

# Legislative Assembly

Wednesday, 16 October 1985

**THE SPEAKER** (Mr Harman) took the Chair at 2.15 p.m., and read prayers.

## MEN OF THE TREES

### *Invitation*

**THE SPEAKER:** I wish to advise that at six o'clock this evening outside the post office the Men of the Trees will be in attendance. There will be some cheese and biscuits for members who wish to attend and take the opportunity to meet and talk with the people from Men of the Trees.

## COMMUNITY SERVICES: ADOPTIONS

### *Birth Certificates: Petition*

**MR THOMPSON** (Kalamunda) [2.17 p.m.]: I have a petition which is similar in form to those which have been introduced recently dealing with the rights of adopted persons to have access to records. I do not propose to read it because of its similarity to those already presented.

The petition bears 108 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. 22.)

## BILLS (4): INTRODUCTION AND FIRST READING

1. Superannuation and Family Benefits Amendment Bill.

Bill introduced, on motion by Mr Brian Burke (Treasurer), and read a first time.

2. Reserve (No. 36636) Revestment Bill.

Bill introduced, on motion by Mr Pearce (Minister for Education), and read a first time.

3. Coal Mine Workers (Pensions) Amendment Bill.

4. Collie Coal (Western Collieries) Amendment Bill.

Bills introduced, on motions by Mr Parker (Minister for Minerals and Energy), and read a first time.

## LOCAL GOVERNMENT AMENDMENT BILL (No. 2)

### *Second Reading*

Debate resumed from 24 September.

**MR CLARKO** (Karrinyup) [2.22 p.m.]: The Opposition welcomes all legislation which enhances the status and the operation of local government in Western Australia. We recognise in this legislation that there are many matters which are strongly espoused both by individual councils and by the three local government associations. This is particularly true of those proposed changes which grant more autonomy to local government. The Liberal Party believes that, in a wide range of public services, it is local government which is best suited to make the best decisions. Both philosophically and practically, the Liberals believe that the closer a decision is made to the source of the issue, the more appropriate the decision is. This is true, again, of governmental decisions made in this vast State of Western Australia with its individually diverse regions, in terms of both geography and economic development.

I ask members to reflect on the extent of this tremendous diversity within Western Australia in terms of the population, area, and revenue that exist within the 139 local government authorities in this State. The most populous local authority in Western Australia is the City of Stirling. It has approximately 170 000 residents. That makes it one of the most populous local authorities in Australia. The least populous is the Shire of Sandstone which has a population of 130 people.

Mr MacKinnon: Nice people.

**MR CLARKO:** Very fine people. We have, therefore, among the smallest and the largest local government authorities, in terms of population, in Australia.

In terms of area, the East Pilbara Shire of nearly 400 000 square kilometres is the largest in Western Australia, and, indeed, Australia. It is a huge area. In Western Australia we also have the smallest local authority in area of any shire or municipality. The Peppermint Grove Shire Council measures one square kilometre and was once the property of one man. We have, therefore, the smallest and largest councils in Australia, in terms of area, in Western Australia. That should give members some idea of the diversity that exists in relation to local authorities.

When one moves away from the area and populations of local authorities and considers the revenue of different councils, one again sees the huge range of local authorities that exist in Western Australia. The highest revenue-earning local authority in Western Australia is, of course, the City of Perth. In 1981-82, its total revenue was \$35.1 million. The lowest revenue-earning local authority is Wandering which, in 1981-82, collected a total revenue of \$245 000.

In terms of rate revenue, the highest again is the City of Perth which, in 1981-82, collected a rate revenue of \$16.6 million. The lowest was the council of Upper Gascoyne which, in the same year, had a rate revenue of a mere \$13 300.

It is vital that we have a Local Government Act which has the mechanism to serve all local government authorities whether they are big or small, rich or poor. It is vital, also to have a Local Government Act that gives them the opportunity to function at their maximum efficiency and capacity.

I wish to take a moment to acknowledge the outstanding contribution that is made to local government voluntarily by the councillors and also by the citizens. There are hosts of them in all municipalities and shires of this State who give, to the best of their ability, their time to local government without reward. Many people play a very important role in community decision-making and in the provision of services. They do it in a wide range of social and recreational fields.

Finally, I wish to commend the many employees in local government for their excellent service to their districts and to the State. I know that many of them give far beyond the requirements of the salaries or wages that they earn.

I wish to deal specifically, but fairly briefly, with the key items in the Bill because I do not wish to transgress too much on the Committee stage. It is the Opposition's intention to expedite this matter as quickly and as reasonably as possible. There are approximately 30 or 40 discrete items in the Bill. The Opposition supports almost all of them. However, we do not support three. Of those three, the first relates to clause 24 which seeks to amend section 280 of the principal Act. It proposes to remove the requirement for a council to gain the approval of a Minister when it seeks to acquire land in fee simple to let upon lease. We oppose that. We believe it is appropriate, justifiable, and

necessary to retain a ministerial overview of the land-buying rights of councils, land which they plan to lease.

It should be recognised that the right of acquisition of land—"land" means buildings as well so we are talking about councils buying property which they intend to lease—without ministerial approval will extend local government into areas that we do not believe are appropriate. We do not believe it is appropriate for a council to set up a housing estate. We do not believe in a system of council housing. We believe that the State housing authority is the appropriate body to handle those issues.

Mr Brian Burke: Homeswest.

Mr CLARKO: Not at all. I said State housing authority. I did not use a capital "a", as the Premier should have noticed with his perceptive mind.

Mr Brian Burke: I did not even see the "a".

Mr CLARKO: No, I am sure he did not. That is why I said "State housing authority." I did not refer to the State Housing Commission because I know it is no longer called that. We now use the buzz term Homeswest. I do not know whether that will make any difference to the speed at which a person gets a house.

We do not believe that land acquisition should be a responsibility of the local authority. If there is a special case for land to be acquired the previous system should prevail; that is, the Minister should give his approval or otherwise. If a council has a good reason for acquiring land, no doubt the Minister of the day will approve that acquisition quickly. Thus our position does not prevent a desirable purchase from being made. We do not believe in saying that local government cannot do something. We think simply that there should be the retention of the provision for ministerial approval.

We should also remember that the use of ministerial approval is a requirement spread throughout the legislation. Although the Minister proposes to delete some provisions and in some cases move from the Governor's approval to ministerial approval—a move which we support—we still retain that particular restraint within this legislation before us. It should be remembered that this Bill is retaining the necessity for ministerial approval in many cases. It is really a question of judgment as to which provisions include it and which provisions do not. We say that the Minister of the day should make the decision. We do not want to see councils acquiring large tracts of land

which they let on lease. We do not wish to see a scheme such as the Salvado scheme which was put forward during the days of the Whitlam era and, was meant for our northern coastal suburbs. We do not see the holding of large tracts of land and property as the province of councils.

If councils had such holdings an extra burden would be placed on ordinary ratepayers. It must be remembered that we are talking about land that is held in perpetuity. Under existing legislation councils can purchase land for municipal purposes. If councils became the owners of large areas of land for the purpose of leasing that land for housing or other purposes, an additional burden would be placed on the backs of ratepayers. Ratepayers in general already feel that they carry too heavy a burden. In the Shire of Wanneroo the rating scheme has just been changed. Many of that shire's ratepayers now feel most aggrieved by the increase in their rates. No doubt those whose rate levels were decreased have said nothing. We feel that ratepayers should not be exposed to the extra burden which would be placed on them if councils took this extra step.

The local authority would be put in the position of taking a risk. Some people think that if they buy land they will always gain, but that is not true. I was speaking this morning to a man involved in that field. He said that in the metropolitan area the broad acre price of land today is almost the same as it was five years ago but that since the value of money has been halved in effect the value of the land has also been halved over that five-year period. If councils begin to buy land, the market for which turns sour, the loss will be carried by the ratepayers.

We do not think local government should buy land other than that needed for its immediate purposes. This Bill contains a clause in regard to the buying of land by councils for resale. Any land that the council buys for the purpose of resale needs ministerial approval. If the purchase of land for the purpose of resale needs ministerial approval, surely the purchase of land for long-term lease also needs that approval. There is no fundamental difference between the two. I invite the Minister to try to explain why he should insist on ministerial approval for the one and not for the other. To us the principle is the same.

If the necessity to gain ministerial approval for buying land for lease is being taken away because of a belief that councils should have the right to make their own decisions, why is

ministerial approval needed for councils to purchase land for resale? We find that inconsistent. We are not urging that the Minister take away the requirement for ministerial approval in both cases. We think ministerial approval should be required in both instances. In our opinion, the Government can then quite properly overview any decision by council to acquire land. I am sure that the Minister knows of some interesting cases in which councils have made decisions in regard to the acquisition of land.

I refer, in particular, to the Shire of Wanneroo. In my opinion, the Minister, on very bad advice, forwarded to various councillors and officers of the Shire of Wanneroo, bills for varying amounts of money because it was claimed that in some way they had acted improperly or inefficiently. In one case, the Minister chose to send a bill for \$2 million.

Mr Carr: I did not choose to send a bill. The Auditor General sent the bill.

Mr CLARKO: Perhaps that strengthens my case. The Minister, whether he likes it or not, was involved in the flak that flew in that particular matter. This Minister has been in his position for roughly 2½ years. The Council of the Shire of Wanneroo has had its good and bad moments. It has faced up to the bad times and done so particularly well under my friend, Mick Nanovich.

Mr Bryce: They tell me Mick has become a greenie.

Mr CLARKO: No, he has not become a greenie. He has given the Shire of Wanneroo dynamic leadership. I know that that shire made particular progress because I was a councillor for an area which abutted the Shire of Wanneroo. It was a particular embarrassment for me, as a councillor for the Hamersley ward of the City of Stirling, that ratepayers on the opposite side of Beach Road were paying less in rates than ratepayers in my ward, yet had superior services and facilities. Mick Nanovich and his officers should get the credit for that situation. When Mr Nanovich was elected to this Parliament, his replacements in the Shire of Wanneroo became involved in a number of land schemes. Some of them worked and some of them did not. One such scheme led to the bill for \$2 million being sent to one of the persons involved. One person got a bill for \$1.6 million and others bills for a few thousand dollars. I do not know what the Auditor General thought he was doing when he thought he could allocate, for example, \$1.6 million-worth of

bad decision-making to one person. That was an absolutely crazy thing to do. However, the failure of such schemes provides an example of the need for overview by the Minister.

I am not trying to build up Ministers of the Crown, Labor or Liberal, as some sort of demigods. I am sure that the Minister would agree that in speaking about ministerial approval we are not speaking about approval by a single person who has particular biases and prejudices. We are taking the decision from a particular council and placing it before the collective weight of local government experience in this State. The Minister has access to economists and others and can use all the tools of government to assess whether a decision to be made by a council will be wise or otherwise.

Local government has the capacity to make decisions because it is so close to the matter. We also know there is a converse side to that. Some decisions are judged poorly because we are too close to the matters concerned. In this vital matter in our society, land, it is desirable to have that second opinion, and the Minister agrees with that in the way he has brought this legislation into this House, a way which provides for ministerial approval in regard to the resale of land. However, for some reason he has decided that in regard to land bought for lease, no ministerial approval will be required.

That will lead to problems. It is not worth it, for the reason I have given. I am not trying to build up the Minister as being a superman, but he has access to information concerning the local situation which can be applied with real advantage. That is the basis of our opposition to that matter.

We are opposed also to councils providing buildings for the provision of community welfare services and to the provision of community welfare services by local government. The way this is written in the Bill it is unqualified and unlimited. There is no definition of what is a community welfare service. If the Government wanted to bring this in, the first thing it should have ensured was that the draftsman included a definition of community welfare service. It has not done so. We oppose local authorities duplicating or triplicating Federal and/or State welfare services.

The Liberal Party believes that the role of local authority in welfare matters should be minimal. In the City of Stirling we had a nurse and a welfare worker, two ladies who assisted the City of Stirling with urgent and immediate matters in regard to families in need of care

and attention. We did not intend those two ladies to do more than respond in the first instance.

The immediate help of a council should apply to the immediate problems of a particular family. We did not set out to duplicate the role of the Department for Community Services. That department is only a 20-minute drive from the offices of the City of Stirling, and probably 30 minutes from the remotest part of the City of Stirling. We never saw ourselves as doing anything other than a good Samaritan act. We did not seek to usurp the role of the State Government in matters of welfare, and I do not think local government should. If authorities in more distant parts of the State need to play a greater welfare role, this must be spelt out. It must be measured and shown why this role should not be performed by the State Government.

We would agree with limited amounts of welfare services, but this amendment clearly goes far beyond that. The failure to define a community welfare service is a major blunder. For that reason alone any sensible Opposition should oppose this clause. There is no limit to the welfare services a council might provide.

I do not wish to draw too long a bow—that is against my nature—but we could finish up with a council having down its main street someone offering psychiatric services, probably to help councillors with their problems; next door the council doctor, the council dentist, the council nurse, the council social worker, the marriage guidance officer, and perhaps a sex therapist as well. In the opinion of the Opposition it is not the job of local government to do those things.

Mr Davies: Are you changing your mind about homosexuals?

Mr CLARKO: No, I will never do that. I do not think there is the gap on that issue between the Minister and me that some people might think.

The ratepayer as distinct from the resident will be required to pay twice for these welfare services. The ratepayer will pay by way of his general taxes and also through his council rates. The resident will pay general taxes, but not council rates directly. Some people do not pay at all. Some will argue they pay through rent and that sort of thing, but not all do.

This provision of undefined, unlimited community welfare services would rest inequitably on the two elements in local government, the ratepayer and the resident. It would lead to a duplication of welfare services.

Proud as I am of being a Western Australian, the State has a population of only 1.4 million people, one million of whom now live in the metropolitan area. Some years ago when I visited the UK I went to the Kent County Council—I think that is the correct terminology. That council's area contained 4.5 million people. It is not surprising that that council needs to provide a huge range of services. There is no system of State Government there. That is another reason. If one has a Federal Government, a State Government, and local government, one does not need duplication. Where there is no State Government the provision of these services by local government would probably be appropriate.

The Liberal Party strongly opposes this. We believe in a strong State Government system, and this approach at its extreme would allow the State either to duplicate or to wither in its provision of these welfare services, or allow a hostile Federal Government to say to a State Government, "You do not need that sort of financial remuneration, we will give it direct to local government."

The third matter we oppose is the proposition involved in clause 33 which would allow councils to construct buildings on land acquired for the purpose of leasing commercial activities. These are the items which would be allowed: Shops, offices, showrooms, warehouses, factories, or similar commercial premises for the purpose of letting on lease. We are strongly opposed to councils involving themselves in matters of this sort. We are opposed to councils becoming involved in this wide range of commercial activities and in areas of this type. It is due to previous Liberal Governments that the list is set out in section 530 of the Act. It is a long list of matters in which local authorities can involve themselves. We agree that an extension of this list is appropriate. In regard to this Bill we are agreeing in a couple of places, as the Minister realises, to an extension of that list.

We do not take up a position in juxtaposition to local governments' involving themselves in some matters which touch on this area, but we believe the list before us will result in socialistic councils. We philosophically believe that local government should not generally be involved in what is really the preserve of private enterprise when private enterprise is capable and willing to do something.

An argument which might be advanced by the Government is that certain precise restraints are set down in this clause. These

precise restraints in effect say that local government can do this only if there is a demonstrated need and nobody else is prepared to go into it.

That set of words is taken from another clause of the Bill and they were put in very precisely and deliberately to restrain local government in regard to other clauses of the Bill relating to the provision of facilities and the like. It undermines the argument for this wide range of buildings that this clause seeks to include. It says, "You can do all this, but you can only do it when there is a need and when nobody else is going to do it."

I believe councils will find very little restraint on this sort of matter. For example, if they were proposing to provide a shop for a particular purpose and there was already somebody in the town with that type of operation, the council could say, "We are doing this in order to provide competition," or, "There are already two such operations and we believe there is a case for having three because the other two are doing quite nicely and the town could bear three." The councils could use a variety of reasons. There is tremendous scope to justify the setting up of a group of shops, and so on.

I am strongly opposed to councils having their own shops, offices, showrooms, and the like. I was very much opposed to the proposition put before my Government a few years ago when the City of Perth sought to place, at street level, shops in association with its big car parks. It wanted to build shops at the eastern end of the Murray Street as part of the car park and have council shops let on lease, and so on. It is not the business of the City of Perth to set up in competition with the shopkeepers of Perth. I would have been prepared to accept the shops being built on a strata title arrangement, with businessmen buying shops and then competing in an equitable fashion with everybody else. However, I would not be keen to see the City of Perth as the owner of ever-increasing numbers of shops at the bottom of their car parks, or anywhere else. I must say that the City of Perth arrangement, whereby it sets the rules for car parking in this city and then operates in it commercially in opposition to private owners of car parks, is anathema to me.

They are the three things in the Bill which the Opposition opposes. I will now quickly touch on some of the other matters contained in the Bill.

I will say more in Committee about the subject of dual rolls, but I have today received a letter from a shire which points out to me the problems it faces in trying to have a consolidated roll. The Minister indicates shires can have approval from him to continue with two separate rolls, but really we would need to know from the Minister what formula he will apply, and how harsh he will be. I know it is against his nature to be harsh, and I accept that.

Mr Brian Burke: Things go very smoothly when you are in charge.

Mr CLARKO: Be careful, I have a broad back but I can only carry a few knives there.

Mr Brian Burke: I did not mean that.

Mr CLARKO: In regard to the dual rolls, if perchance somebody other than the present Minister were to become the Minister for Local Government and were to say, "We will allow councils one more year to have two rolls but then they will have only one," it would be a considerable burden on local authorities. I have been told that in Bunbury there is only a 40 per cent tie-up between the two lists.

The view of the Opposition, as expressed strongly in the upper House some time ago, is that there should be no problem in having the two rolls, one of which is entirely made up of owners, and it should not be beyond the wit of a council officer on polling day to distinguish who is there, and who should not be there. If a person appears to be getting a vote when he should not, that should be noted, and we have a system whereby that vote can be taken out afterwards. The Opposition welcomes the fact that the Government has made this decision, but we would like to see the Government a bit stronger in that regard. If we were in Government, and if the present system—which I do not like, of course—continued, then we believe there should be two rolls.

I refer now to the provision whereby a councillor who has not paid his rates will no longer be disqualified. Obviously that was quite inequitable, particularly when a councillor who was a resident and paid no rates could not be ousted from his seat, but the chap next door who paid rates and was a councillor, could be. As we know, councillors who had not paid their rates were, in the main, people who owned several properties and mistakenly did not pay their rates on one property, rather than not having the money to pay their rates. A case in point occurred in the Shire of Wanneroo about a year ago, when a person received a bill for an

amount of approximately 50c less than he owed. He paid the amount of the bill; the amount of 50c was left outstanding. The shire did not send him a further bill, and when he decided to run for the council, he was debarred from doing so because he had not paid the total amount. That was a ridiculous situation, and one which the new provision in the Bill would alleviate.

In regard to the question of moving closing times on polling days from 8.00 p.m. to 6.00 p.m., I believe local authorities are strongly supportive of having a 6.00 p.m. closing time rather than 8.00 p.m. When this matter comes before the House of Review, some of my colleagues may press the case for the closing time to remain at 8.00 p.m., but I am not sure that they will try to compare it exactly with the State Electoral Amendment Bill which is before that House at the moment, and which contains a provision concerning the movement of closing times.

As members know, voting in local government polls is voluntary, and quite a different matter from State elections. Local authorities are often organised in very small groups—I have already referred to Sandstone which has only 130 people in the whole municipality. The number of people voting in each electorate is minute, and the number of people who turn up for the polls after 6.00 p.m. is virtually nil. Because local government elections are voluntary, and because there is a national movement in this direction—as illustrated by the recent Federal change to 6.00 p.m.—I support the move to bring the closing time forward to 6.00 p.m. Another reason, as I have said, is that the three local government bodies concerned have given their strong support to the move.

The matter of delegation of functions of council officers is very sensible, as is the provision which allows councils to make a decision about an acting temporary officer without the approval of the Minister. I would agree that the Minister's power is quite appropriately taken away in this case.

I have heard questions concerning the annual electors' meetings. Some people have said they have not really gained much by the proposed new system, whereby this legislation will allow the annual electors' meeting to be held without the annual financial statement and the auditor's report having been received. It is a good thing to have the annual electors' meeting as soon as possible. There is no much point in having it a long time afterwards, because if there are any contentious areas, they will fade

with time. Local government should be about being responsible to its constituency, and to delay the meeting until receipt of the auditor's report often pushes the meeting date back a long way.

In a sense, though, there is some debate as to whether the Government has made much ground when the requirement is that when the auditor's report is received, another meeting must be held within 30 days. I thank the Minister for sending me a copy of his amendment whereby he proposes to make that time 60 days. That is a good decision on his part, because prior to receiving the Minister's amendment I had decided to move for that myself. No doubt the Minister found, from the same sources as I, that local authority organisations felt a period of 30 days was far too short.

I am not sure that the Minister has gained much. Some local authorities would have been attracted to the idea of holding prompt annual electors meetings without having to wait for the auditor's report. The Minister is saying here that if they do hold such meetings they must still hold another one when the report is received. That will turn some of them off the idea of holding an earlier meeting. I feel this will not turn out to be the plum that some people felt it might. But it is certainly a matter the Minister can try. If it is tried and found to be ineffective, the councils have it in their hands not to take advantage of the provision. It has been put to me, as it has undoubtedly been put to the Minister, that if a council went through the other steps outlined by the Minister, it could publish the auditor's report in the local newspapers to let the people have a look at it, and that should be enough, and that it should not be required to hold a second meeting. After all, only 50 ratepayers need to sign a petition to have a meeting, and that is certainly no problem in the metropolitan area. The Minister would have a second meeting anyway. It seems the Minister has opened one door and shut another.

The provision dealing with the impounding of goods relates particularly to the City of Perth and the Hay Street Mall. This has been a most contentious matter and has been before the House on a number of occasions. I will have more to say about it during the Committee stage. My loyalty and support lies overwhelmingly with the shopkeepers. For my part, if not a single fellow sat in the Hay Street Mall selling trinkets, if there had never been one such person, Perth would not be the poorer. My sympathy lies with the person who has a shop and

pays all the charges and costs. I am not opposed to the street traders being there under rules and regulations, but those rules and regulations must be complied with by those people. To date we have had a farce. I personally think this is desirable legislation in this respect.

The provision dealing with councils being able to approve eating places in public areas and so on would be welcomed widely throughout the State. The amendment to section 266 to delete the words "Governor directs" to be replaced by "Minister approves" is supported by us because we feel it will speed things up.

The amendments I have not touched on will be considered during the Committee stage.

I repeat that the Opposition is opposed to the three items dealing with councils involving themselves in land and property. For the reasons I have given earlier, we cannot support those amendments.

Taking the Bill as a whole we recognise that the Minister set up a committee which had good representation and which met for a long time, possibly a year. The committee had the opportunity to put together material which, in the main, is very welcome by the Opposition. It is a pity that we ran into a bit of a contretemps in terms of the speed with which this Bill might have been dealt. Had my initial request for a delay of a couple of days been granted it would have created no problems with the operation of the House.

Mr Carr: It was granted.

Mr CLARKO: The original letter indicated quite clearly that if we were given the approval for this matter to be held off for a week, we had to be ready for any other item of legislation the Government might want to bring on at any time. We could not have accepted that. It should have been separate.

Mr Carr: We have already been through your party's misunderstanding of that letter.

Mr CLARKO: That is not right because the Leader of the House's letter said quite explicitly that he would delay this Bill provided we were prepared at any time to consider any other matters that came forward. I was forced to cancel a visit to meet with representatives of the Avon-Midland ward in Goomalling last week, although it turned out I could have gone there. At the same time—and quite properly—last Thursday the Minister was able to attend a meeting to do with local government or police matters. We support the Minister's being able to do that. But because the Government naturally and logically controls the No-

tice Paper, this meant that Government members could do that while we were forced to stay here and be prepared to deal with any matter that came up, because the letter from the Leader of the House bound us to the Parliament all the time. That was a great pity because this Bill is one where the Minister's committee, comprising excellent people, had worked on this matter for a long time.

The Bill was presented to us on Tuesday afternoon, 24 September and we sat that day until 3.00 a.m. of the following Wednesday. As a result, our local government committee did not meet at 10 o'clock the following morning because we were not sure whether the House would sit until perhaps 6 o'clock that morning. Because of Show week, which sees a traditional rise for a week by this House, the Liberal members of Parliament—who have had extensive experience in local government—who formed the Liberal Party's local government committee did not have a chance to consider the legislation in depth. The Liberal Party was not given the time to study the legislation when compared with the time that went into the deliberation of the legislation by the Minister's committee. Next time the Minister might give some consideration to providing an opportunity for us to look at the matter reasonably, because we are anxious to cooperate with him and with local government and the associations of local government, wherever and whenever we can. Subject to those qualifications, we support the Bill.

**MR CASH (Mt Lawley) [3.07 p.m.]:** I support not only the majority of the clauses in this Bill but also the comments of the member for Karrinyup, who has just resumed his seat. The purpose of the Bill is, in broad terms, to provide greater autonomy to local government, and that is something which, as someone who has served in local government for a number of years, I support very much.

The Bill will provide in some circumstances for the removal of the requirements that local government go to a Minister and seek his approval for certain actions. It will return that responsibility to the councils, and in doing so enable them to get on with the day-to-day administration of their areas in an efficient and effective manner.

A number of amendments will transfer to the shoulders of the Minister the present requirement for a council to go to the Governor to seek approval for certain acts. That again should speed up the administration of local government.

The Bill also deals with the delegation of authority, and the member for Karrinyup mentioned the fact that a committee had been set up some time ago to advise the Minister and the Department of Local Government on just which areas the committee believed there could be some room for delegation of responsibilities to officers of council. The Bill sets out very clearly the areas in which officers will now be able to administer their local authority without the need to rely on council resolutions. The Bill also makes very clear specific areas where delegation of authority will not be allowed to flow on to council officers, and that in itself is a very important aspect of the administration of authorities.

The Bill contains provisions for the extension of eating facilities on public road reserves, which will allow councils to set up cafes on footpaths. With the forthcoming America's Cup challenge just around the corner I am sure this will be welcomed by local authorities not only in the metropolitan area but also in country areas where, we trust, the effects of the influx of tourism will flow.

The Bill also contains a provision for the reduction in polling hours from the present 8.00 a.m. start to 8.00 p.m. finish to a new time of an 8.00 a.m. start but a 6.00 p.m. finish. In general terms it is understood that country shires are prepared to support this amendment.

