deal.

Legislation for the corporation is still before Parliament and the Opposition has threatened to use its numbers in the Legislative Council this week to have the bill deferred until March.

The existence of the hotel proposal was revealed yesterday by the State Minister for Regional Development, Mr Grill, who was in Bunbury for a State Cabinet meeting.

He said the Government was aware foreign investors were eager to build the hotels, but they could not get permission until Australian participation had been arranged.

Mr Watt: When was that?

Mr BLAICKIE: It was on 6 December, when the State Cabinet went to Bunbury. I have to say that the State Cabinet performed better than the Opposition when it went to Albany because the ALP gave the south-west Bunbury meeting five five-star hotels.

Mr P. J. Smith: Who made that announcement?

Mr BLAICKIE: I will quote again—

The existence of the hotel proposal was revealed yesterday by the State Minister for Regional Development, Mr Grill, who was in Bunbury for a State Cabinet meeting.

I was one of those people who were absolutely ecstatic about that announcement—to imagine the south-west would get five “Sheratons”. Can members imagine the great enjoyment I had when I was able to tell my constituents of what the Minister for Regional Development and the North West said. To continue the quote—

He said if a private investment package could not be put together, the Government was prepared to become directly involved.

Several members interjected.

Mr BLAICKIE: I am not one of those people who are knocking the development of the south-west. I support it, and if this Government can get five

five-star hotels in the south-west, then I am behind it. To continue—

Mr Grill said it would be the responsibility of the West Australian Development Corporation to become the “catalyst” in assembling the necessary Australian finance.

He said if a private investment package could not be put together, the Government was prepared to become directly involved.

Mr Laurance: A window into private enterprise.

Mr BLAICKIE: It is rather interesting because I have a son who works at the Sheraton Hotel in Perth and I know a little about that magnificent hotel. I would be delighted to see a couple of those identical hotels in my electorate. I encourage, and will assist the Government if it intends to do that. That was only part of the statement. To continue—

“If we cannot get the package, we will weigh in with our own money,” he said.

Mr Laurance: That is terrific.

Mr BLAICKIE: The only thing that worries me is that when the Minister talks about weighing in “our own money”, he is also talking about spending my money.

Mr P. J. Smith: Are you quoting from the newspaper?

Mr BLAICKIE: I am quoting what the Minister said. I would be delighted to debate this matter in Bunbury with the member at any time. I am supporting the project. Surely the member for Bunbury is not apologising for it?

Mr P. J. Smith: I would like to know whether you are quoting what he said.

Mr BLAICKIE: The world Press was there—this was published in *The Australian*.

Mr P. J. Smith: The five-star hotels?

Mr I. F. Taylor interjected.

Mr BLAICKIE: The member for Kalgoorlie has given the member the message not to talk, because he is putting his foot in it. The section of the article which interested me as shadow Minister for the south-west was that part where the Minister said the hotels would be situated in Bunbury, Dunsborough, Busselton, Manjimup, and another place to be decided, south of Manjimup.

Mr Laurance: What about Collic?

Mr BLAICKIE: It may even be Albany. The Minister said—

An application for the Bunbury hotel project is with the Government.

“The Bunbury project involves an investment of about \$8 million,” said Mr Grill. “But nothing has been finalised.”

That is the sort of comment that was made in the south-west of the State. I will do everything I can to assist the Minister to achieve these five "Sheratons" for the south-west. I think they were called the "pearls of the south".

The other comments I wish to make in relation to this matter concern the fact that the Minister has the opportunity to direct the authority, and because he has that power, the authority will be subject to political patronage. I am also concerned about local authorities. For example, if a person wished to open a caravan park—

Mr Laurance: It is okay for hotels Sheraton, but it is not okay for caravan parks.

Mr BLAICKIE: We have to cater for all types and some members of Parliament would want a caravan park. If a person wished to establish a caravan park at, say, Walpole, he would go to the Shire of Manjimup to make an application. However, now we have a tourist commission which will be involved in that decision. That commission will decide who will build, and where they will build, and whether a caravan park should be built.

In addition to that the South West Development Authority will be involved. The area will be the subject of an environmental impact study, and as I indicated earlier, the proposed Department of Natural Land Management will also be in on the act. This department the Government is talking about setting up will also become involved in that decision, because it will have a 10-year management plan. That is all par for the course—all those bodies will be involved in that decision.

With all that red tape to go through, the poor old developer will not go near the place. He will be frightened away by so much red tape. With the restructuring mentioned by the Minister, that person who wished to carry out such a development would not go to the local authority but to the South West Development Authority for approval. That is where the planning concepts will be accepted or rejected.

Local government authority powers will diminish dramatically. I have been speaking to a number of local authorities, not only in the south-west region, but also in other areas of the State, and I have been told that, notwithstanding the reply the Minister gave this evening, they have not received any communication on this matter from the Minister or his office. They did not know that the Bill had been brought to the House and they certainly had not been contacted in the last three or four weeks, contrary to what the Minister indicated. I have no doubt that the Minister replied to the question tonight with all due regard to the information he had received. I will certainly check this further and I suggest he does likewise because it is

a matter of concern that a number of local authorities were not contacted about the Bill and were not involved in its drafting.

Mr Parker: You never involved anyone outside the Government in drafting Bills when you were in office.

Mr BLAICKIE: That is absolute rubbish.

Mr Parker: It is not rubbish at all.

Mr BLAICKIE: The Government should not proceed with this Bill; it should withdraw it and take the time to go back to the 15 local authorities in the region and have full and proper discussions with them. It should take note of the policy document which spoke of seeking co-operation, co-ordinated and complementary arrangements, rather than adopting the approach it has in this Bill. This is heavy legislative action which did not prove necessary in the 1970s for the development of the south-west region.

The Minister should have regard for these matters. He should withdraw the Bill, talk to local authorities and then bring back a Bill with which local government can live. Local government should be able to work in harness with the State Government, not against it, for the benefit of the south-west.

In due course this Bill will ensure the establishment of regional development, which is a long sought objective of the Australian Labor Party, and one that will be achieved at the expense of local government. Although the Government has championed adult franchise and equal voting rights in so many other areas, it has completely ignored those principles in this Bill. The Bill contains nothing about equality; there will be no representation from the region, and it will not be the Minister's determination anyway. If the names of 24 people were presented to the Minister from one part of the region, he would have to act with due discretion to change them. Those sorts of changes ought to be in the Bill, and I hope the Government will consider amendments to deal with that.

The Minister's scope for interference under this Bill is limitless. Because of the overriding powers that the authority will have under the Minister's direction, industry will be influenced and directed to negotiate directly with the authority, rather than being involved with local government. The Bill provides an extension of Government involvement and patronage, and the control the authority will exert in due course will override that of the elected personnel of the region and that should be opposed at all costs.

MR LAURANCE (Gascoyne) [8.55 p.m.]: I compliment the member for Vasse on the way he presented the Opposition's case. He has obviously done a great deal of work in co-operation with the

local authorities throughout the south-west to determine their attitude to this Bill, and he has probed all the areas of concern, not only to the Opposition, but also to the public of Western Australia. I compliment him on his thorough approach.

I will dwell initially on the question of regional development as I have responsibility on behalf of the Opposition to look at this matter, not only in the south-west, but also in the whole of the State. I am interested in this field and I share a common interest with the member for Vasse in regional development in the south-west.

The Government's regional development policy really does not amount to much. It could be summed up briefly: If it moves, tax it; if it moves too quickly, regulate it; and if it does not move at all, bail it out.

Regional development has been espoused as important to political parties of all persuasions. If one looks at the geography of our State, one sees the capital in the south-west corner and a vast State stretching to Wyndham in the north. It is a huge area as big as India, with a population of less than 1.5 million people. The idea of being able to regionalise and spread our administration and population is of great importance to the development of this State. Both major political parties would agree that regional development is important.

I submit that the State Government discovered regional development only at the time of the last State election. It discovered it in relation to Bunbury in particular, because suddenly two seats were involved rather than one, as was previously the case. It is a temporary aberration that the ALP won both those seats. It is part of the political "swings and roundabouts", and the electoral mistake will be corrected at the next opportunity. It gave the Government an opportunity to bring forward a snazzy policy in respect of Bunbury and that region. It has been politically successful. I do not deny that; but I take exception to the Government's attempt to dismiss the Liberal-National Country Parties' regional development policy as a scatter gun approach. That was quite unfair. The Minister, in his second reading speech, said the Government had in mind an approach which was unique to Western Australia because it focused substantial resources into a specific region rather than the broad scatter gun approach adopted previously.

That is a rather snide and churlish attempt to denigrate those who have gone before him—people who have given tremendous service to this State. It does not become him, and it is not accurate.

Labor's record on regional development has been absolutely pathetic. Let us look at the performance of ALP Governments in this State in relation to regional development. Firstly, the ALP is totally opposed to regional development because the basis is to have regional or remote area representation. The ALP stands for the reverse of that—metropolitan representation. It wants to disfranchise remote areas and the people living in those areas. How can it pretend to have a regional development policy? It has a case of acute political dyslexia. The Government is opposed to regional development because it wants to take away from people in the regions and the country their representation in the highest court of the land, the Parliament.

The Government attacks local government; it has tried to weaken local government and break its autonomy, despite policy statements to the contrary. That is Labor's record and performance.

Under previous ALP Governments, local government did not fare very well, and it looks as though it will do worse under this ALP Government. Local government is the mainstay of regional development. On two counts the ALP Government has done badly as far as local government is concerned.

The Liberal Party set up two consultative committees in the north of the State. When the Tonkin Government came into power in 1971, it disbanded those consultative committees, and there was a hue and cry from the public. However, when the Liberal-National Country Party Government came into power it reinstated those consultative committees, which have since been upgraded.

When one looks at the various aspects of regional development policies of previous Labor Governments, the record is pathetic. Let us look at the Liberal-National Country Party Government's record as far as regional development is concerned, which, I am pleased to say, is magnificent. Bunbury became a city under the coalition Government.

The coalition Government had a well balanced approach towards regional development, which was based on resources from every region. I refer to the well compiled political notes by the Leader of the Opposition which appeared in today's *The West Australian* as follows—

Progressive development based on the natural resources of each area has been the cornerstone of the Liberal-NCP approach to successful regional development.

It explains why we have never had to descend to grandiose promises about artificial

developments based on Government interference and perpetual subsidy.

It has been a successful policy.

The development which has taken place in this State is development of which all Western Australians can be proud. Many things have happened in the regions, and we must remember that Western Australia is a difficult State to administer because of its isolation and sparsely populated areas.

The coalition Government introduced regional superintendents to represent all Government departments. It tried to spread senior public servants throughout the regional areas; and senior public servants were appointed as administrators in the various regions. This gave more autonomy and decision-making power to the regions. However, the previous Government has often been criticised that it did not give enough decision-making power to the regional administrators and that they were not given control over their budgets. They had to report to their senior officers in Perth, which took a long time.

We have had centralised decision-making in the city since 1930, but the coalition Government went a long way towards achieving its objective, and we now have public servants in the regions—a big step towards its objective.

The Borrie Report, produced in 1975-76 by Professor Borrie, was a most significant study of Australia's demography. It referred to a significant role in the development of the Pilbara. Professor Borrie stated that the only significant reversal of the trend in the population move from the country to the city since Federation in this nation was the development in the Pilbara. Everywhere else in the nation since Federation, we have had significant population moves from the country areas to the cities. The only significant reversal of this trend was the development in the Pilbara, and it stands as a monument to coalition Governments of this State.

The developments in education in country areas have been magnificent. The member for Pilbara would be pleased with the educational facilities in her electorate, which include the Hedland College and the Karratha College. One must also consider the resources that were put into the Kalgoorlie College. Arrangements have been made for the Bunbury college, and a commencement has been made for a college at Albany. These have not all resulted by accident or by fluke; they happened because of a determined regional policy by conservative Governments.

I turn to the area of health. I have lived in the north of this State for 25 years. I can remember

the time when the people who wanted medical treatment were flown to Perth, but gradually health facilities have been established in the north and we can boast fine regional hospitals in every region of the State. The regional hospitals have been complemented with a system of visiting specialists. This means that local residents do not need to travel to Perth for specialist treatment unless it is urgent. It is a tremendous turnaround for this State.

Magnificent cultural centres have been established in regional centres. One that springs to mind is the cultural centre at Geraldton, which is magnificent. The Esperance cultural centre is one of the finest buildings I have seen of its kind. It is not by any means the most expensive or the largest building of its kind, but it is unique because of its design. It can be used for cabarets as well as for theatre productions. The building impressed me because of its flexibility and the tremendous resource it provides for the community. Once again, it was not erected by accident. It was erected because of a carefully thought-out policy—there is no scatter gun approach about that.

Tremendous recreational facilities have been provided throughout the State. I have one in my electorate which was jointly funded by the Education Department, the local authority, and the Department for Youth, Sport and Recreation. It was the first time a project of this nature had been undertaken in this State. However, other projects have been undertaken in regional centres. The member for Greenough would be aware of the beautiful recreation centre which has been established at Walkaway. A similar type of centre can be found in Mukinbudin, which is in the electorate of the member for Mt. Marshall. We have had a complete turnaround and country people no longer must come to the city for cultural facilities. At Southern Cross one can find a magnificent—

The SPEAKER: I hope that the member for Gascoyne will tie all these instances to the Bill.

Mr LAURANCE: Certainly. We have a very exciting programme of regional development. I apologise for getting carried away with the developments that have taken place.

Let me touch on successful regional policies. The normalisation policy in the mining towns in the north—

The SPEAKER: Order! That is not related to this Bill. That is why the Parliament sits so long—members will not debate the Bills.

Mr LAURANCE: My time is limited, and I intend to use it as wisely as possible.

One thing that the present Government has done concerning regional development is to con-

duct its Cabinet meetings in regional centres. I applaud the Government for its action. It has been a media success for the Government. I do not know if it has achieved anything of substance, but it has replaced the extensive pattern of travel undertaken by Ministers in previous Governments. In fact, most of the Cabinet's visits to regional centres have coincided with the opening of major facilities which were put in train by the previous Government. I admit that the Government has acknowledged this. For instance, in Esperance the majority of the activity was the opening of the new boat harbour which was 95 per cent built by the former Government. The Pilbara Cabinet meeting was centred on the commissioning of the Roebourne Regional Prison which, of course, was an initiative of the previous Government.

The Bill is based on the development of the "Bunbury 2000" policy. It is part of the overall package, as explained by the Minister when he introduced the measure. I refer to his comment that the Government would stabilise and consolidate the timber industry, guaranteeing its resource base. In one year the Government has destroyed the resource base of the timber industry. It has not done so without opposition; the Manjimup Shire Council has battled to try to save that industry. However, the resource base of the timber industry in this State has been destroyed, and the Forests Department has been emasculated in a very brief time.

Mr Blaikie: It is interesting to note that the timber industry is one of the most important traditional industries of the south-west.

Mr LAURANCE: One would expect it to be the cornerstone of "Bunbury 2000".

Mr Blaikie: It is the cornerstone of the existence of the south-west region.

Mr Stephens: I have heard the Liberal Party members saying that the "Bunbury 2000" policy is virtually the Liberal policy taken over and given a tag by the Labor Party; they cannot have it both ways.

Mr LAURANCE: To reply to the member for Stirling, the policy to stabilise and consolidate the timber industry guaranteeing its resource base is one with which most members would agree. However, the performance of the Government in the last 12 months has destroyed the resource base. That is what I am objecting to.

Mr Stephens: I had missed your point.

Mr LAURANCE: I am not arguing with the policy; but the substance is different from the policy. Another policy in the document states that the Government will negotiate for the development of an aluminium smelter. Substantial work had been

carried out on the development of a smelter, and we were well down the track in this regard. The Government owes it to the people of the State to provide an aluminium smelter. It is not only appropriate but there is a requirement to see that it is successful. However, what the Government has done to the timber industry, together with the threat to the bauxite industry, has undermined its ability to attract an aluminium smelter. Much of the work has already been done. It was handed to the Government on a plate and we are now waiting for the Government to produce the goods. I am extremely doubtful that it is good enough to do so.

Each time we get an initiative from this Government, it becomes "big government". This Bill means "big government". In the second reading speech the Minister said that the authority will consist of a board, directorate, and executive support staff. In addition a 12-man advisory committee to the authority is proposed. This involves many people and a great deal of money and government. It will cut across the activities of local authorities and will superimpose a large development authority upon existing local authorities and Government agencies.

Mr Blaikie: It is another Government.

Mr LAURANCE: Another regional Government.

Mr Blaikie: An appointed but not an elected Government.

Mr LAURANCE: That is exactly right. The member for Vasse has highlighted how frightening this authority could be.

A member interjected.

Mr LAURANCE: Not only is it "big government" but it also represents Government interference. It is part of a developing pattern. It started with the Premier and some of his cohorts saying that they were not real socialists; they did not want to nationalise everything but they wanted a window into the private sector. They just wanted a little patch of light through that window into the private sector. With an ALP Government it does not take long for the window to become a whole house. That is now happening.

Mr Jamieson: If we were to socialise everything, we would certainly leave you out.

Mr LAURANCE: Thank God for that.

Mr Bryce: The member for Gascoyne already draws a salary and pension from the taxpayers.

Mr LAURANCE: I am sure the Deputy Premier would like me to retire and leave Government members here, but I shall not do so.

I refer to the new Tourism Commission and the WA Development Corporation. We were consist-

ent in bringing forward the fact that these authorities had too much power; they had the ability to do anything they liked. The same type of power is now being given to the South West Development Authority. I refer to clause 12 which outlines the powers of the authority. They are broad sweeping powers which could be frightening if used in the way indicated by the member for Vasse.

Clause 12 provides, in part—

The authority has power to do all things necessary or convenient to be done for or in connection with the performance of its functions under this Act.

The authority has the following detailed powers—

- (a) to purchase, sell, lease, take on lease, mortgage, exchange or otherwise acquire, deal in or dispose of real and personal property;
- (b) to improve, develop or alter real property;
- (c) to divide land, provide energy, water and other services, build roads and construct other works;
- (d) to appoint agents and attorneys; . . .

Where will it end? This is huge government; it is overpowering. The authority is responsible only to the Minister, and it does not have to report to the Parliament before utilising these powers. It is so foreign to my philosophy that I find it hard to believe anyone could dream it up. It is as if the Government has let the draftsman have his head and told him to put in anything he can think of. Surely it does not believe a Government should do these things and that authorities should have such powers with no restraints. This is Government and bureaucracy gone mad.

The Minister handling the Bill is silent; he must be embarrassed. He is a man of some personal acumen and private sector experience. How can he suggest that the Government be allowed to do these things and expect the private sector to flourish? The Minister must be squirming in his seat. I recall attending the same economics class as the Minister some 30 years ago, and I think he was fairly intelligent at that time. However, I do recall an occasion on which he made a mistake when reading the examination timetable.

Mr Tonkin: I am sure this is part of the Bill!

Mr LAURANCE: It is just an aside. That was a fairly disastrous day for the Minister. He explained that he had read the timetable incorrectly and studied for algebra when the examination was on chemistry. Apart from that, when we were doing economics I can recall he was very astute. I cannot understand that he would

bring in a Bill of this sort with such wide, all-embracing powers. Nevertheless, I suppose his actions are subject to the wishes of the totalitarian party which demands that one must worship on the altar of socialisation and nationalisation. So there he is with his posterior up in the bowing and scraping position to that god.

If we go on to the financial provisions in clause 21 of the Bill, once again we find that the authority has power to get moneys from almost any source and use them in virtually any way. Clause 21(1)(e), says "the proceeds of sales by the authority of land or any interest in land". So it can acquire land under the earlier section, sell it, and utilise the funds.

Clause 21(1)(f) says, "rents derived from land leased by the authority". So rents can be included as well.

Mr D. L. Smith interjected.

Several members interjected.

Mr Blaikie: It had no relationship at all.

Mr LAURANCE: So the member is going to repeal the Industrial Lands Development Authority Act and use powers in this Bill in its place? Is that the intention?

Several members interjected.

Mr LAURANCE: In both those areas the powers of the authority are frightening. It is not necessary, in order to promote the development of Bunbury or the south-west region, to have these powers; it can be done in a much better way. The Government does not have to have powers like this. We will be looking to see the reaction of south-west people and south-west local authorities, and they will be looking to see the performance of this Government. The rhetoric does not match the performance. I do not think the smelter is coming along as it should. The timber industry is under threat. Its resource base has been damaged if not destroyed in quick time.

Here we have a magnificent authority set up with tremendous powers to do wonderful things. When one looks at what is happening in that area, the people in the south-west have a great deal to lose. They will be looking for the day when they can have a private enterprise Government back in this State so that there can be some real development. We oppose the measure.

MR TRETHOWAN (East Melville) (9.24 p.m.) This Bill illustrates again the Government's love of deception. I will repeat what I have said before in this House in regard to legislation by the current Government. The job of an Opposition is to look not at what the Government says it will do with the legislation but at what it could do with it.

The deception that this Bill represents is like a mask over the underlying possibilities.

It reminds me of the front of many theatres, where one has two traditional signs of the play, two masks, one smiling and the other crying. They derive from the Greek theatre where all the players wore masks.

It seems to me that there is a lot of similarity between the classical Greek theatre and many of the legislative acts of this Government, because they all wear masks, and the mask relates to the appearance with which the Government wants to be seen in the general community. It believes very strongly that the appearance of what it is doing is terribly important. The appearance must meet the expectations of the community, even if what is being attained under that appearance is not acceptable to the majority of the community. As long as one can maintain the appearance, that is fine.

One of the appearances which has been presented to the people of Western Australia in a number of pieces of legislation is that of the Government acting as an entrepreneur. This Government knows that if it were to come out and say to the people of Western Australia, "We want to achieve our traditional policy objectives, and that is Government control and the exercise of Government power through socialist intervention," that would be unacceptable to the majority. As a result, that must be dressed up. It is dressed up in the mask of Government entrepreneurial competition in the marketplace.

The words themselves are words from the free market and the capitalist system. Entrepreneurial activity is getting in there and doing things for which there is a need. Competition is the essence of free market determination by supply and demand, not centralised control.

Mr D. L. Smith: Are you suggesting the authority will be metropolitan-based or country-based?

Mr TRETHOWAN: That is very interesting; I think that hits the nail on the head. The mask is a regional operation, but the reality is a metropolitan-based control.

Several members interjected.

Mr TRETHOWAN: Even the member cannot see past the mask because it is in his own electorate. He is fooled by it, and that is precisely what I am saying. The mask defies the reality. The mask is the Government wanting to give its own interpretation of competition and a free market. Underneath, this Bill gives the Government the means of operating in the region it wishes in terms of Government control and intervention.

Mr Rushton: That is the sort of entrepreneurial school the Government wants.

Mr TRETHOWAN: The logic of that is that the Government wishes to be involved in competition to the exclusion of everyone else. That is what this Bill provides. This authority has been given something which no other private organisation can have, and that is to be a designated agent of the Crown. That gives it very specific exemptions, including the exemption from Federal income tax. As the member for Gascoyne indicated earlier, the authority will be given enormous access to funds to use in any way it chooses, and those funds will be derived from moneys voted out of the Consolidated Revenue Fund by this Parliament; so we can put in as much money as we like. Providing the Government gets agreement in this Parliament, there will be no restriction on the amount of money it could put into the authority. Of course, the Act provides that the authority can retain moneys that it generates from its own activities as an entrepreneur—a developer—in the marketplace.

Going further than that, I indicate that not only can moneys be put into the authority by way of capital, if one likes, or even by way of operating expenses like a Government department in this Parliament, but also, under clause 22, the authority may borrow from the public account whatever it likes. Therefore, the authority will have unlimited borrowing on the public purse, subject only to the agreement of the Government through the Treasurer.

However, it will not be restricted only to funding from the Government sector. The authority will not be restricted only to what can come out of the Treasury. It will be allowed to go onto the market, like an entrepreneurial, private enterprise company can go onto the market; but will it compete fairly for funds in the same way? No, it will not. This authority will be given Treasury backing. That Treasury backing will allow the authority to borrow as much as the market will supply, and I guess if one looks at the limit, one realises that it will be as much as the credit of this State is worth; that is, millions and millions of dollars. The theoretical and practical possibility is so enormous that volumes of money could be poured into and through this authority in almost any way that the Government saw fit.

The Treasurer may recoup from the authority any funds he chooses. The authority may invest on the short-term money market any funds that it has. It will have total flexibility and total funding available from both the private and Government sectors, all under Government guarantee, and all as an agent of the Crown.

That is not immediately apparent from the mask that is held up, the brightly painted mask which has a smiling face, the kind of face people in the south-west would be looking for; that is, the face which says, "Continue the kind of development we have". However, we should look underneath the mask and ask: Who will continue that development?

This Bill provides that the authority, which has access to almost unlimited Government and private sector funding, shall be the creature of this Government in Perth, not of the region. That is where I return to the point made by the member for Mitchell who indicated even he was deceived by the mask that has been put up, because the provisions of the Bill allow the Minister in Perth to appoint the director of the authority—who becomes *ex officio* the chairman—the deputy director, and the member of the board.

Under clause 13, the Minister may direct the authority. I emphasise that the Minister in Perth may direct the authority. He can tell the authority what it has to do and it has to do it. That is done from Perth, which provision does not give autonomy to the region.

Mr D. L. Smith: How is that different from the Joondalup Development Corporation?

Mr TRETHOWAN: The Joondalup Development Corporation is dealing with something in the metropolitan area, but the member for Mitchell does not understand that the people of the south-west prefer decisions to be made by people in the south-west.

The fact remains that this South West Development Authority can be directed by the Minister from Perth. Under the provisions of the Act, the appointments will be made by the Minister in Perth. The authority will be controlled by the Minister from Perth, together with the Treasurer, because the Treasurer will control the authority through the financial requirements and those very wide financial powers I indicated earlier.

Further, the fact remains that another Minister will be able to direct this authority from Perth. Under clause 11(e) in relation to town planning matters, it is provided that the Minister for Planning can give directions to the authority and the authority has to report and generally co-operate with the Minister.

Therefore, we will have three people within the Government who could control that organisation. They are the responsible Minister, the Treasurer, and the Minister for Planning in all the areas relevant to his portfolio. The authority will have to comply; thus it will be a creature of the Government, not of the south-west.

Mr D. L. Smith: On the one hand, you argue that it has too much power and, on the other hand, you argue it has none.

Mr TRETHOWAN: Also general applications for appointments will be made to an advisory committee. That is where most people from the local authorities in the area will be involved, and all they will be able to do is offer advice. The actual action will be taken by the board which will comprise the director, who is the chairman, the deputy director, and one other member; that is, three people. They are supposed to head an organisation which will be responsible and will have to comply with the whims of a Minister in Perth; which will be responsible and will have to comply with the Treasurer on all financial matters; and which will be responsible and will have to comply with the Minister for Planning on all matters related to his portfolio.

It is no wonder the Government attempts to produce a highly painted mask to gain acceptance for his legislation, because if we look under the mask we begin to see that the underlying power and objectives are not quite as attractive as they appear on the surface. I suspect that is the reason the Government did not want close scrutiny of this legislation by people who might see through that facade. I refer to the people who are elected to represent the communities in the south-west of this State—the people who are elected to represent the local people in that area—and particularly to the local authorities.

The Government says consultation has taken place on this question, but I ask: How much consultation has occurred? What I want to know is, if the Government is confident that the Bill will stand up to scrutiny, why has it not allowed for better community examination of it? Why has it introduced the Bill with the pressure of approximately 30 other Bills which have to be passed quickly in two weeks, at the end of the session?

The answer is that the Government is not confident that the mask it has painted around the authority will stand up to the scrutiny of people who start looking at the reality, and start questioning why so much power is needed and what will be done with that power.

I have the same sorts of concerns, as does my colleague, the member for Vasse, about the way in which the powers of this authority will impinge on local government in the south-west. I look with great concern at the powers of the authority which will allow it to do almost anything, but which specifically will allow it to do things which relate to the subdivision and servicing of land. I refer here to clause 12(2)(c) which says, "to divide

land, provide energy, water and other services"—those words are enormously wide—"build roads and construct other works".

I started off by saying that I did not intend to ask what the Government says it is going to do with this legislation. However, I believe that our job in Opposition is to ask what the Government could do with this legislation. What could the Government do with powers that allow an instrument of the Government, directed by the Minister, to provide "other services" unspecified? That could mean almost anything. The Bill will allow the authority to construct "other works". That could mean almost anything. Will it construct a new port, not just a fishing boat harbour? Will it construct a new rail line? Will it construct a major generating capacity for electricity? Will it construct a gas pipeline? What could it be prevented from constructing under this broad clause? Virtually nothing.

Mr Blaikie: It will construct whatever the Minister decides for it; and the Deputy Premier might even have it getting involved with the new sunrise industries he gets so excited about.

Mr TRETHOWAN: That is precisely right. It could do anything. It could build hotels which the private sector would find uneconomic. It could do virtually anything. That is what concerns me. It concerns me that if we couple that with the provision for setting a framework for all the development in the region, and we couple its powers, both financial and actual, under this Bill, it seems to me that it will have the ability to bypass and to control the current operations of local government in the planning function in this area.

I am very concerned that this Bill represents another major thrust by the State Government against the autonomy and independence of operation of local government. I certainly believe that, should this legislation be passed, it will in many ways inhibit and prevent local communities through their local authorities having control over their own destiny.

That destiny will rest with Government departments in Perth because the authority has to have regard for those departments, for the Ministers who control those departments, for the Minister responsible for this authority, for the Treasurer, and for the Minister for Town Planning, as provided under the Bill.

If the purpose of the Bill is to provide further development for the south-west region, that is laudable.

The question which needs to be asked is: Will it do it and how well will it do it compared to the way in which it may be done and the way in which

it has been done until now? Will it do it in the way in which the major industries have been developed; in the way the whole bauxite extraction and processing industry has been developed; in the way the woodchipping industry has developed; in the way the mineral sands industry has developed? How well will this authority be able to assist in further development? Will it be able to do it better than the way in which it has been done in the past? I do not believe it will.

At the present time the south-west has a natural impetus and a number of natural advantages that if pursued will produce strong levels of growth, a continual level of development, population growth, and increasing wealth for that region.

It is an exciting region of the State. I do not believe it will be enhanced by the operation of this legislation. It is my opinion that over time the operation of this authority, as outlined in this legislation and operated by this Government, will provide a dampener to that natural potential for growth.

Mr Blaikie: Instead of impetus it will be impotence.

Mr TRETHOWAN: The member for Vasse is full of precise and pithy sayings this evening.

Mr Bryce: I suspect that is what you want to happen.

Mr TRETHOWAN: No. The Deputy Premier is trying to produce another facade. When what is distasteful to the Government is shown to the public, the Government attacks us by calling us negative. I am not being negative; I am saying that the south-west will succeed in spite of the Government. No matter how much the Government slows down development in the south-west, it will continue to grow because the people in the region can make it happen. The natural advantages of the region will encourage the growth to happen. But it will happen better with more open Government that does not seek to involve itself step by step in the development, and does not seek to involve itself in playing the game rather than in setting the rules.

Mr Bryce: I agree with you about the calibre of the people produced in the south-west.

Mr Blaikie: At least we can agree on something—in all modesty.

Mr TRETHOWAN: I will conclude by reiterating the two major concerns I have about this legislation: Firstly, it is a collection of powers that will remove and inhibit the natural autonomy currently exerted by local authorities in the region; secondly, it is unwise that any Government operation with such wide powers should involve itself in joint ventures in the marketplace and in

playing the game and having direct access to unlimited Government money. The point of that is either foolishness or socialism. If it is foolishness, it is irresponsible of the Government to produce such legislation. If it is socialism, it merely bears out the assertion I have made frequently that that is the underlying policy thrust and fundamental aim of this Government.

Governments are not efficient in running organisations. Organisations are not efficient when they know that if they get into trouble they can stick out their hand and get more money. If this authority gets money from the Parliament through the Consolidated Revenue Fund, if it has millions of dollars of Treasury loans, and it then gets into trouble, it will be in the same position as countries such as Poland, Brazil, and Mexico have found themselves in with the World Bank and the international loan obligations they have. The rest of the world cannot afford to put those countries into receivership. It is necessary to renegotiate their loans and to give them more money, otherwise more money would be lost. That is the sort of situation in which this authority could find itself. The State might have to keep funding it. If the authority were to get into deep trouble the Government could not afford to shut it down because of all the money it had given to it.

I support the member for Vasse in the assertions he made about this Bill. The measure should be viewed with very grave concern by the local authorities in the south-west. It should be viewed with very grave concern because of the possible manner in which it could be used and because of the millstone it could become around the necks of all the people of Western Australia.

I oppose the Bill.

MR P. J. SMITH (Bunbury) [9.50 p.m.]: I will not attempt to answer the questions on the various clauses of the Bill that have been asked by members of the Opposition because the Minister has that matter well and truly in hand. I take this opportunity to congratulate the Government for bringing forward the South West Development Authority legislation as one of its election promises.

Mr Bertram: Hear, Hear!

Mr P. J. SMITH: I agree with the member for East Melville that the south-west region will progress, and it will go forward even faster under the guidance of the South West Development Authority. Already in the south-west, because people can see progress will be made under the authority and the various initiatives that have come forward, there is a spirit of optimism, but I would be foolish not to admit that around the south-west various problems are experienced. But people like Dr

Ernie Manea and the other officers who have already been appointed are in full consultation with people from the area. They are moving around finding out what is going on and are receiving suggestions and advice.

Mr Rushton: Bunbury has been optimistic for a long while. It was the first city in WA.

Mr P. J. SMITH: Bunbury is now even more optimistic. People say things along the lines of, "We can go forward. We can do something". Some people like to think of Bunbury as an industrial city, but now people are saying, "Bunbury will be a commercial city. We will be able to help the south-west with the establishment of this South West Development Authority. The south-west region will go forward and continue this progress".

Mr Blaikie: Have you had discussions with the Bunbury City Council and given it a copy of the Bill?

Mr P. J. SMITH: Yes.

Mr Blaikie: When did you do that?

Mr P. J. SMITH: Today?