At the moment the Act requires consolidation of the electoral rolls to be completed by the election in May 1986. I note that in this Bill—probably due to some of the comments made by local authorities that some local authorities will find it very difficult to organise their rolls by that date—provision is made for the Minister to vary that requirement if he believes the council can provide sufficient reason for the variation.

The Bill deals with a number of amendments to the Act including a provision which will take away the anomaly which presently exists whereby a non-ratepayer and a ratepayer can be elected as councillors but the ratepayer councillor is liable to be disqualified should he fail to pay the full amount of his rates. That is an anomaly because the same situation does not apply to the councillor who is a non-ratepayer. That disqualification clause will be removed from the Act. That is a very fair amendment particularly in view of some of the happenings in the past.



The Bill also provides for local authorities to impound certain goods in the case of a street trader who is breaching the provisions of his licence. A Council should have that authority, but it should be made very clear that the Bill does not allow a council to confiscate such property. The council has authority to impound the goods and then apply to a court for a confiscation order. It must be absolutely understood that councils will not be in a position to confiscate property—only to impound it. It will always be the right of the court to decide whether any impounded goods are to be confiscated in due course.

The Bill also recognises the need for councils to be able to appoint temporary employees to positions within their administration. The Act at present provides for a specific number of positions to be the subject of ministerial approval if temporary appointments are to be made. This provision in the Act has caused some problems in the past for local authorities. The Bill will allow local authorities to make temporary appointments without having to go cap in hand to the Minister and seek his approval. I am certainly not suggesting such approval has not been readily given in the past, but it has been a time-wasting exercise for councils and their officers to get those matters in hand so that the temporary employee can take over at the proper time. I think it is fair to say that in some country local authorities the situation has arisen where ministerial authority was not available at the time a temporary employee was to take another officer's position. That has caused some problems in the past.

The Bill provides greater autonomy to local government and in that regard is strongly supported by the Opposition. It also includes provisions for councils to make decisions in respect of interstate and overseas travel arrangements for particular councillors. In the past only the Minister could authorise overseas trips and he had some input in respect of some interstate trips. In order that we have a more effective local authority administration in Western Australia the Minister and his committee have seen fit to dispense with the requirement for councils to make application to the Minister in relation to those trips. That power has been returned to local authorities.

It is worth mentioning here that in making decisions local authorities are always subject to ratepayer scrutiny, and should a particular local authority decide to send its councillors on an overseas trip it is clear it will have that authority; but it will also be required to answer

to the ratepayers at the next municipal election if it is the view of the ratepayers that the council should not have taken that action.

As the member for Karrinyup has said, the Opposition opposes three clauses. One relates to the ability of local authorities to take up or let land and build offices, warehouses, shops, and other buildings on council land. We see that as a particularly dangerous precedent; it almost has the effect of turning a local authority into a pseudo-land developer. It would put a local authority in immediate conflict with private enterprise operations. I am aware the Bill makes some provision requiring the council to consider whether any other operator or organisation would be prepared to build the particular facility in the council's area. The Bill also provides that having had regard to that aspect and the council finding no private organisation is prepared to build, it may go ahead and build the facilities provided for in the Bill. We are very concerned about that clause, and we will have more to say about it in the Committee stage.

In general the Opposition continues to support greater autonomy for local government in Western Australia. The Opposition recognises the tremendous job that is done by many unpaid councillors who make up local authorities in this State. We reserve the right to comment in the Committee stage on a number of provisions we believe are unacceptable in their present form.

**MR LAURANCE** (Gascoyne) [3.18 p.m.]: I do not wish to canvass the Bill in detail as the previous speakers from this side of the House have done. They have covered well the many points raised in the Bill. I want to deal with that part of the Bill which enables local authorities to establish committees and to organise and conduct activities and carry out works. Those aspects are covered by clause 31. It will enable bicentennial community committees to be established by local authorities. It will give them a power they do not enjoy today.

While this clause will go on long after 1988 one of the important effects until that time will be that it will give legislative effect to the bicentennial community committees. The whole concept of the Australian Bicentennial Authority has been the subject of considerable controversy in recent weeks because of the controversial circumstances surrounding the resignation of Dr David Armstrong, and then the forced resignation of the authority's national chairman, Mr John Reid.

I was disappointed about Mr Reid's resignation because I have had quite a bit to do with him in the last two or three years. He is an outstanding businessman and I believe he was leading the Bicentennial Authority extremely well. It was unfortunate that he was forced to resign by the Prime Minister under those circumstances. I do not miss Dr David Armstrong at all because he was never very popular in this State. He always wanted to run the outfit from Sydney and did not give the authority's State councils a fair run. I was not sorry to see him go.

Those events have clouded the whole issue of the Bicentennial Authority. The 1988 celebrations will be a magnificent event in the history of this State and this nation. I am sure that a lot of its success in 1988 will be as a result of the bicentennial community committees which are being established and which will have greater power and effect as a result of the passing of this legislation.

I welcome the clause which covers the community committees. It is important to record that most local authorities are getting behind the Bicentennial Authority in its preparation for 1988. Since June last year 62 bicentennial community committees have been formed in various local authorities around the State.

The Wanneroo Shire Council was the first local authority to move in this direction; it established a committee in June last year. As a member of the State Council of the Australian Bicentennial Authority I attended that meeting which was also attended by the member for Whitford and a number of State and Federal politicians.

The Albany Town Council was the first country local authority to establish a bicentennial community committee. I am proud to say that my electorate of Carnarvon was the first north-west town in which a community committee was formed. We beat Port Hedland by only a few days.

During that time 50 official registration ceremonies have been held, the most recent of which took place at York last night. As a result of the 62 committees now formed around the State, over 900 000 of this State's population are covered by local authorities which are involved in these committees.

Local authorities will play an important role in the celebration of this country's 200th birthday in 1988. Each shire will be eligible for a grant of \$2 000 as well as for \$1 per head of population from the authority. The latter grant

must be matched by the local authority, which must consult with the bicentennial community committee in order to qualify for those funds. In many ways local authorities will have the opportunity to share in the various functions that will be part of this national memorial. They will be able to share in Australia's heritage, environment, and the many multicultural and community aspects of the Bicentennial Authority's celebrations. Funds will be available from both the State and Federal Governments and private organisations for the proposed celebrations.

The bicentennial community committees' principal role will be to coordinate activities in their respective areas. The bases of the bicentennial community committees will be central to the events which will take place in 1988 and local authorities will need to work closely with their respective committees and, as a consequence of this Bill, they will have some legislative backing. I understand that the legislation will offer protection where it is needed and it will make the activities of the committees more effective.

I compliment the Government for including this clause in the Bill and I look forward to the spread of bicentennial community committees across the State and also to a more productive partnership between local authorities and the bicentennial community committees to ensure that the bicentennial celebrations are not only magnificent State events, but also a great 200th birthday celebration for Western Australia.

As a foundation member of the State Council of the Bicentennial Authority which was formed in 1980 I have been delighted with the bipartisan way in which planning has been approached in Western Australia. It has been a great honour and pleasure to be associated with that body. The Government is presently represented on that body by Hon. Kay Hallahan and the responsible Minister, the Minister for the Environment, who are both very closely involved in its affairs. Formerly I represented the previous Government and now the Opposition on that body.

It is unfortunate that the controversy has occurred at a Federal level. It has not been the case in Western Australia. The chairman, Mr Slade Drake-Brockman, who members will recall led the State in its 150th celebrations, and the Executive Officer, Mr Malcolm Murray should be complimented on the way they have led this State towards the 1988 celebrations. The Government and the private sector have also come to the party in respect of important

planning for this event. I am pleased with the way the arrangements are proceeding and I am sure that the bicentennial community committees and the local authorities will play their role in this important event. The passing of this Bill will have a role to play in their efforts.

**MR CARR** (Geraldton—Minister for Local Government) [3.26 p.m.]: I thank the three members of the Opposition who have spoken on this Bill. I appreciate the general support they have extended to the legislation and I might add that it is particularly gratifying to me, considering it is a complex piece of legislation containing a large number of items. Given that there are so many items in the Bill and that the Opposition has seen fit to take issue with only three of the measures is an illustration to me that the Government has been able to address the needs of local government, in general terms, to its satisfaction.

Recently I attended the regular liaison committee meeting held between senior representatives from each of the local government associations and myself. They were similarly very much in accord with the legislation and they also raised only three matters on which they wanted some clarification. Those three points did not coincide with the three points raised by the Opposition today. However, I was pleased that I was able to satisfy the concerns expressed by representatives from the respective associations.

As the member for Karrinyup said it has been a long process to bring the legislation to its present stage. Some of the items have been under consideration for well over two years and some of them were proposed by the various local government associations during recent months and have been included in the legislation.

I am aware that the Opposition has canvassed the legislation fairly widely and has sought to gain comments from a wide cross-section of local government. I think it really proves the point that the fact that there are only three major points of disagreement is something we should be quite pleased about. To go further in the Government's attempts to be cooperative in regard to the views expressed by local government and the Opposition, when we reach the Committee stage I am prepared to concede on one of the three points raised by the Opposition. I will do that not on the strong conviction that members opposite are right and we are wrong, but on the basis that it is a fairly marginal issue. I refer to clause 24 of the Bill which seeks to amend section 280 of the Act to

remove the requirement of ministerial approval before a council can purchase property to hold in perpetuity for council purposes, and enter into leases. This was one of the large number of items requested by the Local Government Association of WA at the time of the controversy concerning the electoral legislation which was put through this Parliament last year. At that time, as part of the agreement that was reached, the Local Government Association put forward a list of between 30 and 40 items from which it wanted removed the necessity for ministerial approval, and this was one of those items.

When studying that item we, as a Government, did not see any reason to object to the request made and we agreed to remove the requirement for ministerial approval with regard to that matter. I acknowledge the point raised by the member for Karrinyup that there is a possible anomaly when comparing that provision with a separate provision relating to the purchase of land for resale. There is perhaps a difference in that if the land is to be retained by the council in perpetuity it has a greater stability attached to it than when councils are able to deal in the process of buying and selling land.

The associations of local government raised with me a possible distinction between the provisions of proposed sections 514A and 514B and I explained to them at the time that it is the Government's intention to undertake a full-scale review of the provisions of the Act that relate to the sale of land for all sorts of purposes. I undertook that any concerns they may have regarding possible conflict between proposed sections 514A and 514B would be addressed at the time of the general review. The best way to deal with the points raised by the member for Karrinyup would be for me to undertake in the Committee stage that I am prepared to join with the member in rejecting clause 24 and leaving section 280 of the Act in its present form on the understanding that when a more comprehensive review is undertaken of the sale of land provisions contained in the Act, we will address that section and relate it to other sections of the Act that may possibly be in conflict with it.

The second substantial point made by the Opposition related to local government engaging in community welfare services. I do not believe the points of view of the Government and the Opposition are quite as far apart as may be interpreted from the expressions of opinion of the Opposition in opposing the

amendments in this area. The reality is that all three spheres of government are involved in community welfare services of one form or another.

The member for Karrinyup referred to a lack of a definition in the legislation as to what are "community welfare services". I do not believe it is possible to define precisely what are community welfare services. We can talk for example about activities in which councils are involved at the moment, such as the building and running of aged persons accommodation. That is a community welfare service. There is no doubt that a large number of councils are already undertaking activities which would fit within the very loose umbrella of "community welfare services". In this Bill the Government has attempted simply to formalise an approval for councils to be involved in those sorts of activities if they so wish.

There have been occasions when councils have asked whether they were entitled to be involved in some sorts of community welfare services, in reply to which we have said that in a strict sense there is considerable doubt as to their right to be involved. However, we acknowledge that a number of councils have engaged in activities in which I do not think too many people would argue that it was not appropriate for them to be involved. We have taken wording from Eastern States legislation and enacted a general clause that permits councils to be involved in community welfare services. That should not be interpreted in any way as an attempt by us to say that local government should get into State Government or Commonwealth Government responsibilities.

The three spheres of Government are actively involved in a whole range of welfare-related matters, and I suppose aged persons' accommodation is a good example in which each sphere is involved at different stages. It would not be hard to list a range of other activities in which all three spheres of Government are involved. There will always be difficulties and arguments as to which spheres should do how much in the provision of each of those particular services. No definition can be put into a Bill to solve that problem and direct negotiation between the three spheres over a period will see solutions emerge. We are trying to acknowledge that local government is entitled to choose to be involved in the provision of services to its constituents if it chooses and that has been stated in the legislation.

The providing of buildings for community welfare services is an extension of the comments I have made with regard to general community services.

Clause 33, which was also referred to by the member for Karrinyup, deals with the provision of premises for commercial activities. The point raised by the Opposition appeared to be on the basis of the privatisation argument that has been advanced recently. I noticed some similarity between comments made on this legislation and those made during the recent debate on the Fire Brigades Amendment Bill. On that occasion it was argued that the Government was enabling a Government agency to become involved in private enterprise to an extent to which it should not, and that private enterprise could perform that activity better.

In response to that, I draw members' attention to the wording in proposed section 514B which makes the very clear point that we are referring to situations in which there is no likelihood of the service being provided if the council did not do so. It is not for the reason put forward by the Opposition; it is not intended to be a measure which provides an opportunity for local government to take part in functions which could be provided effectively and efficiently by private enterprise. It is a recognition that in many cases in Western Australia councils want certain developments to take place in their municipalities which would not be provided under the existing framework. In particular, that applies to country areas of the State and situations in small towns where populations have dwindled, and the local industrial base is stagnant. Such councils seek to encourage a number of small businesses to open in the town to provide a better range of services for the local people.

The argument put forward is that if councils are allowed to build, for example, small factory units and sublet them to small businesses, small businessmen, who could not afford to start up a business in their own right from square one in a country town with a small market, will be able to take advantage of assistance provided by the council to enable them to establish a business and provide a service which will benefit the whole community. That strong wish has been expressed to the Government by a substantial number of country councils. It is a reasonable request and the Government does not consider it to be a threat to the free enterprise personnel who may operate in some other places. The

Government is responding to that wish and I do not believe that privatisation fears really hold out in that case.

In addition to those three main points, a number of other points were made by the various speakers from the Opposition. Most comments were of a positive and constructive nature and I do not need to refer to items that were supported by the Opposition.

I will refer briefly to a couple of questions which were raised. First, with regard to the consolidated roll, I do not think that this Bill contains the ideal solution. It is not ideal to allow two rolls to be used indefinitely and the Government has attempted to find a reasonable compromise. Ultimately we would like to be in a situation of having one roll on which each elector's name appears once only in the form to which that person is entitled to appear, rather than the present situation in which one elector's name can appear on two rolls, but he or she is entitled to vote in only one or the other capacity.

We see that as being less than ideal and we would like councils to move to the stage where there is one roll.

Having said that, I recognise fully the difficulties. We have received a large number of submissions from councils around the State that have pointed out the difficulties they have experienced with regard to matching up information from different computer systems. That is why we are including this provision to enable approval to be given for councils to use two rolls. This was one of the points that was raised by the liaison committee. It sought from me, as Minister, an assurance that measures would be applied with reasonable flexibility. I made it clear to the association that I had no wish to be unreasonable or difficult although I would like to think that each council would make an effort towards progress in achieving one consolidated roll. I think that we have a reasonable compromise in the legislation and we will just have to see how it works in practice next year. I give the assurance that I certainly do not intend to be unreasonably hard on councils that make some sort of effort to consolidate their rolls.

The question of closing the roll at 6.00 p.m. was raised by the member for Karrinyup who indicated a possible distinction between the proposal to close the local government roll at 6.00 p.m. and a proposal in a different piece of legislation to close the State Government roll at 6.00 p.m. I believe that it is consistent to move

to 6.00 p.m. closing for Federal, State and local government elections. That seems to me to be a popular and logical measure to take.

If the Opposition chooses to argue in the upper House that 6.00 p.m. closing for local and Federal Government elections is good and 6.00 p.m. for State Government elections is not, it is up to the Legislative councillors to put their arguments at the time. However, the member for Karrinyup hinted at the possibility that there could be some discussion about that particular measure in the upper House. I would be most curious to hear the logic of councillors' arguments that 6.00 p.m. closing is good for local and Federal elections but not for State elections.

I refer now to the question of the electors' meeting being able to be held before the auditors' report. I take the point made by the member for Karrinyup that probably a lot of councils will not choose to rush to hold that electors' meeting immediately after the financial year and then have a second meeting after the auditors' report is available. The main purpose of this item in the Bill is not so much to provide a new opportunity for councils that might wish to do that, but rather to deal with the situation in which a small number of councils have had serious difficulties in getting an auditors' report within anything like a reasonable time. One might have a situation where an auditors' report has been delayed for several months. I instance the experience of the Wanneroo Shire Council where, because of some difficulties, the auditors' report was received something like 12 months after the relevant financial year. The council was in a situation in which it was not able to hold an electors' meeting and consequently the electors were saying that something was going on; however, the council could not hold an electors' meeting without the auditors' report. Some very unfair comments were made at that time.

The Government believes it is appropriate that there be an electors' meeting at the normal time and that all councils hold those electors' meetings. If the auditors' report is not available, the meeting should go ahead without the need to obtain special approval from the Minister and then a further meeting held once the auditors' report becomes available. This is one of the three matters that has already been raised by the liaison committee members who asked for a 90-day period for the meeting to be held after the auditors' report was due to come

down. We compromised on a period of 60 days which is provided for in the amendment on the Notice Paper.

The member for Gascoyne referred to the bicentennial committees. I think it is only sensible to support his remarks in the context that it is very important that the disturbances which have occurred at a national level in recent weeks should not be allowed to cloud the activities which are being organised within the various communities in this State. It is a very worthwhile cause and a lot of good work has been done. The Government would like to think that the uncertainty caused by the national events will subside as quickly as possible so that everybody can proceed with the job. The Government is hopeful that the provision in this Act will formalise support for the bicentennial committees in a way which should help to raise the status of the celebrations in Western Australia.

A number of other points were mentioned by speakers in this debate but they appear to be in support of the legislation and I do not think I should take the time of the House to elaborate further. I commend the second reading to the House.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (Mr Barnett) in the Chair; Mr Carr (Minister for Local Government) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 41 amended—

Mr CLARKO: Western Australian local authorities have indicated on the basis of the May 1985 election that they are finding it difficult to produce one roll. I understand that perhaps 90 per cent of the councils in Western Australia currently have dual rolls. What factors will satisfy the Minister and allow him to make decisions that councils may continue to have dual rolls? Will the Minister's approach be lenient? I believe that the majority of local government councils would seek to have dual rolls permanently. An overwhelming majority of councils seem to be opposed to having a consolidated roll.

Mr CARR: I think I answered most of the points raised by the member for Karrinyup earlier. It is not possible to set out clearly the criteria that will be adhered to. I can simply say that each case will be dealt with on its merits. I assure the member for Karrinyup that it is not

my intention to be repressive or unreasonable and I feel confident that a satisfactory degree of leniency can be shown.

Clause put and passed.

Clause 4 put and passed.

Clause 5: Section 66 repealed—

Mr CLARKO: Clause 5 will create the situation that councillors will no longer be disqualified for non-payment of rates. This is a very logical situation. It would be crazy to have a situation in which a person who pays no rates is able to remain on a council while a person who for years has paid his rates is suddenly disbarred due to an oversight. It highlights the problems that have arisen in Western Australia as a result of the introduction of adult franchise.

It is a most inequitable situation for a person to be able to be a councillor without having to pay rates. Those people who agree that both residents and ratepayers should have a vote represent one aspect, but to allow a situation where the councillors of a municipality can sit around the table when some of them are ratepayers and others are not, yet all are able to decide on the level of rates to be paid by residents of an authority, is the quintessence of absurdity. While we do not make other changes, that situation will always exist, and it is a ludicrous situation. In cleaning up this matter we will still have the situation where we can have on a council a councillor who has paid his rates and another who has not and therefore this creates another anomaly. The reason this has been brought before us is the introduction of the adult franchise system into local government elections, and particularly the non-debarring of people from becoming councillors if they do not pay their rates. In solving one problem we create another.

Mr CARR: It is true that clause 5 arises from an anomaly brought to light by the passage of other legislation last year. I would not like the comment by the member for Karrinyup to go unanswered when he appeared to be saying that the introduction of the adult franchise provision had caused a lot of problems for local government. In fact, the introduction of adult franchise for local government elections has done wonders for local government. It has been very well received right throughout the State, with only a small number of exceptions. It has given a lot more people the opportunity to participate in local government elections and I see that as one of the major achievements of this Government.

Clause put and passed.

**Clause 6: Section 100 amended—**

Mr CLARKO: The Opposition supports the change proposed to bring forward the closure of the polling booths from 8.00 p.m. to 6.00 p.m. We take note of the comments that many polling booths in the State have virtually no clients after 6.00 p.m. We recognise that it costs councils additional sums of money to have their officers at the booths for the additional two hours. We also see the possibility of many more councillors being declared elected on election night than is now the position, and we think that is a positive factor. We take note of the fact that the Country Shire Councils Association at its conference this year supported this move and that the Local Government Association also supports it.

Mr CASH: While on clause 6 it is important that we note that amendments have been made in recent times to the principal Act which now allows people to cast a vote in local government elections much earlier than they could before. It is because of those amendments last year that the Opposition is now in a position to support the six o'clock closing.

**Clause put and passed.**

**Clauses 7 to 10 put and passed.**

**Clause 11: Sections 157A and 157B inserted—**

Mr CLARKO: This clause empowers councils to delegate a wide range of functions to council officers, and perhaps I should say to senior council officers, because I understand it is only the five key positions that can be involved. Perhaps the Minister could clarify that point for me.

Over the years many complaints have been made about the slowness of municipal administration to act on the most trivial of matters. Councils will often meet just once a month, and if someone with a problem comes in a day after the meeting or even a few days before the meeting when the agenda has already been drawn up, he might have to wait for the matter to be dealt with at the next monthly meeting when the matter could quite probably have been delegated to a council officer. The legislation excludes certain matters from delegation, and that gives the necessary protection we might want.

All those people who believe that time is money will be satisfied by this clause, as will all those people who believe that many citizens are unnecessarily frustrated by delays involving

quite miniscule matters. Over recent years we have seen tremendous increases in the qualifications and experience of our local government officers. Councillors are quite capable of making decisions about which matters should be transferred to those officers.

We warmly embrace this clause.

Mr CASH: Clause 11 delegates authority to officers of local government, and, as I read it, to all officers or to any officer of a council. It is probably one of the most important aspects of this Bill, because for some years local authorities have been pushing very hard for greater powers of delegation to the various officers who serve them. There can be times when a matter has to be resolved by council, and if insufficient material is placed before a meeting a matter can be held over for as long as a month for consideration at the following meeting. At times this can cause matters to take two or three months to be resolved. However, once this clause goes through and the delegation of authority is extended to officers of a council, a tremendous amount of time will be saved by people who must deal with local authorities as part of their day-to-day business. It is therefore a very important clause and is warmly supported by us.

Certain aspects of this clause provide for councils to be able to delegate authority to their officers and those matters are clearly listed in the Bill and generally relate to such things that would normally require a full council to resolve. Some examples are the making of by-laws, the imposition of any rate on rateable property, or the imposition of a minimum rate.

The clause also provides for a new section 157B, and this covers the pecuniary interest provision which will now cover council officers once authority is delegated to them. New section 157B (2) provides for a penalty of \$2 000 for any officer who contravenes subsection (1) which contains the offences, unless the officer did not know and proves he did not know at the material time of his pecuniary interest. So, officers will now be entitled to exercise their authority on a far greater number of things than in the past. But incumbent on them will be a requirement which is already incumbent on councillors to declare their interest in any matter where they may have a pecuniary interest. This is one of the most important clauses in the Bill and I repeat that it is warmly supported by us.

Mr CLARKO: I refer the Minister to new section 157B (2) which talks about an officer contravening the pecuniary interest provision. It says that an officer commits an offence unless he did not know, and proves that he did not know, at the material time, of the interest. That is an interesting reversal of proof. I know that in the Act a similar requirement is made elsewhere of officers but I do not believe it should have a requirement that an officer must prove that he did not know of his interest. I ask the Minister to keep this in the back of his mind and I do not ask that he make a change here.

New section 157B (3) provides a requirement that the officer who finds he has a pecuniary interest shall advise the council in writing and "disclose the interest by reason of which he is prevented from carrying out the duty". I wonder whether that is a requirement to disclose the details of the interest. As I understand it, councillors are not required to disclose the details of any of their interests; they merely say to the chairman or president that they have an interest, and that is sufficient. I do not believe people should be required then to detail their interest.

The Minister and I have a different view about pecuniary interests because I read the Minister's speech of 1984 when he said that he would like to see all councillors provide a list of their interests. The Opposition is opposed to that view and supports the traditional view that where a person takes the onus on himself to express an interest, that is enough. The Opposition would basically support the step where an officer is not required to give the details of his interest.

Mr CARR: I am pleased that the two members have made the point that this is a particularly important clause in the Bill. I certainly also regard the provision of a power of delegation from councils to officers as being of particular importance. It will clearly improve the efficiency of local government in terms of its ability to make decisions quickly. The measure has come about as a result of much work by many people over a long period. I am quite satisfied that this provision contains sufficient safeguards to avoid it getting out of hand, as I suppose is theoretically possible when one talks about delegation.

My understanding is that the authority can be delegated to any officer. It is a matter of the council's judgment to whom it actually delegates the authority.

With regard to proposed section 157B (2) I noted the comments of the member for Karrinyup with regard to the reversal of the onus of proof. I am not quite sure why it is worded in that way, but I am certainly happy to look at it and give it some attention at a later time.

Mr Cash: A penalty of \$2 000 is provided for. Is that up to \$2 000?

Mr CARR: I think the Interpretation Act provides that wherever there is a stated penalty it means that a court may impose a penalty up to that level.

My attention has been drawn to the fact that new section 157B mirrors the provision of existing section 174A relating to pecuniary interest of officers, which was added into the legislation earlier in the year.

The other point raised by the member for Karrinyup related to whether an officer would be required to provide the details of his interest or simply declare he had an interest. It is my understanding that it would be on the same basis as for councillors, where he declares he has an interest, and that is all. If that is not correct I will advise the member.

**Clause put and passed.**

**Clause 12: Section 160 amended—**

Mr CLARKO: This clause will be welcomed by local authorities, which are finding a great deal of paperwork exists when their clerk goes away and the deputy shire clerk, who is not qualified, takes over. Local government welcomes this provision, as does the Opposition.

**Clause put and passed.**

**Clause 13: Section 171 amended—**

Mr CLARKO: In light of the Minister's comments, this clause will not do a great deal for local government as a whole. If it satisfied a few, there is no problem, but it is no panacea.