Mr Blaikie: When?

Mr P. J. SMITH: Today.

Mr Blaikie: What time was that?

Mr P. J. SMITH: This morning. What time did the member for Vasse give the council a copy of the Bill?

Mr Blaikie: I do not happen to be the local member, but don't you think it is a bit unfair for you to have taken so long to do so?

Mr P. J. SMITH: I do not think so at this stage, because the Bill has come forward to me and I have been examining it. Dr Manea and Peter Beeson have consulted with the council on the various points that came up.

Mr Blaikie: When was that consultation with the council?

Mr P. J. SMITH: I can only take their word for it. At the odd times I have had discussions with them, they have assured me there has been consultation with the various councils. A committee representing the people of various parts of the south-west has been relaying back to the development authority, to the chairman Peter Beeson in particular, their ideas on what should or could be done. They have been keeping the South West Development Authority officers up to date. They want to see development in the south-west region flourish.

Mr Blaikie: Should not the Bunbury City Council have been provided with a copy of the legislation prior to today?

Mr P. J. SMITH: It has got it right now. Up to this stage, I have received no complaints about the proposed way the South West Development Authority is proposed to operate or will operate.

Mr Blaikie: It wouldn't have a clue what the hell is in the legislation.

Mr P. J. SMITH: Of course it has.

Mr Blaikie: Where did it get it from?

The DEPUTY SPEAKER: The member for Vasse was heard in relative silence, and I ask him to give the member for Bunbury the opportunity to develop the theme of his argument.

Mr Blaikie: A theme of misrepresentation, Mr Deputy Speaker!

Mr P. J. SMITH: One of the major aims of the South West Development Authority is the shifting of Public Service jobs down into the Bunbury and south-west regions. Previous Governments have made a lot of the policies of decentralisation, and yet, despite the industrial development in the area, we still do not seem to attract people into the area by saying, "Places like the south-west are great places in which to live". We have only about eight per cent of the State's population, and yet we have only approximately two per cent of the State's public servants and, as a result, about two per cent of the State's Budget. Of that money, something closer to eight per cent should be spent in the south-west. The shifting of Public Service jobs to the south-west will provide a chance for people in the country in places like Bunbury, Manjimup, and in other similar towns to develop. I only mentioned Manjimup because it is a major centre.

Mr Rushton: Tell us about the major shifting of these public servants.

Mr P. J. SMITH: I am talking about towns in which in the future people will be able to obtain the services they require instead of their having to ring up, telegraph, or travel to Perth whenever they want anything of importance to the region.

I want to once again congratulate the Government on its initiative in getting this authority going. I know it will be a long and successful venture.

Mr Blaikie: That is a bit slack.

MR BRYCE (Ascot—Deputy Premier) [9.55 p.m.]: I only want to say at this appropriate stage towards the end of the second reading debate on the Bill, that the Government is very proud of the job the Minister with special responsibility for "Bunbury 2000" has done. I find it very difficult to believe the note of sour grapes that has tended to come through the comments of members sitting opposite—

Mr Blaikie: Cut it out!

Mr BRYCE: —in respect of this concept. The concept of a South West Development Authority was one of the most constructive proposals debated on the eve of the last State election.

Mr Rushton: Was it a political ploy or was it genuine?

Mr BRYCE: It was one of the three elements of the "Bunbury 2000" concept and it was a very courageous step in a new direction by way of regional development in Western Australia.

Earlier, I heard the member for Gascoyne indicate that he disapproved of the efforts of previous Governments in relation to regional development being described or regarded as that of a scatter gun. I have been in this Parliament long enough to know that Governments on both sides of the House in the past have shrunk from making a decision to actually select a major centre for accelerated growth.

Mr Rushton: What about Karratha and Port Hedland?

Mr BRYCE: Because of the competitive rivalry and parochialism with which we as a State have been plagued—

Mr Rushton: You only went for Bunbury when you saw two seats coming up.

Mr BRYCE: —by half a dozen or so major non-metropolitan centres, I have been in this place, in committee rooms of my own party organisation, and in party and policy planning groups all over the State and have participated in this agonising process of how a Government would select in a State like Western Australia one of these six or seven eligible centres for designation as the most suitable place for accelerated growth.

Mr Watt: Can I ask you a question?

Mr BRYCE: Let me conclude my point. I will then be happy to respond to the member's queries. The reality is that this Bill and the concept that was debated in the south-west, particularly during the period in the lead-up to the last election, was that the Parliamentary Labor Party in Opposition at that time actually made a very courageous decision. We were aware at the time that people in other parts of Western Australia would not agree with the priority and the importance of this sort of decision to identify in the first instance a particular region in which this concept would be tried.

Governments of both political ilk in the past have withdrawn at that particular point of decision-making, and it does need to be understood by members in this place that Governments of both complexions have been prepared to say, "We will not weather the storm. We do not think we would survive the criticism in Albany, Kalgoorlie,

Northam, Geraldton, Port Hedland", or wherever else it was likely to occur, "if we select a particular region such as Bunbury and designate it as a place of importance for accelerated growth to see whether the concept of highly specialised regional growth will work".

Mr Rushton: Why didn't you try Geraldton?

Mr BRYCE: There is absolutely no guarantee with this. I really find it a little surprising—

Mr Rushton: Because you knew Bunbury was already going. It was started by the previous Government.

Mr Bertram: Going where—down the chute?

Mr BRYCE: Is it not extraordinary that the member for Dale should use this sort of tit for tat political mentality to seek to destroy any serious discussion of the issues involved in regional development, which are quite distinct from the nonsensical, "We are being good and you are being bad", irrespective of on which side of the House one sits.

There is a logical reason for selecting Bunbury: It just happens to be the most obvious economic region in the State—

Mr Rushton: I am glad you made that point, because it was recognised before you got into Government.

Mr BRYCE: I commenced my comments by indicating that there was a certain modicum of sour grapes demonstrated by some members opposite, but not all by any means. I would not argue that the former Minister for many years did not make his contribution to the development of certain things in Bunbury; that is not the point at all.

There is no doubt that certain decisions made over the last 20 years by Governments of both complexions assisted in achieving a certain stage of development in Bunbury. It was a painful process, and the experiment we are talking about tonight is to speed up a process of growth and provide an accelerated growth centre for Western Australia, and Australia, if the model works. No-one has that crystal ball which can give us an assurance that it will be successful as quickly as everyone hopes.

The good faith associated with this development will determine its success. I for one, as a legislator who has participated in talks on decentralisation and regional development for more than a decade, would be delighted to be able to say to people in any part of Western Australia, in a few years' time, that it is obvious that the model that has been used in the south-west is effective, has worked, and has the potential to work in other parts of the State, and therefore will be used in other parts of the State. It will constitute a different approach from that which has been employed

by Government's on both sides of the political spectrum over the last 30 to 40 years.

Mr Watt: If you lived in one of those other regions where you would be parochial, how would you feel about seeing things happening in Bunbury, if you lived in Albany or Geraldton? I am not expressing my point of view; this is the view of the people in Albany and this is what they are sour about.

Mr BRYCE: I can understand. I participated in the decision-making process and when we looked at the regions of the State there were a lot of compelling logical reasons that one area in particular had an economic edge, in terms of its distance from Perth and its potential for growth in a number of ways. I can understand the reason that people in other regions will feel less than 100 per cent happy about being asked to take second, third, or fourth place in the queue. However, that is not sufficient reason for legislators, who have a sworn commitment to the welfare of the whole State, to continue, decade after decade, succumbing to those sorts of pressures and saying, "We will not bite the bullet."

The concept was put together as a result of hard work by many dedicated people interested in the growth of the south-west. I sincerely hope the experiment works. I do not think the fears that have been expressed by two or three members opposite—

Mr Blaikie: On that point, we all agree that we wish to see the development of the south-west; but the concern expressed from this side of the House is that local government does not have a role, as a right, in the South-West Development Authority. We see that as being of major concern.

Mr BRYCE: Let me remind the member for Vasse—and I am sure the Minister will respond in much more detail—of the input by Dr Manca and the people working with him in Bunbury—Dr Manca has played a positive, independent role in a political sense in the south-west over 30 years. A man who has been fiercely pro the south-west in everything he has ever done is probably recognised for his contribution more significantly in the field of local government than in any other field in the south-west. The role he has played in putting this Statute together, as somebody who thoroughly understands the objectives and expectations of local government, should allay the fears the member for Vasse has expressed tonight. I do not believe those fears would be entertained by someone such as Dr Manca who has obviously played a significant role in putting together this legislation.

Dr Manca and the people working with him have consulted in great detail with people involved directly in local government. If ever there were a

region in the State that could contribute a unique individual with such a regional allegiance it is this region. Anyone in the south-west would know of Dr Manea's unique ability and experience in this field. I am surprised to hear the member for Vasse express those sorts of reservations.

This legislation is a great tribute to the Minister who has worked extraordinarily hard in this part of the State—given that he represents Esperance and Boulder in this House and that he has a home in Esperance.

The amount of time and effort he has put into the structuring of this legislation and the launching of the programme, since February 1983, is a tribute to him. The work he has done should be recognised by members in this Chamber during the course of this debate.

MR D. L. SMITH (Mitchell) [10.09 p.m.]: I was born in Bunbury in 1943, and for most of my life I have lived in Bunbury and the south-west. Over that period I have been a great student of the development of the south-west, and a great proponent of the south-west area.

I do not think it will advance anyone to allow the party politics, which have been introduced tonight by the Opposition, to sway the direction this debate should take. If country people start to argue on a party political basis about who succeeded best in decentralisation in past years, it will achieve nothing for people in country areas in terms of future development.

Mr Watt: You keep going on about that.

Mr D. L. SMITH: The only way we as a Government and as a Parliament should approach decentralisation and country interests is for all of us to cross party political boundaries by joining our resources and devising the best ways of promoting development and prosperity in country areas.

Mr Watt interjected.

Mr D. L. SMITH: I hope the member will do that and that he will discuss them with me to ensure that Albany shares in any development that comes Bunbury's way.

Mr Watt: I hope you will.

Mr D. L. SMITH: I ask the member to recall what I had to say in relation to the wool industry in Albany in recent times.

Mr Watt: You started out that way, but went on with highly political comments about who had done what in the past. That is what you are criticising now.

Mr D. L. SMITH: The important point tonight is that the Opposition has not directed itself to the question of whether this authority will promote development in the south-west. It has chosen

rather to look for a political advantage it can gain, firstly by trying to frighten local authorities in the area that this is somehow an intrusion by Government into their power and authority; secondly, it has tried to suggest this is an example of the threat of socialism to the State overall.

To some extent the expression of those two fears and their use for political purposes reflects the attitude of members opposite. I do not want to share that and I hope in future they will change their attitude on those matters.

I turn to some of the matters raised by the member for Gascoyne, which reflected the Opposition's attitude. He said this Bill was about big Government, and that it represented Government interference. Other members said it reflected Government irresponsibility because of the borrowing powers given to the authority. None of those things relates to the question of whether the authority will be an effective vehicle for development; they relate to the queer philosophy of the Opposition and its use of fear and paranoia rather than concentrating on the issue of development. Worse than that, members of the Opposition did not do their homework. If they were to use these issues, one would have thought the Opposition would have looked at the Industrial Lands Development Authority Bill and asked who introduced that Bill and what were that authority's powers. They would have looked at the Joondalup Centre Bill and asked who introduced that legislation and what powers were given, and how did they compare with those contained in this Bill. They would have looked at the constitution of the authorities involved in those pieces of legislation and compared them with the constitution of the authority in this Bill and pointed out to us how much worse it is.

Mr Blaikie: Do you see them as being any different?

Mr D. L. SMITH: If members opposite had done their homework they would have looked at those matters before raising that sort of argument. The Opposition tries to play it both ways. It tries to argue that there should be no Government interference. That is its first and paramount principle, and it trumpets that around the countryside. It talks to small business people and claims it is the free enterprise party. On the other hand it says that all the developments taking place are the result of policy initiated when it was in Government. Yet Government interference in the economy is wrong and harmful, according to the Opposition. It cannot have it both ways. Members opposite cannot charge us with introducing an authority in this legislation when it introduced legis-

lation with much more powerful and draconian terms.

Mr Rushton: For specific items, not covering the whole south-west.

Mr D. L. SMITH: That is the difference. The Opposition is a party of rhetoric. I am concerned not about rhetoric and who did what but the fact that the percentage of the population living in country areas in this State is decreasing and has been for some time. Opposition members may talk about the success of past policies and initiatives, but there is no escaping the fact that the country population is decreasing and something must be done to reverse the trend. It will only be done by a Government that is concerned about development and country people. Let us look after them and be realistic about our proposals for country areas.

I want to refer to the steps we have taken in relation to this authority since coming to office.

Mr Blaikie: What have you done in relation to Manjimup?

Mr D. L. SMITH: I have heard it said that all we have done is to take up previous Government initiatives and claim them as our own. The first question to be asked is: Is this South West Development Authority a creature of the previous Government? It is not. Is the Bunbury Institute of Advanced Education a creature of the previous Government?

Mr Blaikie: You are skating on thin ice now.

Mr D. L. SMITH: Are the alterations to the central district and the shifting of the railway yards creatures of the previous Government? They may be because 10 years ago the then Minister for Railways (Mr O'Connor) came and promised he would shift the railways out of the central district of Bunbury.

Mr Blaikie: He did a good job. It may have taken a little time.

Mr D. L. SMITH: The City of Bunbury was asking for 10 years when it would happen and for 10 years the Government shillyshallied. In 15 months in Government we have established this authority and employed the officers and provided accommodation and financial resources; and all the Opposition can do is talk about paranoia and fear and try to frighten people by suggesting that somehow we will disadvantage other areas. Let us ask the member for Albany whether Albany did well out of this Government. Let us ask him for a list of Government expenditure in Albany over the last 15 months and proposed expenditure for the next 12 months. Let us ask the member for Vasse whether more State housing has been provided in Busselton by this Government than in the previous three years.

Mr Blaikie: You ought to be ashamed. It is political patronage at its worst. Albany does not have one house.

Mr D. L. SMITH: I have strayed from my own principles, but members opposite will remind me when I do so. I make this plea and I will try to abide by it: I will try to keep politics out of matters concerning country people and development, as long as the Opposition is willing to return the compliment and discuss with us the proper policies, changes, and initiatives that can be developed in country areas. We are keen to take up any suggestion which will promote the interests of country people, and I do not care if it comes from members opposite. I will listen and promote the suggestion if it is worthwhile. If the Opposition will repay the compliment, we will get on with the development and planning experienced in Bunbury in the last 15 months.

Mr Blaikie: How many shires have you spoken to about this?

Mr D. L. SMITH: Those two matters have resulted from the initiative and role of the South West Development Authority.

Mr Blaikie: I bet you have not spoken to one of your shires about this Bill.

Mr D. L. SMITH: I spoke with the Shire Clerk of the Shire of Capel today.

Mr Blaikie: Today?

Several members interjected.

Mr D. L. SMITH: He told me that the member for Vasse had provided the shire with a copy of the Bill yesterday, and that the suggestion being promoted was that local authorities should be fearful of the Bill. That is indicative of what the member for Vasse does. He comes into this House where he cannot be quoted and says one thing, but he goes to other authorities and says another thing because he knows he can be quoted.

Mr Blaikie: That is rubbish.

Mr D. L. SMITH: The member for Vasse does it solely for political motives. I urge members opposite to start promoting this authority.

Mr Blaikie: When were you at the Shire of Dardanup or at the City of Bunbury?

Several members interjected.

Mr Blaikie: You are supposed to represent your electorate, but you do not do that.

The SPEAKER: Order! For some reason or other the member for Vasse was heard in silence.

Several members interjected.

Mr D. L. SMITH: I have liaison with the local authorities in my area in different ways. I ask them to provide me with not only minutes of their council meetings, but also minutes of their com-

mittee meetings. I visit Burekup and Dardanup on Fridays, and on Mondays I visit Boyanup and Capel. I ask the member for Vasse how often he opened an electorate office in those areas when he was representing the people from Boyanup and Capel?

Mr Tonkin: He didn't. He is known to be lazy.

Mr Blaikie: At least I did not lose my seat.

Several members interjected.

Mr D. L. SMITH: I hope that members opposite will promote the authority and wish it well. I especially hope that members who represent areas encompassed within the authority's region will promote it and wish it well. It is a model by which we are reversing the trend of population to the metropolitan area. It is a way in which we can promote the welfare of country people and we, as a Government, can do that.

The development of the south-west and the promotion of the South West Development Authority have not been to the detriment of other country areas. I remind members that country areas have not fared better under previous Governments.

Mr Blaikie: You have not been to Manjimup.

Mr D. L. SMITH: This Bill is about the diversion of resources from the metropolitan area to the country areas and that is what we, on this side of the House who represent country areas, should be encouraging.

MR RUSHTON (Dale) [10.24 p.m.]: This Bill does not concern development of the south-west. In fact, because of the nearness to the city, the development in the south-west has had a great base for a long time. By quoting from the Government's material, I will endeavour to show the House what the previous Government did in regard to the population trends in the south-west, which will prove my point.