Mr CASH: I refer to the very important aspect of being able to have the annual general meeting soon after the end of the financial year. You, Sir, would know, as a former Mayor of the City of Stirling, that the City of Stirling held its annual general meeting sometimes many months after the end of the financial year and occasionally into the next calendar year. There were a number of complaints from ratepayers who said that the matters under discussion were so old that they should be waiting for the next annual general meeting to bring them up. This occurs in the case of some of the larger metropolitan shires. It is a very significant change to the principal Act and will assist



councils in holding their meetings at a time when the ratepayers will be able to recognise the matters under discussion at that meeting.

Mr CLARKO: I welcome the fact that the Minister has an amendment on the Notice Paper extending the time from 30 to 60 days. In my examination I found that people were saying, "What happens if we receive the notice on 15 December in a wheatbelt town when there is no-one in the town in the early days of January?" If they receive the notice the day after the monthly meeting they are supposed to hold a meeting in another 30 days' time. They would have to have a special council meeting half way through the month. I think the Minister has made a wise decision to extend the period to 60 days.

Mr CARR: The liaison committee made similar comments to me at our last meeting, and asked for the 30 days provision in the Bill to be changed to 90 days. I considered that was too long and agreed to extend the period to 60 days. That was readily agreed to by the associations of local government which were represented at that meeting. I move an amendment—

Page 9, line 34—To delete "30" and substitute the following—

60

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 14 and 15 put and passed.**

**Clause 16: Section 242A inserted—**

Mr CLARKO: This clause gives councils the power to impound goods under strict conditions. It is a very important point to note that it applies only when street trading by-laws have not been satisfied. The power is being sought, fundamentally, by the City of Perth—in fact I would be surprised if it has not emanated from that source—but no doubt, places like Fremantle in the near future, if not now, would need similar support especially when the America's Cup Challenge is held because it will clarify councils' positions.

The present confiscation power which exists by virtue of section 244(2)(q) requires a council meeting to confiscate goods. The purpose of that power was in respect of people who dumped loads of sand and gravel around the place. Clearly, whatever procedure has been used in the past has not covered the situation properly. The Act does not specify what should be done. The present situation works against

the traders whose goods are confiscated and held, and can be disposed of in an unspecified manner.

The new situation as set out in clause 16 clarifies the position for the council and the street trader. It should be fairer to both sides because they will know precisely what the situation is. I remind the Chamber that the power is only to remove and impound. Only a court has the power to confiscate. This clause deserves support.

I ask the Minister to respond to my doubts about new section 242A (10), and I ask him to contemplate this situation: A street trader is selling Omega watches or goods of that sort. An officer of the council approaches that person and says, "You don't have a licence to do this here." The fellow says, "Yes, I do have a licence." The officer says, "No, you haven't." He says, "Yes, I have." This goes on for a while and the council officer says, "I am taking the watches." He picks up the watches and attempts to put them in the council truck, but he drops the lot on the pavement and smashes them. He returns to the council office and says, "I found Joe Blow selling these watches in the mall and he has not got a licence." Another council employee says, "Yes, he has. He took one out yesterday. You must have missed it." That street trader should not have to bear the financial brunt of the dropping of the tray of watches by the council officer. That is not British justice.

If goods are confiscated it is not good enough to insert this escape clause to the effect that the officer took them in good faith. Under another provision involving a vehicle where it is driven into the nearest lamp pole by the person confiscating it, that person can say, "I took it in good faith," when he should not have done so. The owner of the vehicle is liable for the damage. That onus has been shifted in the wrong way. I am not saying the council officer should be liable—we must certainly protect the council officer—but the council should be responsible for that tray of watches which was dropped and smashed and which was taken when it should not have been taken. The officer took them in good faith—we realise that—but the street trader should not be liable for any loss the dropping of the tray of watches may have caused.

I feel strongly about this matter. The Minister should look at the problem and if he feels there is room for a change in the present wording we may make amendments.

Mr CASH: I also comment on this fairly lengthy clause, the detail of which sets out to distinguish between goods, wares, merchandise and perishables. It draws a very clear distinction between those items because obviously when perishables are impounded they are likely to deteriorate far more quickly than, say, goods, wares, or merchandise may do, given this definition.

It also surprises me that under new section 242A (10) the council is to be absolved from any responsibility when its officers impound goods. It is quite proper in fact to indemnify an officer if in the execution of his duties he is required to impound goods, but it seems that the council has an obligation to take reasonable care of any goods that are under its control, and that reasonable care is really not extended in the present wording of new subsection (10).

For instance, on the recent long weekend a council with which I am involved had occasion to impound a vehicle which was standing in a street. We impounded it at the request of the Police Force. It was taken to the council's yard and during the long weekend someone broke into the yard and removed the four wheels from the vehicle. The owners of that vehicle claimed that the council should have exercised due care in the protection of those goods over the long weekend. The insurance company, in effect, turned around and said that the owner of the vehicle would have to prove that the council had been negligent in the holding of the vehicle in its yard.

That is a very unfair situation in which to put a person. It seems to me that if a council impounds goods it owes a duty of care to the owner of those goods to protect the goods. The present wording of new subsection (10) certainly does not provide for that at the moment. If anything, it tends to work against any person who has goods impounded.

I invite the Minister to comment on that area. If we need to insert a provision that the council must take out an insurance policy to cover impounded goods, I do not see that as being unreasonable. The council has a certain duty to anyone from whom it takes goods.

Mr CARR: I had cause to examine new subsection (10) myself. In fact, one of my parliamentary colleagues drew the same point to my attention. I must admit it is not my favourite provision in the Bill.

I should point out that the question of liability not being held by the council employee or the council itself relates to the period of

impounding; it does not relate to the period when the item has been impounded. Once the item has been removed from the street to a place of keeping by the council I am informed there is a liability on the council under common law provisions.

Notwithstanding that qualification, I am still less than delighted with the provision. It was inserted in the legislation principally to deal with the situation where a council employee, acting in good faith, moves to impound the item and finds himself being resisted strongly by the person who is in possession of the property. In fact, the situation could arise where a struggle takes place and the items can be dropped, and the poor council employee is held to be liable for the damage that has occurred as a result of that struggle. That is the situation we set out to cover. If we have not done it well enough we will have another look at it to see whether we can find words that perhaps make the situation clearer.

I would be inclined to concede that in the particular set of circumstances outlined by the member for Karrinyup the legislation might be less than ideal. I would be happy to have further discussions in an attempt to see whether words can be found to deal more suitably with the situation outlined.

Mr CASH: The Minister said that the council owed anyone from whom it impounded goods a duty of care, and that is well-recognised. However, in the case of the Omega watches, for instance, if the council officer impounded the watches and, say, locked them in a room, it may be argued that by locking the valuables away, the council was exercising its duty of care. But if in fact they were destroyed or stolen it seems that the present wording of new subsection (10) transfers the onus onto the person from whom the goods were impounded to prove that the council was negligent in its actions. That does not seem to be a reasonable proposition.

I am sure that the legislation can be reworded in such a way that should a council impound goods the person who owns those goods knows that he will be compensated for any loss of those goods while they remain in the care of the council, whether or not the council exercises its duty of care which, as the Minister said, it must do under common law.

Mr CARR: Another brief point has been brought to my attention which is perhaps slightly ironical. The 1982 Bill which was brought before this Parliament by the previous

Government included a provision providing for total exemption from liability. I am advised that the present provisions were drafted in an attempt to overcome the particular objections raised at that time in the Legislative Council. I think a key proposal that may provide a solution is that suggested when the member for Mt Lawley referred to reasonable care. If we can find a way of writing in that reasonable care be taken and then that liability not prevail once reasonable care is written in, that may be a solution to the problem. However, I will have the matter examined.

**Clause put and passed.**

**Clause 17: Section 244AA inserted—**

Mr CLARKO: This clause provides the council with power to approve eating facilities in streets and other public places. It is a new situation although I understand that Fremantle City Council allows it now. I understand there has been keen interest in the City of Perth for a long time and probably in other places. I understand restaurateurs have pressed councils throughout Western Australia for the right to approve of these facilities.

I am sure that Western Australia's Mediterranean climate is an appropriate place for these facilities. I think that dining alfresco in the beautiful parts of Western Australia for so much of the year is appropriate. I think this clause will be warmly welcomed by large sections of our community. I understand that, in most Mediterranean climates throughout the world, people eat out this way. Restaurants in Perth for a long time have moved people out of buildings and into their backyards.

Clause 17(6) refers to a maximum penalty of \$1 000 or imprisonment for six months. I question whether imprisonment for six months is an appropriate penalty for a person having a table in the wrong part of a footpath. I happen to be the shadow Minister for Prisons. We continually read about how we should ease up on imprisoning people and the many reasons for not imprisoning people. I think that this would be the least likely reason to imprison someone for six months. I think it is inappropriate.

Mr TRETOWAN: I have not entered the debate so far because I think the Opposition's position has been fully and precisely put by the members for Karrinyup and Mt Lawley. The Opposition intends to be cooperative and not delay the passage of Government business through this House. However, in this case I wish to make a couple of remarks.

I believe this is an important clause. I think it will add a dimension to the entertainment industry. It is a fact that the industry is burgeoning in some areas of the State. I think it is important that we have this kind of facility for tourists as well as for the local population. However, I raise a couple of small concerns.

Firstly, I would like the Minister's assurance that the operation of the proposed section of the Act will require the operators of any such public eating place to comply with the Public Health Act. I think that is important. I think we have to ensure that normal public health requirements for restaurants are maintained.

Secondly, this issue raises problems that are not normally encountered by restaurant owners. One such problem is that of public obstruction. I notice that the Commissioner for Main Roads is required to be consulted before a licence is granted. However, I do not see why, initially, the Commissioner of Police is not also required to give his approval for the licensing of such a public eating place. I imagine that any matter which involves the control of motor traffic and the control of pedestrian traffic would be a matter for the Commissioner of Police. I do not deny that it is most important to gain the approval of the Commissioner for Main Roads. However, this matter also includes the control of public movement. It also involves the laying down of days and times for these licences to be operative. That is another important issue for the Commissioner of Police to consider.

The third matter I wish to raise is almost a corollary of this legislation. The people who seek to operate these public eating places may well seek a change in the provision of the licensing Act in relation to the licensing of these premises. Whereas I support fully the outlining of the amendment before us and the effect it will have to allow greater flexibility in the operation of sidewalk cafes, it is a different matter when considering the licensing Act.

Important legal arguments make it extremely difficult to licence businesses on public streets. One is the provision in the Act for public drinking. I am sure the Minister for Police and Emergency Services will be aware that this is an important flexible power for the police to be able to avoid circumstances which have occurred in other States. I refer, particularly, to Glenelg in South Australia and to other matters that have arisen, and particularly the complicated legislation that was introduced to prevent public drinking. It raises problems of control of such street areas. A licensee is required to

preclude certain persons from licensed premises and to be able to refuse to serve people. He can also require the police to remove people from licensed premises. That may be extremely difficult from a facility in a public street. The question of where the rights of the individual lie becomes extremely complicated. I sound that as a warning.

It may be correct for people to assume automatically that this will become a part of the Local Government Act and authorise the use of public streets for restaurant purposes. It should not be automatically assumed that the liquor licensing of those premises will be undertaken. It will have to be looked at very long and very hard. I hope the Minister considers the position of the Commissioner of Police in any licensing of these facilities. His input will be valuable to ensure that there is maximum smoothness both for those wishing to supply this service, those people who wish to use the service and those people who have a right to move freely through such areas.

Mr CASH: Firstly, I wish to say again that I support the provisions allowing local governments to make by-laws for public eating on streets. I am interested in who will be responsible if someone falls or for other accidents which may occur as a result of equipment or chairs being placed on a public street which has been set aside for use by a restaurateur.

Mr Clarko: He will be imprisoned for six months.

Mr CASH: I see. Perhaps the Minister may wish to comment on that. New subsection (4) of this clause sets out the need to go to the commissioner to seek the approval for the use of a main road before the council can make the required authorisation. The clause does not say what will happen if the Commissioner of Main Roads does not approve the plan within 21 days or refuses it within that time. Perhaps the Minister will be good enough to clarify the situation.

### *Progress*

Progress reported and leave given to sit again at a later stage of the sitting, on motion by Mr Carr (Minister for Local Government).

## **PASTORAL INDUSTRY: KIMBERLEY**

### *Joint Select Committee: Motion*

Debate resumed from 9 October.

MR McIVER (Avon—Minister for Lands and Surveys) [4.32 p.m.]: I take this opportunity to reply to the motion moved by the

member for Vasse and seconded by the member for Gascoyne. The motion relates to the purchase by Exim Corporation of the Emanuel leases. In replying to this debate, I will adopt a far different attitude from that taken by Opposition members. I will place the matter in perspective so that members of this House can be informed of what transpired. I will place on record once and for all the fact that the Government of Western Australia in no way placed itself in a scandalous position, as claimed by the Opposition.

I was delighted when I first heard by way of the media about this motion. I thought the member for Vasse may put before this Parliament a motion which would assist the pastoral industry in the Kimberley. I looked forward to that motion with enthusiasm because I thought that the Opposition, for once, would support the Government to restructure the cattle industry. That industry is a vital one and very important to the Kimberley. Members can imagine how disillusioned I was, as Minister for Lands and Surveys and the Minister responsible for the transfer of leases and for the pastoral industry generally, when that motion was introduced. I did not realise that the Opposition would use it as a vehicle for character assassination. I will put the record straight. I trust that at the conclusion of my remarks, the member for Vasse will accept what I have said and apologise to me and to the Premier for saying that we misled the Parliament and told lies in this House.

I am disappointed that the member for Vasse, with whom I have always had a very good rapport both within this Chamber and within his electorate, would have used such terms. His case was long on rhetoric and short on fact. Before presenting his case, he should have approached Mr Emanuel and discussed the matter with him either by letter or by phone. There would then have been no need for this motion to have been brought before the Parliament. What has been said is hogwash, rubbish and nonsense; it was said to claim a headline and, as I said, was a case of character assassination. I assume that such an exercise will not be repeated in the future parliamentary career of the member for Vasse.

The terms of the member's motion are set out on the Notice Paper. It can be seen that the motion asks for investigation into a number of matters which are set out in paragraphs (a) to (f). It could have been expected that the member would speak on those matters, but we heard very little about them. We heard ramblings

about everything from Bungle Bungle to Ayers Rock. I would like someone in this House to convince me of how Ayers Rock—irrespective of recent Federal Government action—and the State Government's intentions with respect to Bungle Bungle relate to the subject matter that was before the Chair that evening; namely, the member's motion. I do not know how Ayers Rock could in any way be relevant to the purchase of the Emanuel leases.

The member's motion had a number of points. He referred to my answer to his question without notice 1011 of 16 April this year, the Premier's statement that \$1 million had been given as a down payment for the purchase, and to wasted money and the loss of the taxpayers' funds through the State Government's purchasing these leases; further, he claimed that I as the Minister for Lands and Surveys was unaware of the proceedings. He referred also to the autonomy of Exim, the Aboriginal involvement and perhaps to a future Aboriginal involvement and to the fact that no Government committee or representatives were involved with the situation in the Kimberley today. I am sure that members will agree with me that nowhere in his statement—except for my answer to question 1011—did he refer to the terms of his motion.

The motion was ill-conceived and lacked any substance to support it. Let us consider it step by step. The member rambled over all sorts of ground, covering matters which had nothing to do with the fundamentals of the motion. I think that what has really upset the Opposition is its realisation that the current Burke Labor Government is doing something about the pastoral industry, with emphasis on the cattle industry in the Kimberley.

The counter argument is that the Opposition knows full-well the rapport we have at present with the pastoralists in the Kimberley region and the cooperation we are receiving from them. I do not know whether this motion was conceived in the party room or by the Opposition spokesman on land matters himself. It was certainly a very poor effort. I am sure the Opposition will be embarrassed by this move.

For years the deteriorating condition of the pastoral industry in the Kimberley has been of great concern, not only to the pastoralists, but also to many people in Western Australia. The figures I quote exemplify the decline of the cattle industry. The total herd size has slipped from over 800 000 head to about 500 000. Many of the transfers which have taken place have resulted in the depletion of herds on indi-

vidual stations. Very little benefit to the industry has resulted from the activities of many investors, either from overseas or from other parts of Australia, who have been in and out of the Kimberley in quick succession.

It is sad that many of the stations have fallen into physical decline with inadequate maintenance of improvements, let alone any significant advance in existing improvements.

Mr Old: What are you doing?

Mr McIVER: Just a moment. I understand the member will be contributing to the debate. Hear me out; I shall cover that point. As my speech unfolds, I will indicate what this Government is doing. It is taking a positive attitude to the Kimberley. Members must be patient.

It must also be remembered—and this is what Opposition members have failed to recognise—that Mr Emanuel is the lessee of those stations. This is a family which has been in the cattle industry for over 100 years. Do members think that a man of Mr Emanuel's integrity, with his knowledge of the industry, would want these stations to go to anybody, irrespective of the money? If \$25 million were paid for the purchase of the Emanuel concessions—

Mr Blaikie: What about \$11 million?

Mr McIVER: Irrespective of the figure—even if it were \$100 million. With his knowledge and love of the cattle industry, Mr Emanuel wanted those stations to go to someone who he knew would look after them; to someone with some background in the Kimberley industry, who would not strip the cattle from those stations, and rape the land.

The Emanuel cattle in the Kimberley area play a vital role, particularly in the meatworks, with emphasis on Broome. This year they accounted for over 90 per cent of the throughput of the Broome meatworks. With his sound knowledge of the Kimberley and of the industry, I am sure the member for Kimberley would support me; if these leases went into the wrong person's hands, irrespective of the money, there could be a disaster.

The other main point, a very important one, is that Mr Emanuel was the person who approached the Government. Neither Exim nor anyone else approached Mr Emanuel. And he approached the Government for the reasons I have outlined. The transfer of the leases, as I shall explain, was a normal transaction as with any other pastoral lease in the Kimberley region, or anywhere else for that matter.

There was nothing scandalous about this transaction, as I shall relate. These are the key factors I want the Opposition to remember: Firstly, Mr Emanuel approached the Government, and it was on his insistence that certain moneys were paid to people who had been involved.

Mr Old: Did he pay that money?

Mr McIVER: No, it was at Mr Emanuel's insistence that compensation be paid. What is sinister in that?

Mr Blaikie: Why did they need to be compensated?

Several members interjected.

Mr McIVER: Just a minute. I never interjected on the member, I gave him a fair go.

Mr Blaikie: Why were they compensated?

Mr McIVER: Because that was one of the conditions of the sale.

Several members interjected.

Mr McIVER: As I have just explained, I do not want to be offensive to the person involved. No wonder the member gets his questions mixed up; he does not know how to ask a question. He rushes in where angels fear to tread.

How would members feel if their families had been involved in a place for 100 years and Joe Bloggs wanted to buy the place because he had \$100 million and he wanted to sell the cattle and rape the land? How would members like to see that after they had built up the land for 100 years?

Mr Court: Who was going to rape the land?

Mr McIVER: A person who might have applied. As members know, Mr Packer came over to try to negotiate with Mr Emanuel. Mr Emanuel was not interested in Mr Packer's money.

Mr Laurance: Did he get a sling too?

Mr McIVER: If we are to debate this seriously, let us debate it seriously, as we did the other night. If members want to make it a puppet show I can easily accommodate them.

Mr Laurance: There is a worry about an agency receiving \$90 000 for a sale.

Mr McIVER: Who received \$90 000?

Mr Laurance: Elders.

Mr McIVER: Whoever gave the member that information?

Mr Laurance: The Premier did.

Mr Old: We will come to that.

Mr McIVER: All right. The main situation is this: Do members agree that Mr Emanuel should have sold these leases because of the money involved? With a man like Mr Emanuel, knowing the situation in which he was placed, the answer to that would be "No." The answer to the other point would be, of course, he did not say he approached the Government so that he would be placed in a situation where those further leases would be looked after and the industry cared for as well. Those are the two main points.

Several members interjected.

Mr McIVER: Really, there is nothing to answer in this debate. However, I want to place the facts on the record for ever more so that we can qualify what transpired between the Government and Mr Emanuel.

Several members interjected.

Mr McIVER: Members have made their speeches.

The SPEAKER: Order!

Mr McIVER: To take this situation a little further, it was most necessary, if the Government were to do anything effective about the reconstruction of the pastoral industry in the Kimberley, to maintain what the Emanuel family had built up. There can be no dispute this constitutes a substantial concern within the Kimberley. The Government is anxious to ensure an orderly stocking programme is undertaken in a country which, for all practical purposes, has been destocked.

We must take a long-term view. A responsible attitude must be adopted which balances short-term profitability with long-term development, and that is what has been done.

Mr Laurance: That is ballyhoo which has been written for you. You know it is not right.

Mr McIVER: It was in order that this balance might be maintained that the Government decided upon the acquisition of the Emanuel leases. It was also important that the reconstruction programme should be guided by sound commercial principles. The Government made the decision to facilitate the purchase of this station by the Exim Corporation subsidiary, WA Livestock Holdings Limited.

Control of the operations of the stations and the work towards their improvement and ultimate subdivision was then put in the hands of a group of commercially-aware and responsible Western Australians who constitute the board of Exim and of the WA Livestock Holdings subsidiary.

Mr Court: Keith Gale is doing that job, isn't he?

Mr McIVER: Keith Gale has been commissioned by Exim to be a part of the situation involving the Emanuel leases.

Mr Laurance: I watched you in Opposition for nine years. If you saw a payment to an agent of \$90 000 for a sale it did not effect, I know you would have jumped up and down when you were in Opposition.

Mr McIVER: Things have changed.

Several members interjected.

Mr Laurance: This is a very serious matter.

Mr McIVER: Does the member for Gascoyne not think that Mr Emanuel would have considered all offers made to him, irrespective of who were the interested parties? The results of his business acumen are there for all to see. It is unlikely that he would have considered the sale of his pastoral business without due regard to all of the considerations involved in the sale, considerations which I have condensed and elaborated on.

Mr Laurance: When did you approve the transfer to Exim?

Mr McIVER: I will deal with that. I will not deal with all the ramblings of the member for Vasse, who ranged far and wide, because I do not want to bore the House.

Mr Blaikie: Just explain why the \$90 000 was paid.

Mr McIVER: It comes to pass that the challenge by the Opposition is that there was a waste of money, loss of taxpayers' funds, and a Minister unaware of proceedings. Let me deal with that now.

In question without notice 1011, the member for Vasse asked me about the division of the Emanuel leases. My reply was that nothing had been determined. That was correct; it still has not been determined. It will be a long time down the track before it is determined. There is a tremendous amount of work to be done by many people. The member for Vasse made a great song and dance to the effect that I had misled this House and told lies to the Parliament, and he said the same of the Premier because the Premier had said that \$1 million had been paid for the purchase of the Emanuel leases. That is absolutely correct.

Let us take it in sequence. As the member for Vasse would know, I set out in writing to him replies to all his requests. I explained what happened on the respective days in relation to the purchase of the Emanuel leases.

Mr Laurance: As Minister for Lands and Surveys, you have to approve any transfer. You said there had been no determination.

Mr McIVER: Do not be so impatient.

Mr Laurance: You said no decision had been made.

Mr McIVER: That is right, that was on the subdivision of the properties. I was not talking about transfers, and the member for Vasse did not ask me about the transfer of the leases. He asked me about the division of the Emanuel properties. If the member for Vasse cannot phrase his questions in the Parliament properly, that is not my fault. I replied to the member for Vasse's question.

Mr Laurance: That is fair enough.

Mr McIVER: I am glad the member accepts it. I have only 11 minutes remaining, so please bear with me.

On 27 September 1984 Emanuel wrote to the Minister requesting permission to offer all four pastoral leases for sale. On 25 October 1984 the Minister signified his approval for the Emanuel properties to be offered for sale. On 30 January 1985 the solicitors for WADC, Robinson Cox, put initial proposals to the Under Secretary for Lands for the purchase of leases by WA Livestock Holdings Limited. On 6 March, 1985 final proposals were put to the Under Secretary for Lands by Robinson Cox.

To answer the member for Gascoyne, on 7 March 1985 the Minister approved of WA Livestock Holdings Limited purchasing the issued shares in the Emanuel companies associated with all four leases. On 30 July 1985 share dealings were approved by order of the Minister for Lands and Surveys.

That is a rundown of what transpired. If anyone in this House feels that the Department of Lands and Surveys, and me as Minister responsible for that department, in some way entered into a deal or some skulduggery with anyone, there is the evidence to disprove it.

The statements made by the member for Vasse are entirely false. He asked question without notice 1011 on 16 April, when I had given approval for those leases in March.

I wish to raise a further point, and that is that there has been a lot of humbug about the committees in the Kimberley.

Mr Laurance: But you told the Parliament there has been no decision. Now you say a decision has been made.

Mr McIVER: A decision has definitely not been made. As I pointed out, and as the member for Gascoyne—a former Minister for Lands and Surveys—should know, when a final determination comes before the board it will make the recommendations and the final determination will be made by me as Minister in relation to the general concept that the board puts forward. That is what always happens and there will be no change. In connection with the Emanuel leases, we have the same staff. The brandings this year have been fantastic, adding to the value of those properties.

I make the point that the guilty party in all this has really been consecutive Liberal Governments. Opposition members have spoken a lot about absentee landownership but the worst offenders have been former Liberal Governments. They did not have the guts to force a forfeiture of leases when they should, because they were frightened of losing votes.

Mr Court: Are you saying they should have forfeited the Emanuel leases?

Mr McIVER: I am talking of leases where the land was raped and the cattle stripped, and the leaseholders did not in any way abide by the provisions of their leases. I am talking about Liberal Governments over a long period. The Liberals were the culprits—the cause of the decline of the Kimberley industry. The Liberals are the guilty ones because they did not have the guts—they were frightened of losing votes and a seat in that area. They did not carry out recommendations in reports by pastoral inspectors; the reports were cast aside and never acted upon. That is a fact. That is what happened in relation to the pastoral industry, and that is why it is in decline today. It needed a Government such as we have today that has the courage and fortitude to put things in perspective. We will show that without question our decisions are beneficial for the industry.

The other point made by the Opposition; namely, that there was no Government involvement or any involvement by Government departments, is not true. Of course there was involvement. The Opposition once again shows its lack of knowledge.

In earlier debate on this matter the other evening, the Opposition placed emphasis on the consulting body, which was implemented by Exim. Exim invited all those people mentioned. The Opposition made a great song and dance of the involvement of Stephen Hawke. I do not know Stephen Hawke—I have

met him only once for 15 minutes and I do not think he was too impressed with me. However, I made things quite clear to Mr Hawke on the questions he put before me.

In respect of Aboriginal involvement, as the Premier clearly indicated the other night—and at Derby; he did not try to make a secret of it—if Aborigines have a case, if they have the money and the know-how, we will consider a station being made available to them.