The member who just resumed his seat referred to parochialism in regard to support for this legislation. Members of the Opposition do not believe this legislation is the right vehicle through which to promote the south-west, and we are entitled to that point of view.

The Opposition, when in Government, was successful in promoting the south-west and it did not require a statutory authority of this nature to achieve that end.

Mr Tonkin: It was very slow.

Mr RUSHTON: The development in the south-west under the previous Government was the fastest in the country, and I will endeavour to show members why.

I must emphasise that it is not a question of anyone wanting to retard in any way the decentra-

lisation of the State—certainly not in the south-west—and I will prove that development will continue without the South West Development Authority.

The Government should leave this legislation on the Table of the House and consult with the local authorities concerned. After such consultation, it would then be in a position to reconsider the legislation.

I refer to the Minister's second reading speech, and I will divide it into four sections. Firstly, do we need the South West Development Authority? I would suggest that this is a question to which members should direct their attention. Is "Bunbury 2000" a political ploy or is it genuine? Is this authority creating an additional form of government in the south-west? Are the powers of the local government bodies being taken away from them?

I do not believe we need the proposed authority. The Bunbury region has sustained the greatest growth rate without such an authority. Technical colleges have been built, power houses have been built, Wagerup and Worsley works have been built without an authority. The woodchip industry has been created, and a chipboard factory has been established. All sorts of developments have taken place—highways have been built, the railway system has been improved, and the Mandurah bypass road and bridges are under construction. I emphasise that all these developments have occurred without such an authority.

It is my belief, and the belief of my colleagues, that the South West Development Authority will have some effect in the initial stages. In the long term it will become counterproductive, and its progress will be limited if the local people are restricted. Private enterprise would have an unfair advantage as a result of this legislation and would tend to be cautious about undertaking future developments.

The document entitled "Bunbury 2000" makes reference on page 7 to the population trends in the Bunbury area; and I sometimes wonder if the author of the document had access to my memos when we were in Government, because similar phraseology has been used in the report. The report refers to the extensive growth in population which occurred in the Bunbury region between 1976 and 1981. The growth in Bunbury was 11.5 per cent, Australind 20.5 per cent, and Eaton had a 20.3 per cent population growth. The Bunbury region and the south-west generally are the fastest growing areas in this State.

Reference is made in the report to the fact that the tremendous population growth in the Bunbury region has taken place in the past 10 years, and

basically it occurred when a Liberal-National Country Party Government was in power.

With reference to the developments which have occurred in the south-west, I will refer to those items which came under my control when I was Minister for Transport. I refer to page 9 of the check list relating to transport which was brought out by me in November 1982 and covered my term as Minister. It refers to such things as the upgrading of the lower south-west main line, including provision of rail access between the upper south-west and the lower south-west line at Picton, on which \$1 million was spent in 1979. These things have taken place progressively. As part of the Bunbury regional plan consideration has been given to relocation of the Bunbury city railway marshalling operations to the Picton area. This promise by the previous Premier was referred to by the member for Mitchell. It was the first thing I took up when I became Minister for Transport because I was aware that there were not many years left in which to fulfil that promise. When taking it up I became aware that the Bunbury City Council had not progressed its regional plan sufficiently to allow the work to proceed. I was stymied at that time and it took the city council some time to complete the work. In fact, it was not completed by the time this party left office.

I refer to another item which took place in the area of transport: The upgrading of the 41-kilometre Brunswick-Collie line was completed in 1979 at a cost of \$4.9 million. That allowed for the greater increase in the coal traffic. An amount of \$3 million was spent on the \$20 million project of track upgrading and signalling system improvement on the 134-kilometre Mundijong to Picton line. If that is not important to the region under discussion, I would like to know what is. A further \$3.9 million upgrading project was carried out on the 26-kilometre Kwinana-Mundijong line, part of the line which will be ready for electrification when it takes place.

Work on a \$3 million 10-kilometre spur railway linking the Worsley alumina project with Collie and Bunbury began late in 1980 and was scheduled to be operational late in 1982. In addition new locomotives were purchased and put into the south-west region. An interesting item is the \$325 000 maintenance refurbishing programme carried out on the Perth-Bunbury-Australind line. Of course, the programme for the replacement train for the Perth-Bunbury rail service was announced by the previous Government but it has been taken over by this Government which claims to have introduced it. The previous commitment was that the train would be on the track in 1986 but under the present Government that has now

slipped back to 1987. Some of the items I have referred to will demonstrate what has taken place during that period. It indicates that the Government has been hypocritical in its statements on this subject.

To highlight the farce of presenting "Bunbury 2000" as the greatest thing since sliced bread, the Minister in charge of this Bill made some utterances in recent days relating to the Government setting up a major review on railways claiming that the electrification proposal was something it thought up. However, the document states that it was initiated in the time of the previous Government. An article published in the last few days quoted the Minister as saying that, "On the Kwinana study Bunbury's development as an alternative living centre and commercial capital of the south-west was opening up new transport opportunities, including serving major centres such as Collie". If the Minister claims that, in addition to the comments from Government members tonight, it would seem there is sufficient proof that the previous Government in carrying out preliminary studies for the electrification of the Bunbury-Kwinana railway and introducing a new *Prospector*-type replacement train for the *Australind*, was already a number of years ahead of what this Government has projected as its new policy. It confirms that "Bunbury 2000" was a political package and not the genuine article, and I am only referring to the items which were directly related to my portfolio.

I now refer to the matter of electrification. It was my expectation when we did the preliminary studies that the Koolyanobbing-Kwinana line would have shown up as having the highest potential but it did not. Since that time iron ore freight has been lost from that track and it is obvious now that the Bunbury-Kwinana line has the highest potential for electrification. It was about the fourth highest rail track carrying freight on the priority list in Australia. The previous Government recognised the benefit of introducing an electrical service and had assisted in carrying out some of the consultancy work, not only in the feasibility area but also in the engineering field. We had expected to receive funds for that project. I wonder if the Minister when replying will indicate whether he received Commonwealth funds to assist in this \$700 000 project. It is not a question of feasibility—it is feasible to carry out the work—but a matter of working out the engineering study. The track has been improved and is now some way down the line.

As I have already mentioned, the track from Mundijong to Kwinana has been upgraded and the line to Bunbury is in the process of being

reconstructed. Of course, the signal system has been upgraded to a high standard. I mention those points in passing to demonstrate the false position presented time after time on "Bunbury 2000". It has been suggested that everything was started with the coming of "Bunbury 2000". I have proved without doubt and without fear of contradiction that the development of the Bunbury region has been continuing for a long time and there is no need to relate that development to the present Government and the creation of "Bunbury 2000". In its document on "Bunbury 2000" the Government raised different points and mentioned removing the barriers to growth. This is part of its intention. It also mentioned modern transport communication and the introduction of the Perth-Bunbury rapid transit system. It can be said that it is clever packaging to make it look as though the Government has been responsible for initiatives introduced by the previous Government.

Of course, when the Government came to office much of the work had already been done.

One week after the Government came into office it announced that it was ordering a new double-size Stateship which came in and out of Fremantle the other day. I mention that it was just about the last item I approved before I left office. The Government has had a programme but I do not think that one item so far presented by the Government was not initiated before it came to office. The only thing which almost happened was that the unions opposed the Government on the introduction of part-time operators of minibuses and taxis—something which should be implemented but which is causing the Government some problems.

The rail electrification programme is quoted on page 14 of the Government's "Bunbury 2000" document and details are given of when it started. The studies were started in 1980 and it is identified in that document. It talks about the marshalling yards and the railway line; there has been progress. It is a rather easy task for the Government to take things from there. It talks about constructing a dual carriageway on the Bunbury Highway. There is some falsification there, because that dual carriageway has almost reached Mandurah, and, of course, it will progress as required, unless the Government gives priority to other areas. With the good management of the Main Roads Department, I hope that the right priorities continue and that the road will be enlarged and the capacity increased as required.

Another point concerns the extension of Bunbury Airport. That was already partly done by the previous Government and the additions were already in hand.

I suggest the deregulation of freight did more for Bunbury's progress than anything the Government has done. The deregulation of freight permitted Bunbury business to become more profitable by reducing costs.

This is an additional form of government in the south-west. It is partially consistent with the Whitlam Government's regionalisation of State and local government. I fought that issue very hard when I was first Minister for Local Government in 1974. I know all about that. I checked that out today against this present legislation, and it would not take much adjustment to this legislation to regionalise the south-west with complete control. It would be the same sort of legislation the Whitlam Government introduced in the 1972 period, and everybody resisted that like the devil. This legislation is consistent with the objective of the Prime Minister (Mr Hawke) in relation to local government and State Government as stated in his Boyer 1979 lectures.

These are some of the things which are happening in this Bill. It is intended to centralise control over venture capital. Continuing the trend established by the Government through the WADC, the Tourism Commission, the acquisition of Northern Mining Corporation, and the casino proposal, it will act as a funnel to dispose of public assets, directing the proceeds into ventures of possibly dubious economic value without any public scrutiny. It will be used to justify priorities in the region to the detriment of other less politically sensitive regions for political gain, and it will provide a vehicle for political patronage. Those points are obvious ones, and they give us a great deal of concern.

The other question I put to the House is this: Are the responsibilities and powers of local government being diminished? First of all, I fully believe they are, and that local government in the south-west should have been consulted. The reason it was not is that the Government is fearful that local government will wake up to what it is about and resist it.

Another point I make is that local government representation is not included in this Bill. That would be very obvious if the Government had goodwill towards local government.

I make the point that if anybody wishes to turn up the Local Government Act he will find that that Act has all the powers to do just what the south-west authority is to do without creating another authority. Local governments can combine to do just what is required here.

Local authorities should be consulted before the legislation proceeds. The legislation should remain on the Notice Paper at least until the spring

session so that people can examine it thoroughly. A Bill seeking to impose a form of government which will affect 75 000 people in this State should be examined very thoroughly.

This Bill moves towards regionalisation, and for that reason it brings great fear to local government. It clearly has the same intention as the WADC all over again. Why did the WADC not carry out this task?

As the Minister appoints the board and the advisory committee members and totally controls the authority, the legislation aims at increasing the power of centralised government. That point was made by the member for East Melville, and it was a very good point. The powers of local government in the regional area in the south-west are diminished.

The authority is not subject to any financial constraints, and no provisions are made to seek parliamentary approval for any venture, however large the commitment of public funds. That is very worrying indeed. The Treasurer, without limit, can grant the authority money out of the public account. The obvious intention is to liquidate or to use State land, or perhaps other assets. I can see that happening in this region. The opportunity exists for taxpayers' funds to be frittered away without accountability. Those are matters which can be developed more during the Committee stage.

Compared with private enterprise, the authority's advantages will be considerable. It will have freedom from taxes and charges, unlimited capital, and freedom from bureaucratic constraints. We must think about those things. We are setting up another authority which we have demonstrated is not necessary, and we believe it will impair the progress of the south-west. The south-west has been in full flight as far as growth is concerned, a fact which can be demonstrated by using the Government's own report. The growth has been very great, particularly in the Bunbury region.

For the reasons I have mentioned, and for others, I oppose the legislation. I will give further reasons for that opposition. The Bill increases central Government control; it certainly takes over local government powers. It is certainly not necessary for the progress of the south-west region.

I fully support the presentation made by the member for Vasse. I thought he made a credible and undeniable presentation which proved the facts he presented and left the Government in very poor shape as far as credibility is concerned. I hope the Government at this late hour—not as far as the time is concerned, but as far as the progress

of this legislation is concerned—will give thought to allowing the Bill to stay on the Notice Paper so that the people in the south-west may have time to give it consideration before it proceeds.

MR BRADSHAW (Murray-Wellington) [10.49 p.m.]: The South West Development Authority Bill is brought forward to fulfil a Government pre-election promise, and nobody can knock the concept of a development authority for the south-west area, which has been developed over the years because of its natural resources in coal and bauxite, as well as the agricultural products that are produced in the area. However, some of the aspects of the Bill concern me, as they concern the shire councils in my electorate. I have had some contact with them in the last few days.

It was interesting to note that in reply to my question tonight, the Minister indicated the shires had been consulted about this matter and, to some degree, that is correct. However, I do not believe the shires were fully aware of the implications of the Bill. They realised the authority would be a great thing for the south-west, but they are not happy about the fact that some provisions in the Bill will usurp their authority.

The shires were not consulted on the Bill and they were a little taken aback when they read it and ascertained its details. It seems strange to me also that it is necessary to rush the Bill through the House. We could have waited a little longer in order that more consultation could take place with the shires so that their comments on it could be noted.

It seems to me the Bill represents the establishment of another form of Government instrumentality, and the concept of development has been overlooked. In his second reading speech, the Minister said—

It will be noted that this legislation will enable the authority to establish committees for the purpose of assisting it to carry out its functions. Such committees will be able to examine specific areas of economic and social development and provide additional expertise and community input.

That is the function of local authorities which are on the spot and are aware of the problems in their areas. It is the role of the local authorities to produce ideas in respect of the needs of their localities. They are on the spot and they are aware of the problems.

Mr Grill: You are against the establishment of advisory committees, then, are you?

Mr BRADSHAW: To some extent, yes. I believe the local authorities should be advising this body.

Accelerating the social and economic development of the south-west is a worthy aim, providing that acceleration does not create other problems in the area, such as the development of infrastructure costs and the creation of growing pains. Therefore, it is extremely important that the Government be prepared to pick up the tab if the local authorities find they are under pressure because of the acceleration of development.

The shires believe the South West Development Authority will usurp their powers and override their control. The first concern of the shires relates to clause 11(e) which reads as follows—

... to consider matters referred to it by the Minister charged with the administration of the Town Planning and Development Act 1928 and report to him thereon and generally to co-operate with that Minister;

That is one of the functions of the authority.

The Murray Shire Council has had first-hand experience of a similar situation with the Peel Inlet Management Authority. Town planning schemes are sent to the authority with the result that the time taken to obtain a reply from the Minister has been extended.

The Government says it is prepared to cut down on red tape, but it appears it is adding to it. It is certainly not reducing it.

Another point about which the shires are concerned relates to clause 12 which deals with the purchasing, selling, and leasing of land. The feeling is that the authority should not be involved in this field. It is believed it is a field which should be left to private enterprise. The Government has powers in this field already; for example, if housing is required in a certain area, the Minister for Housing can buy the land, develop it, and build the houses.

The authority will be similar to other Government instrumentalities, so there is no real need for it to have these powers.

Another of the shires' concerns relates to land which will come under the authority's control. They would like to know from where the land will come, whether they will have control over it, or whether the provisions which relate to it will be similar to those in respect of other Government land where they have no control, and the Government can do what it likes with it.

Another cause for concern about the South West Development Advisory Committee is that there is no specific direction that it should have local government input. I believe local government

will be included, but there is no specific direction and, therefore, it is very important that that is provided for in the Bill to ensure that local authorities are included, because they speak for the regions they represent.

The Deputy Premier tended to misread the text of the debate which has taken place so far. He talked about sour grapes. We are certainly not against development, but we believe the authority can be established without some of the provisions in the Bill.

To some extent, "Bunbury 2000" has been beneficial for Bunbury. Largely, however, it has been a piece of window dressing designed to make the Labor Party look good. For example, there is the new building which is about to be constructed in Bunbury. Initially it was to be 13 storeys, but I believe it is now down to approximately nine storeys. The tallest building in Bunbury at present is four storeys, and yet the Government intends to build a nine storey building and fill it up with bureaucrats.

Mr Grill: It is going to be 11 storeys.

Mr BRADSHAW: That will be done at the expense of the taxpayer. It is good to see some decentralisation taking place, but a lot of bureaucrats will be involved.

I quote from an article which appeared in *The Civil Service Journal* of 10 February last, under the heading "No mass exodus to Bunbury" which says—

Eight hundred public servants to be transferred to Bunbury.

I have not seen the figure of 800 used previously, but I have read that the figure will be 600. That seems to be a large number of people suddenly to place in Bunbury. As I was saying about the nine or rather 11 storey office building—

Several members interjected.

Mr Tonkin: It is nine times bigger than the one you put up. You are just knockers! You are very negative. You have real Opposition mentality.

Mr BRADSHAW: It concerns me that a number of bureaucrats will be transferred to Bunbury at the taxpayers' expense to create an image that the Labor Government is doing something for the region.

There tends to be a bias in this place. Last year I asked the Minister for Water Resources to come to my electorate to talk about water resources. I received a negative reply. However, the Minister managed to go to the electorate of the member for Mitchell recently.

Similarly, we seem to have a headline Government. Last year when the Deputy Premier returned from one of his overseas trips, in order to

grab some headlines he talked about an Israeli process he had discovered. He grabbed the headlines with a statement to the effect that he had found a new Israeli process to fix the Laporte effluent problem. I thought this would be tremendous for the Australind area.

Mr Blaikie: We were all genuinely excited.

Mr BRADSHAW: I genuinely felt it was a great concept that the Minister had found. As it happened, the member for Gascoyne and I had already arranged to have a meeting with the management at Laporte, and during our visit there I mentioned how great it was that the Deputy Premier should have found this Israeli process. I was astonished when I was told that the management had known about the process for months and that they did not think it would work very well. Nevertheless the Premier had seen to it that he got into the headlines.

It concerns me that some of the development in the Bunbury region is really just window dressing for the Labor Party. If it is real development in the area, I am all for it.

A real concern held by the shire council in my area is that the Government is usurping its power. It is concerned that what happened to the Harvey Water Board might happen to it. The council sent a notice to householders recently to explain what the Minister was doing to it. It is worried about the heavy-handed approach the Government might take, through the authority, against it. If this Minister shows the same sort of heavy-handedness towards the council as the Minister for Water Resources showed against the Harvey Water Board, the councils in the south-west could certainly be squeezed.

It is all very well for the Government to say that the current director (Dr Ernie Manea) sympathises with shire councils, but he will not be around forever. Some people become power hungry and they could use these powers in the Bill against the councils. I therefore oppose the Bill.

MR WATT (Albany) [11.04 p.m.]: Obviously the development of the south-west is viewed with a great deal of interest by people in the lower great southern. A number of things have been said this evening, especially by the member for Mitchell and the Deputy Premier, to which I should respond.

I say quite categorically that I am not opposed to the development of the south-west, and this view is held by the people of Albany and all the other people of the lower great southern. Neither am I opposed to this Bill, because clearly it was an electoral undertaking by the Government and it must therefore do something about it.

The member for Mitchell made a number of comments about how good this Government had been to Albany, and he made a bit of a slip when he mentioned State Housing Commission building programmes. We got absolutely zilch from those programmes, not one house at all. The people of Albany and I are very angry about that. As I have already made my anger known publicly, I will not enlarge on the matter now.

The member for Mitchell also spoke about money given to Albany under various programmes. One of the two main beneficiaries has been the Whaleworld Museum on Frenchman's Bay, which received grants from wages pause funds created by the previous Liberal-Country Party Government and vigorously opposed by the now Government. Despite that, Government members had the temerity to hire an aircraft and fly around the State claiming credit for this money. Nevertheless, Albany appreciated those funds.

The other money spent was on CEP programmes involving community funds, in the main generated by local initiatives. It is, of course, agreed that someone had to promote the application for those funds. I do not think the Government should try to claim too much credit in this area. Sure, we appreciate the money, but the Government did not initiate the supply of that money.

Mr Wilson: It took a Labor Government to make funds available for the swimming pool.

Mr WATT: And I appreciate that. The Minister will acknowledge that I consulted with him about the change in policy that allowed those funds to be made available. I give full credit to him for that because for some time I had been campaigning for that money to be provided to Albany. I am sure he appreciates that we have a mutual understanding of that.

As for the Bill itself, I make the point that I am rather concerned about its lack of direction and definition. Everything is nebulous and up in the air. It appears the Government was not able to be specific and so left the whole thing wide open. The Government has said that the functions of the authority are to provide a framework for something so that there can be co-operation with someone and so that it can consider matters; it refers to all these airy-fairy things that do not give a proper sense of direction.

The real nub of the Bill is contained in clause 13, which refers to ministerial direction—how the Minister may direct the authority to do anything he likes. It seems it will not matter who forms the advisory committee or the board, or what the powers and functions of the authority will be, be-

cause the Minister will be able to direct it to do whatever he thinks fit.

I am therefore worried that the authority will be too much an instrument of executive Government instead of an instrument of local government advice and representation and local community representation.

If this is to be a model, it would have been better to create a model which had equal application to all areas of the State. It might have taken a longer time to implement that model, but at least it could be done step by step. Each region would have had the potential and its own individual capacity to develop its potential, which varies from area to area.

If we have the situation where at each election one or two regions of the State are given their own sort of "Bunbury 2000" policy, it might well be after the year 2000 when the last region had its regional plan implemented.

I do not intend to oppose the Bill although I am very unhappy about the directions contained in it.

MR GRILL (Esperance-Dundas—Minister for Transport) [11.10 p.m.]: Not for a long time have I listened in this Chamber to a whole bunch of speeches from the Opposition that have been so thoroughly irrelevant to the matter at hand. The member for Vasse wandered all around the countryside talking about a whole range of basically irrelevant matters. It was really a lot of codswallop and confused thinking and he never really got down to the basic matters that we need to discuss.

Mr Williams: Look at the time. What about our 11 o'clock close-down?

Mr Wilson: Why don't you shut your members up?

Mr GRILL: I will be brief.

Mr Williams: What about it? Isn't your word worth anything?

Mr Tonkin: Don't be stupid. The reason we are so late is that we waited for the member for Vasse to come back to make a speech.

Mr Williams: The agreement was to close debate at 11 o'clock.

Mr Evans: Don't be nasty, Tony.

Mr Tonkin: You are a halfwit.

The SPEAKER: Order!

Mr Evans: Don't be beastly.

The SPEAKER: Order!

Mr GRILL: This piece of legislation—

Mr Williams: Wait until tomorrow. I'll fix you.

Mr GRILL: This essential step needs to be taken if this State is to have any decentralisation

and regionalisation at all. In the past Governments have been singularly unsuccessful in their attempts at decentralisation—

Mr Tonkin: Hear, hear!

Mr GRILL: —in Western Australia. The metropolitan area of Perth has approximately one million people and apart from Perth the next largest city has a population around the 20 000 mark. Over the years and over the decades there has been a bleeding of people from the south-west area generally and the southern part of the State into the Perth metropolitan region. The only exception to that bleeding of people—and those members who come from the country are well aware of this—is the Pilbara region. Development has taken place up there because of the mineral deposits and for no other reason.

Mr Rushton: Because the then Government attended to it. Give the previous Government credit for that.

Mr GRILL: In many cases it has not been apparent. It has not been there. The reaction to this piece of legislation tonight comes about by a cheap sense of jealousy on the part of the Opposition that we have been so damned successful with our "Bunbury 2000" concept.

Mr Tonkin: That is right; spot on.

Mr GRILL: The whole concept of our scheme has been politically acceptable and successful, but the initiatives we have taken since that time for the people of that region have been breathtaking, and members of the Opposition are simply jealous. They have been left behind and they are completely negative.

Mr Rushton: Tell us what you have done.

Mr GRILL: If ever I have seen a display of negative thinking, I saw it here tonight. Every Opposition speaker in almost every respect was negative.

Mr Bryce: Keep it up, boys!

Mr Rushton: Tell me what you have done.

Mr GRILL: The Opposition made the point that this Bill was a piece of socialist nonsense and that a socialist Minister was running away with the affairs of this State. The Opposition should have dwelt on those areas, but it did not do so. It did not make its points there, and indeed it could not do so, because this piece of legislation is just like any other normal piece of legislation setting up a statutory authority.

Mr Blaikie: What is it like?

Mr GRILL: I want to get my speech over fairly quickly. The powers of this Bill go no further than for a normal statutory authority.

Mr Tonkin: That is correct.

Mr GRILL: In fact, they do not even approach the powers that are provided under the Joondalup Development Act.

Mr Blaikie: Absolute rubbish.

Mr GRILL: That legislation was brought down by the previous Government.

Mr Blaikie: Absolute rubbish.

Mr Tonkin: Shut up. You have made your speech.

Several members interjected.

Mr Wilson: We listened to you for two hours.

Mr GRILL: We listened to the member for Vasse for far too long and we do not want to hear him now because what he said was completely irrelevant and not worth listening to.

Mr Blaikie: The Joondalup Development Corporation has no power under the Crown.

The SPEAKER: Order! We could be here for many many hours if we entertain interjections. I suggest that we cease interjections and then we will be able to get on with the business of the House.

Mr GRILL: That is what I wanted to do.

By and large, I listened to those members of the Opposition, in silence except for one or two interjections, and I did hope that courtesy would be extended to me on this occasion. It is very late and we need to get this second reading out of the way tonight.

Mr Laurance: Why?

Mr Williams: Because he won't be here tomorrow.

Mr Laurance: Because you won't be here tomorrow?

Mr GRILL: I will be here tomorrow; do not worry about that. If the Opposition wanted to assert and push home the point that this legislation impinged upon the rights of local authorities, it should have done that. It did not do so. The Opposition makes an assertion and does not go on to prove it. The Opposition was not able to point to one piece in the legislation which in any way usurped the position of local authorities—

Mr Rushton: Goodness gracious, you have done it right across the board.

Mr GRILL: —or which in any way trespassed upon the authority of local authorities. As I said before, the powers set up under this Act are reasonable and moderate. They are the sorts of powers one would expect in an Act setting up a statutory authority. They are far, far less than the sorts of powers one would find in a normal company, yet local authorities are not concerned

about the limited or very proprietary limited companies being set up with these powers.

Mr Laurance: That is a red herring.

Mr GRILL: The powers are moderate and they do not approach the extreme powers the member for Gascoyne talked about on some occasions.

Mr Bryce: He is always looking for extreme points of view.

Mr GRILL: In terms of invective he was absolutely extreme. I do not think he really appreciated what he was saying in a legal sense. I think he was just up there for a show.

Mr Bryce: Nobody believes anything he says. It has been a fairly pathetic performance.

Mr Laurance: That is not a good thing for a man with your legal training to say.

Mr GRILL: Prior to the introduction of this legislation our political opponents in Bunbury were complaining that we were not really concerned about the South West Development Authority because we had not brought in legislation to turn it into a statutory authority, but as soon as we go about doing that the people on the benches opposite complain nonetheless. The facts are that members of the Opposition are never to be satisfied; they are only looking for reasons to complain and they are pretty empty reasons at that.

Mr Blaikie: I don't believe this.

Mr GRILL: The member for Vasse pointed to clause 12 of the Bill and tried to indicate that the powers set out in that clause are extreme. Let us look at those powers.

Mr Blaikie: I asked you if they were extreme.

Mr GRILL: I simply tell the member that they are just the normal powers one would expect in a Bill of this nature.

Mr Blaikie: Just simply tell us what they can do.

Mr GRILL: These powers are necessary for the proper running of a statutory authority of this nature.

Mr Blaikie: Tell us about it.

Mr GRILL: The Bill talks about purchasing, selling, leasing, mortgaging or otherwise disposing of land—a power given to almost every statutory authority.

Mr Blaikie: Keep going.

Mr GRILL: It is an essential power to have, and it has been exercised to date. Some premises have been acquired.

Mr Blaikie: Where?

Mr GRILL: In Bunbury. The member knows those premises as well as I do. This is only exercising normal powers; to term that as an extreme power is nonsense.

Mr Blaikie: What about paragraph (c)?

Mr Rushton: What would they construct under the legislation?

Mr GRILL: What can be constructed?

Mr Rushton: The term "construct" was mentioned.

Mr Tonkin: Read the Bill yourself.

Mr GRILL: It has powers to construct things, as do normal companies, most statutory authorities and farmers.

Mr Rushton: What are their limitations? What can they construct—houses?

Mr GRILL: Moderate and reasonable powers by any criteria.

Mr Blaikie: You tell me where the word "moderate" appears.

Mr GRILL: It is fatuous to suggest that they are extreme powers.

Mr Blaikie: Tell me where the word "moderate" appears. You won't find it.

Mr Tonkin: Go back to where you came from.

Mr GRILL: The same member criticised clause 13 of the Bill which gives the Minister from time to time the power to give directions to the authority. That is again a normal power in almost every piece of legislation setting up a statutory authority. How anyone could object to that, I do not know. If we had omitted it, members of the Opposition would have complained that we had been irresponsible, that we had not given ourselves the right to superintend the taxpayers' money. It is nonsense to criticise those sorts of provisions.

One could say a lot of disparaging things about the speech made by the member for Vasse. Just wrapping the whole thing up, it was nonsense from beginning to end. I do not think it did him any credit at all.

The member for Gascoyne made a speech, but I do not think he was serious in what he had to say; I think he just got up to have a run. There was not very much in his speech on which I could comment. It was on piece of drivel after another.

He mentioned clause 11(e) which concerns town planning. I think that particular inclusion of power is laudable, it brings some parts of town planning from the metropolitan area into the country, providing local authorities with some direct access. A town planning officer of the department will be based in Bunbury so that he can cater for the needs of the south-west. That is all it does.

Mr Bradshaw: Won't it mean the plan will go to the Minister and will be sent down to the South West Development Authority?

Mr GRILL: It does not mean that, and does not say that. The member has misread it.

Mr Blaikie: Is it the intention to set up a regional planning officer under the direction of the development authority?

The SPEAKER: Those questions can be asked at the Committee stage.

Mr GRILL: I will answer now. The officer who will be housed with the South West Development Authority will be under the control of the Minister for Planning, but he will liaise with the local authorities in the area.

Mr Blaikie: He won't be under the regional authority?

Mr GRILL: No, not directly. I think it is something the member will find attractive. In respect of consultation with the local authorities in the area, I have been reliably informed that in terms of the general powers of the authority the director and the executive officers of the South West Development Authority have discussed these matters in broad principle with the local authorities. If they have done that—and as yet no-one has put up a case to indicate that any of these powers impinge on the normal functions of local authorities—there is no need for detailed consultation with the authorities on the provisions of the legislation as long as they are given an understanding of how it operates and what are its objects and its normal patterns. So let us not make a big song and dance about that form of consultation because I think it will just blow up in the Opposition's face, because when the local authorities have an opportunity to examine this Bill in detail they will appreciate much more quickly than a lot of people on the Opposition benches that it does not constitute any threat to their present powers.

This Bill takes away from the metropolitan area a whole range of functions which are normally carried out in the metropolitan area and which are determined in the metropolitan area, and removes them to Bunbury where people will be drawn from the south-west and advised by an advisory committee, also drawn from the south-west. It regionalises and localises what were, in the past, functions carried out in Perth. If that is not in the best interests of the people in the south-west—in other words, bringing the Government and the decision-making closer to them—I do not know what is. It was my understanding that people on the Opposition benches have been advocating that for some time, and we have done it.

The member for Gascoyne suspects that we have been successful inasmuch as we have been able to set up a regional authority with its own budget and autonomy within its own region that is able to get on with development projects which cut right across the whole framework of regional development within the area. That is the sort of

thing that the people in regional areas wanted. Ask any regional manager. That is what is happening; it is a decentralisation of power and function away from the metropolitan area down into a regional centre. It does not in any way detract from other regional areas.

The member for Albany has been concerned about that—

Mr Blaikie: He has reason.

Mr GRILL: What is the reason?

Mr Blaikie: The State Housing Commission has been grossly unfair to Albany this year.

Mr GRILL: When?

Mr Tonkin: What has that got to do with this Bill?

Mr GRILL: That is simply not true.

Mr Laurance: Six houses in Bunbury, none in Albany.

Mr Wilson: It was based on an assessment by the commission.

Mr GRILL: Just to demonstrate to members how wrong the member for Albany has been over this matter I will quote what I have said to his face. He understands what I am saying. He placed a Press statement in the Albany newspaper criticising this Government for its allocation of loan funds.

Mr Laurance: Hear, hear!

Mr GRILL: What he did not appreciate when he made that statement was that the allocation of

the present year's loan funds was not made by this Government, it was made in the course of the setting of priorities by the previous Government. In other words, he was criticising his own Government because when we came into power, 85 per cent of loan funds had been precommitted by the previous Government. That is correct and beyond doubt. The whole thing backfired on the member for Albany. He brought it upon himself.

That is the sort of wrong headed thinking that has been going on in respect of this particular initiative by the Government. It comes out of a sense of sour grapes and jealousy.

It is about time a few members of the Opposition got on the right track, started acting positively and started supporting this concept; because for those who live in the country it is the only hope we have of any decentralisation or regionalisation.

Question put and passed.

Bill read a second time.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR TONKIN (Morley-Swan—Leader of the House) [11.27 p.m.]: I move—

That the House at its rising adjourn until 10.45 a.m. on Friday, 4 May.

Question put and passed.

House adjourned at 11.28 p.m.

QUESTIONS ON NOTICE

GAMBLING: CASINO

Burswood Island: Decision

3044. Mr BLAIKIE, to the Minister representing the Minister for Administrative Services:

- (1) On what date did the Government make a decision that Burswood Island would be the site of a proposed casino?
- (2) When did the Government make its plans known publicly, and how was this done?
- (3) Has the Government or any member of the Government had any discussion with the Perth City Council or any councillor regarding the Burswood Island proposed casino usage, and if so, on what date?
- (4) Has the Government had any discussions with Stirling City Council or Belmont City Council regarding Burswood Island casino, and if so, on what date?
- (5) Has the Government advised the Metropolitan Region Planning Authority of its Burswood Island casino proposal, and if so, on what date and with what response?
- (6) What response has the Government received from the Main Roads Department to its proposal, and what effect will it have on the proposed Burswood Island bridge?
- (7) Has the Government had discussion with the Lands and Surveys Department over its Burswood Island casino, and if so—
 - (a) on what date;
 - (b) with what response;
 - (c) would he table relevant papers?
- (8) What sections of Reserves Nos. 2351, 19631, and the vacant Crown land area of about 39.400 0 ha will be required in whole or in part for the "Dempster" casino proposal to build casino, golf course, parking etc?
- (9) Is it the Government's intention to have the Burswood Island bridge and highway interchange completed in time to coincide with the opening of the casino?

Mr PARKER replied:

- (1) See answer to question 2828—Legislative Assembly.