That has always been my attitude if I received such a case. As far as the Kimberley is concerned, we have had the Jennings report and the report of the Department of Agriculture officers; there has also been the interdepartmental committee report, and there are men like Lou Kelly and Mr Guyton from the Kununurra area and other officers who are also monitoring the actions of the consultative committee. So there have been a dozen-and-one inquiries into the Kimberley, yet the Opposition has the temerity and audacity to want another. As the Premier rightly said at the outset of his remarks, there will be no inquiry.

The \$6 million was granted to the State Government for reconstruction of the Kimberley pastoral industry—the whole of it, not for Aboriginal groups as was emphasised the other night.

Mr MacKinnon interjected.

Mr McIVER: The King of the “Juicy Fruit Cooperative” had his say the other night. I noted his remarks which were most rude. He said I would not have the ability to handle this matter. He has made me more determined than ever to make it work. When this decision is made on the Emanuel leases it will be a black mark against the Opposition for its obstruction. I invite the Deputy Leader of the Opposition to name the time and place and the subject and I will publicly debate any issue with him at any time.

In relation to Exim I do not know why the Opposition wants to conduct a character assassination on men like Brian Easton who has proved his worth in the field of commerce and as an efficient businessman. It can only boil down to jealousy and the fact that the Opposition did not think of this proposal to have an agency like Exim.

There is nothing worrying about the figure of \$6 million. That money will be going to restructure not just one facet of the Kimberley, but the whole of the Kimberley generally. It will be to the benefit of the people who live there.



Mr Court: You would not know what happened to the \$6 million. It goes to Exim and it can do what it likes with the money.

Mr McIVER: That has been explained by the Premier.

It has given me great pleasure to reply to this motion. There is no substance to it; there was nothing to answer, and I hope that as long as I am the Minister responsible for my departments, any measures which come before me from the Opposition are as easy as this one has been.

It is time the Opposition opened its eyes and tried to cooperate and looked at the situation in a proper perspective. It should not continue to knock; it should try to do something for the people whom the Liberal Party represented at one time. I am thinking back to the time of Alan Ridge and Bill Withers. I hope in the future I do not hear from the member for Vasse that I have lied to the Parliament and misled the Parliament. I join with the Premier in saying that we do not agree to any part of the motion moved by the member for Vasse.

MR OLD (Katanning-Roe) [5.05 p.m.]: I have listened with interest to the Minister's reply, and while I do not think it answered most of the questions which were raised I appreciate the Minister's sincerity. I am quite sure that whatever he has done within the parameters of his portfolio he has done genuinely. However, the questions which were prompted by the vitriolic address by the Premier have not been answered. It is up to somebody on the other side of the House to answer those questions which this motion has raised.

Mr Court: Why does the Premier always get up first to speak on these subjects?

Mr OLD: So he does not have to speak later.

The Premier is obviously very reticent to talk about the conditions laid down by the Commonwealth Government for the expenditure of \$6 million made available to the State to assist in the purchase of the Emanuel leases. He would not fool blind Freddy by saying there were no conditions because the conditions were clearly enunciated in the Budget papers.

When we last debated this matter the member for Gascoyne quoted from Budget paper No. 1. In that paper it mentions that an outlay of \$6.1 million to Western Australia is primarily as a result of a one-off grant, and went on to say that the objective was the purchase of leases in the Kimberley area to restructure holdings, to create a number of more viable properties, maintain cattle production, support abattoirs

in the region, and provide an opportunity for Aboriginal groups to purchase one or more of the new properties. Strangely enough, the same matter is addressed in Budget paper No. 7. It says a capital grant of \$6 million was provided to Western Australia in 1984-85 to assist in the restructuring of the pastoral industry in the Kimberley region. It goes on to say the funds are being used for the acquisition and redevelopment of a number of pastoral properties, to enhance production, assist in disease control, and provide scope for increased Aboriginal participation in the industry. How the Premier can say no conditions were attached to the grant is beyond my comprehension. It is quite certain that that zealot, Mr Clyde Holding, would not have let \$6 million be allocated to Western Australia from Aboriginal funds for the purchase of pastoral properties without laying down some fairly stringent conditions.

We have not seen the end of this debacle yet, but it will not be long before it is straightened out—it will be after the next election. The Prime Minister's son, Mr Stephen Hawke, who doubles as an adviser to the Marra Worra Worra Aboriginal Corporation, has made submissions on behalf of that organisation for 45 per cent of five stations that the Government is proposing to subdivide into smaller holdings. Of course the Premier will resist that very strongly, as will the Minister for Lands and Surveys, until they are reminded by Mr Hawke's father that he happened to put in that \$6 million to assist his son in his job with his community.

We are yet to see the result of the subdivision of very valuable pastoral properties in the Kimberley. There is a limit to the size of a property which can be classified as viable in the Kimberley. I do not believe enough work and research has been undertaken to decide how many properties can result from the division of the Emanuel leases. Of course, there are other leases which will not be mentioned today because they are the subject of some litigation. The Premier when he was speaking in Derby on 10 April this year, responding to a question said the Government had already paid a deposit of about \$2 million on the Emanuel group of stations. He said the ALCCO leases would be forfeited which would bring the number of leases controlled by the Government to eight. The Premier also allayed fears that the lease acquisitions were a camouflage attempt to obtain land for Aboriginal use; he said the colour of the people would not count. That sounds

trite. He said that the viability of the industry is what the Government will be paying tribute to.

We will wait and see just how genuine and how honest this Premier is in his undertakings to the pastoral industry. He will need to be a darn sight more honest than he was in the House last week when the member for Gascoyne suggested that there had been a payout to Elders and Mr Hodgson to compensate them for the fact that Mr Hodgson had made an offer on the property which was annulled by the Government. The Premier called upon the member for Gascoyne to go outside and repeat those assertions. In his usual polite manner he told the member for Gascoyne that he had no guts when he would not go outside?

Mr Bertram: He would not go outside?

Mr OLD: No. However, the next morning, the Premier who had hotly denied in this House that any money had been paid, suddenly found out that he had signed a cheque or two. He said that Exim made the payments because Mr Emanuel had engaged an agent to sell the properties. A condition of sale to Exim had been that Exim had to discharge Emanuel's obligation to a private buyer prior to obtaining the properties. The Premier said that there was no hint of scandal or anything illegal about the transaction, which had followed normal commercial practices.

The Premier said that there had been no scandal or illegality in the purchase of the Kimberley pastoral leases. He is quoted in *The West Australian* as saying that Exim had paid \$90 000 to Elders and \$4 000 to a man named Hodgson to enable Exim to buy the Emanuel properties.

If the Premier has any guts, as he likes to put it, he should stand in this House and apologise to the member for Gascoyne. We know the type of man he is not. Therefore we do not expect that he will do that.

An amount of \$94 000 was paid by Exim to try to appease a company and a man who had already entered into a deal, and the Minister for Lands and Surveys then tries to tell us that that was at the request of Mr Emanuel; he did not want Mr Hodgson to have his properties. I do not believe that is correct. I do not believe the Minister for Lands and Surveys is telling us the entire truth.

Unfortunately, the Minister has left the Chamber. However, he made great play about the fact that, by Exim buying the Emanuel leases, it was able to keep the meatworks in

Broome operating. I am very pleased that it is doing this because I had some reservations. I asked questions of the Premier about the number of cattle and percentage of turn-off from the Emanuel leases which was going to the Broome meatworks and the percentage which was going to Midland. We knew that Emanuel cattle were going through Midland. I am delighted to hear the Minister say that 90 per cent of the turn-off of the Emanuel leases had gone to the Broome meatworks, and long may that continue.

If this Government goes ahead with its desire to sell off the farm to overseas investors, as it is with Ord River Station, we will find that there will be no northern meatworks. The joint venture with Sarawak will have a tremendous effect on the northern meatworks. If Western Australia ends up without a northern meatworks, perhaps the member for Kimberley will tell us how the pastoral industry will survive. I think the Government should take care about these matters before it begins allowing overseas investors into our pastoral properties and to export live cattle. In other words, the arrangement is of no value to Western Australia.

#### [Questions taken.]

*Sitting suspended from 6.00 to 7.15 p.m.*

Mr OLD: I do not take a tremendous amount of comfort from the fact the Government has been totally involved pastorally in the Emanuel leases or from its endeavours to steal some leases which it is trying to resume. Obviously Ord River has faded into obscurity for a while.

I wish to make a couple of points about the Ord River regeneration area and Ord River Station. That country is very fragile and it seems the Government is prepared to play Russian roulette with it. In case the Government has not been informed—I am sure it has—there is in the order of 370 000 hectares of country involved in the Ord River Station which is considered to be fragile and on which it is necessary to take some remedial action not only to stop erosion but also to bring that country back into production. I feel quite sure that the Minister for Agriculture will be aware of the work that has been done on the Ord River regeneration area because he was Minister during a period that the regeneration—I was going to say was at its height but I do not know whether it has yet reached its height—was under way. I feel sure he must have felt some anxiety when this matter was brought up in Cabinet. He must have felt that

all of that work would probably go down the drain. We cannot afford that to happen not only from the financial point of view, but also from an environmental point of view and from the point of view of Lake Argyle. I know that Lake Argyle does not hold much value in the eyes of the Government. However, I can assure the Government that it will be a very valuable asset to Western Australia in the not-too-distant future.

It will be necessary to retain Ord River Station in its current state. To do this we must continue with the research on the station, and on the regeneration area. If that is upset in any way, this Government will stand condemned.

I understand the Government had ideas of relocating the research station to Meda Station. If that is the case I do not think it has done its homework because the cost of relocating the research station would be astronomical. If the Government has any commercial sense at all, which I doubt, it will decide not to go ahead with something that will not only be detrimental to the north but also will be costly. What sort of money will it receive from the Sarawak Government to enter into the joint venture?

Another problem which has been overlooked by the Government is the fact that, due to very energetic representations on the part of the previous Government and the then Director of Agriculture who is a member of the Commonwealth Scientific and Industrial Research Organisation research committee, sizeable grants were obtained from the Australian Meat and Livestock Corporation to assist in the research relating to the beef industry and regeneration of the Ord River area.

The AMLC invested something in the order of \$250 000 in that research. From the research funds, which belong to the beef producers of Australia steps were taken to ensure that the station continued as a research facility and as a regeneration area.

I can tell by the interest shown by Government members that they do not care whether or not the Ord River Station goes down the tube.

Mr Gordon Hill: We listen to every word you speak.

Mr OLD: I am referring to the Minister for Agriculture and the Minister for Lands and Surveys.

Mr Gordon Hill: They are listening also.

Mr OLD: It does not really matter. It seems an exercise in futility for the Government to enter into the joint venture exercise on which it has embarked.

I have asked several questions of the Premier, but I have received very few satisfactory replies. It is a puzzle not only to the Opposition, but also to the pastoral industry generally and probably to some people in this State who are interested in this matter, as to where Mr Keith Gale fits into the scheme of things. As I said I asked a series of questions of the Premier and of several Ministers to try to establish just what activities Mr Gale was involved in. In all fairness I must advise the House that I do not know the gentleman so that when allegations are made about character assassination I have said nothing that would impinge on Mr Gale's character.

I have asked a series of questions in this House in an endeavour to find out exactly where Mr Gale fits in. When all is said and done the Premier received quite a rebuff when he tried to appoint Mr Gale to the position of Chairman of Exim Corporation.

Mr Parker: He did not try to do that. He did not try to make him anything.

Mr OLD: I ask the Minister for Minerals and Energy the reason that an opinion was sought and an opinion was given from the Corporate Affairs Office about Mr Gale's activities.

Mr McIver: What have you got against Mr Gale? Is it because he served a gaol sentence?

Mr OLD: No.

Mr McIver: He is a consultant.

Mr OLD: To whom?

Mr McIver: To Exim.

Mr OLD: And the Government.

Mr McIver: Exim is an agency of the Government.

Mr OLD: Exim is separate from the Government. The Premier has made that very clear. It is a commercial proposition and the Premier cannot answer any questions about the activities of Exim. To whom is Mr Gale a consultant?

Mr McIver: He is a consultant to Exim.

Mr OLD: Is he a consultant to the Department of Premier and Cabinet as well?

Mr McIver: No, definitely not.

Mr OLD: That is all right.

Mr McIver: You have been hammering this for weeks. You have put the boots into Mr Gale.

Mr OLD: No, I have not. I do not know him. I am trying to find out his relationship with the Government. He has been at the Midland abattoir inspecting cattle from the Emanuel leases and he has been strutting around with his ten-gallon hat on.

Mr McIver: He is part of Exim and part of the package to get the Emanuel leases into gear. There is nothing wrong with him. He is doing a good job. You keep hammering him.

Mr OLD: I am not hammering him. I have been asking the Premier a series of questions and he has been avoiding them with his usual soft shoe shuffle. I am pleased to hear that Mr Gale is not a consultant to the Department of Premier and Cabinet.

Mr Read: Why did you say he strutted around?

Mr OLD: I will tell the member for Mandurah when I read the Press release.

Mr Read: You said he strutted around, which gives the impression that he believes he is important. That is an emotive statement and it reveals that you dislike the man.

Mr OLD: If I were the member for Mandurah I would keep quiet until I come to the Press release.

Mr McIver: As a former member of the National Country Party it surprises me that you did not know him. I assumed that you would know all about him.

Mr OLD: I do not know anything about the man except what I heard about him when he came to Western Australia and was debarred—

Mr Read: Who said he strutted around?

Mr OLD: The member for Mandurah can speak after I have finished. I am sure the Speaker will give him the call. When I come to the Press release I will read it out for the benefit of the member for Mandurah.

Before I do, however, I would like to read a series of questions which I asked of the Premier so that we can see how they tie in with this matter. On 21 August I asked the following question—

What is Mr Gale's official title in Exim?

The reply was as follows—

Mr Gale has no official position within Exim. He is a consultant to the Department of Premier and Cabinet.

That is rather interesting.

Mr McIver: He probably was at that stage. What is wrong with that?

Mr OLD: The Minister for Lands and Surveys said that he was not a consultant to the Department of Premier and Cabinet, but I will not worry about that.

Mr McIver: What date was that?

Mr OLD: It was 21 August.

Mr McIver: That was a long time ago.

Several members interjected.

Mr OLD: He is not in politics—we are talking about Mr Gale.

On 17 September I asked the Premier the following question—

As *The West Australian* of 10 September refers to Mr Keith Gale as Chairman of the West Kimberley Pastoral Reconstruction Committee and adviser to Exim, does this not indicate that Mr Gale holds an official position within Exim?

The answer was as follows—

Mr Gale has no official position with Exim. He is an independent consultant who supplies certain advisory services to Exim.

Mr McIver: What is wrong with that answer?

Mr OLD: Nothing, but Mr Gale is now a consultant to Exim and to the Department of Premier and Cabinet.

Mr McIver: You asked a question in August and it is nearly November.

Mr OLD: It was question 717 of which notice was given on 19 September. It appears in *Hansard* of 24 September.

Mr Read interjected.

Mr OLD: I am very pleased I am. The member for Mandurah will not be in the Labor Party soon. I ask members to be quiet because I want *Hansard* to hear all this. I asked the Premier the following questions—

- (1) Does Mr Gale occupy an office which is part of space allocated to the Department of Premier and Cabinet?
- (2) Are the costs of Mr Gale's office met by the Government?
- (3) If "Yes" to (2), is he an independent consultant, or an employee of the Government?

The answer was—

- (1) No.

(2) Administrative costs associated with Mr Gale's office are met by Exim Corporation Ltd.

(3) Independent consultant.

We now have Mr Gale in three roles. In question 948 of Wednesday 9 October I asked whether Mr Gale was Chairman of the West Kimberley Pastoral Reconstruction Consultative Committee. I further asked what remuneration he got if he was such. The Premier replied—

The committee is an honorary advisory committee. All members are unpaid.

In question 950, again of 9 October, I asked—

What are the duties and responsibilities of "independent consultant" referred to in the answer to question 717 (3) of 19 September 1985, and what costs and conditions attach to those duties and responsibilities, including amongst other things transport, travel, and accommodation, additional to office accommodation?

The reply was as follows—

To advise and assist as required under the terms of his consultancy. The details concerning outgoings by the Western Australian Exim Corporation in respect of arrangements with its employees and consultants are of a commercial character.

Exim is now completely divorced from the Department of Premier and Cabinet.

Again on 9 October in question 947 I asked—

With respect to his answer to question 717 (1) of 19 September, concerning Mr Keith Gale's office—

- (a) where is Mr Gale's office or offices;
- (b) what Government department, agency, corporation, or organisation is responsible for providing the office space used by Mr Gale?

The answer was—

- (a) Mr Gale's principal office is at the corner of Vulcan and Bannister Roads, Canning Vale;
- (b) not applicable.

On 15 October I asked—

How many offices does Mr Gale occupy, and what are their locations?

The answer was—

This is a matter for Mr Gale.

The answers are now becoming a bit cagey. Also on 15 October I asked the Premier where the officers of Exim Corporation Ltd were located. I was told that they were on the 21st floor of the City Mutual Tower. Again on 15 October I asked the Premier—

- (1) Does Mr Gale, described in his answer to my question 717 of 1985 as an independent consultant, occupy an office on the 14th floor, City Mutual Tower building?
- (2) If "Yes", please advise on what basis an independent consultant occupies space leased to the Western Australian Government?

The answer was—

- (1) and (2) Mr Gale's office address is stated in parliamentary question of 947 of 9 October 1985.

The answer to question 947 was that which gave the address as that in Canning Vale.

I come now to the Press release that the member for Mandurah has been waiting for. It is a profile of Mr Gale which was published in *The Western Mail* of 14 September to 15 September. It states—

The mighty don't always disintegrate when they fall, even from the dizzy heights.

Living, breathing proof that some bounce right back again can be found in a modest 14th-floor office of the CML building in downtown St George's Terrace a short lift ride below Premier Brian Burke's domain.

A very basic name plate on the door identifies the 51-year-old survivor with the simple notation: K. C. Gale.

He is clearly much alive and well able to stalk the halls of power as a \$50 000-a-year consultant to the Department of Premier and Cabinet and to the Labor Government's entrepreneurial "baby", the WA Exim Corporation Ltd.

He is reported as "stalking the halls of power".

We also asked a question about what real estate the Government of Western Australia leased in the CML building. Very briefly, the answer was floors 2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 15, 17, 18, 19, 20, part of 21 and part of 26. Floor 14 is occupied completely by the Government of Western Australia and Mr Keith Gale has an office on that floor. The Premier has misled the House and again told lies to the Legislative Assembly.

**MR BRIDGE (Kimberley)** [7.37 p.m.]: This motion was introduced into the Parliament last week. It is interesting that when it was introduced I was thinking of the way in which I would speak to it. I thought I would direct my attention to those aspects of the motion as it is set out in the Notice Paper. But as this debate has unfolded within the Chamber, it has left me in a state of confusion simply because of its irrelevance.

A perfect example of that irrelevance was clearly demonstrated in the speech which has just been made by the member for Kattanning-Roe. I do not know whether there was a single word or utterance in that speech which directed and focused its attention on this motion as the issue before the House. Therefore for the Opposition to expect with any degree of sincerity that we may support the motion is the most laughable suggestion that one could ever imagine being put to people with some degree of intelligence. It falls into the category of the types of motions often put before the Parliament by the Opposition in an attempt to use this forum to discredit a genuine attempt being made by the Government of the State or those people who are assigned to these duties by the Government to do something effective for people in this State.

In making the decision that the Western Australian Government has made to set up the restructuring of the Kimberley pastoral industry, it is providing that region with one of the most exciting concepts that has ever been devised for the region. But what have we seen from the very moment that this concept was agreed to and acted upon by the Government? We have seen nothing but attacks. We have seen nothing but negative approaches being made by the Opposition in varying forms, be they through questions that have been directed in this House to various Ministers and the Premier or be they through the Press releases that have appeared in the newspapers of this State or be they through this sordid debate which has taken place in this Chamber over the last couple of days.

We have seen nothing but plucking at straws in an attempt to discredit the very meaningful process which is designed for a vital industry of this State about which the people of the north are very enthusiastic. Members of the Opposition have got up tonight and said, "I have received a letter from a certain disillusioned person in WA who talks about his uncertainties concerning this work." We can counter that by saying that many of us have received letters of

praise, letters indicating great expectations and hope that this concept will bring about the benefits which the region so rightly deserves and which the State is entitled to expect of an industry which is fundamental to its future.

I can produce to members of the Opposition many letters from retired cattlemen who strongly support this concept. I do not have the letters with me; unfortunately I did not think to bring them along tonight. Perhaps this was remiss of me because it may well be an important part of the dialogue taking place in this House tonight—the contribution the authors of those letters may have made to this debate. They range from people now residing in the metropolitan area to people residing in the Kimberley who have said that at long last we have a Government looking sensibly and realistically at coming to grips with the industry and doing something effective.

The Opposition has played with no great degree of success the role of bringing the Aboriginal people into this whole concept. It is not a single process, it is a well-established matter. People speak about the likelihood of the Aboriginal people in the Kimberley participating in this scheme when it is ultimately developed to the point where subdivisions are re-leased to those people who will seek to obtain part of that restructuring. There is nothing sinister about this process.

It seems to me that whenever the word "Aboriginal" comes into the debate in this Parliament, prompted by the Opposition, it is always clouded with the proposition that whatever anybody does in connection with the Aboriginal people has an evil intent enshrined in it.

**Mr Laurance:** Who said that?

**MR BRIDGE:** It is true. This is the sad part. It has been said we are using this scheme, for example, as a backdoor method of giving people land.

**Mr Laurance:** You have consistently said there are no strings attached. We would not mind if you said the whole \$6 million—

Several members interjected.

**MR BRIDGE:** There has never been any backdoor proposition in respect of this matter. These measures have been clearly discussed by a group of very well-established citizens in that area.

Mr Watt: We are not arguing about what the citizens up there are thinking and talking about, we are talking about what you are saying.

Mr BRIDGE: I am concerned about what people up there are thinking, because if, as a result of the debate, we stuff up this process, they will suffer. I do not care what the member is thinking, my interest is in ensuring that this restructuring scheme is allowed to work.

Mr Watt: Sure.

Mr BRIDGE: What the Opposition is doing at the moment is obstructing that process.

Mr Laurance: No, we are playing our rightful part in the democratic process.

Several members interjected.

Mr BRIDGE: Members can ask questions. All the things they are asking they are entitled to ask.

Mr Laurance: This concerns Aboriginal land. You say it has no strings attached. The Federal Treasurer says it has. Who is right?

Mr BRIDGE: Where have I made that statement?

Mr Laurance: You, meaning the Government.

Several members interjected.

The SPEAKER: Order!

Mr BRIDGE: I shall make sure what we say here is factual because it is so important. If I have to canvass some of the interjections to make sure they are correct, I shall do so, if you will permit me, Mr Speaker. I did not make the comment which the member for Gascoyne said I did.

Mr Laurance: No, but the Government did.

Mr BRIDGE: That is another issue.

Opposition members: You are part of the Government.

Mr BRIDGE: If that was said, it was said. I am not saying it was not. I am defending the credibility of this whole concept. I am saying the Opposition has claimed that most of the things that have been done have been in some way dubious. Those measures which have been embarked upon by those connected with the concept have been very open.

Members should look at the committee referred to by the previous member. I do not understand it to be a consultative committee. I understand the committee to be one which was assigned to advise and to aid Exim in proper

deliberations and planning for restructuring the leases. I do not understand it to be just a West Kimberley consultative committee.

But that aside, members should look at the membership of that committee. There are people like Jeremy O'Driscoll and Joe de Pledge—both very responsible pastoralists. There is Doug Dixon, the President of Halls Creek Shire; people like Bob McCorry; the well-known cattle man, Bruce Gray; and Mervyn Norton. They are fine people, people of high calibre who understand the industry. These are people who have quite freely accepted positions of responsibility within the restructuring of this industry in the Kimberley.

Mr Blaikie: No-one on this side of the House has ever questioned their integrity or their ability. What we have questioned is that the Commonwealth Government has made a grant of \$6 million to which strings have been attached and the Premier has said in this House there were no strings attached.

Mr BRIDGE: I am criticising the decision by the Opposition to bring this motion forward in the way in which it has.

Mr Blaikie: The Premier has been dishonest.

Mr Old: Hasn't he ever?

Mr Laurance: We have never questioned your sincerity. It was a mistake to bring Exim in there.

Mr BRIDGE: I would like to turn to Exim. If members are not prepared to consider the word "criticism", I will use the word "intrigue" because there has been a lot of that in the comments relating to Exim's role in this process. Members opposite are pretty suspicious about some of its involvement.

Mr Laurance: Exactly.

Mr BRIDGE: I do not know whether members opposite understand Exim's role. Exim's role is very much the role of getting the pastoral leases up and running and then those leases will revert to genuine people within the industry. Exim will not be in it for ever and a day.

The Opposition claims that Exim was given these properties because of a Government decision and that it will do all sorts of things with them for ever and a day. But Exim's role is merely to restructure the industry based on guidance, planning, research and other input over a period. It might take from one year to five years, and then it will fade right out of it.

Mr Laurance: I accept that role, but what is not present here is its accountability to the taxpayers through the Parliament.

Mr BRIDGE: Despite what the member says about Exim's role, I understand it to be doing a pretty effective job.

Mr Blaikie: Explain how you can make that statement.

The SPEAKER: Order! For the last 10 minutes the member for Kimberley has been subjected to continual questioning. I ask him to address his remarks to the Chair and ignore the interjections.

Mr BRIDGE: Exim has been responsible for the operation of the Emanuel leases for the best part of 12 months—certainly the whole of this year. As I understand it, its operations have gone along very effectively. Its efforts towards restructuring these leases indicate it is well on its way to achieving its ultimate goal in this area. The work Exim is doing accords with the wishes of the Government and with the consideration, views, and wishes of the industry generally.

The Opposition's problem is that it is hooked on this mentality of believing the need is for a big pastoral industry with large units. It sees that as being the only way to go in the Kimberley. This is where it is getting bogged down and finding it difficult to come to grips with the virtue of our restructuring of the industry. The day will come when members opposite will recognise how wrong their stand was right back to the time when they were in Government. The information they were getting then is still the information they are getting now. Members opposite invariably question the proposition advanced that smaller properties in the Kimberley is the way to go. When members opposite see the results of our restructuring of the Kimberley pastoral industry, they will know we were correct.

Whilst our concept is new to WA, that is not the case for Australia as a whole. Because it is new it has attracted this degree of negative debate and this uncertainty on the part of members opposite and even in the minds of some pastoral people. But the concept has worked successfully in other parts of Australia. All the evidence before us indicates that Exim has undertaken its responsibilities in a very effective way and that its efforts towards restructuring these properties are going well.

The other matter I will touch on in this debate is the constant assertions made in this Chamber and outside it wherein people opposed to the concept talk supposedly factually about the ultimate size of the units, about the dollars and cents to be associated with

those units, and about the cattle numbers and so on. It is not possible for anyone at this time to be able to talk realistically in terms of factual statistical information or detail. We will not know the answers to some of the questions raised until we are well down the track of restructuring the industry.

We must take into account the very nature of this proposition. As some members would understand, all kinds of land is involved, some with a greater capacity than others to carry various stock numbers. Some properties have some land which is good, some which is not so good, and some which is totally ineffective for running stock.

In those circumstances, members opposite cannot realistically give hypothetical instances of the cost and the number of cattle involved or the practicality of dividing a property into four equal lots. This is where their whole argument is wrong. Ultimately we might be able to talk about a certain property being divided into four units, but those units probably would be of various sizes with various stock populations.

The member for Gascoyne mentioned that people might be looking at \$1 million-plus when considering the purchase of such a property. He cannot realistically make such an assertion because presently he does not have the details which could support that proposition. It may well be that the amount will be \$1 million, but it is wrong for people to make such an assertion at this time. Such comments should not continue to be made because it is a negative process which we can ill-afford to have.

The history of the Kimberley pastoral industry shows us that large holdings have been a failure; that is the situation in a nutshell. Consider the Vestey's holdings before they were resumed by the Government. Even with Vestey's tremendous financial capacity to fully utilise and develop those properties, it was not able to succeed. Its properties deteriorated.

Mr Old: Because it flogged them.

Mr BRIDGE: They were not flogged in the sense we mean when we talk about flogging land in the pastoral industry. In those instances we are talking about the reckless handling of stock and poor cattle husbandry. That was not the case with Vestey's holdings.

Mr Old: You know very well the company had no idea what cattle were on those properties.

Mr BRIDGE: But the member cannot say that Vestey's did not have good cattle on them. I have always been a critic of those properties,



but I do admit that when Vestey's had those properties they were stations with good stock. The reasons it fell down are that the numbers were excessive and its cattle husbandry techniques were a failure because the properties were too large. It was physically impossible for Vestey's to effectively operate those properties.

That is why we believe smaller units will give a man a greater opportunity to control his operation—whether he uses horses or other means to do so—and to apply the cattle husbandry techniques that are essential in the proper execution of good station management. That is why we see this restructuring as vitally important for the Kimberley pastoral industry.

At the moment the industry is on its knees, and we are all aware of that; it is in a pretty sick and sorry state. Yet it is possible that in 10 years or less this restructuring will mean that we could have 20 or more fully operational and viable pastoral units in place in the Kimberley as a result of the acquisition of these pastoral leases and, as I have said, the restructuring of those leases into smaller units. Think of that, Mr Speaker. Let us equate the situation of an industry at present on its knees with a situation in a few years' time where we could well have that sort of development in the Kimberley. If that is not something we should be collectively promoting and advocating very strongly in this Chamber, I do not know what is.

Mr Blaikie: Tell me who has opposed that.

Mr BRIDGE: I have not used the word "opposed". I have said the Opposition obstructed. The criticism the Opposition has levelled in various forms such as questions in this House, Press releases to the media, and in this debate, has emphasised the negative aspect of this development which is regrettable and certainly unnecessary.

Mr Blaikie: The Government could have cleared it up if it had come clean and said what was going on with the \$6 million.

The SPEAKER: Order! Ignore the interjections.

Mr BRIDGE: The member for Vasse makes a big deal of the \$6 million. I will leave the Premier and the Minister for Lands and Surveys to talk about that issue. The money is to go into the restructuring of the leases. Which-ever way it goes in it will be part of this magnificent development, and that is the important aspect—not \$6 million in isolation.

Collectively we are presenting to the Opposition a situation which will result in 15 or 20 totally viable units being established to the sat-

isfaction of members opposite. Exim will phase out of it; it will no longer be part of the Kimberley pastoral industry. The end result is that Exim will achieve the work it has been assigned to do. People in the Kimberley will be given the opportunity—

Mr Laurance: Why don't you use an organisation that is accountable to this Parliament to do it?

Mr BRIDGE: As I understand it, Exim's operations are not in question; it has effectively carried out its work in the area.

Mr Court: The \$6 million is a grant to Exim; does Exim pay interest on it?

Mr BRIDGE: I just made the point a little time ago—

Mr McIver: It is a grant to the Government.

Mr Court: The Government has passed it to Exim.

Mr McIver: To assist in restructuring.

Mr Court: Exim just gets the \$6 million; it can do what it likes with the money.

Mr McIver: It was a grant—an allocation of funds to assist in restructuring the leases in the Kimberley.

The SPEAKER: Order! The member for Kimberley has the floor.

Mr BRIDGE: The views expressed by the Minister tonight in which he outlined Exim's role show that it is designed to enhance the industry in the Kimberley. We are well on the track to fulfilling those great expectations. It is not being done without obstruction, sadly enough, and that is being brought about to a large extent because of the negative debate, not just by the Opposition, but by others. I am critical of the Opposition because it is better equipped than those outside to understand what the Government is seeking to do.

Mr Old: If the Government had kept us informed and told us the truth we might have been able to help.

Mr BRIDGE: There is no way we can seriously consider supporting the motion before the House. I simply want to restate for the House that we are looking at a very exciting concept. I have said it many times before, but I will say it again: It is a concept that will not only enhance the profitability of the industry and bring benefits to the State of Western Australia and to the nation, but also is capable of going along way down the road to ensuring that the people of the region have an opportunity to work and live side by side in a mean-

ingful way. That is essential because it does not really matter what we say here and what we attempt to do; the people of the Kimberley, whatever their origins, will be there for a long time to come, we endeavour in this Parliament to structure the development of the regions of this State, whether the Kimberley or elsewhere, so that we can effectively plan for those people to have an opportunity to live side by side in a meaningful and effective way. It is a process we should all support.

I do not support the motion, and I hope the Opposition will have some regard to the things that have been said by the Government. There is nothing at all in the consultative committee's position, Exim's position or that of the industry and the Government that is intended to be other than straightforward. There is a determination and a willingness to ensure that the ultimate achievement of this restructuring of the Kimberley pastoral industry will be to enhance that region.

**MR CASH (Mt Lawley) [8.08 p.m.]:** I support the motion moved by the member for Vasse which calls for the appointment of a joint Select Committee of members of the Legislative Assembly and Legislative Council to look into the activities of this Government in the arrangements it seems to be working on in the north-west of our State, and in particular the pastoral industry. I say "arrangements" because it is difficult from the advice we have received from both the Premier and the Minister for Lands and Surveys to understand what the Government is on about in the Kimberley region.

**Mr Taylor:** What do you know about the Kimberley?

**Mr CASH:** I know enough about that region to recognise that this Government through its Premier and Minister for Lands and Surveys is not telling us the whole story and that the proposed restructuring of the Kimberley pastoral leases at the moment is nothing more than deception, lies, and inconsistencies.

As a member for the metropolitan area, having been elected to this House with the object of being able to speak freely on behalf of the people I represent, I have a duty and a responsibility to draw to the Parliament's attention the very shoddy way in which this Government is treating the Opposition and the people of Western Australia in its dealings with the Kimberley pastoral leases through the agency of Exim.

**Mr Pearce** interjected.

**The SPEAKER:** Order! The Minister for Education is not in his seat.

**Mr CASH:** In listening to the Premier and the Minister for Lands and Surveys comment on the proposed restructuring I was totally confused as to where they were getting the authority for their proposal, so I took it upon myself to do some research.

I appreciate the interjections from members of the Government and I realise that this touches a tender spot. The Government is very much exposed for the shabby way in which it runs the affairs of Western Australia.

In researching the history of Exim Corporation, the vehicle currently being used to acquire pastoral leases in the north-west, it comes back to the Northern Mining Corporation (Acquisition) Bill, the second reading speech of which was made by the Treasurer on 13 October 1983. In three columns in *Hansard* the Premier set out his ideas on why his Government should acquire Northern Mining Corporation NL and, having acquired that particular company, what it intended to do with it.

What the Premier did not point out was that after acquiring Northern Mining Corporation NL he would, in fact, strip it of its only asset which was the five per cent interest in the Argyle mining operation and then use the various companies which he was able to set up by virtue of the Northern Mining Corporation (Acquisition) Bill and use them in a way that this Parliament has never seen used before.

The member for Kimberley questioned the Opposition on the reason that it was upset with the Government's proposal. My understanding, from listening to Opposition members to date, has been that very little criticism has been attributed to the idea or concept of restructuring the Kimberley leases. Most of the criticism to date has been levelled at the deceitful and deceptive way in which this Government has gone about that particular task.

It is interesting to note that if we look at the general shareholding of WA Exim Corporation, WADC, and WA Diamond Trust we find that it originated from the acquisition of Northern Mining Liability NL. That company was stripped of its five per cent interest in the Argyle mining operation and that interest was transferred to the WA Diamond Trust which left the Premier with a company which had been stripped to a shell and which he could operate in any way he desired. Northern Mining Corporation NL, having been stripped to a shell, had its name changed to WA

Government Holdings and one of the subsidiaries of that company is the WA Exim Corporation which itself has a number of specialised subsidiaries which we understand the Government will use in the acquisition of other companies and properties within this State.

It is also important to recognise that when members of the Opposition have asked questions about the activities of WA Government Holdings or Exim the usual reply from the Premier has been that the company is registered with the Corporate Affairs Office and, as such, is not responsible to this Parliament. Therefore, the Government is not in a position to answer questions asked by the Opposition regarding these companies.

It is also interesting to note that the shareholding of WA Exim Corporation is 100 per cent in the name of Brian Burke, Premier and Treasurer of this State. Immediately on recognising that fact members will be able to see that there is a conflict in this Parliament. The Opposition asks Brian Burke, in his capacity as Treasurer, to make comments and give advice on the activities of his company—the company is owned by him, but held in trust for the people of Western Australia—and he skirts around the issue by saying that Exim is a company which is incorporated in Western Australia and that it is responsible to the Commissioner for Corporate Affairs. As a result, he refuses to answer the questions. It is absolutely disgraceful because what tends to happen in that particular circumstance is that Exim is not responsible to this Parliament for its actions.

As has been pointed out earlier, if the \$6 million which was transferred from the Commonwealth Government to the State Government, and which we understand was used by Exim as part of the cost of the acquisition of the Emanuel properties in the north-west, was not used to acquire those companies, the Government still has those funds to its credit. It can use those funds for some other purpose and it is not required to advise the Parliament of Western Australia accordingly. It is true that Exim is required to produce an annual report and it is also true that it is required to undergo the normal audit procedures which are required under the Companies Code for public or limited liability companies.

Mr Bertram: Therefore, adequately protecting Western Australia.

Mr CASH: The member for Balcatta says that if a company is required to have audits carried out during the year and is also required to report to the Corporate Affairs Office, that in itself is sufficient safeguard. I put it to him—even though I note that he has interjected out of his seat, I will still recognise his interjection—that that is not sufficient for the people of Western Australia. It is not an accountability that this Parliament and the people of Western Australia are entitled to accept. The member for Balcatta apparently believes that that accountability is sufficient.

Mr Bertram: You seem to have double standards about accountability.

Mr CASH: The member for Balcatta raves on about accountability. He will have his opportunity in a few minutes' time to speak for 30 minutes on how accountable he believes Exim is to this Parliament.

Several members interjected.

Mr CASH: Members of the Opposition can see how touchy members of the Government are. As soon as one mentions the word "accountability" and combines it with the word "corruption" all one has to do is to wait and see how members of the Government perform. They do not like it.

Soon after coming into this place I remember that the Speaker ruled out of order a statement that the Government was corrupt. The Government could not cop it and could not accept that those were the common words used by the people of Western Australia when referring to this Government.

I talk about the accountability of Exim because as a metropolitan member I am concerned that this Government is spending in the order of \$20 million of taxpayers' money in a way in which very few people are able to understand or recognise. It has been said before that the company is not accountable to this Parliament and the Premier. Using his usual double standard the Premier plays one set of rules as Premier of this State and the other as a 100 per cent shareholder in a company about which he refuses to give information to this Parliament. I do not believe that that is acceptable. I know the Opposition does not believe that it is acceptable. The people of Western Australia are entitled to more detailed information on the way in which their funds are being spent.

Comments have been made about the various personalities which make up the management of WA Exim Corporation.

Several members interjected.

Mr CASH: If the Minister for Planning wants to talk about pastoral leases, Chinese restaurants or whatever, I am happy to do so at any time. Members will recall that on one occasion in this House it was suggested that one of the activities the WA Exim Corporation had in mind was, of course, to franchise Chinese restaurants throughout Western Australia. One of the first opportunities was, in fact, the Chinese restaurant that the Labor Party tried to force the City of Stirling to approve in Wanneroo Road, Nollamara. We know how far that got.

Mr Pearce: You are on the town planning committee, are you not?

Mr CASH: Again the Minister for Planning misrepresents the position because he knows full well that I am not a member of the City of Stirling town planning committee. In all the time I have served on the City of Stirling I have never been a member of that committee.

Mr Pearce: The City of Stirling is considering a restaurant opposite Herb Graham House. Is that not true?

The SPEAKER: Order!

Mr CASH: I can tell that Chinese restaurants and the Government do not get on well together.

While speaking about WA Government Holdings, there was a recent report written about WA Government Holdings, the WADC and all those other private companies that this Government owns. There is a critical clause in this report which I would like to read to the House—

W.A. Government Holdings Ltd. and EXIM, by comparison, are not accountable to Parliament in any way whatsoever. This is most obviously a function of their company status, but the fact that the company route was chosen can be traced directly to the difficulties encountered by W.A.D.C. in the Legislative Council.

Members will recall that at that stage the Opposition realised the sort of vehicle Northern Mining Corporation NL was to be used as, and made some changes to the legislation in respect of the WADC when that legislation was before the upper House.

The other point I want to raise is that of Mr Keith Gale who has been named on a number of occasions during debates concerning the north-west pastoral leases. I wish to make it perfectly clear that I have never met the man but I know him by reputation. The Govern-

ment argues that Mr Gale is a consultant, not employed by Exim Corporation, but paid to give advice to that company, other companies the Government owns and the Government itself. Having some knowledge of some of the activities of Mr Gale, in his role as a consultant to the Exim Corporation, and knowledge of some of his activities in respect of the meeting held in the north-west on the restructuring of the pastoral leases, it could be argued that the activities of Mr Gale were those of a director of a company and as such he should be responsible, as required by the Companies Code in Western Australia, for his conduct. If that can be shown there is no question that Mr Gale, through his previous activities, may, in fact, be in breach of the WA Companies Code.

Mr Bertram: You should lodge a complaint at the Corporate Affairs Office.

Mr CASH: As soon as I raise an issue such as this the member for Balcatta becomes very sensitive; what he says is that he does not wish me to raise the matter in this Parliament but wants me to rush down to the Corporate Affairs Office and lodge a complaint. I am not lodging a complaint. I am bringing to the notice of the Parliament the fact that one of the consultants to the Government may, because of his activities, be in breach of the WA Companies Code. I do not have to report that. I have to advise the House that there are people in the community who believe that to be a fact and that it should be sufficient for the Government to take note and at least check it out.

Members will notice that in the many questions asked of this Government by members of the Opposition to date, we have not received any reasonable answers and again, it would seem to me, that the Government, considering the Premier's lack of answers—and he, as I have already said, is the only shareholder in WA Government Holdings and the Exim Corporation—has something to hide.

Members will recall that this matter was raised by the member for Gascoyne, who mentioned that he had some knowledge that there may have been an amount of \$90 000 paid out by the Exim Corporation for services to a particular company. He also suggested, as I recall, that apart from that \$90 000 there was another amount in the order of \$4 000 that may have been paid as an inducement to a private individual in the purchase of these particular pastoral leases. At the time, the Premier, in reply, stood up and spoke for 30 minutes. If members would care to read *Hansard* they will see that for 25 of those 30 minutes the Premier

did nothing but assassinate the character of one of the members in this House, because he claimed that what the member said was not the truth.

Several members interjected.

The SPEAKER: Order!

Mr CASH: We then find that in answer to a question, the Premier is obliged to come into this House and admit that the member for Gascoyne was correct in what he had asserted with respect to the corporation paying \$90 000 to a company. He also had to admit that an individual had been paid \$4 000 by that same corporation not to proceed with the acquisition of the Emanuel leases in the north-west. We happen to be talking about payment of \$8.5 million-worth of taxpayers' funds. Whether it be \$1 or \$10 million of taxpayers' funds, the people of Western Australia are entitled to understand and know just how their money is being spent and on what. They should know that some days ago, in this House, the Premier was confronted about a company, of which he is the only shareholder, which had been making particular payments to various individuals and he was not prepared to acknowledge them until some days later. It is not good enough for the taxpayers and certainly not good enough for this Parliament.

Mr Laurance: He was not man enough to apologise.

Mr CASH: He was not. There is no question, as a result of the member for Vasse moving this motion, that much new evidence has come forward, and it is important evidence that the people of Western Australia are entitled to know.

The member for Kimberley spoke for some time in general terms about how he saw the restructuring of the Kimberley pastoral leases. I think it is fair to say to the member that the speakers from the Opposition side to date have, as far as I recall, not condemned the concept of restructuring the northern pastoral leases but have condemned or questioned the Government on the way it has been spending taxpayers' money.

The other point raised by the member for Kimberley was that one of the reasons the Opposition was opposed to the acquisition of these pastoral leases was that it was a back door way of obtaining land rights in Western Australia. I do not believe that has been raised at all by the Opposition in respect of this particular debate. Most of the debate, so far, has hinged on the lack of accountability of one

company and, I repeat again, a company in which the Premier of this State is the only shareholder.

We also understand that now that the Western Australian Government has acquired the Emanuel leases, it is to spend in the order of another \$12 million in its restructuring programme. It would seem that the taxpayers of Western Australia are entitled to know just how that money will be spent, and where it will be spent.

While the operation is handled by Exim Corporation, that information or advice will not be available to this Parliament; that is, not unless the Premier of Western Australia decides to come clean and tell the people of Western Australia what they are entitled to know.

Opposition members: Hear, hear!

Mr CASH: The other point I raise is whether it can be argued that Exim Corporation has enjoyed some preferential treatment in its dealings on the north-west pastoral leases. It seems that the Premier is at pains to let us know that he was not the person who went to the Emanuel family and proposed that his company, Exim Corporation, purchase those leases. However, the Opposition has received some advice that is quite contrary to the proposition the Premier put to us.

Originally, Elders was given the commission to sell the land. A person by the name of Hodgson indicated he was in a position to purchase the properties and would be prepared to purchase them, and he was a Western Australian so there was no talk about the property ownership going to the Eastern States or overseas. Upon hearing this, Exim Corporation, because it wants to be the big wheeler-dealer arm of the Government, decided that it should enter into the purchase.

Mr McIver interjected.

Mr CASH: The Minister for Lands and Surveys wants to divert our attention from the situation again. He is now saying that Emanuel should sell to anybody who has the money. Hodgson had the money; he was going to buy the property and would have done so until he was told he would not have the leases transferred into his name by the Minister for Lands and Surveys because the Minister for Lands and Surveys would be directed by his Government.

Mr McIver: The Minister for Lands and Surveys was not directed. Would you like to come to my office and read the correspondence?

Mr CASH: Quite obviously the Minister for Lands and Surveys does not understand when he is being directed and when he is not; that has become very obvious throughout this debate, especially when the Premier replied and in fact brushed the Minister for Lands and Surveys aside and would not allow him to reply. The Premier replied on behalf of the Minister for Lands and Surveys, with the object of letting the Minister for Lands and Surveys know exactly what the Premier and some of his Cabinet cohorts have been doing behind his back. That is the reason that the Premier made the reply.

I pointed out to the Minister for Lands and Surveys that the Opposition had not been critical of his activities in this matter because Opposition members had some regard for the way in which he was handling it. But the Opposition recognises that the Minister for Lands and Surveys himself was not being fully informed as to how his own Government was operating.

Mr Laurance: He was being hoodwinked.

Mr CASH: That is right. He has been hoodwinked over the acquisition of the Emanuel leases and other activities presently occurring in the north-west, about which I guess he will be told in due course.

Mr Taylor: That is an insult.

Mr CASH: A further matter I raise is that, in conjunction with the acquisition of the Emanuel leases, members will recall that the Government has now resumed a number of pastoral properties from the Australian Land and Cattle Company. If one fits this whole web together, one will find that in St George's Terrace, Perth, in the office of Exim—and we know who directs Exim in its operations, and I say that recognising that the Premier is the only shareholder in that company—the wheeler-dealers decided they wanted a piece of the action in the north-west. The member for Kimberley had mentioned in the past the need to restructure the pastoral industry, and someone caught on to the idea that if the Government decided, through Exim, to use some pressure it could pressure the Emanuel family into selling its properties to the Government and no-one else, and also cause to be resumed the properties leased in that region by the Australian Land and Cattle Company.

We notice that there was a need for the Government to bring out a special *Government Gazette* to cover its own actions because the Crown Law Department had looked into the

matter and warned the Minister for Lands and Surveys that unless he brought out a special *Government Gazette*, it might be shown in due course that the Government had again acted improperly in its negotiations in this matter.

I said earlier that I rose as a metropolitan member to question the Government's activities in the north-west of Western Australia. There are a number of people in my electorate and in metropolitan Perth who are very concerned about the activities of this Government and its spending operations in the north-west. That is not to say they do not support the idea of restructuring the pastoral industry. What it does mean is that at the moment, Exim Corporation is not accountable to this Parliament for its actions and the Premier refuses to tell this Parliament just what his company is doing in the north-west region.

I put it to the House that if the Premier wants to remain the Premier of Western Australia, he will have to come clean and explain to the taxpayers of Western Australia just how their money is being expended, not only in respect of pastoral leases but also in respect of other operations in which Exim Corporation is currently engaged.

I support the motion.

MR BLAIE (Vasse) [8.36 p.m.]: I thank the members of the House who participated in this debate. More importantly, it is interesting to note that there were three members of the Government who spoke. Although the Government members in turn said the motion had no substance, it was interesting that the speakers from that side of the House were the Premier, the Minister for Lands and Surveys, and the member for Kimberley. It was also interesting to see how the Premier took over the role of custodian of the whole of the Kimberley land debate rather than his Minister. We in this House know precisely what the Premier has been doing for some time. This is part of the basic reason for this motion to have an inquiry into what is happening in the Kimberley.

I want to respond very briefly in a general sense to the members of the Government who have spoken in this debate, but I will be referring to them in far greater detail later.

This debate has not been about whether the leases will be divided into 18 lots and whether that will be good, bad or indifferent for the Kimberley. That has never been the question. The question we have asked of the Government is not what it is doing, but the way it is doing it. That has been the basis of our ques-

tions time and time again. Members of the Opposition have repeatedly and consistently carried the debate forward to the Government and consistently Government members have ducked the issues. They have not answered the charges made, and from here on in, all that has been said by the Government only further clouds the issue. The Government has failed to answer any of the charges made.

I now turn to the member for Gascoyne who, in his usual style, made a very important contribution to the debate. That contribution was immediately assailed by the Premier. It was very interesting that all the members in the House were expecting that after the member for Gascoyne had spoken, the Minister for Lands and Surveys would adjourn the debate. That is a general, unwritten agreement.

Mr Pearce: Rubbish! The Gascoyne grub was let loose on the Parliament.

Mr BLAIKIE: The Minister for Education can talk rubbish as much as he likes. I moved the motion. The member for Gascoyne supported the motion, and seconded it.

It was my understanding that the Minister for Lands and Surveys was going to adjourn the debate but that was not to be. The Premier came into the House and in my view he probably had not heard much of the debate at all. He immediately started looking for a headline by making wild accusations about what the member for Gascoyne had said or had not said. I was surprised when the member for Mt Lawley said that the Premier had spoken for only 30 minutes because I thought he had taken a couple of hours, so vitriolic and lengthy was the abuse that he hurled at the member for Gascoyne. Whenever the Premier gets into trouble the first thing he does is shout for help and then he commences the debate with a tirade of abuse and denigration. This is precisely what the Premier did on this occasion. I will read to the House the comments of the member for Gascoyne because it is important if one is to understand why the Premier made his attack.

Mr Pearce: Quoting from a debate that is currently before the House is contrary to Standing Orders.

Mr BLAIKIE: I refer to *Hansard* in which the member for Gascoyne said that an inducement of \$90 000 had been made to a pastoral firm so that it would pull out of the contract, or words to that effect.

Mr Pearce: You have got it wrong. It was \$4 000.

Mr BLAIKIE: The Minister for Education was interjecting at that time and he suggested that the member for Gascoyne should make his statement outside.

Mr Pearce: I also said that the Gascoyne grub should name the names.

Mr BLAIKIE: The member for Gascoyne said that an inducement of \$90 000 to the land firm had been made, so the Premier charged into the House and went into his routine of abuse. In the light of the next day the Premier—no doubt when his advisers had realised what he had said and how much of an ass he had made of himself the night before—arranged for the member for Kimberley to ask a dorothea dixie. The member for Kimberley asked—

Has the Premier sought advice from the WA Exim Corporation regarding claims made by the member for Gascoyne in relation to the purchase of the Emanuel pastoral leases? If so, is he in receipt of that information and can he advise the House accordingly?

The Premier advised the House that Elders had been paid \$90 000 to get out of the Emanuel lease.

Mr Taylor: He did not say that. Read out the answer in total.

Mr BLAIKIE: I quote the Premier—

The \$90 000 payment to Elders—the responsibility of Mr Emanuel—was made a condition of sale . . .

Mr Taylor: People like you just pick and choose what parts you want to use.

Mr BLAIKIE: Irrespective of what Government members say, payment was made to the agents who were connected with the sale of the properties. That \$90 000, whether it was paid by Exim or directed by Mr Emanuel himself, was paid. There was a further payment of \$4 000 to Mr Hodgson, the unsuccessful purchaser. Surely the Premier should have the guts to come into this House and apologise to the member for Gascoyne for the attack that he made on him, which was completely unwarranted and has been proved to be so by the Premier's own admission that the payment was made.

Mr Hodgson was paid \$4 000 and the agents \$90 000 to leave the deal because they were the people who had an option to buy the Emanuel leases. I asked whether the Premier would table the papers, and the Premier said he could not

do so because the papers belonged to Exim. Either the Premier has not talked to Exim because the papers have not come—

Mr Pearce: You were caught lying to the House in question time yesterday.

Mr BLAIKIE: The Minister can say whatever he likes but I would put on the record that a question was asked of the Premier as to whether he would table the papers relating to the Emanuel properties and the Premier said that he would discuss it with Exim to see whether Exim would agree to do that. If the Premier wants to clear up the whole matter, he should simply table the papers. I wonder why Government members are afraid of having these papers tabled?