- (2) By Press release dated 5 April 1984.
- (3) See answer to question 941—Legislative Council. The Premier also met officially with the Lord Mayor on 18 April 1984 to discuss the proposal.
- (4) Not to my knowledge.
- (5) Yes, informally.
- (6) The Main Roads Department has been giving consideration to various options to cater for traffic needing access to Burswood Island and is confident that an acceptable solution will be found. Design details cannot, of course, be determined by the Government.
- (7) (a) to (c) Yes, informally.
- (8) Land areas have not been identified.
- (9) This will be subject to satisfactory transport, environmental, and planning requirements being met to enable the development of a casino to proceed.
The Main Roads Department's current programme envisages construction of Burswood Bridge to begin in 1986 and be completed in 1989.

3145, 3160 and 3161. *These questions were further postponed.*

TRAFFIC: MOTOR VEHICLES

Licences: Farm Vehicles

3163. Mr COWAN, to the Minister for Police and Emergency Services:
- (1) With respect to farm concessional licences, is he aware such licences were granted because of the relatively low use of farm vehicles?
 - (2) In view of the need, through economic circumstances, of farmers to use trucks with a capacity of greater than 14 tonnes, why are farm concessional licences limited to trucks of that capacity?
 - (3) Are the Traffic Board or the Police Department giving consideration to this matter or altering any other conditions upon which farm concessional licences are granted?
 - (4) If "Yes", what are they, and what consultation will take place with industry groups?
 - (5) Who are the members of the Traffic Board, how are they appointed, and what organisation, if any, does each member represent?

Mr CARR replied:

- (1) Yes, in the instance of concessions issued to farm vehicles licensed under section 19(5)(f) of the Road Traffic Act.

I understand the concession for trucks licensed under section 19(13) of the Road Traffic Act was introduced at a time of severe economic difficulties in the farming community.

- (2) The second reading speech of the former Deputy Premier on the introduction of the Road Traffic Act Amendment Bill (No. 2) of 1980 outlines the position (*Hansard* 13-11-80).
- (3) and (4) An interdepartmental committee has completed a review of all vehicle licence concessions and this review is currently being considered within the Police Department. The results of these considerations will be forwarded to the Traffic Board which is well placed to recommend whether any further consultation or examination is necessary.
- (5) The Traffic Board is comprised of seven members, namely—

the Commissioner of Police, Mr J. H. Porter (Chairman)

the Assistant Commissioner (Traffic), Mr C. W. Johnson
the Commissioner of Main Roads,
Mr D. H. Aitken

the Co-ordinator General of Transport, Dr J. H. E. Taplin
representing the Local Government Association—Mr L. P. Humphreys,
representing the Country Shire Councils' Association—Mr J. North

representing the Country Urban Councils' Association—Mr M. R. Finlayson.

Board members are appointed pursuant to the provisions of section 7 of the Road Traffic Act.

FUEL AND ENERGY: ELECTRICITY AND GAS

Subsidies: Reduction or Removal

3167. Mr PETER JONES, to the Premier:

- (1) With regard to his statements published in the *Pilbara Times* on Thursday, 15 July 1983, what action has the Government taken to reduce, or remove, the

"long term energy subsidies paid for by the State Energy Commission" which are unacceptable to this Government?

- (2) What progress has been made by the Government in arranging lower energy prices to the iron ore pellet plants to permit them to reopen, as proposed by him?

Mr BRIAN BURKE replied:

- (1) and (2) I can find no such reference in the publication mentioned.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Staff: Terms of Appointment

3171. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Adverting to the reply given to question 3010 of 1984, as there was no aluminium smelter task force, and consequently no "executive member", would he advise the date on which I approved the "purpose and terms and conditions of the contract" employing Dr John Saunders for a non-existent purpose?
- (2) Is Dr Saunders' employment contract with the Minister for Fuel and Energy?
- (3) Is the employment contract with Dr Saunders or with a company nominated by Dr Saunders?

Mr PARKER replied:

- (1) The member for Narrogin will recall that, following discussions with him, the terms and conditions of the contract to secure the services of Dr Saunders were approved by the State Energy Commission of WA on 2 June 1982. The purpose is to provide advice on energy policy and planning matters and to assist in negotiations on behalf of SECWA. In accord with this, Dr Saunders is currently assisting the aluminium smelter task force as executive member.
- (2) and (3) The contract is between the State Energy Commission of Western Australia and John Saunders and Associates Pty. Ltd.

FUEL AND ENERGY: DIESEL AND PETROL

Price: Rural Areas

3174. Mr PETER JONES to the Minister representing the Minister for Consumer Affairs:

Having regard to the increasing levels of rural financial hardship, what further controls is the Government proposing in order to implement its 1983 election policy undertaking to—

- (a) set the maximum wholesale and retail prices of petrol and automotive diesel fuel;
- (b) ensure that the price difference for petrol between most country centres and the metropolitan area would be no more than one lc?

Mr CARR replied:

- (a) and (b) Since the Federal Government has set up the prices surveillance authority and announced that it will operate in the area of petrol pricing, the Government is preparing a detailed submission to the prices surveillance authority on this issue and working in close consultation with the Federal Government to ensure a satisfactory petrol pricing policy is in operation.

EDUCATION: PRIMARY SCHOOL

Armadale: Enrolment

3175. Mr CLARKO, to the Minister for Education:

- (1) Would he list the individual number of pupils in each of the classes at the Armadale Primary School?
- (2) Are these class sizes satisfactory?
- (3) What is the total number of students at the school?
- (4) Has the school lost a teacher recently due to a loss of pupils?
- (5) Is the school listed as a priority school; if so, what additional facilities are provided because of this classification?

Mr PEARCE replied:

- (1) to (4) Armadale Primary School has a principal and 13 teachers for its 364 students. This is in accordance with the staffing formula which applies to every school in the State and which was applied by the previous Liberal Government.

The school has chosen to use two of its teachers in special programmes (teacher-librarian, small group work and maths centre, remedial reading) and to form 11 classes with the remaining teachers.

This has led to class sizes ranging from 30 to 36.

I will ask the principal to discuss this form of school organisation with the parents.

- (5) Yes, \$4 000 for resources has been granted. Projects amounting to \$6 000 are ready for submission to the regional committee.

FUEL AND ENERGY: ELECTRICITY AND GAS

Charges: Commercial

3176. Mr PETER JONES, to the Minister for Minerals and Energy:

What progress has been made by the Government in revising commercial energy tariffs to make them fairer for small businesses as promised in the Australian Labor Party fuel and energy election policy?

Mr PARKER replied:

As the member is aware, the Government has established a committee of inquiry into gas and electricity tariffs.

Energy tariffs applicable for small business and the relative Government policy in this area is a matter under consideration by the committee. (A copy of terms of reference is provided to the member.)

I have previously stated in answers to questions in this House that the final report of the committee is expected to be completed by the end of December 1984.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Act: Review

3177. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Is the State Energy Commission Act currently being reviewed with a view to amendment?

- (2) Has a legal practitioner in private practice been engaged to assist in any such review?
- (3) When is it estimated the amending Bill will be presented for Parliament's consideration?

Mr PARKER replied:

- (1) and (2) Yes.
- (3) A minor amending Bill will be placed before Parliament for consideration in this session.

LAND: ABORIGINES

Rights: Inquiry

3178. Mr PETER JONES, to the Minister with special responsibility for Aboriginal Affairs:

- (1) With regard to the Seaman inquiry into Aboriginal land rights, who are the members of the committee which determines the level of funding assistance to groups, communities, and individuals wishing to make submissions to the inquiry?
- (2) Are there any further submissions to be considered for funding assistance?
- (3) What audit and accountability requirements have been imposed by the Government with regard to the funds advanced for this purpose?
- (4) When is it expected a fully audited report on the use of such funds will be made available to the Parliament?

Mr WILSON replied:

- (1) Chairman: Ernie Bridge
Members: Robert Riley
Daryl Kickett
Alfred Barker
Thomas Newbury.
- (2) Yes.
- (3) None specifically.
- (4) When the inquiry comes to a conclusion.

PUBLIC ACCOUNTS COMMITTEE

Legislation

3179. Mr PETER JONES, to the Premier:

Is the Government still intending to introduce a Bill giving power to the parliamentary Public Accounts Committee to investigate all aspects of public sector revenue and expenditure activities?

Mr BRIAN BURKE replied:
This matter is under review.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Revenue: Estimates

3180. Mr PETER JONES, to the Minister for Minerals and Energy:

What Budget estimate of revenue would be available to the State Energy Commission in 1983-84 from—

- (a) sales of electricity;
- (b) sales of natural gas;
- (c) other sources of revenue?

Mr PARKER replied:

- (a) to (c) The State Energy Commission's current projections of revenue in 1983-84 are as follows—

	\$M
sales of electricity	464.595
sales of gas	65.141
miscellaneous revenue	8.878
total	538.614

FUEL AND ENERGY: ELECTRICITY AND GAS

Charges: Increase

3181. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) How many State Energy Commission customers were changed from S3 to L3 gas tariff following the 1983 increase in tariffs?
- (2) Is it fact that the change of tariff schedule applying to these customers resulted in increased energy costs of some 50-60 per cent, and even in excess of 100 per cent in one instance?
- (3) Were the proposed changes in the applicable tariff schedule discussed with the customers concerned before the changes were made?
- (4) If so, what was the substance and results of discussions undertaken?
- (5) Was the proposal to move customers from one tariff scale to another approved by the State Energy Commission Commissioners?
- (6) If so, were they advised of the massive percentage increase in costs resulting from the change?

- (7) Are any similar proposals envisaged for 1984-85?

Mr PARKER replied:

- (1) No former S3 gas tariff customers are supplied under the L3 gas tariff.
- (2) Not applicable.
- (3) Revised pricing arrangements were discussed well in advance with all customers.
- (4) Reasons for the changing of the pricing arrangements, and the effects on individual customer's operations were discussed to ensure an acceptable result was achieved in each case.
- (5) The proposed change in pricing arrangements was approved by the commissioners in December 1982 and was subsequently notified to the Government of the day. Following the election in February 1983, the present Government was also advised of the proposed pricing arrangements.
- (6) Full details of the proposed pricing arrangements on an individual customer basis were considered by the commissioners, the previous Government, and the present Government.
- (7) No. As previously stated by the Government, the dislocation of prices was a once only effect directly related to the introduction of higher cost Woodada and North West Shelf gas. All contracts with former S3 tariff customers contain agreed escalation provisions.

FUEL AND ENERGY

Energy Supply Contracts: Secrecy

3182. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Are State Energy Commission customers who have entered into energy supply contracts required to adhere to any form of secrecy agreement relating to all, or any part of, the contract?
- (2) If so, what is the form of words, or agreement reached, which refers to secrecy or confidentiality?

Mr PARKER replied:

- (1) Agreements with customers for the supply of energy on the basis of negotiated energy prices contain standard confidentiality provisions.

- (2) The provision relating to confidentiality forms part of the contract and cannot therefore be disclosed.

LOCAL GOVERNMENT

Albany: Complaint

3183. Mr STEPHENS, to the Minister for Local Government:

Further to question 3125 of Tuesday, 1 May 1984, does he reconcile that answer with a statement made by the acting Secretary for Local Government in a letter dated 13 February 1984, wherein he stated in a reply to a query raised by a number of town councillors regarding the alleged overpayment of the Town Clerk from 12 March 1983 to 29 August 1983—

This matter was investigated by my Department's Chief Inspector during his recent visit to the Town of Albany?

Mr CARR replied:

The complaints which occasioned my direction to the chief inspector to visit the Town of Albany were as detailed in my answer to question 3125.

In the course of those investigations the department verbally requested the chief inspector, if he had time to do so, to examine the correct level of payment to the town clerk under the terms of the relevant award and in accordance with council resolution. This was done at the conclusion of the formal investigations which I had ordered and, since this therefore constituted part of normal inspection duties, was not specifically instigated at my direction.

The correspondence from the councillors referred to was directly with the then Secretary for Local Government and it was not until a letter of 14 March that this matter was addressed to myself; i.e. more than two months after the investigation was concluded.

LOCAL GOVERNMENT

Bayswater Shire Council: Declaration of Interest

3184. Mr HASSELL, to the Minister for Local Government:

- (1) Will he tell the House whether he has received a report from his department

on a complaint made against Cr Alan Hill of the Bayswater Shire concerning declaration of interest in the upgrading of his street?

- (2) If so, when will a decision be made?
- (3) If he has not received this report, will he advise when he is likely to receive it?

Mr CARR replied:

- (1) A report has been received from my department.
- (2) The file has been referred to the Crown prosecutor.
- (3) Not applicable.

RAILWAYS

Patronage

3185. Mr HASSELL, to the Minister for Transport:

- (1) What are the latest figures for patronage of—
 - (a) Perth-Fremantle rail passenger service;
 - (b) Perth-Armadale rail passenger service;
 - (c) Perth-Midland rail passenger service?
- (2) What are comparisons in each case between latest figures and—
 - (a) previous patronage figures;
 - (b) previous patronage figures in a corresponding period last year where applicable?

Mr GRILL replied:

	1 (a) to (c) 1 day count 1984	2 (a) 1 day count November 1983 (adjusted to cover survey hours used in April 1984 count)	2(b) 1 day count 1983
Perth-Fremantle	9 086	8 751 (excluding 341 Marines)	no train service
Perth-Armadale	12 545	previous count shown in 2(b)	12 162
Perth-Midland	12 417	Previous count shown in 2(b)	12 144

ANIMALS

Cat Welfare Society Inc.: Assistance

3186. Mr HASSELL, to the Premier:

- (1) Will he detail what Government financial assistance is given to the Cat

Welfare Society Inc., which runs the Cat Haven in Shenton Park?

- (2) In light of the enormous task faced by the volunteer workers of the Cat Welfare Society Inc., in coping with the stray cat problem, will he give sympathetic consideration to an urgent application for funding?

Mr BRIAN BURKE replied:

- (1) No State Government assistance is currently provided.
- (2) An application from the society would be given urgent consideration.

MEMBERS OF PARLIAMENT

Press Statements: Assistance

3187. Mr HASSELL, to the Premier:

Have the resources of the Department of Premier and Cabinet and in particular the Press secretarial corps been assigned to or involved in the assistance to Government members who are not Cabinet Ministers in the preparation and release of Press and media statements and contracts for the member's electorate media in respect of the Mandurah electorate?

Mr BRIAN BURKE replied:

To the best of my knowledge, ministerial Press secretaries have not been involved in the preparation of media statements for the member for Mandurah. On occasions statements have been prepared for Ministers and those statements made reference to the local member, according to the precedents established by the previous Government. However, if the member has any specific concern I would be pleased if he would inform me and I will investigate the matter.

CROMANE HOSTEL

Renovation

3188. Mr HASSELL, to the Minister for Works:

What has been the total cost so far of repairs and renovations to the Cromane Hostel?

Mr McIVER replied:

\$646 036.

PRISON

Geraldton Regional

3189. Mr HASSELL, to the Minister representing the Minister for Prisons:

- (1) What significant changes have been made to the design of the Geraldton Regional Prison since construction began?
- (2) Have the changes involved a reduction in security at the prison, and if so, what reduction?

Mr GRILL replied:

- (1) None.
- (2) Not applicable.

ROADS: MAIN ROADS DEPARTMENT

Reprographics Section: Resignation

3190. Mr HASSELL, to the Minister for Transport:

- (1) Was an officer of the reprographics section of the Main Roads Department asked to resign recently?
- (2) What were the reasons for this request?
- (3) Did he resign?
- (4) What position did he hold?

Mr GRILL replied:

- (1) No.
- (2) Not applicable.
- (3) and (4) Two officers have recently resigned from the section in question.

CONSUMER AFFAIRS

Foodstuffs: Competitions

3191. Mr GRAYDEN, to the Minister representing the Minister for Consumer Affairs:

In view of the fact that at least one bakery makes use of competitions to increase sales of bread and as a consequence many complaints are being received about packages of sliced wrapped bread being opened in retail outlets by persons interested in the competition tokens contained therein, will the Minister review the question of permitting the inclusion of tokens, trinkets etc., in packages of such foodstuffs?

Mr TONKIN replied:

No. Legislation already exists that provides adequate control for enclosure of non-food items in food packages.

The practice referred to complied with current legislation. The contamination of the bread by customers is the responsibility of the store management to control.

FUEL AND ENERGY: PETROL

Lead Free: Compulsory Sales

3192. Mr MENSAROS, to the Minister for Transport:

Considering the statement published on 2 May that Perth's total level of oxides of nitrogen including nitrogen dioxide in the air are half the standard United States level and much below the other Australian cities, is he still continuing with the costly programme of compulsory lead-free petrol sales?

Mr GRILL replied:

The Government's policy, like that of the previous Government, is that "measures be introduced on a national basis to require the availability of 91.5 octaine unleaded petrol at a significant number of fuel retail petrol outlets from 1 July, 1985".

To avoid excessive costs during the transitional period the Government proposes to allow conditional exemptions so that not all retail outlets need sell unleaded petrol. The basic constraint in allowing exemptions will be that anyone driving a car which needs unleaded petrol, and who exercises reasonable forethought, should not be stranded in any part of the State without suitable fuel. It is probable that warranty conditions will insist on the use of the correct fuel.