Mr Pearce: The question is whether Exim minds.

Mr BLAIKIE: Exim happens to be the child of the Government. It happens to have been paid \$6 million of the taxpayers' money. I wonder if Government members have anything to hide because it is obvious that they do not want Exim to table those important papers.

Mr McIver: Why don't you ring Mr Emanuel and talk to him?

Mr BLAIKIE: The Minister for Lands and Surveys and the Minister for Education may make whatever comments they wish to make, but I would come back to the point that the Premier and Exim could clear up this matter very quickly by simply tabling these papers. That will identify for all to see precisely what has happened. If those papers are tabled, it will be possible to ascertain what stamp duty was paid, who authorised it, under what conditions the payments were made and what was involved in the contract of sale. These happen to be very important factors because we are talking about \$6 million of the taxpayers' money. The Government can clear this matter up simply by being prepared to table the papers. However, I can understand why Government members do not want that to happen if they have something to hide.

Mr Pearce: The Government is quite prepared to have the papers tabled; it is a question of whether Exim wants them tabled.

Mr BLAIKIE: The chief shareholder of Exim happens to be the Premier. In fact he is the only shareholder and this leaves one to wonder exactly what it is the Premier is hiding.

Mr Pearce: There is a difference between being a shareholder and being a director. Perhaps some of your friends in private industry could point that out to you. We on this side want to know why you lied in question time yesterday.

Mr BLAIKIE: The Premier is the only shareholder in Exim and if he wants to, he can have those papers tabled. What is the Government trying to hide? What is the Premier trying to hide? After all the Premier's blustering and abuse in the House about what the member for Gascoyne said had in fact been done, I can only congratulate the member for Gascoyne on the way he has endeavoured to get to the truth of this matter. Although the Premier replied to the question, he did not answer the question of what the purchase of the \$6 million was for. Yet that matter was raised during debate. The Premier made no comment relating to the 45 per cent of land claimed by the Aboriginal people in the Kimberley area. That is directly relevant to these property purchases. The Premier did not explain what security the taxpayers had in relation to the Exim deal and he did not explain why a Western Australian buyer was denied the right to purchase those properties. None of those questions was answered in any way, shape, or form by the Premier.

The Premier made no comment. He certainly was not the \$6 million man because, being the principal shareholder of Exim, Exim got the \$6 million grant from the State, so his "company" is doing very well. The Parliament has a right to know as representatives of the taxpayers of this State. The Premier made no comments whatever in relation to these two issues which we debated in this House last week.

The Minister for Lands and Surveys in his contribution talked about the herd size being dropped by half. He made a number of other comments that quite frankly were not related to the motion which was under discussion and which sought a joint Select Committee to investigate the circumstances regarding the recent Government decisions relating to the pastoral industry. The Minister went on to say that Mr Emanuel could decide to whom he wants to sell his lease at any time he wants to do so, but it was also very interesting that the Minister failed to explain that Mr Emanuel insisted that a condition of his sale to Exim was that Exim pay \$90 000 to Elders and \$4 000 to Mr Hodgson. The Minister did not explain why those circumstances occurred.



The \$90 000 and the \$4 000 we are talking about happen to be, in part, taxpayers' money. The taxpayers of this State are entitled to know what is going on and this is part of what we see as the current set of arguments that are occurring time and time again over the Government's involvement in the Emanuel leases. The Minister had ample time to explain to the House, but he made no comment as to why the taxpayers' funds through Exim were used to pay out \$90 000 to Elders and \$4 000 to Mr Hodgson.

It would be fairly interesting to know what would happen if the Premier had not divulged that in fact Elders and Hodgson had been paid. We may have had a set of circumstances where the Premier and the Minister could well have denied it until tonight, but they were wise enough to know that the Opposition also has certain information. That is what happened. The Premier found out that the Opposition knew what his game was.

Mr Pearce: The Premier comes in here and tells the truth. The Premier has never been caught lying during question time, and that is what happened to you yesterday.

Mr BLAIKIE: How?

Mr Pearce: You were caught lying in question time.

Mr BLAIKIE: How?

Mr Pearce: You lied quite frankly and positively about the Premier's response to a previous question and it was proved by a simple reading out of what had been said. You have never denied that. You have not even been game to deny it tonight. You came out and lied to the House. That is disgraceful. It is the most disgraceful thing I have seen in my nine years in Parliament.

The ACTING SPEAKER (Mr Taylor): Order! The Minister for Education should not interject.

Mr BLAIKIE: I understand the Minister for Education has had a very heavy day.

Mr Watt: It is not a mouth, it is a credibility gap!

Mr BLAIKIE: Yes, I would not want to upset him any further because he has to face the schoolteachers tomorrow.

The Minister for Lands and Surveys made no response regarding the conditions that were attached by the Commonwealth Government to the \$6 million that it gave the State of Western

Australia for the purchase of these properties. I will repeat it once again to the House. Federal Budget paper No. 1, on page 233, says—

The objective of the purchase was to restructure holdings so as to create a number of more viable properties, maintain cattle production, support abattoirs in the region and provide an opportunity for aboriginal groups to purchase one or more of the new properties.

That was contained in Treasurer Keating's Budget paper No. 1. On page 82 of Budget paper No. 7, in response to the pastoral industry of WA, it says—

A capital grant of \$6 million was provided to Western Australia in 1984-85 to assist in the restructuring of the pastoral industry in the Kimberley region. The funds are being used for the acquisition and redevelopment of a group of pastoral properties to enhance production, assist in disease control and provide scope for increased Aboriginal participation in the industry.

That was said in Federal *Hansard* by Treasurer Keating in two papers, not one paper—it obviously was not a misprint in the first paper. I asked this question of the Premier—

Was it a condition of the State getting from the Commonwealth \$6 million for the purchase of the Emanuel leases that at least one or more of the restructured leases would be available for purchase by Aboriginal people?

The Premier answered, "No".

Mr Laurance: That is a deliberate misleading of the House.

Mr BLAIKIE: So the Premier did not answer the question truthfully. The Minister for Lands and Surveys had the opportunity to give a full explanation of where this money was going to because all the answers that the State Government has given us certainly do not tally up with what Treasurer Keating has said and, as the member for Katanning-Roe said, the zealot, the Federal Minister for Aboriginal Affairs (Mr Clyde Holding) certainly would not let the money go to Western Australia unless it was going for a very specific and purposeful reason, and he would ensure it was spent in accordance with the real intentions of the Commonwealth Government. Yet none of those questions was answered at all.

So again, the Minister for Lands and Surveys made absolutely no response in regard to the involvement of Exim; no response as to how the taxpayers' money would be protected; and no response to the 45 per cent claim that already has been lodged in the Kimberley area by aboriginal groups. It has again been an abysmal performance by both the Premier and the Minister for Lands and Surveys in regard to their answering of questions during this debate.

I would hasten to add at this stage that the Government's involvement of Exim in this whole exercise is nothing more than political patronisation at its worst. Here is a Government which is able to ensure that its own creation, Exim, is able to obtain the property, because the Government decides nobody else will be permitted to buy it. The Government had the opportunity to counter the allegations in this regard, yet failed to do so when called upon time and time again. If ever there has been a record of Government interference in the approval of leases this is it; not only do we have the situation of the Emanuel lease, but also one only has to go back to 1984 to see what happened in relation to Mt Anderson Station—what a sad and sorry tale that was—the Government involved itself in a commercial operation to see the station went to the Aboriginal Development Commission.

Mr McIver: Do you want to bring new subject matter into the debate?

Mr BLAIKIE: No, I am just speaking on the role of the Minister. In this area the Minister has completely failed the House and the State in his ministerial responsibility.

Mr McIver: You are lucky you have a tolerant Acting Speaker!

Mr BLAIKIE: The member for Katanning-Roe made a number of important points in relation to the Federal Budget papers, and in relation to the role that Mr Gale is playing, not only in regard to the structure of Exim, but also in relation to the Department of Premier and Cabinet.

I would have expected the member for Kimberley to make a far more significant contribution to the debate than he did. He began by saying that there was nothing sinister about Aboriginal land claims in the Kimberley. I have never said there was. What I have said in this House, though, is simply what other people have said in respect of their concern for what is going on in the Kimberley region. The member for Kimberley would be very much aware of the minutes of the West Kimberley Pastoral

Reconstruction Consultative Committee—he is a member of the committee—for the meeting of 3 July 1984. The Kimberley people claim concern over the large number of land claims made for Aboriginal people by Mr Stephen Hawke representing the Marra Worra Worra people.

Mr McIver: Of course it is not true. Why don't you go up and visit and talk to some of these people instead of carping on here? Go up and see them.

Mr Bridge: It was merely a proposal put to the committee to consider. It is considering it, but we are not under any pressure to make decisions in respect of it.

Mr BLAIKIE: We have people worried about it time and time again.

Page 4 of those minutes states—

Mr Hawke, with the assistance of Mr Arthur, presented the Marra Worra Worra submission on Aboriginal land aspirations on the Emanuel and ALCCO leases in the Fitzroy Valley.

The member for Kimberley said that there was nothing sinister about Aboriginal claims in the area. The minutes further state—

Mr Bridge expressed concern at the extent of the Aboriginal claim.

Does the member want me to read all of it?

Mr Bridge: I expressed a point of view. You are saying there is great concern in the Kimberley.

Mr BLAIKIE: There is great concern in the Kimberley. The member for Kimberley has expressed one point of concern in the Kimberley but is expressing another point of view here. The member for Kimberley expressed his concern at the meeting of the consultative council as to the extent of the Aboriginal land claim. The member for Kimberley brought that matter down on his own head.

The questions asked about the strings attaching to the Commonwealth money have not been answered.

Mr McIver: You could not have been listening.

Mr BLAIKIE: The member for Kimberley did not answer the question regarding the strings attached to the \$6 million of Commonwealth money to be provided to the State.

Mr McIver: I said the other day that no strings were attached. If you interpret something said by the Federal Treasurer, that is your problem.

Mr BLAIKIE: This is one of the most incredible set of circumstances that I have ever heard. The Minister says that the Federal Treasurer did not say what he said. He says that not only is he not saying it once, but also he is not saying it twice.

Mr McIver: You are interpreting him.

Mr BLAIKIE: Irrespective of that, it is there for all members to see and for all members to understand.

On page 233 of the House of Representatives *Daily Hansard*, the report reads—

The reduction in outlays of \$6.1m is primarily the result of a one-off grant in 1984-85 to Western Australia for the purchase of four pastoral property leases in the Kimberley region.

I do not know how many ways one can interpret that. The only way I can interpret it is that one or all of the leases are to be made available.

Mr McIver: Can't you get it through that nut of yours that the matter still has to come before me as Minister for Lands and Surveys?

Mr BLAIKIE: The Minister will be rolled in Cabinet. That is the sad part.

Mr McIver: I have not received one application from any Aboriginal group or from Stephen Hawke in relation to the Emanuel leases, yet you keep carping.

Mr BLAIKIE: The Minister is quite correct because the land claims have been made to Exim and Exim will determine the matter.

In summary, the Government has failed to answer the charges that have been made. There is a definite need for a Select Committee of both Houses of Parliament to be set up to inquire into the pastoral industry and the future of resource development in the Kimberley region. The reason we have requested a Select Committee of both Houses is that Exim received a Government sanction to purchase the leases when a private Western Australian purchaser had the capacity and the desire to buy the Emanuel properties. That has been substantiated time and time again. The purchaser, Mr Hodgson, had the capacity and the desire to purchase the leases. The Government determined that its agency, Exim, would be the only purchaser and we ask why. The Government has failed to explain the financial commitment of the Commonwealth and State

Governments and to what degree protection and security will be available for the public funds involved.

Members on this side of the House have said time and time again that although Exim received a grant of \$6 million for the purchase of the leases and the Premier is the only shareholder of Exim, any question about how those funds will be spent should be directed to the Corporate Affairs Office as it is a private company.

The Government has also not explained the impact on the pastoral industry when the properties are subdivided, how they will be restructured, and how they will be finally made available to pastoralists for purchase. Of all of the arguments that have been advanced on this side calling for an investigation on how the properties will be restructured, not one member of the Government has paid any attention to those arguments. They do not know the answers, yet they proceed. This project will cost, on the Premier's own admission, \$20 million. The Government is not aware how this money will be finally made available to pastoral people.

Mr Bridge interjected.

Mr BLAIKIE: A number of people have approached me, as I said in my opening remarks on this matter—to which the member for Kimberley should have replied—and said that if the blocks are subdivided, they will be too dear for the average pastoralist to buy. I challenge the Government to indicate how it will set a fair price. Government members have not answered these complaints, yet this matter is causing concern to the people of the Kimberley region who are interested as prospective purchasers.

Mr McIver: Rubbish!

Mr BLAIKIE: The Minister can say, "Rubbish." We also asked whether any private arrangements had been entered into. That, again, is a major reason for this inquiry to be set up. The matter has not been answered by any speaker from the Government side and it has not even been referred to. The matter of how the \$6 million will be spent or whether the \$6 million will be made available, totally or in part, and to what extent Aboriginal people will be able to claim from that fund is causing concern to the people in the Kimberley region.

Mr McIver: It is the same old story; give the Aboriginal the boot.

Mr BLAIKIE: I have not even started to boot.

Mr McIver: This is your election policy; boot the Aboriginal and tell lies about the Government with regard to Aboriginal land rights.

Mr BLAIKIE: The Minister with special responsibility for Aboriginal Affairs is able to look after himself. He could have participated in the debate.

Mr McIver: Get up there and have a look at the squalor that they live in. Give them a bit of land to live on.

Mr BLAIKIE: Is the Minister going to give them more land now?

Mr McIver: I said I would allocate land if it was an advantage to them. You people are such racists, you should live in South Africa.

The SPEAKER: Order! The member for Vasse will conclude his remarks more quickly with fewer interjections.

Mr BLAIKIE: Thank you, Mr Speaker. Paragraph (c) of the motion recommended that there be an investigation into—

the basis and legitimacy of land claims made by Mr Stephen Hawke and Aboriginal groups to 45 per cent of selected Kimberley pastoral property;

To say that that is a racial comment is fallacious in the extreme. I would certainly like to know what is the legitimacy for Mr Hawke to make the land claim that he has made. Government members could agree to such inquiry to satisfy themselves on the matter. The Government has made not one comment on that particular paragraph.

Finally, paragraph (f) recommended an inquiry into—

the effect on the resource exploration and development industries together with those companies and individuals seeking approval for entry to former pastoral leases now under control by Aboriginal groups, communities and agencies, . . .

The Government made absolutely no comment on that matter either. I am disappointed that the Government failed to answer the questions that the Opposition put to it. This motion was put forward on a basis of parliamentary cooperation. Members of Parliament can ask for all sorts of inquiries, judicial or otherwise. The Opposition in this case requested an inquiry by both Houses of Parliament.

The terms of my motion made it clear that I sought a membership which would consist of five members of Parliament representing the two Houses. Three members would be appointed by the Legislative Assembly and two

by the Legislative Council. If ever there was an opportunity given to be fair, this was the occasion. I did not seek for this motion to be seen as a political stunt. As far as I am concerned, the basis for my bringing forward the motion is that the matter is of importance to Western Australia and its future. As all members upon consideration of the membership of the House would understand, the Government would nominate two of the three members to come from the Legislative Assembly and it would certainly nominate one of the two members to come from the Legislative Council for membership on the committee. Thus the Government would have the weight of numbers in the inquiry.

Mr Laurance: You couldn't be fairer than that.

Mr BLAIKIE: We could not be fairer than that. Of the five members of the committee, the Government would have three. Thus Government members should be aware of the fairness of the Opposition in this respect. I am deeply disappointed that the Government has indicated that it will not support the motion.

If the Government does not go ahead with the inquiry, in due course we will see a land scandal in the Kimberley. We will see land rights taking off and becoming set to flourish because Exim will simply do the Government's bidding. It will do as the Premier wants it to do because he is the principal shareholder and there will be a land scandal in Western Australia as a result of this Government's inactivity. All the chickens will come home to roost because of that inactivity, and 12 to 18 months down the line we will see the result. Every Government member will know that the words I have uttered are quite correct. Those Government members that are here next year will certainly eat their words because I will be here to remind them. I seek the support of members for this motion.

Question put and a division taken with the following result—

Ayes 19

Mr Blaikie	Mr Mensaros
Mr Bradshaw	Mr Old
Mr Cash	Mr Spriggs
Mr Court	Mr Stephens
Mr Cowan	Mr Thompson
Mr Coyne	Mr Trethowan
Mr Grayden	Mr Tubby
Mr Laurance	Mr Watt
Mr MacKinnon	Mr Crane
Mr McNee	

(Teller)

## Noes 26

Mr Barnett	Mr Hughes
Mr Bateman	Mr Jamieson
Mrs Beggs	Mr McIver
Mr Bertram	Mr Parker
Mr Bridge	Mr Pearce
Mr Bryce	Mr Read
Mrs Buchanan	Mr D. L. Smith
Mr Terry Burke	Mr P. J. Smith
Mr Carr	Mr Taylor
Mr Davies	Mr Troy
Mr Evans	Mrs Watkins
Mr Grill	Mr Wilson
Mrs Henderson	Mr Gordon Hill

(Teller)

## Pairs

Ayes	Noes
Mr Williams	Mr Tom Jones
Mr Peter Jones	Mr Tonkin
Mr Hassell	Mr Hodge
Mr Rushton	Mr Burkett
Mr Clarko	Mr Brian Burke

Question thus negatived.

Motion defeated.

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

### Membership

Message from the Council received and read notifying the Assembly of the resignations from the Standing Committee on Government Agencies of Hon. Robert Hetherington, Hon. J. M. Brown and Hon. Kay Hallahan, and the appointments of Hon. G. C. MacKinnon, Hon. Tom McNeil and Hon. W. N. Stretch.

## RURAL MORTGAGE PROTECTION AND RELIEF BILL

### Second Reading

Debate resumed from 25 September.

**MR TUBBY** (Greenough) [9.20 p.m.]: It is with great pleasure that I rise to speak in the second reading debate on the important Bill introduced by the member for Moore. It is a Bill which makes provision for the restriction in certain cases of the rights of mortgagees, vendors and others with regard to rural land.

Since this Bill was introduced by the member for Moore, I have circulated copies throughout my electorate and as a result I have received very favourable comments. That is encouraging indeed. Some comments have been made that it contains some grey areas, but I congratulate the member for Moore on the work he has put into the preparation and introduction of the Bill, which will allow debate to take place on this important issue facing the rural industries at present.

I notice that in the rural Press the Minister for Agriculture has indicated that he is rather soft on the idea of the Bill. However, he has not been critical of the Bill so I hope that he may see the Bill in a different light since its introduction and that we may expect some support for the Bill from the Government.

A major topic of conversation in rural areas in the last week has been the sale under instructions of the mortgagee, West Australian Trustees Ltd, of the Scott family property at Dongara a week ago. This valuable property of 6 000 hectares was sold at auction for less than half its value.

The property was valued in January at \$1.85 million and it was sold for \$810 000. That is a disastrous situation for all concerned, except the purchaser.

The Scott family was not even extended the courtesy of being informed of the reserve price. When the bidding reached \$805 000 the people gathered were told that the reserve price had been reached. A further bid of \$5 000 was taken at that stage and the hammer fell at \$810 000. That sale spelt disaster for rural land values in Western Australia. It can be accepted as halving the value of such land across the board.

The property is in an assured rainfall area on the coast suitable for grain growing and grazing. It has been a double disaster. The sale has not only halved the value of rural land in Western Australia but also the effect of this drop in values will in many cases deprive farmers of equity in their properties. In such circumstances it puts them in an impossible situation from which to raise finance to carry on next year.

I do not have the details of the property auctioned but the Scott family has been forced by various mortgagees to sell three parcels of their land. The first is at Dongara, the second at Watheroo, and I believe a third property at Latham will be listed shortly.

I will quote the article which appeared in the property section of the *National Farmer* on 3 October and which gives details of properties on the market throughout Australia. The article is titled "Major land auction in W.A.". It stated—

The Moora Hotel, in the Western Australian sheep/wheat township of Moora will be the setting for a major land auction on October 24. Bidders will have the opportunity to buy an 11,660-hectare livestock and grazing property which, if not

sold as a whole, will be offered as seven smaller but independently viable properties.

The seven farming units are 40-60km north of Moora on or near the Geraldton Highway, and only 2½ hours' drive from Perth. Community facilities such as schools, shopping-centres and a hospital are close-by.

Each of the land holdings is over 1300 ha, with the largest, Yo-Espro, being 2300 ha. Around 700 ha of Yo-Espro has been sown to wheat this year, and a further 280 ha is maintained as a nature reserve for local wildlife. This property has a homestead featuring large open verandahs, an in-ground swimming pool and numerous dwellings suitable for guests or employees.

The second largest property of 2114 ha, Westwood North, also features a large homestead and in-ground swimming pool. It carries a larger area under crop—with 437 ha of wheat, 319 ha of barley, 111 ha of clovers and smaller areas of lupins and medics.

Westwood South, a 1937 ha property sandwiched between the two larger holdings, has no structural improvements but does carry 530 ha of wheat. The water-table is close to surface and in the past has supplied high quality water to drinking troughs.

The four other holdings—Waltons (1239 ha), North End (1200 ha), Dromes South (1336 ha) and Dromes North (1552 ha) are also suited to crop and livestock production, having plentiful water and good development potential.

The properties as a whole are stocked with 10,500 ewes, 3000 weaner ewes, 9200 lambs and 60 cows and calves. Sound fertiliser application has been rewarded by high stock returns, seen in the 88 per cent lambing rate of 1985. A normal application of 100 kg/ha of super to pastures and 135 kg/ha of Agras to crops has been carried out on all seven properties.

That article indicates that the properties are well developed and improved and have a good history. It is also an indication of the type of farmers the Scott family members are. This situation will lead to a rapid decline of confidence so far as finance to the rural industries is concerned. This sale at Dongara was forced by West Australian Trustees Ltd, and I believe that the reserve price on the property was an

indication that WA Trustees was only satisfying its needs while many other creditors will be left lamenting.

Some comments have been made about the grey areas of the Bill introduced by the member for Moore. I believe that those areas would fade into insignificance if one heard the details I have just given.

I was interested to read the comments of the Minister for Agriculture in the rural Press. I cannot read from the article, but will give my recollections of it. The Minister for Agriculture stated he was pleased with the indication given by banks that they would not foreclose on farmers affected by high interest rates and low commodity prices. The Minister was pleased to hear this undertaking which was necessary to underpin confidence in the rural industries. This is an admirable stance by the banks, but for how long can they continue to support the situation after the Dongara disaster? Pressures are coming from financiers other than banks. It appears they are jumping in now and being first-in-best-dressed, grabbing all they can and leaving the others to lament.

This is a very serious situation indeed. In a number of cases it has been indicated that rural land values have been too high. Perhaps this is true, but there are various reasons for high property land values, because when a smallholding comes up for sale, because of the need of surrounding farmers to retain viability, they pay a lot more for that property than it is economically worth if it were considered as a single purchase on its own. When a property is added to another property, one increases the overall viability and occasionally excessive prices are paid.

The intention of the Bill is a very important one, and I believe that is to put a floor in the market. If the situation which arose at Dongara were allowed to spread throughout the rural community, prices would go down. This would lead to a complete lack of confidence by financiers in the rural industries and it would be very difficult indeed for farmers to arrange finance to carry on for the next year.

On a number of properties banks have lent to their limit and farmers have had to go to what is known in many rural areas as "funny money." This is money obtained outside the normal banking institutions. It is sad that rural people have to rely on this type of finance to carry on. They are at the mercy of those financiers who are demanding a very high and unacceptable rate of interest.

The support shown for the rural industries by both Federal and State Governments in the recent Budgets has been very poor indeed. I would go as far as to say, as I said about the Federal Budget, that the assistance given to the rural industry is a sick joke, when one considers the amount of funds allocated to other areas.

Much play has been made of the benefits regarding fuel, but when one considers the amount of petrol, for instance, which is used off-road these days it is not considerable. Not so many years ago it would have been, when self-propelled harvesters were petrol propelled. Then it would have had some meaning. In this coming harvest, had that been the case, the relief would have been of no benefit because it does not come in until after 1 January. It will be of very little benefit at all.

In view of the circumstances of the rural industry, the very poor agricultural assistance in the Budget was an insult to an industry which has been the backbone of this State for many years. The agricultural industry has generated tremendous export earnings and it is a very high employer of labour.

Recently the Premier proudly announced assistance to home owners and told us of the money he would pump into the home building societies; that was an admirable step to assist those people. I know they will be very pleased to receive that benefit.

When the Premier was making his announcement I could not hold my tongue. I said, "What about the farmers?" I meant that in a genuine way, because those farmers are losing not only their homes for which they have already paid, but their livelihoods as well. Very serious consideration should be given to the plight of these people.

Let us face it, they will be a great burden on welfare housing, and there will be vacant farms with vacant homes on them. There will also be a considerable increase in the social welfare funds needed to support these families.

If the Government is going to incur a cost in this direction, I would like to see consideration given to financial assistance for these people so that they are able to remain on their properties. Quite a number of farmers are in a borderline situation. A number of them have had their machinery repossessed before the commencement of this year. Their properties have been on the market and they have been unable to sell them. The providers of finance have demanded their debts be met. The farmers have properties

which they cannot sell, they cannot gain access to any finance to meet their commitments, and the hire purchase companies move in to take their machinery.

At the present stage the lid is being kept on the mortgagee sale potential. After this harvest I can see a further considerable deterioration in the situation. One need only look through the property sales in the rural Press to see the large number of mortgagee sales. I know many have not been listed; it is only a question of holding off and dribbling onto the market rather than causing a flood. If a flood happens, as has been demonstrated at Dongara, the falling values will create an absolute disaster.

Over the years we have forecast this situation, but very little notice has been taken of what we have said. Many people have sat back and thought that things would take care of themselves, but that has not eventuated.

Farmers are in a serious situation following a series of bad seasons. They are now at a stage where even though they might have noticed some improved production, the costs which have built up behind them over the years are crippling, especially now that they are running into high interest rates. The situation is causing them great alarm.

The Government should consider a moratorium on interest rates, especially at a time when we see the banks and other lending institutions achieving enormous profits. The situation is absolutely criminal. I know it is just business to run an efficient operation and to make as much profit as possible, but when we are confronted with the plight of our rural industries, particularly as it is largely brought about by high interest rates imposed by financial institutions on their lendings while they themselves make great profits, the situation really is disastrous. We cannot drag blood from a gatepost, yet that seems to be the situation we have reached. Something constructive and serious must be considered to help farmers and the farming industries generally.