The question of costs is not as straightforward as the member implies. Fuel economy can be expected to benefit from the elimination of the current method of emission controls. In addition unleaded petrol is widely regarded as being less corrosive and this should increase service intervals with consequent cost savings to the motorist.

I would remind the member that one reason for the satisfactory state of oxides of nitrogen in Perth's atmosphere is the existence of the current emission control requirements on vehicles. The requirements of the new national policy will be no more stringent in respect of nitrogen oxides. However, they will address pollution from hydrocarbons, carbon monoxide, and lead.

POLICE

Crime: Commission

3193. Mr MENSAROS, to the Minister for Police and Emergency Services:

- (1) Has he been consulted by the Federal Attorney General about his reported decision to introduce a "tougher national crimes body", and if so when?
- (2) Does the Government accept this proposal which curtails the State's traditional field in crime detection and prosecution?
- (3) Has the Government changed its policy as previously expressed by him in Parliamentary answers to questions that the Victorian proposition will be supported?

Mr CARR replied:

- (1) to (3) The Commonwealth Attorney General has provided the Government with copies of the report of the Senate Standing Committee on Constitutional and Legal Affairs on the National Crimes Authority.
The Government is considering that report.

HOMOSEXUAL ACTIVITIES

Prosecutions

3194. Mr MENSAROS, to the Minister for Police and Emergency Services:

- (1) Would he be able to ascertain from the Commissioner of Police and give me the information as to how many cases of prosecution were based on section 184 of the Criminal Code where the alleged offence has been committed in private during the last ten years or such shorter period as information is conveniently available?
- (2) In case there would be no reasonably acceptable statistical information kept, could he ask the commissioner whether he or any of his officers can remember any such prosecution having taken place within the last ten years or so?

Mr CARR replied:

- (1) Without lengthy research, figures relating to prosecutions under section 184 of the Criminal Code are not available.
- (2) Yes; there have been prosecutions.

STATE FINANCE

Financial Institutions Duty: Metropolitan Water Authority

3195. Mr MENSAROS, to the Minister for Water Resources:

What was the aggregate amount of financial institutions duty paid by the Metropolitan Water Authority separately during the months of January, February, and March 1984?

Mr TONKIN replied:

January 1984—\$5 905.78

February 1984—\$3 289.45

March 1984—\$7 567.25

WATER RESOURCES

Metropolitan Water Authority: Maintenance Work

3196. Mr MENSAROS, to the Minister for Water Resources:

How did the maintenance work of the operating branches of the Metropolitan Water Authority compare with the budget estimates at the end of March 1984?

Mr TONKIN replied:

The MWA maintenance budget is revised at regular intervals to reflect changes in demand for new services arising from urban development activity and other capital works requirements.

Total maintenance expenditure to 31-3-84 was approximately 2.8% below the revised budget of January 1984. This includes adjustments for deferred maintenance.

WATER RESOURCES

Consumption

3197. Mr MENSAROS, to the Minister for Water Resources:

What was the water consumption in the Metropolitan Water Authority's area during the first nine months of the financial year in—

(a) 1980-81;

(b) 1981-82;

(c) 1982-83;

(d) 1983-84?

Mr TONKIN replied:

- (a) 120.5 million cubic metres;
- (b) 122.1 million cubic metres;
- (c) 134.0 million cubic metres;
- (d) 134.0 million cubic metres.

SEWERAGE

Backlog: Annual Programme

3198. Mr MENSAROS, to the Minister for Water Resources:

What is the proposed yearly infill sewerage construction in the Metropolitan Water Authority's five-year plan under preparation as a percentage of each year's proposed total expenditure?

Mr TONKIN replied:

The development plan for 1984-89 is still in course of preparation and the requested information is not yet available.

WATER RESOURCES: METROPOLITAN WATER AUTHORITY

Activities: Information

3199. Mr MENSAROS, to the Minister for Water Resources:

How many and what kinds of information map products dealing with the Metropolitan Water Authority's general activities are presently available?

Mr TONKIN replied:

Information map products range over—

Small scale: Regional maps included in annual reports depicting water resources and general status of water supply, sewerage, and drainage services;

Medium scale: Productions which show—

major installations
areas of service
projected works as per the 5-year development plan

Both small and medium scale maps are available for public information.

Large scale: Current maps showing detail of all services provided to customers over the metropolitan area.

These form the basis for systems maintenance, extension, and

customer service and are available for inspection at the public inquiry counter of the Metropolitan Water Centre.

WATER RESOURCES

Metropolitan Water Authority: Student Visits

3200. Mr MENSAROS, to the Minister for Water Resources:

- (1) Is an endeavour being made to have groups of students visit the Metropolitan Water Authority and/or various plants and installations of the Metropolitan Water Authority?
- (2) If so, what was the approximate number of such visits during the 1983 school year?

Mr TONKIN replied:

- (1) Yes. The water authority encourages school visits to its various treatment plants and installations. In fact, an invitation to this effect was sent to all school principals in January this year.
- (2) During 1983, 104 school groups involving 3660 students visited the MWA's various installations. To the end of April this year, a further 72 groups (2774 students) have visited plants.

A brochure has been prepared and is hereby tabled for the members' information.

The brochure was tabled (see paper No. 740).

WATER RESOURCES

Reservoir: Buckland Hill

3201. Mr MENSAROS, to the Minister for Water Resources:

- (1) Who are the contractors for the roofing of the Buckland Hill Reservoir?
- (2) What was the contract price the job has been let for?
- (3) How does this contract price compare with the in-house engineering estimates?

Mr TONKIN replied:

- (1) Roberts Construction Limited.
- (2) \$753 947
- (3) MWA estimate was \$770 160 at December 1983 prices.

RAILWAYS: FREIGHT

Joint Venture: Purchase of Shares

3202. Mr RUSHTON, to the Minister for Transport:

- (1) Did Mayne Nickless request to buy the Westrail share of Total West?
- (2) Has Westrail requested to sell its share in Total West?
- (3) Will he please list the months that Total West has traded profitably?
- (4) Has one or more of the railway unions requested the Government to purchase the Mayne Nickless share?

Mr GRILL replied:

- (1) No.
- (2) Westrail's advice to Government is confidential.
- (3) No. This is commercially confidential information.
- (4) Yes.

QUESTIONS WITHOUT NOTICE

CROMANE HOSTEL

Renovation

824. Mr HASSELL, to the Minister for Works:

I thank the Minister for Works for his reply to my question today in which he advised that so far the total cost of repairs and renovations to Cromane Hostel is \$646 036. I now ask—

- (1) Is it correct that the work to be done on that hostel was put out to tender and that the lowest tender received was \$311 000 and that the Public Works Department tender at the time was \$340 000?
- (2) How does he rationalise that cost against the cost so far of \$646 036, if it is correct, of day labour?

Mr McIVER replied:

- (1) and (2) I do not have the information to answer a question of that nature off-the-cuff, and I ask the member to place the question on notice so that I can give him an accurate reply.

REGIONAL DEVELOPMENT

South West Development Authority: Claim of Opposition Leader

825. Mr D. L. SMITH, to the Premier:

- (1) Has he seen the Opposition's *Political Notes* in this morning's issue of *The West Australian* and in particular the disparaging comments of the Leader of the Opposition about the South West Development Authority?
- (2) Is there any substance in the claims of the Leader of the Opposition that the authority will "dominate local authorities" and that it is being launched to promote the Labor Party's alleged objective of having "non-elected regional governments subservient to the political domination of the State Government"?

Mr BRIAN BURKE replied:

- (1) Yes, I have seen these comments and I must say that their tenor reflects the rumour and corridor gossip about this Parliament that the Opposition intends in the Legislative Council to reject the South West Development Authority legislation.

Mr Bryce: Shame! Unbelievable!

Mr MacKinnon: One hears a lot of unreal things in that corridor.

Mr BRIAN BURKE: If the Deputy Leader of the Opposition is saying that the Legislative Council does not intend to reject the legislation, I am very pleased; because I can only once again advise the Leader of the Opposition that his political judgment is far wide of the mark in the attitude he expressed in today's *Political Notes* regarding the South West Development Authority.

Let me say firstly that the establishment of a South West Development Authority was an undertaking we gave well before the last State election, when we unveiled our "Bunbury 2000" development strategy—a very well received and, at this early stage, successful strategy.

The authority has been established in accordance with the aims we set out for it at that time. No doubt if we had not gone ahead with honouring the undertaking the Opposition would have attacked us for that, too.

- (2) The claims of the Leader of the Opposition that the authority will dominate local authorities, and achieve the Government's objective of setting up non-elected regional governments, are nonsense.

The overriding objective of the authority is to promote the economic development of the south-west region. The work it has done already is significant and important and will benefit the whole region. This is a tribute to the members of the authority, particularly the chairman, Dr Ernie Manea, and the authority's staff.

Let me make it perfectly clear: This authority does not aim to dominate local authorities, nor will it do so. It will work in partnership with local government for the benefit of the whole region. This fact is already well understood and appreciated by the local authorities in the region.

Let me also make it plain that this Government has no intention of establishing regional governments to either replace or dominate local government.

The claims of the Leader of the Opposition are not only mischievous and wrong, but also an insult to the authority's chairman, Dr Ernie Manea. Dr Manea is one of the most distinguished citizens of the south-west and a man with a long and proud record of service to local government. To suggest that he would be party to something such as the Leader of the Opposition suggests the Government has in mind, is disgraceful. I have no doubt sentiments such as these will be condemned by the people of the south-west.

The "Bunbury 2000" plan, of which the South West Development Authority is a centrepiece, has been welcomed by the people of the south-west and their local authorities. Its success is the reason for shabby attempts such as this by the Opposition to discredit it.

The plan's success and the authority's performance will prove the Leader of the Opposition and his colleagues are making another major mistake in mounting attacks such as this.

PASTORAL INDUSTRY

Leases: Elvire and Koongie Park

826. Mr MacKINNON, to the Minister for Lands and Surveys:

In relation to representations made to him as Minister for Lands and Surveys by the Aboriginal Development Commission, and as referred to him by answer to question 950 in another place, for the purpose of Koongie Park and Elvire Station would he advise—

- (1) What is the nature of the representations?
- (2) Did the ADC indicate the price it was prepared to pay for each station and, if so, how much?
- (3) Was the vendor of the lease party to those representations?
- (4) Has the ADC requested that he now approve the transfer of those leases?

Mr McIVER replied:

- (1) to (4) The information requested by the member—I don't know whether he thinks I have a crystal ball in front of me to give an accurate report—

Mr Hassell: We think you have.

Several members interjected.

Mr MacKinnon: You have referred to it before.

Mr McIVER: How long ago?

Mr MacKinnon: It was 1 May.

Mr McIVER: The information the member is requesting, is still under review and if the member wants an accurate answer, I suggest that he place his question on the Notice Paper.

Several members interjected.

TRANSPORT: ROAD

Explosives and Dangerous Goods Act

827. Mr JAMIESON, to the Minister for Minerals and Energy:

- (1) Is the Minister aware of the reported assertion by the President of the Professional Transport Drivers Association (Inc) WA Branch that a driver has to be a travelling lawyer to understand the Explosives and Dangerous Goods Act?
- (2) In view of the obvious need for transport drivers to be fully aware of their responsibilities under the Act, does the

Minister intend to take action to clarify the situation?

Mr PARKER replied:

- (1) and (2) I thank the member for notice of his question.

Yes, I am aware of that statement by the president of the Professional Transport Drivers Association (Inc) WA Branch and welcome this opportunity to reject it.

First of all, it is the responsibility of everyone involved in the transport of dangerous goods to be fully aware of their obligations under the dangerous goods Act.

The State Government is currently engaged in an education campaign to ensure that those responsibilities are known and understood throughout the industry.

Officers of my department are preparing guidelines for wide dissemination and have participated in two training sessions run by the road transport industry training committee. These were attended by some 60 operators.

In addition, my department has also sent out letters to interested groups and submitted articles for publication in trade journals and that sort of thing.

I am currently considering other measures which may be taken to ensure this very important message gets through.

Many of the goods transported on our roads every day are a considerable potential hazard to public safety and it is essential that the various regulations to reduce that hazard are complied with. It is absolutely vital that, in the event of an accident, the emergency services know what sort of chemical they are dealing with and how to combat it. If, in fact, a driver does not know what he is carrying, the prime contractor is breaking the law by not providing him with an appropriate manifest of the vehicle's cargo.

These responsibilities are all spelt out quite clearly in this newsletter published by the Professional Transport Drivers Association last month.

I can assure the member that one does not have to be a lawyer, travelling or

otherwise, to understand the information as set out in the newsletter.

However, if anyone is still in doubt, staff at the explosives and dangerous goods division are available to fully explain the provisions of the Act.

STATE FINANCE

Financial Institutions Duty: Review

828. Mr HASSELL, to the Treasurer:

In connection with the review of the operations of the Financial Institutions Duty Act which the Treasurer has said will be undertaken at the end of next month I ask—

- (1) Would he advise the House what kind of review is to be undertaken and, in particular, whether it is to be an internal type of review by a Government officer, or an external review by someone outside the Government service who is employed for that purpose?
- (2) Are there to be formal terms of reference?
- (3) Has he given thought to the breadth of those terms of reference?
- (4) I am particularly interested to know whether he intends seeking advice as to the whole economic impact and effect of FID on the State, or whether he will be asking about the technical application of the law and the difficulties of applying it?
- (5) Furthermore, will the review encompass action such as a questionnaire to business houses as to the overall economic effects and operations of the tax?

Mr BRIAN BURKE replied:

- (1) to (5) Most of those matters to which the Leader of the Opposition has referred in his question are matters to which attention has been paid, but about which no decision has been made. I would point out to the Leader of the Opposition that the Minister for Budget Management has certain responsibilities in this matter and if the Leader of the Opposition wants a considered and accurate answer to his question, I suggest he put it on the Notice Paper.

CRIMINAL CODE AMENDMENT BILL

Defeat

829. Mr P. J. SMITH, to the Minister for Parliamentary and Electoral Reform:

Did the voting figures in the Legislative Council on the Criminal Code Amendment Bill again reflect the undemocratic nature of that House?

Mr TONKIN replied:

I thank the member for adequate notice of his question. The fact of the matter is that the people who voted against the Bill, were 18 councillors representing only 41.9 per cent of the electors of Western Australia, while the 15 councillors who voted for the Bill represent a clear majority of 54 per cent of Western Australian electors. If members' only importance is representatives of the people, how can members say—

Several members interjected.

Mr TONKIN:—that was a fair and decent decision?

Mr McNee: What about the fellows who are going broke out there?

Several members interjected.

Mr TONKIN: The member for Mt. Marshall is a larrikin and a lout and I suggest that he use some manners.

Several members interjected.

Mr TONKIN: The people of this State should be accurately represented in the Parliament and if, in fact, elections are held and 51 per cent of the votes gets a party seven seats and 45 per cent gets a party nine seats, then some of the members in the upper House who are acting as legislators have no right to be there at all.

REGIONAL DEVELOPMENT

South West Development Authority: Consultations

830. Mr BRADSHAW, to the Minister for Regional Development and the North West:

(1) Has the Government had any consultation with local government in the region to be under the control of the South West Development Authority regarding the legislation?

(2) If not, why not?

(3) If so, when and with which authorities?

(4) If not, will the Government delay the South West Development Authority Bill until the local authorities affected have time to study the Bill and provide comments to the Government?

Mr Brian Burke: The people of the south-west will be very pleased about your attitude.

Mr MacKinnon: He is asking for consultation, nothing more and nothing less.

Mr GRILL replied:

(1) to (4) Most if not all of the local authorities in the area have been consulted about the general structure of the authority and its powers and method of operation have been explained. I recently checked with the chairman of the authority, Dr Manea who told me he has personally seen half the shires in the area and his executive officers have seen all the shires at one time or another to explain the nature of the legislation.

Mr MacKinnon: When was "recently"?

Mr GRILL: If it is suggested—and I think suggestions have been made, although I have not seen them—that in some way the development authority will overrule or trespass upon the authority of local government in those areas, such views and remarks are fatuous and foolish and without substance of any nature or kind. It ill behoves anyone to seriously put forward such a suggestion.

HORTICULTURE

Exports

831. Mrs WATKINS, to the Minister for Agriculture:

What are the prospects of extending Western Australia's ornamental plant export industry?

Mr EVANS replied:

I thank the member for some notice of the question, the answer to which is as follows—

Western Australia currently exports about \$1.7 million-worth of ornamental plants annually to the Netherlands, West Germany and Japan. This is a relatively small figure compared with the Netherlands' \$1 244 million plant export industry. However, there is great potential in exporting WA plants, par-

ticularly salt tolerant and drought resistant varieties, to the Middle East. In 1982 an Australian horticulture trade mission estimated that exports valued at \$40 million a year could be made to Saudi Arabia alone. These markets will take several years to develop.

POLICE

Mr J. V. Fagan: Convictions

832. Mr LAURANCE to the Minister for Police and Emergency Services:

Does Mr John Valentine Fagan have any record of conviction for dealing in drugs?

Mr CARR replied:

I do not know. Governments of all persuasions have over a long period of time deemed questions of this nature to be inappropriate and have refrained from providing details about whether individuals have a record. The member might be interested to know that police officers are forbidden from disclosing the contents of a person's record under regulation 607(1)(a), and that the maximum penalty for disclosing records is dismissal from the force.

DEFENCE

Coastal Protection and Surveillance

833. Mrs BUCHANAN, to the Minister for Defence Liaison:

How will the Commonwealth Government's proposals to establish a standing committee on coastal protection and surveillance affect Western Australia?

Mr BRYCE replied:

The Commonwealth's proposal is one of the recommendations contained in a review of current Commonwealth programmes for coastal surveillance and protection in peacetime which was conducted by the Minister for Aviation and Minister Assisting the Minister for Defence, the Hon. Kim Beazley, MP.

The Standing Advisory Committee On Coastal Protection and Surveillance will be responsible for the Commonwealth/State co-ordination of existing surveillance efforts. The committee will consist of senior representatives from

State and Commonwealth instrumentalities responsible for surveillance and enforcement.

The Western Australian Government believes that the establishment of the standing committee will go a long way towards correcting the deficiencies perceived in the present arrangements and provide an effective national coastal surveillance system. We believe it is essential for Western Australia to have the opportunity of contributing to the decision making process in this vital matter. We have over half the nation's coastline, and a high proportion of the nation's natural resources within our borders.

For the additional information of the member I indicate that the Special Minister of State will have responsibility for civil coastal surveillance and protection.

A coastal protection unit will be established within the Australian Federal Police.

Commonwealth co-ordination centres will be established in the north of Australia to consolidate Commonwealth field office functions.

RAILWAYS: FREIGHT

Joint Venture: Withdrawal of Mayne Nickless Ltd.

834. Mr COWAN, to the Minister for Transport:

- (1) Does any legal agreement require Mayne Nickless Ltd. to give notice of intention to withdraw from the Total West joint venture with Westrail if that is what it wants to do?
- (2) What action will be taken by the Government if Mayne Nickless does withdraw?
- (3) Can he give a guarantee that the other partner in the venture will maintain a service to those areas which are dependent on Total West for the transport of smalls traffic?

Mr GRILL replied:

- (1) Yes a legal agreement exists, but I am not aware of its exact terms. It contains a reference along the lines suggested by the member.
- (2) I do not know what action we would take if Mayne Nickless withdrew. That

would be a matter for Cabinet to decide. At the moment that is a hypothetical question.

- (3) I assure the member that one way or another we would ensure services were maintained. Coming as he does from the country, the member should be aware that Total West during the period of its operation and even quite lately has considerably diminished the scope of its services and in each case the Transport Commission has ensured that more than adequate services are available to those communities.

Mr Cowan: Not always.

Mr GRILL: As far as I am aware it has. In the event that sufficient competitive services are not available in the present market a safety net can be operated by the Transport Commission to provide subsidies or a tenderer to a particular freight forwarder operating to an isolated area, or one without services. By and large if there is any complaint about present services it is that there is probably too much competition and people are confused by the array of competition in the marketplace.

If the member has some complaint about an area which may not be serviced as adequately as it might be, I would be happy if he drew it to my attention. At present I have received no complaints from any area.

TRANSPORT: BUSES

MTT: Future Role

835. Mr GORDON HILL, to the Minister for Transport:

In view of the five year plan being prepared by the MTT, what basic role does he see the MTT playing in urban transport in the foreseeable future?

Mr GRILL replied:

I believe that the transport system must offer the best mix of modes of travel to satisfy the complex demands for the movement of people and goods in the Perth urban area.

For example, to satisfy the demand of passenger public transport bus, rail, ferry, taxi and mini-buses should be used in combination to achieve maximum effect. I do not believe the Govern-

ment should be rigid in its approach; the support of one mode exclusively could well lead to the dangers of sub-optimality.

As a mode of transport buses are relatively cheap to operate, flexible, and have good seating capacity. I am sure the MTT will exploit these qualities in the future.

Public transport of course indirectly helps the car user. By avoiding the need to spend large amounts of money on urban freeways, to cater for the journey to work, money allocated to roads can be spent in more fruitful areas.

These comments are of course a personal view but I believe they correspond fairly closely with the attitude of my professional staff, in particular those officers of the MTT who are preparing the five-year plan. These officers will take a much broader view of their planning and operations than I have outlined above.

LOCAL GOVERNMENT

Bayswater Shire Council: Declaration of Interest

836. Mr TRETOWAN, to the Minister for Local Government:

- (1) What action has been taken about allegations in *The Western Mail* on 25 February this year, which were raised again by the member for Karrinyup in debate in this House on Wednesday, 4 April, concerning Cr Alan Hill of Bayswater?
- (2) Was it alleged that Cr Hill did not declare an interest when he voted on a motion to spend \$22 000 on the landscaping and cul-de-sacing of Oroya Street, adjacent to his house?
- (3) What was the result of the report concerning Cr Hill prepared in February by senior officers of the Local Government Department?
- (4) If after three months no effective action has been taken, will the Minister ensure that action is finally taken after the local government elections next Saturday?

Mr CARR replied:

- (1) to (4) It is a little surprising that the question is raised in this way at this time, because question 3184 on the No-

tice Paper today, from the Leader of the Opposition to me, is similar to this one.

Mr Brian Burke: But this man is going for election on Saturday.

Mr CARR: And that is why it is being raised at this time.

Mr Brian Burke: I am surprised at the member for East Melville. He is normally much better than that.

Mr CARR: The most surprising part of this question being asked by the member for East Melville and the question on notice being asked by the Leader of the Opposition is that, presumably, neither of them saw the publicity a few weeks ago. An inquiry was undertaken by an inspector of municipalities, and a report was made to me. The matter was referred to a Crown prosecutor some weeks ago.

I presume the only reason the matter is being raised in this place today is so that tomorrow's Press or Saturday's Press, being the day of the local government elections, will have coverage of the prosecution.

FISHERIES

Prawns: Mandurah

837. Mr READ, to the Minister for Fisheries and Wildlife:

Why did the Minister reopen the prawning season in Mandurah waters, and what does he expect to gain by it?

Mr EVANS replied:

Good quantities of king prawns are being taken by amateur and professional fishermen in the Peel Inlet and Harvey Estuary. Following approaches to me by these people and the member, I decided to lift the closure notice which became effective on 1 May. Prawns can now be taken in the inlet and estuary, with the exception of the delta area of the Serpentine and Murray Rivers which, along with the rivers themselves, will remain closed until further notice. This action will no doubt continue to attract visitors to Mandurah, which will be of great benefit to the town. I am told that up to 200 boats are in the inlet and estuary waters on most nights.

ABORIGINES

Swan Valley: Police Harrassment

838. Mr THOMPSON, to the Minister for Police and Emergency Services:

(1) Has he received a communication from the Swan Valley fringe dwellers who reside at the Lockridge camp site and Saunders Street alleging terrorisation by the police at 1.00 a.m. on Monday 26 and on the evening of 29 March?

(2) If so, has the matter been investigated and with what result?

Mr CARR replied:

(1) and (2) Yes, I have received that communication, and the matter is still the subject of investigation.

TRANSPORT

Buses: Two Rocks

839. Mrs WATKINS, to the Minister for Transport:

As the trial period for the Two Rocks bus service is drawing to a close, can the Minister inform the House whether local community requests for the service have been justified?

Mr GRILL replied:

The fate of the Two Rocks bus service is in the hands of the local residents. I am very concerned over the lack of support for the service.

The Shire of Wanneroo has committed a \$10 000 subsidy to the trial, and with this the MTT needs seven passengers each trip to make the service a justifiable proposition. The service commenced on 28 November of last year, and monitoring of passenger numbers is to continue throughout the trial period which is due to cease on 25 May.

In early January, the MTT advised me that the support being given the service was far below that required. MTT records showed that the bus service was averaging only 4.2 persons per trip. The school holiday period showed an encouraging trend, and for the period to 20 January the figure grew to 9.1 passengers per trip and went on growing to 11.1 passengers per trip by early February. However, patronage between 6 and 19 February was only 4.5 passengers per trip, and this grew marginally

to 5.03 passengers per trip by 20 February. Figures from 20 February till 6 April show an average of 5.5 passengers per trip.

I am disappointed with the situation because representatives had indicated that the demand for the service was genuine and would be strongly supported. However there would have to be a considerable increase in patronage in the next few weeks to warrant an extension of the trial period.

ELECTORAL

Daylight Saving Referendum: Failure to Vote

840. Mr OLD, to the Minister for Parliamentary and Electoral Reform:

- (1) Will the electors who failed to vote in the daylight saving referendum be requested by the Chief Electoral Officer to give reasons for so failing?
- (2) If so, will their having forgotten to vote be an acceptable reason?

Mr TONKIN replied:

- (1) and (2) I can say that the law will take its course, as is normal.

HEALTH: MEDICAL PRACTITIONERS

Country Practice Development Unit

841. Mr I. F. TAYLOR, to the Minister for Health:

- (1) An undertaking was given in the election policy that a Labor Government would examine ways of improving the delivery of health services to people living in rural and isolated areas. In line with that commitment, has the Minister considered a proposal by the University of WA Department of Community Practice to initiate a country practice development unit, aimed at giving additional training and experience to doctors in country practice?
- (2) If "yes", can he advise whether the proposal has been approved, and can he give details of how the unit would operate?

Mr HODGE replied:

- (1) and (2) Yes, I did receive a proposal from the Department of Community Practice last year to establish a country practice development unit. Basically, the proposal is for the establishment of a

unit with the Department of Community Practice for the purpose of preparing doctors for entry into rural general practice and for ensuring the provision of appropriate continuing education opportunities for general practitioners.

The main aims of the scheme are—

1. To prepare general practitioners for entry into country practice.
2. To assist in the continuing education of country general practitioners.
3. To develop the teaching skills of country general practitioners who act as—
 - (a) undergraduate preceptors in community practice;
 - (b) occasional part-time lecturers in the Department of Community Practice;
 - (c) to provide a source of high quality locum relief for isolated country general practitioners.

The provision of continuing education, more support, and adequate relief will enable the provision of improved health care to rural areas.

The main objectives of this proposal are in line with the Government's policy on rural health, and for this reason \$30 000 will be provided to the university for 1984-85, with equal amounts for 1985-86 and 1986-87, subject to Commonwealth funds being available.

INDUSTRIAL RELATIONS: DISPUTE

Pilbara: Electrical Trades Union

842. Mr MENSAROS, to the Minister for Minerals and Energy:

Would he be able to give further details, or any details generally, about the latest strike action in the Pilbara involving, as I understand it, 130 Electrical Trades Union members who have walked out and stopped work on the alleged pretence that a single lady who was not a breadwinner did not obtain accommodation from Mt. Newman Mining Co. Pty. Ltd.?

Mr Parker: When did this take place?

Mr MENSAROS: Just recently.

Mr PARKER replied:

I am not aware of the incident. I have asked to be advised of any strike action in the Pilbara which might have the effect of altering shipping movements.

Apart from that, obviously I do not learn about every dispute there.

If the member requires further information, I will find out and provide it to him.

INDUSTRIAL RELATIONS: DISPUTES

State Energy Commission: Record

843. Mrs HENDERSON, to the Minister for Minerals and Energy:

Has there been any loss of power supply to the community as a result of industrial disputations since the election of the Labor Government?

Mr PARKER replied:

There has been no loss of supply of power to the community as a result of industrial disputation during the period of February 1983 to January 1984. However, during the period of February 1982 to January 1983 there were two disputes which resulted in loss of power to the community.

The first of these disputes, in February 1982, resulted in partial load shedding to industry and consumers for one day. The second dispute, in August 1982, resulted in partial load shedding to industry and the consumer for two days.

RAILWAYS

Westrail: Loss

844. Mr LAURANCE, to the Minister for Transport:

- (1) Is the report in tonight's *Daily News* correct when it indicates that the total loss of rail passenger services this financial year is likely to be \$21 million?
- (2) If so, how does he account for the fact that this figure would be \$5 million more than the equivalent figure for the past financial year?
- (3) How much of the additional \$5 million loss can be attributed to the Perth-Fremantle passenger rail service?
- (4) What is meant by the statement in the article that "moves are under way to rationalise train operations?"

The DEPUTY SPEAKER: The rules governing questions provide that statements of fact are not permitted to be made. I give the member the opportunity to rephrase the second question.

Mr LAURANCE: Would the Minister provide details of the additional loss of \$5 million that will be incurred this financial year compared to last financial year?

Mr GRILL replied:

- (1) to (4) I think the figures quoted in the *Daily News* are probably some forward projections of figures which the journalist has obtained from a member of the office of the Co-ordinator General of Transport. Therefore, I cannot vouch for the complete accuracy of them, but I would suggest that if they came from that office they would be reasonably accurate. Of course, with forward projections it is always hard to say that they will be entirely accurate. I really cannot say whether the \$5 million is a correct figure. I suppose if the member wanted to establish how much of that \$5 million could be attributed to the Perth-Fremantle service, it could be divided equally between the three lines with probably a little bit less for the Perth-Fremantle line and a little more on the other two.

I am not aware of the source of the remarks to which he has referred in the last part of his question.

CONSERVATION AND THE ENVIRONMENT

System 6

845. Mr READ, to the Minister for the Environment:

- (1) In what year did the EPA's System 6 study commence?
- (2) On what basis did the EPA recommend conservation areas in the State forest within the System 6 region?
- (3) What is the percentage of State forest in the System 6 region?
- (4) What percentage of the System 6 region has been recommended as conservation management priority areas?
- (5) Will the Government be acting immediately to secure the status of the recommended management priority areas?

Mr DAVIES replied:

- (1) 1976.
- (2) The main basis for the designation of conservation "management priority areas" was the Forests Department's

general working plan No. 87 which was approved by the Governor-in-Executive-Council on 9 March 1982. The working plan outlined the areas throughout the State forest where conservation or recreation take priority over other uses.

- (3) Thirty-eight per cent.
- (4) Nine per cent.
- (5) No. As the Premier outlined yesterday at the launching of the System 6 report, the Government, in accepting the System 6 report, has agreed to establish in the State forest an adequate and representative system of "management priority areas" for conservation and recreation.

The conservation "management priority areas" are to be protected by the provision that agreement of both Houses of Parliament will be needed for a change in their security. This would be equivalent to the "A"-class status given to national parks.

However, as spelt out in recommendation 3 of part I of the System 6 report, implementation of this decision will involve a review of alternative and competing uses for the land, including mining and water supply. Nevertheless, the overriding commitment is to the objective of a system of reserves representative of the main ecosystems of the jarrah forest.

An example of how successful this review mechanism can be is the approach that was adopted by all parties in reaching agreement on the establishment of the major jarrah forest reserve in the Murray valley near Dwellingup. This was one of the areas recommended for reservation in the System 6 study.

EDUCATION

Non-Government Schools: Grants

846. Mr HASSELL, to the Minister for Education:

- (1) Have payments to independent schools in respect of *per capita* grants been delayed this year?
- (2) If so, to what extent?

Mr PEARCE replied:

- (1) and (2) I am unable to say precisely whether the payments have been delayed compared to other years. I understand

the payments have either been made or are about to be made. Some discussion took place between representatives of non-Government schools and myself about the second moiety *per capita* payments, and an amicable agreement was reached some weeks ago.

Mr Brian Burke: Did you see the last issue of *The Record*? It is a Catholic newspaper and it praised the Schools Commission and Government policy.

Mr PEARCE: I have not seen that.

Mr Hassell: Do you know that the Schools Commission is a Federal body and that this is a State matter?

Mr Brian Burke: But we are all looking after the private school sector.

Mr PEARCE: If there has been a delay compared to previous years—I understand there has not been—it is because I have had discussions with the private school system about its specific needs for financing this year. Instead of the normal paying out of automatic *per capita* grants, I discussed with representatives of the non-Government schools the adequacy of the grants they were receiving and then arranged for grants to be made that met their needs.

Mr Rushton: You might be running out of money as happened in Mr Hawke's day when you could not pay the teachers.

Mr PEARCE: Not only can we pay our teachers—and we pay them superbly well—but also the non-Government schools also pay their teachers well because we subsidise them very heavily so they can do that and have the same level of excellence as Government schools do. If individual non-Government schools have not yet received a second *per capita* grant moiety and are in dire straits, they merely need to contact my office and we will expedite that payment. But my understanding is that those payments are already in the process of being made, if they have not already been made to most non-Government schools.

**CONSERVATION AND THE
ENVIRONMENT**

Rottnest Island

847. Mr I. F. TAYLOR to the Minister for the Environment:

Has the Rottnest Island Board rejected a recommendation of the EPA to include representatives of the various institutions associated with the scientific study of the island's resources?

Mr DAVIES replied:

The proposition for a broader board membership that was canvassed in the 1981 EPA public discussion green book report was rejected by the Rottnest Island Board in an undated submission

forwarded by the then Minister for Lands and Chairman of the Rottnest Island Board, the Hon. D. G. Wordsworth, and received in the Department of Conservation and Environment on 30 June 1981.

As with all the other detailed recommendations contained in part II of the System 6 report, the recommendations relating to Rottnest Island—C45—will be carefully examined by the Government and will be progressively implemented as far as possible.