The Bill introduced by the member for Moore will at least create a holding situation and give Governments and industry organisations an opportunity to come up with something constructive to help ease the present situation and allow farmers to retain their way of life. Perhaps it may be necessary for farmers to cut back on their operations and to cut down on their costs, but at least they would be allowed to stay on their properties and make a living. They must be catered for somewhere in

the community, and by retaining them on their properties they are at least doing something productive.

This is the second time during my lifetime that I can remember going through this sort of situation. I can recall as a lad in the 1930s going through the Depression. Today's situation is very similar. In the 1930s farmers were being forced off their properties. It was a very serious situation and we saw many mortgagee sales. In many cases, farmers could not bear simply to leave their homes and walk off their properties, so as they walked out the door they dropped a match and walked on.

One such farmer was probably my benefactor when I started my farming career, because the property I took up in 1946 had nothing on it; every moveable thing had been taken and it was covered by a 10-year regrowth. In 1946 as a young and enthusiastic returned serviceman I was able to gain possession of the property simply by signing up for the debt on the 1 000 acres, and that debt was £2 300. Everyone said that I was mad to commit myself to such a colossal debt and that I would never be able to get out of it. However, the farming situation improved and I was able not only to get out of that debt situation but also to expand and buy out other smaller, unviable properties. The property is now a viable operation of 10 300 acres and its size is about what one needs to exist today. Although it is considered to be a viable property, it can only just provide an existence today, and most rural properties would be in the same situation. I do not happen to be farming now, but I brought up a good son who is carrying on the tradition; he is a good farmer and I am proud of him. Even though it is a viable property he is concerned about his future and about the future of his young son who is approaching 13 years of age and who would love to go onto the farm and continue our family's tradition which goes back to 1910. In fact, this weekend the area celebrates its 75th anniversary of farming. I am very proud to be one of a farming family that has been in the area all the time, through thick and thin. We have been through a good number of thicks and a number of thins.

Mr Terry Burke: We lost ours in the Depression.

Mr TUBBY: A lot walked out during the 1930s. A marginal assistance programme was introduced in the late 1930s and a debt adjustment Act was brought in to enable farmers' debts to be restructured and written off to a stage where the farmers were thought to be able

to service the outstanding debt. At that time a lot of farmers had done the right thing and had really tightened their belts; my father was one of them. I can remember him being quite sour about other farmers, who had not been good farmers and who had wasted their money, yet their debts had been reduced. In reducing many debts a number of creditors were able to regain only a very small percentage of the outstanding debt, and this created a great degree of uncertainty and animosity between individual farmers and business people. I hope that sort of drastic action will not be needed now.

I urge the Government to do something positive to assist rural industries whether it be by way of a moratorium on interest rates on debts or by other means. The Bill introduced by the member for Moore will enable something to be done, so I hope the Government is not intending just to throw it out as something it believes will not work. I am sure the member for Moore would welcome constructive amendments that might improve the Bill. That would be for the good of all concerned. I commend the Bill to the House and hope it receives the support it deserves. I congratulate the member for Moore for his initiative in introducing a Bill of this nature at this time into the Parliament.

MR EVANS (Warren—Minister for Agriculture) [9.48 p.m.]: The Bill introduced by the member for Moore reflects the financial difficulties confronting rural producers in WA. We have just heard a very sincere and honest look at the situation by the member for Greenough. I do not propose to examine the details of the causation of the problems facing the rural industries, because we did something of this order on 18 September when addressing a motion on rural hardship.

Suffice it to say that broadly speaking the member for Moore and the member for Greenough are correct in their overall exposition. The Government is aware of the situation; I assure them of that, having monitored it very closely.

The point made about the sale of the Scott property and the proposed action alluded to highlights the concern that is abroad, and it is one which we all share.

I accept that the Bill is well-intentioned and that those intentions as explained in the second reading speech are two-fold. Firstly, they relate to the security of the mortgagor by disallowing the sale for whatever sum is bid at auction. I do not think anyone would cavil with that principle. Secondly, the Bill seeks to create some



stabilising effect on land prices which have fallen in the past few years. That stability is highly desirable although perhaps some comment could be made on the trend land prices took prior to that period.

While accepting the good intentions of the Bill I point out it will have some substantial adverse effects so the net result will not be in accord with the intentions as they are conceived. Naturally as would be expected, I referred this measure to quite a range of organisations, departments, and authorities who are directly involved in rural economics, the rural industry and rural finance. This involves banks, the producer organisations, the pastoral houses, valuers, the Rural Adjustment and Finance Corporation, the Department of Agriculture, and the Valuer General's Department.

Despite the Bill's good intentions, its undesirable implications are the subject of virtually all the responses, some in greater measure in particular areas than others. To illustrate that point, one answer refers to the Bill as commercially unrealistic and doing no more than exacerbating an extremely delicate situation. That is from a leading financial institution and authority in Western Australia. I point out also there are questions about the workability of this measure. Some suggested provisions will need to be examined much more closely to see if they allow the Bill to work at all, particularly in the manner in which it is intended. To that end I feel this House should be informed of the detail with which I have been provided to enable members to consider all the implications of this measure. I propose to comment on a series of responses I have received. I do not intend to indicate the sources, but it is sufficient to give verbatim the slant so members will appreciate that the comments are from the leaders of the financial world. The first quote is as follows—

In our view the proposed legislation is completely inappropriate. The rights and liabilities of the parties to any mortgagee are clearly set out in the mortgage and are well understood in the market place as a result of centuries of historical development. The Bill seeks to change these rights and in our opinion could exacerbate the problems being faced by the farming community rather than alleviate them.

It goes on to elaborate as other responses do. The general comments about the Bill from this source are as follows—

The Bill proposes to regulate all present mortgages as well as all future mortgages relating to rural land. It is therefore in a sense retrospective legislation in so far as it affects the rights and liabilities of the parties to the mortgage in a way that could not have been contemplated when the parties entered into the mortgage.

The cost of the valuations which are required to be carried out under the Bill result in increased costs not only to the mortgagor but also to the mortgagee and would no doubt result in Financial Institutions devising methods of covering such additional costs.

This question of the cost of valuations cannot be ignored and will need to be explored. The third point made in the letter is as follows—

The imposition of this Bill would result in a great loss of confidence by Financial Institutions and may well result in Financial Institutions becoming more selective in advancing monies for the purposes of the purchase of rural land which will only aggravate the present problems in this area.

Mr Crane: It is Wesfarmers' letter, isn't it? That is its attitude to the Bill.

Mr EVANS: As I indicated, I am not going to reveal the source of the comments. I think their comments should be made known and they cannot be disregarded. The fragility of the lending houses cannot be disregarded.

The only other point I would like to read on this which is open to further comment by the member for Moore is as follows—

Financial Institutions generally do not proceed to mortgagee sales especially in the case of rural land unless there is absolutely no other alternative and it would in my view be rare that such land is sold at a mortgagee sale at less than the proposed 80% of the assessed value.

The second source had this to say about the Bill—

Whilst we applaud the purpose of the Bill, and the proposer's motivations, we are concerned at what appears to be an adverse effect caused by an artificial propping-up of what otherwise would be a natural flow of the market.

Areas of concern are that:

- (a) insufficient sales' information on today's "real values" is available, and with a valuer necessarily

using out-dated information (say, from 12 months earlier), it could well be that the valuation far exceeds what the market is prepared to pay in today's climate. A valuation, only weeks' old, in today's climate is out-of-date;

- (b) financiers will probably be reluctant to enter into arrangements without the security of knowing that they may liquidate their interests if the borrower were to default;
- (c) if a sale does not eventuate at 80% of the average values, a further depreciation in the market will occur, thus worsening the situation for both parties at a later date;
- (d) if the sale fails to eventuate because of the constraints of the proposed Bill, and the mortgagee declines to provide further advances—and no other prospective mortgagee is in sight—how then does the mortgagor carry on?

Once he gets to that stage I would suspect that obtaining additional finance from any source would be highly improbable.

The third reply I received was not a very lengthy one but it is fairly succinct and states—

It is felt that this Bill should not proceed any further as in the manner in which it has been presented, its aims and objectives cannot be practically undertaken.

The expense and time lag will only work to the detriment of the party in hardship.

It goes back to that main theme which is a major worry. It is something that not only this House and the Government, but the entire rural industry, especially the finance sector will need to address very earnestly and in great depth.

The fourth letter had this to say—

I have a deal of empathy for the spirit of intent in Mr. Crane's proposed bill.

Mr McNee: Tell us what you will do.

Mr EVANS: If the mouth from Mukinbudin would listen for a moment.

Mr McNee interjected.

Mr EVANS: I cannot give the member understanding but I can give him information. The first thing he needs to do is to get an appreciation of the situation. He does not know

what is happening and he is not prepared to find out; he is only prepared to sound off. The letter goes on as follows—

Even so, it is my opinion that other measures of action to assist the rural industry and farmers are available to government and are preferable options to the proposed bill.

Mortgagor farmers unable to meet payments specified in mortgage contracts do have reasonable time in most cases to rearrange their financial affairs whether by sale of assets or through additional borrowing.

I do not wish to proceed in depth with that particular epistle. A number of points were made in this particular response—eight in all. I think it is as well to read some for the sake of the record. It states—

Whilst reference has been made to the fall in farm values it should be realised that this was preceded in 1979-81 by a doubling of rural values which was not accompanied by a proportional increase in productivity/net profit.

That is a fairly important fact, and one which is frequently overlooked, particularly by the member for Mt Marshall. The price-net return situation has certainly kept well below the increase in costs.

Mr Tubby: What created that cost situation?

Mr EVANS: If we got involved in looking at the cost situation as it exists today we would have to go back over two decades. It did not happen in the last week. It goes back to the fiscal policies of Governments well before the Government in office today. Let us not lose sight of that fact. I can cite some rather unfortunate instances for the farming community that took place at the behest and at the initiative of Governments of the same colour as that of members opposite.

In conclusion this particular letter makes the point that—

In conclusion whilst Mr Crane's second reading speech clearly identifies the problems, the proposed Rural Mortgage Protection and Relief Act 1985 can only be regarded as a temporary measure.

This raises the question of the workability of the Bill. A number of comments were made with regard to the working of the Bill. That is something which can be left, and I will give some detail about the situation as the valuation commissioner sees it.

The next letter states—

While we are obviously sympathetic with the intent of the Bill proposed and the need for protection, it is felt that in its present form it would not relieve the situation in a manner in which it is intended.

The other area of concern would relate to the possibility of bankruptcy proceedings being taken out by a debtor other than a mortgagee.

In the light of the above we do not support the Bill.

An alternative proposition was put forward with that which needs to be examined. Although there are several others, this final letter will suffice to develop the trend and concern that is felt for the line which has been put forward. It states—

It is felt that this Bill should not proceed any further as in the manner in which it has been presented, its aims and objectives cannot be practically undertaken.

The expense and time lag will only work to the detriment of the party in hardship.

That aspect of the measure cannot be disregarded. If such a measure were introduced it could undermine the existing avenues of finance in the country which would mean that if there was a tightening of credit by the traditional lending houses it could involve a number of rural holders in a predicament they would otherwise not have reached.

Mr Tubby: Land values will go to rock bottom. You have to weigh the disadvantages against the advantages.

Mr EVANS: I will turn my attention to that in a moment. However, at the present time we should explore the intentions of the Bill and look to the future because I feel it is important that the various aspects of this measure are clearly understood. To that end I approached the Valuer General's Office and was advised that the sponsor of the Bill had not contacted his office about the feasibility of providing the service or on any other related matter.

Members should note the following comments made by the Valuer General—

1. Section 3(1) makes reference at "Value", to the Valuation of Land Act.

This word in section 4(1) of that Act encompasses various defined values and corresponding verbs.

One of these is "assessed value" which is a percentage number for the calculation of gross rental value.

It would therefore appear to be in conflict with the wording in the Bill at line 5 of section 5(1) and in the explanation of the formula in section 5(2).

This refers to 80 per cent of the assessed value of the land. It continues—

2. Section 5(5) allows for costs to be raised, for valuations required under this section, against the appointor.

If any party fails to appoint a valuer the Valuer General is directed to carry out the function. It is in doubt who the Valuer General is entitled to charge for the service.

This raises another issue—

In addition to carrying out valuations as part of a General Valuation, the Valuer General is only empowered to carry out valuations for defined bodies—section 39 of the Valuation of Land Act refers.

Doubt therefore exists as to whether the proposed legislation would take precedence over section 39.

The Valuer General makes the following point—

In this context it should be noted that each valuation could vary in cost from \$1 500 to \$5 000 or more, thus placing an extra burden on a mortgagor.

The following are further points made by the Valuer General—

It is thought, however, that it would inhibit lending on rural properties, cause a reconsideration of accepted terms for contracts of sale and create problems for both vendors and purchasers.

Further on he states—

... it is lesser mortgagees who are causing default sales and in these instances the legislation would be of little assistance.

When one considers the massive problems which do exist in regard to the workability of the legislation, perhaps the point is made.

I think that the attitude of Treasury, which has professional officers who are involved in details of finance of all sorts as far as the economy is concerned, is indicated in the following quote—

Although the aims of the Bill appear commendable, I would be concerned that the provisions contained therein would have the effect of discouraging commercial lenders from providing finance to the rural sector.

Should this occur, the Government would face considerable pressure to become, effectively, bankers for the rural industry. As you will appreciate, the Government does not have the financial capacity to assume this role.

Mr McNee: No excuses, it is a cheap and grotty little Government.

Mr EVANS: It deals with grotty people if one looks across to the other side of the House.

The commentary of the Rural Adjustment and Finance Corporation of Western Australia should be given regard to. The major consequence of legislation having the thrust of this proposal based in Western Australia would be that the availability of credit to the rural sector would be seriously damaged. It would appear that some members in this House do not appreciate or care if that comes about and the rural sector is disadvantaged in the availability of finance. If such legislation were enacted the question arises, what next? Not only would those under threat of foreclosure be unable to obtain further credit but also a source of credit for many others would dry up.

That does not seem to be appreciated by some people but it is the factual situation understood by those who have a knowledge of the operation of rural finance and credit generally.

Existing finance measures have to be taken as part of the overall situation and the manner in which these have been nurtured. These measures include renegotiating the rural adjustment scheme, for which the Commonwealth has tentatively indicated a payment to the State of \$522 000 for interest subsidy purposes. This figure will translate into loan funds available to eligible farmers of \$5.644 million. Some of the Commonwealth allocation might be used as a direct interest rate subsidy to commercial lenders. I would be safe in saying that the rural reconstruction and rural adjustment scheme trust funds would accommodate a further \$5 million of assistance if this was necessary.

In addition to these measures, the drought relief loan scheme has been extended for farmers and pastoralists affected by drought. Loans of up to \$70 000 may be approved. More

assistance has been given to rural industries by this Government than by any other Government and the statistics and facts demonstrate that. Let us be honest and face up to the situation.

I point out that only yesterday the drought consultative committee met and extended the area that is now subject to drought declaration; it includes in full the seven shires previously declared in part and involves several others. I make the point that \$70 000 is available to each drought declared farmer, which is well in excess of what has been the case previously.

The Rural Adjustment and Finance Corporation has an important role to play in whatever additional proposals the Government may finally determine upon. For the sake of the record, I indicate what has transpired as far as financial assistance to the rural community is concerned.

Firstly, the Rural Adjustment Authority of WA has been expanded to become the Rural Adjustment and Finance Corporation, the scope of operation has been extended and the consultancy role has been increased. Also additional facilities and capacities should be available for farmers. The special carry-on finance of the past two years—although not all the funds available were utilised—indicates that a very useful facility was available for obtaining finance for those who were beyond the lender of last resort stage.

The DEPUTY SPEAKER: Order! I suppose the Minister is talking about the Bill before the House?

Mr EVANS: I most certainly am, Mr Deputy Speaker. I assure you that the whole tenor and thrust of the Bill introduced by the member for Moore is directed towards rural finance. I am simply indicating what action has been taken in the immediate past by this Government, and suggesting some direction towards the future. It is very relevant.

The DEPUTY SPEAKER: I was quite sure that it would be.

Mr EVANS: The Government has also introduced a consultancy scheme through the cooperation of the Australian agricultural consultative organisation, whereby a farmer will pay \$40 for a two-hour consultancy and the Government will pick up the rest of the tab. An amount of \$32 000 has been set aside for this in the Budget. The need for expert consultancy was identified in the report presented by the committee of inquiry of this Legislative Assembly investigating rural hardship. That

recommendation has been acted upon and it is one of the dozen or more recommendations followed through by this Government.

In addition, several agricultural economists have been appointed to major centres. Two positions have been included in the Budget as new measures and I understand one will be based at Merredin and the other at Geraldton.

I have already referred to the expanded drought relief measures and, bearing in mind that it will be used very extensively, from the indications we have already received, and that the number of shires has been expanded, therefore, the total number of farmers who will take advantage of these \$70 000 loans is not inconsiderable.

A series of country seminars is to be arranged and the four-pronged attack on rural problems as indicated by the Premier in the course of his Budget speech is something that is worth bearing in mind as an endeavour to alleviate the problems to which I have referred.

Mr Tubby: Are you going to set a termination date on the advancement of those loans? Loans which have been made in the past in an emergency situation have been too little and, above all, too late. There should be a cut-off point. You are not doing the right thing by the people by providing funds too late, because it will move them into a worse situation.

Mr EVANS: It certainly would not be the intention of the Government to see any assistance arrive too late. That is not the object of the exercise at all.

Mr McNee interjected.

Mr EVANS: Members will appreciate that every complaint put forward by the member for Mt Marshall was found not to be the sole cause of the body that was fulfilling that role.

Mr McNee: You know that is not right.

Mr EVANS: The member for Mt Marshall has a hide to imply that, because at that time that organisation was under very heavy pressure. It worked most commendably, and to have rabble like that denigrate it is certainly not acceptable. The number of complaints put in by the member were examined and were found to be unsubstantiated in several cases, and the member knows it.

I do not want to expand the debate into specifics, but it has become patently clear that there are several problems with the measure introduced by the member for Moore. Firstly, there are ramifications that could well follow, with the implications of rural lending and the

impact it would have on the availability of finance to farmers who could be in serious jeopardy if that funding were to be cut off. I appreciate everything the member for Moore says about land values, and also the points poignantly made by the member for Greenough. If land values continue to slide, it will get to the stage where the equity upon which that person can call to put his borrowings in place is diminished, so his financial situation will become much worse. But the problem is that while this is what the member for Moore is trying to safeguard, the fear of the financial experts to whom I referred is that that situation will be exacerbated. That problem must be recognised.

There is a further problem to which the Valuer General referred in connection with the very basic question of whether this Bill could work if it were passed.

Mr Crane: Could it not be amended, then, to overcome that problem?

Mr EVANS: At this stage it appears to be in conflict, and it also appears, by virtue of its operation, to be unworkable. As well, when one has regard to the situation of a mortgagor, if he applies under the terms of the measure suggested by the member for Moore, he would straightaway be in a position of having no carry-on finance. In a period of 120 days there could be problems with the valuation. Three valuations are called for, and it could be over that period of 120 days, which could, of course, have quite a great disparity and the final one could be below the 80 per cent required under the terms suggested by the member. That is one factor.

We must also consider the attitude of the mortgagee. He certainly would not make finance available for the purpose of a mortgagor paying for valuations. These are questions which must be addressed more closely than they have been up to this time. It would probably be worth going back to the Valuer General for additional comment.

Those are matters that this House cannot disregard, and I doubt whether this House could make a decision on them without further reflection and examination. Alternative approaches have been put forward by two primary industry associations, and there have been suggestions from other quarters as to what should be done. But one thing is clear: If any degree of compulsion comes into the rural

lending scene, there will be a freezing-up of credit and an expanded disaster in rural communities.

However, there are other avenues. I do not know to what extent the Rural Adjustment and Finance Corporation could be expanded—it may have a role here. Consultation with and examination of the options available to a rural producer in trouble is certainly one role, and one that is being expanded through the measures already suggested. It could well be that the matter of protection orders should be examined. There is provision under the Rural Adjustment and Finance Corporation guidelines for this to occur, but there is a question with regard to the extent to which protection orders can be applied under the spirit of that legislation.

Mr Crane: If they were applied, would they not have the same effect you claim my Bill would have?

Mr EVANS: That is why there is a need for such caution, but I am suggesting that it would not be in a compulsory manner.

The Rural Adjustment and Finance Corporation does have the capacity to examine and assess the situation of any applicant who comes before it. In this way, if it can be shown that there is a prospect for that person, a protection order can be applied.

Mr Crane: And if there is no prospect, do you just throw him to the wolves?

Mr EVANS: At the present time, any individual whose assets are less than his liabilities is in a very difficult situation.

Mr Crane: That is what is going to happen with mortgagee sales. It will not be long before all of our assets are less than our liabilities. For instance, a property at Watheroo was sold for \$810 000, which was \$1 040 000 less than its valuation.

Mr EVANS: Under the terms of the member for Moore's Bill, there will also be the problem of establishing valuation. There are a number of difficulties in this regard, and it is something that must be explored further. The implications and the actual logistic problems of this measure are such that they make it most difficult for this House to arrive at a reasoned and logical decision. It is for that reason that I seek the adjournment of this measure, and I have already made provision to discuss with certain organisations and other involved parties just what is practicable in this field.

While I appreciate the intent and sincerity of effort of the member for Moore and the seconder of the motion, the member for Greenough, we must remain practical.

#### *Point of Order*

Mr WATT: I ask the Minister to table the documents from which he quoted.

Mr EVANS: I am quite prepared to table them and to make them available to *Hansard*. I know the identity of the documents from their numbering and I am quite happy to table them if members wish to see the full transcript.

The DEPUTY SPEAKER: I direct that all the papers from which the Minister has quoted during his speech be tabled. The Minister need not table those notes which are his own.

Mr EVANS: That is quite satisfactory to me.

*(The papers were tabled for the information of members.)*

#### *Debate Resumed*

Debate adjourned, on motion by Mr Gordon Hill.

### **LOCAL GOVERNMENT GRANTS AMENDMENT BILL**

#### *Returned*

Bill returned from the Council without amendment.

*House adjourned at 10.31 p.m.*

## QUESTIONS ON NOTICE

980. *Postponed.*

### PORTS AND HARBOURS

*Developments: Augusta-Mandurah*

1008. Mr BLAIKIE, to the Minister for Transport:

Would he please advise details of all private proposals currently being considered for harbour developments in different parts of the coast between Mandurah and Augusta?

Mr GRILL replied:

I am aware of two private proposals for harbour developments between Mandurah and Augusta. One is at Geographe Bay near Busselton and the other is in Bunbury. I am not in a position to reveal confidential details concerning private developers.

1038 and 1070. *Postponed.*

### REGIONAL DEVELOPMENT: SOUTH WEST DEVELOPMENT AUTHORITY

*Land: Purchases*

1071. Mr BRADSHAW, to the Minister for Regional Development and the North West with special responsibility for "Bunbury 2000":

What land has been purchased by the South West Development Authority?

Mr GRILL replied:

Purchases of Glen Iris Land to date are as follows—

Portion of Leschenault Location 26 being lot 3 on diagram 966—certificate of title volume 1125 folio 72—situated in Moorland Avenue.

Portion of Leschenault Location 26 being part of lot 16 on plan 1856—certificate of title volume 1138 folio 318—situated in Jubilee Road.

Portion of Leschenault Location 26 being lot 29 on plan 1856—certificate of title volume 1237 folio 905—situated in Jeffrey Road.

Portion of Leschenault Location 26 being part of each of lots 5 and 6 on plan 1856—certificate of title volume 1249 folio 821—situated in Newton Road.

Portion of Leschenault Location 26 being part of lot 12 on plan 1856—certificate of title volume 1089 folio 152—situated in Jubilee Road.

Portion of Leschenault Location 26 being lot 13 on plan 1856 together with a right of carriageway over portion of lot 14 adjoining—certificate of title volume 1234 folio 421—situated in Jubilee Road.

Portion of Leschenault Location 26 being lot 4 on plan 1856—certificate of title volume 1438 folio 983—situated in Newton Road.

Portion of Leschenault Location 26 being lot 1 on diagram 17034—certificate of title volume 1154 folio 523—situated in Jeffrey Road.

Portion of Leschenault Location 26 being part of lot 38 on plan 1856—certificate of title volume 174 folio 199A—situated in Jubilee Road.

Portion of Leschenault Location 26 being part of lot 1 on plan 2571—certificate of title volume 260 folio 107A—situated in Vittoria Road.

Portion of Leschenault Location 26 being lot 2 on diagram 1086—certificate of title volume 12 folio 77A—situated in Newton Road.

Portion of Leschenault Location 26 being part of lot 11 on diagram 5192—certificate of title volume 1596 folio 894—situated in Vittoria Road.

Portion of Leschenault Location 26 being part of lot 11 on plan 1856—certificate of title volume 1322 folio 376—situated in Vittoria Road.

Portion of Leschenault Location 26 being part of lot 1 on plan 1856—certificate of title volume

1355 folio 768—situated at the corner of Vittoria and Newton Roads.

## ENERGY

### *Electricity Powerlines: Guidelines*

1072. Mr STEPHENS, to the Minister for Minerals and Energy:

- (1) What consideration did the Energy Advisory Council give to the guidelines recommended in 1978 by the working party on environmental aspects of overhead transmission lines?
- (2) On what date were the recommended guidelines transmitted to the State Energy Commission?
- (3) Which of the guidelines were not adopted by the State Energy Commission and for what reasons?
- (4) (a) Is it a fact that one of the recommendations was for the working party to be given a watching brief and be convened when particular environmental problems arose relating to overhead powerlines;
- (b) if "Yes", why was it not convened or consulted when the State Energy Commission recently changed its relaxed powerline clearing policy to the severe practice that is now attracting wide public concern?

Mr PARKER replied:

- (1) The council received the report on 6 February 1979. It adopted the work party's report.
- (2) The same day.
- (3) The commission adopted all the recommendations in the report.
- (4) (a) Yes;
- (b) the work party no longer exists. I do not wish to activate new work parties until the Government determines the future role of the council.

1073. *Postponed.*

## LAND RESOURCE POLICY COUNCIL

### *Members*

1074. Mr STEPHENS, to the Premier:

- (1) Who are the members of the Land Resource Policy Council?
- (2) What are the terms of reference of the policy council?
- (3) Is one of the council's functions to advise the State Government on areas of conflicting land resource policy?
- (4) What consideration has been given to referring to the Land Resource Policy Council the recent change by the State Energy Commission to a more severe clearing of vegetation on road verges?

Mr BRIAN BURKE replied:

- (1) The permanent heads of the following departments—  
 Department of Agriculture  
 Water Authority of Western Australia  
 Department for Sport and Recreation  
 Department of Mines  
 Department of Conservation and Environment  
 Department of Lands and Surveys  
 Department of Conservation and Land Management  
 Department of Premier and Cabinet  
 Department of Local Government  
 Department of Regional Development and the North West  
 Department of Resources Development  
 Town Planning Department  
 Representing Local Government—  
 Mr J. H. Towie  
 Representing agricultural and pastoral interests—  
 Mr J. D. S. O'Connell  
 Representing Aboriginal interests—  
 Mr K. Colbung  
 Representing sport and recreational interests—  
 Mr A. W. Robinson  
 Representing land management research and educational interests—  
 Professor A. D. Robson  
 Representing resource-using industries—  
 Mr A. Tough  
 Representing conservation interests—  
 Dr A. Tingay



- (2) To evaluate and make recommendations to the Government on major land use questions.

To initiate land use policy for consideration by the Government and to evaluate new proposals for land use referred to it by the Government.

To evaluate and make recommendations to the Government on the consequences of land resource management plans developed by individual agencies which impact on other State resources.

To coordinate land management research.

To review the regional plans prepared by regional planning authorities.

- (3) Where they are covered by the terms of reference given above.
- (4) No consideration at this stage.

### BUSINESSES

#### *Small Business: Equity Participation Loans*

1075. Mr CASH, to the Premier:

- (1) Is the Western Australian Development Corporation currently advertising offering financial assistance and loans to small businesses on an equity participation basis?
- (2) If "Yes", what are the Western Australian Development Corporation's current lending rates as compared with current bank lending rates for similar loans?
- (3) How many inquiries has the Western Australian Development Corporation had from small businesses to borrow funds on an equity participation basis?
- (4) How many agreements have been reached between the Western Australian Development Corporation and small businesses involving equity participation and financial assistance?

Mr BRIAN BURKE replied:

- (1) No.
- (2) and (3) Not applicable.
- (4) If in relation to (1) not applicable. If in a general sense, the member is referred to the Western Australian Development Corporation's annual report recently tabled in the Parliament.

1076. *Postponed.*

### TAXES AND CHARGES

#### *Land Tax Rebate: Treasurer's Letter*

1077. Mr CASH, to the Treasurer:

- (1) Is he aware of claims that he intends a letter to be sent to people currently paying land tax extolling the proposed rebate which was announced in his Budget speech on 10 October 1985?
- (2) (a) Is there any substance in these claims;
- (b) if "Yes", how much cost is involved and who will pay for this proposal?

Mr BRIAN BURKE replied:

- (1) and (2) See answer to parliamentary question 1050 of 15 October 1985.

### TRANSPORT

#### *Bus Licences: Inspections*

1078. Mr BATEMAN, to the Minister for Police and Emergency Services:

As there have been many inquiries by omnibus owners who choose to pay their licences each six months rather than every 12 months, why is it necessary for the owner who pays half his licence each six months to have his vehicle fully examined by the Vehicle Inspection Branch, which carries an added cost to the owner's licence, whereas if he chooses to pay his licence in full every 12 months he is only required to submit his bus for vehicle inspection on payment of the full year's licence fee?

Mr CARR replied:

Provision exists under regulation 4(2) of the Road Traffic (Licensing) Regulations for the inspection of vehicles upon the issue or renewal of a licence.

For road safety reasons it is considered necessary that omnibuses be inspected for roadworthiness at least once a year. This can only be achieved within the context of regulation 4 by the requirement for an inspection at the time of each renewal.

If this requirement did not prevail, owners of omnibuses could exercise their option under the Road Traffic Act to effect renewal of the licence for

six months or twelve months and circumvent the yearly inspection requirement by renewing the licence at the time of inspection for six months and subsequently for a further twelve months. This has the result of extending the time between inspections to eighteen months.

The requirement for inspection upon renewal under the authority of regulation 4 precludes such occurrences and is considered to be in the best interests of road safety.

(2) Stage two of the repairs and renovations programme. This work will consist of—

- (a) new ambulance entry;
- (b) remodelling and upgrading of the CSSD;
- (c) remodelling and upgrading of the birth suite and maternity ward;
- (d) upgrading of both mechanical and electrical services within the above areas.

(3) Current estimated cost is \$400 000.

## EDUCATION: SAIL TRAINING SHIP

*Commitment: WA Vessel*

1079. Mr OLD, to the Minister for Education:

- (1) Has he or his department made any commitment to the Western Australian Sail Training Association to provide assistance in funding the building of the 134-foot barquentine currently being built at Australian Shipbuilding Industries shipyards?
- (2) Has any commitment been made to assist in providing salaried crew for the vessel?
- (3) If "Yes", to (1) or (2), would he please provide details?

Mr PEARCE replied:

- (1) The Public Education Endowment Trust has committed financial assistance to the WA Sail Training Association for the vessel.
- (2) No.
- (3) A grant of \$100 000 was made available.

## HEALTH: HOSPITAL

*Murray District: Works Projects*

1080. Mr BRADSHAW, to the Minister for Health:

- (1) Is any work to be carried out on the Murray District Hospital this financial year?
- (2) If so, what work?
- (3) What is the estimated cost?

Mr HODGE replied:

- (1) Yes.

## HEALTH

*Noise Abatement Regulations: Relaxation*

1081. Mr CASH, to the Minister representing the Minister for Employment and Training:

- (1) Has the Minister issued instructions that compliance with the Noise Abatement (Hearing Conservation in Workplaces) Regulations 1983 may be relaxed in particular cases?
- (2) If "Yes", what circumstances or criteria are necessary for an employer to show that he should not be prosecuted for failure to implement the regulations?

Mr PEARCE replied:

- (1) and (2) I recognise that some sections of industry are experiencing difficulty in complying with the hearing conservation in workplaces regulations and propose to announce a range of strategies designed to alleviate these difficulties at a Press conference on Monday, 21 October 1985, the date on which the regulations come into effect.

## ENVIRONMENT

*Heritage Legislation: Introduction*

1082. Mr CASH, to the Minister for the Environment:

Is it intended to introduce heritage legislation into the current session of Parliament?

Mr DAVIES replied:

A draft Bill has been prepared and is currently under consideration. A final decision on introduction into the current session of Parliament has not yet been made.

## HEALTH: DISABLED PERSONS

*Blind Persons: Guide Dogs*

1083. Mr HASSELL, to the Minister for Health:

- (1) Is it his understanding that in most public places in Western Australia guide dogs for the blind are accepted when accompanying a blind person?
- (2) Is it also his understanding that—
  - (a) this acceptance extends to hotels, motels, and other accommodation establishments; and
  - (b) there is some resistance to the acceptance at hotels, motels, and other accommodation establishments of hearing dogs for the deaf, the purpose of which are to provide warning to deaf persons of fire or other dangers to those persons?
- (3) If he is aware of any difficulties in this regard, would he please tell the House what situation is intended to be covered by proposed legislation and whether any other action is in train between the Government and the accommodation industry to alleviate any current difficulties?

Mr HODGE replied:

- (1) Yes. The Food Hygiene Regulations made under the Health Act make special provision to permit guide dogs for the blind in food handling premises.

Complete prohibition of animals exists for swimming pools and country slaughterhouses.

- (2) (a) Yes;
- (b) no complaints of this nature have been brought to my notice. I would be pleased to investigate if any such instances are known to the member.
- (3) No submissions for legislation of the kind suggested have been made to the Health Department by interested persons or bodies, and none is being considered.

## EDUCATION: SCHOOLS

*Air-conditioners: Servicing*

1084. Mr HASSELL, to the Minister for Works:

- (1) Can he advise whether air-conditioners at schools will now be serviced monthly, rather than fortnightly or more frequently if necessary?
- (2) If so, can he give the reason for this cutback, and will he consider having the previous service restored so that school children are not subject to prolonged periods of foul air in their classrooms?

Mr McIVER replied:

- (1) and (2) Generally air-conditioners at schools have been serviced two-monthly, with filters being cleaned monthly, except in extreme conditions. Services have now been scheduled to be carried out on a four-monthly basis, with filter cleaning on a two-monthly basis.

As part of the Government's ongoing commitment to reduce unnecessary expenditure, the Building Management Authority's investigations have established that monthly filter cleaning is an unnecessary expense. Because of the high design criteria applied to school air-conditioning, cleaning on a less frequent basis will not detract from the quality of the air being circulated.

Further it should be noted that the air being filtered is only that which is breathed by students while they are outside or in unair-conditioned spaces so that having been filtered it is obviously cleaner than "natural" air.

## FIRE STATION

*Claremont: Closure*

1085. Mr HASSELL, to the Minister for Police and Emergency Services:

Is he prepared to allow the closure of Claremont Fire Station?

Mr CARR replied:

The Leader of the Opposition will be aware from the past that the Western Australian Fire Brigades Board regards the need for a fire station at

Claremont as marginal and the existing station as obsolete and not capable of economic upgrading.

The board is currently seeking to replace the existing structure with a new facility in Congdon Street adjacent to the present site, but has encountered difficulty in obtaining local authority approval.

The Government would consider objectively any future recommendations made by the Western Australian Fire Brigades Board.

### SPORT AND RECREATION

#### *South African Rotarians: Participation*

1086. Mr COURT, to the Minister for Sport and Recreation:

Will the State Government support the entry of South African Rotarian sportsmen to participate in Western Australian sporting events?

Mr WILSON replied:

Questions relating to sporting contact with South Africa are a Federal matter and should be directed accordingly.

### STOCK

#### *WA Livestock and Food Ltd: Capital Grant*

1087. Mr COURT, to the Premier:

What are the conditions attached to the capital grant of \$6 million to Western Australian Livestock and Food Ltd as reported in Exim Corporation's annual report?

Mr BRIAN BURKE replied:

The capital grant of \$6 million must be used in accordance with the agreed policies of reconstruction of the Kimberley pastoral industry.

### FINANCIAL INSTITUTIONS: BUILDING SOCIETIES

#### *Interest Rates: Government Assistance*

1088. Mr COURT, to the Minister for Housing:

- (1) Was the \$72 million lent to the building societies interest free by the Government borrowed back from the building societies at 15½ per cent interest payable monthly to the building societies?

- (2) Why is this money to be raised in the market place by the Central Borrowing Authority when it was initially announced by the Premier in Parliament that it would come from the Treasury cash surpluses?

Mr WILSON replied:

- (1) Yes.
- (2) I refer the member to the Treasurer's answer to question 142 in which he indicated that the proposed arrangement to fund the scheme from Treasury cash balances was at that time the current plan. However, he also went on to clearly state that the details of the scheme were still being worked out by the Treasury.

Following discussions between Treasury officers and representatives of permanent building societies, and taking into account the preferences of the societies, the borrowing approach was recommended.

1089 and 1090. *Postponed.*

### ENERGY: CONSUMERS

#### *Statistics*

1091. Mr HASSELL, to the Minister for Minerals and Energy:

- (1) What is the total number of State Energy Commission customers—
  - (a) domestic;
  - (b) business and non-domestic?
- (2) What proportion of the income of the State Energy Commission is received from the consumers who are—
  - (a) domestic;
  - (b) business and non-domestic?

Mr PARKER replied:

- (1) Currently there are approximately 443 000 domestic customers and 69 000 business and non-domestic customers.
- (2) Based on 1984-85 sales, approximately 30 per cent of income is received from domestic consumers and 70 per cent from business and non-domestic consumers.

## HOUSING

*Homeswest: Building Programme*

1092. Mr LAURANCE, to the Minister for Housing:

- (1) Will he provide details of Homeswest's intended building programme in the 1985-86 financial year for the towns of—
  - (a) Exmouth;
  - (b) Carnarvon; and
  - (c) Denham?
- (2) Will he include details of both the Commonwealth-State and the Aboriginal housing programmes for these towns?

Mr WILSON replied:

- (1) and (2) Three homes for the Aboriginal housing scheme are programmed for Carnarvon, and while no new construction is intended for Exmouth and Denham, the future demand in these localities will be monitored.

## HOUSING

*Government Employees' Housing Authority: Northern Towns*

1093. Mr LAURANCE, to the Minister for Housing:

- (1) Does the Government Employees' Housing Authority intend to build any homes in the towns of—
  - (a) Exmouth;
  - (b) Carnarvon; and
  - (c) Denham,
 during the 1985-86 financial year?
- (2) Will he provide details of the intended programme for these towns?

Mr WILSON replied:

- (1) (a) No;
- (b) yes;
- (c) yes.
- (2) The 1985-86 construction programme for Government Employees' Housing Authority is as follows—
 

Exmouth—Nil;  
Carnarvon—4 units;  
Denham—3 units—carry over from 1984-85.

## LAND: NATIONAL PARK

*Ningaloo Marine Park: Budget Allocation*

1094. Mr LAURANCE, to the Minister for Conservation and Land Management:

Will he provide details regarding the vote of \$340 000 allocated for the Ningaloo Marine Park in the State Budget?

Mr DAVIES replied:

The vote for the initial stages of the Ningaloo Marine Park Project is made up of \$170 000 from the Australian Bicentennial Authority and \$170 000 State contribution for capital works connected with the project.

## PORTS AND HARBOURS

*Exmouth: Budget Allocation*

1095. Mr LAURANCE, to the Minister for Transport:

What investigations and studies are to be carried out as a result of the \$45 000 vote for the Department of Marine and Harbours for Exmouth?

Mr GRILL replied:

The allocation of \$45 000 allows for completion of ocean and ground investigations required for the proposed fishing industry service facility near Badjirrajirra Creek.

A cyclone wave and storm surge study will shortly be completed by consultants, and borehole drilling along the structure's proposed alignment has recently been completed by contract.

## PORTS AND HARBOURS: JETTY

*Denham: Budget Allocation*

1096. Mr LAURANCE, to the Minister for Transport:

- (1) Will he provide details regarding the expenditure of \$100 000 allocated in the State Budget for a new jetty at Denham?
- (2) Will the remains of the existing jetty be demolished?
- (3) Is the new jetty intended to be built on the site of the existing jetty?

Mr GRILL replied:

- (1) The \$100 000 provides for the commencement of construction of the new jetty, including dredging, to extend the basis area.
- (2) Yes.
- (3) No—80 metres to the north.

## FISHERIES DEPARTMENT

### *Denham: Budget Allocation*

1097. Mr LAURANCE, to the Minister for Fisheries:

Will he provide details regarding the proposed expenditure of \$77 000 for a garage and workshop at Denham as outlined in the State Budget?

Mr EVANS replied:

The construction will provide the necessary housing and security for the district fisheries office's boats, trailers, vehicle, and equipment, together with a small maintenance facility. Visiting departmental research officers will use the building for storage purposes. The facility is expected to be completed by mid-November 1985.

## TOURISM

### *Accommodation Guide: Production*

1098. Mr LAURANCE, to the Minister representing the Minister for Tourism:

- (1) Is the Western Australian Tourism Commission producing a new accommodation guide?
- (2) Has the commission engaged any other person or agency to assist in the preparation of a new accommodation guide, and if so, will he provide details?
- (3) Has the Western Australian Tourism Commission or the former Department of Tourism previously produced an accommodation guide?
- (4) If "Yes" to (3), how do the charges for each insertion on a cost per column centimetre basis compare between the existing guide and the proposed guide?
- (5) In the proposed new guides is there a minimum charge for an insertion by an accommodation house, and if so, what is that charge?

(6) Is the Minister aware that Royal Automobile Club produces an excellent guide listing all accommodation houses in Western Australia at no cost to the individual accommodation houses?

(7) Does the Minister's department consider that the guide proposed by the Western Australian Tourism Commission will be an unnecessary duplication of the existing Royal Automobile Club guide and, therefore, a waste of Government resources?

(8) What is the estimated cost to the commission of the proposed guide?

Mr BRIAN BURKE replied:

- (1) and (2) No.
- (3) Yes.
- (4) The cost for an entry in the previous accommodation guide produced by the Western Australian Tourism Commission was nil to the accommodation house. At this stage the Western Australian Tourism Commission does not anticipate producing an accommodation guide. Therefore the question of costs is not relevant.
- (5) Refer to answer to question (4).
- (6) Yes. All accommodation houses in Western Australia are listed free of charge in the RAC guide. The RAC does solicit block advertising from individual accommodation houses at normal advertising rates in order to offset production costs.
- (7) No. The commission is not producing an accommodation guide.
- (8) There is no cost to the Western Australian Tourism Commission because no guide is being produced.

## TOURISM

### *Country Tourism Association: Executive Meetings*

1099. Mr LAURANCE, to the Minister representing the Minister for Tourism:

- (1) How many meetings of the executive of the Country Tourism Association were held in the 1984-85 financial year?
- (2) What were the dates of each meeting?
- (3) How many times did the Western Australian Tourism Commission meet during the same period?

- (4) What were the dates of each commission meeting?

Mr BRIAN BURKE replied:

- (1) 12.  
 (2) 17 July 1984  
     21 August 1984  
     18 September 1984  
     16 October 1984  
     20 November 1984  
     18 December 1984  
     31 January 1985  
     28 February 1985  
     19 March 1985  
     16 April 1985  
     21 May 1985  
     18 June 1985.  
 (3) 15.  
 (4) 4 July 1984  
     8 August 1984  
     5 September 1984  
     25 September 1984  
     8 October 1984  
     7 November 1984  
     13 November 1984  
     11 December 1984  
     9 January 1985  
     25 January 1985  
     13 February 1985  
     13 March 1985  
     17 April 1985  
     8 May 1985  
     12 June 1985.

#### SIR LENOX HEWITT

##### *Conflict of Interest: Explanation*

1100. Mr PETER JONES, to the Premier:

- (1) Adverting to the reply given to question 799 of 1985, concerning conflict of interests by Sir Lenox Hewitt, has the required reply yet been received from Sir Lenox Hewitt?  
 (2) If so, when is he intending to issue his public statement regarding Sir Lenox Hewitt's conflict of interests?  
 (3) If not, what action has been taken to require Sir Lenox Hewitt to provide the information originally sought by him many months ago?

Mr BRIAN BURKE replied:

- (1) Yes.  
 (2) I am satisfied that there is no conflict of interest.  
 (3) Not applicable.

#### MINERALS: DIAMONDS

##### *WA Diamond Trust: Unit Holdings*

1101. Mr PETER JONES, to the Premier:

What number of units in the Western Australian Diamond Trust are currently held by—

- (a) State Government Insurance Office;  
 (b) Superannuation Board;  
 (c) any other Government or semi-Government statutory authority?

Mr BRIAN BURKE replied:

- (a) and (b) The unit holders in public trusts are readily identifiable by reference to the unit registry and payment of the required fee.

The Government has been advised that from the most recent list of major unit holdings in the Western Australian Diamond Trust, the State Government Insurance Office held 250 000 units and the Superannuation Board of Western Australia held 500 000.

- (c) I am not aware of any other holdings of units in the Western Australian Diamond Trust by other Government or semi-Government statutory authorities.

1102. *Postponed.*

#### LAND: NATIONAL PARK

##### *Hamersley Range: Mining Conditions*

1103. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Adverting to the reply given to question 583 of 1985, what conditions is the Government considering imposing on any mining operations in the Hamersley Range National Park?  
 (2) Have any such conditions been discussed and agreed with the mining industry in view of the precedent involved?  
 (3) Is the Government intending to impose any special payment, levy, or royalty-related arrangements as a condition of its approval?

Mr PARKER replied:

- (1) Conditions for mining operations, if and when they are approved, have not been finalised but will include requirements for adequate rehabilitation and revegetation of all mined areas with a security, by way of a lodged bond, for compliance with these requirements. In addition, the leaseholder will be required to make payments of up to 10 per cent of the value of gold won to the Nature Conservation and National Park Trust Fund.
- (2) The proposed conditions have been discussed with the lessee.
- (3) Answered in (1) above.

#### AMERICA'S CUP

##### *Industrial Relations Climate*

1104. Mr PETER JONES, to the Minister representing the Minister for Industrial Relations:

- (1) Adverting to the reply given to question 586 of 1985, concerning discussions with maritime unions and others on America's Cup activities, would he please give the details of what he considers to be the "appropriate" industrial relations the Government wants observed?
- (2) What further meetings have been held between the parties concerned to discuss the maritime unions' attitude to America's Cup activities?

Mr PARKER replied:

- (1) Appropriate industrial relations practices refers to the various maritime and waterfront industrial arrangements which are agreed between the parties involved or awarded under the provisions of either the Western Australian Industrial Relations Act or the Australian Conciliation and Arbitration Act.
- (2) Further meetings were held on 23 and 26 September, 1985. However, it should be understood that these meetings are to facilitate an ongoing detailed exchange of information on shipping and ferry movements during the America's Cup.

#### MINERALS: GOLD

##### *Boddington: Infrastructure*

1105. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Adverting to the reply given to question 588 of 1985 concerning Worsley alumina refinery infrastructure, has the Government yet reached agreement with the Worsley partners regarding the social and community infrastructure to be provided before approval is given for the Boddington gold project to proceed?
- (2) As the Government has indicated that the Worsley partners only provided minimal social and community infrastructure as part of their alumina project development, is it intended to ensure that greater commitment of facilities and amenities are provided for Boddington as part of this gold project?

Mr PARKER replied:

- (1) and (2) The member for Narrogin is referred to my reply to question 588. Negotiations are still proceeding.

#### AMERICA'S CUP

##### *Charter Vessels: Details*

1106. Mr PETER JONES, to the Minister representing the Minister for Tourism:

- (1) Adverting to the reply given to question 728 of 1985 concerning vessel charter for himself or his department during the America's Cup, how many vessels are being considered?
- (2) From what source have the charter vessel's details been obtained?
- (3) By whom is the consideration being given?
- (4) By whom will the final decision be made?

Mr BRIAN BURKE replied:

- (1) and (2) This matter is still under consideration.
- (3) The Minister responsible for the America's Cup defence.
- (4) The Government.



## MINERALS: IRON ORE

*Mt Newman: Agreement Act*

1107. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) When is the Government intending to amend the Iron Ore (Mount Newman) Agreement Act, in order to reflect the proposed change in ownership arrangements?
- (2) Is it intended to amend other provisions of the agreement Act while the ownership arrangements are being changed?
- (3) If so, what changes could be considered?

Mr PARKER replied:

- (1) to (3) The implications of the proposed change in ownership for Mt Newman are currently under consideration and will be discussed with the parties involved in the near future. Any amendments to the Iron Ore (Mt Newman) Agreement Act which might be appropriate will be considered in the context of those discussions.

## MINERALS: IRON ORE

*Robe River: Government Equity*

1108. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) What benefit does the Government consider will result from Government equity in one of the partners in the Robe River iron ore project?
- (2) For what reason did the Government pursue the purchase of equity in a company having an interest in this project when there were other buyers interested in purchasing the interest?

Mr PARKER replied:

- (1) and (2) The member appears to be referring to an investment made by the Western Australian Development Corporation, and as the member is well aware the investment policy of that corporation is determined by its board of directors.

## INSURANCE

*State Government Insurance Office: Liability Reinsurance*

1109. Mr PETER JONES, to the Treasurer:

- (1) Adverting to the reply given to question 643 of 1985 concerning State Government Insurance Office liability reinsurance, what were the precise difficulties being experienced by the State Government Insurance Office and most Australian liability insurers?
- (2) In what way were world market trends affecting reinsurance capacity?
- (3) At what average interest rate has the reinsurance been renewed?
- (4) By what average percentage is the renewed reinsurance higher than that previously arranged?

Mr BRIAN BURKE replied:

- (1) The shortage of world-wide capacity, especially in the London market, caused by large claims such as asbestosis in America, the Bhopal disaster in India, and, closer to home, the recent bushfires in Victoria and South Australia, and the Cambridge Credit case in New South Wales.
- (2) These caused reinsurers to reduce their involvement in liability reinsurance, resulting in a shortage of capacity.
- (3) The terms and conditions vary according to the way risks were reinsured.
- (4) This varies, depending upon the particular reinsurance contract negotiated and the layering of each placement.

## WA GOVERNMENT HOLDINGS LTD

*Directors: Fees*

1110. Mr PETER JONES, to the Premier:

- (1) Adverting to the reply given to question 593 of 1985 concerning fees and remuneration to directors of Western Australian Government Holdings, when is it intended that the directors' fees will be set?
- (2) When did the shareholders meet to appoint the directors as indicated in the reply, and as is legally required?
- (3) When is it intended the shareholders will again meet to review the necessary appointments?

- (4) When is it intended to advertise and conduct the annual general meeting of Western Australian Government Holdings?

Mr BRIAN BURKE replied:

- (1) The fees and remuneration to directors of Western Australian Government Holdings Ltd will be set by the directors of the company at a time judged appropriate by the directors.
- (2) and (3) The current directors were appointed subsequent to the last annual general meeting. Their appointments will be confirmed at the next annual general meeting of the company.
- (4) The annual general meeting of WAGH Ltd will be held on a date in November to be set by the directors of the company.

#### TRADE: EXIM CORPORATION

*Mr Brian Easton: Appointment*

1111. Mr PETER JONES, to the Premier:

- (1) Adverting to the reply given to the question 816 of 1985, do the terms of Mr Easton's Government appointment allow him to accept any income or benefit from other contractual or casual employment arrangements?
- (2) If so, was Mr Easton required to notify what other arrangements he had?
- (3) If not, why not?

Mr BRIAN BURKE replied:

- (1) to (3) Mr Easton was not appointed by the Government, but by the Chairman and Board of Directors of WA Exim Corporation. This was pointed out to the member in the answer to question 816.

At the time of his employment, Mr Easton voluntarily declared all his business interests.

In September 1985, he completed his divestment of all external business interests and resigned from all boards of directors other than those involved in Government service.

1112. *Postponed.*

#### QUESTIONS WITHOUT NOTICE

#### MINISTERS OF THE CROWN: GIFTS

*Rules: Breach*

276. Mr MacKINNON, to the Premier:

- (1) Does the Premier recall that his statement of 20 June 1983 indicated that rules which set out conditions under which gifts could be accepted by Ministers and members of their families had been adopted by Cabinet?
- (2) Does he also recall the statement at that time that, "In no circumstances would Ministers be able to accept money or gifts in kind as free accommodation or free air travel"?
- (3) Why did the Premier breach the Cabinet instructions?

Mr BRIAN BURKE replied:

- (1) to (3) I do not recall the Press release to which the Deputy Leader of the Opposition refers. I should say, in answer to the general question that refers specifically to that trip to Fiji, that I accepted that and I had absolutely no qualms about accepting it.

I should also say that as far as the Deputy Leader of the Opposition is concerned, I presume that he has no qualms about accepting the offer of a businessman who paid for the costs of the round-the-world-trip by his Press secretary, as previous Premiers have had no qualms about accepting, according to our records, numerous trips and accommodation attaching to those trips which were offered from time to time by businessmen and by multinational corporations. That is the situation as far as I am aware.

While I am not familiar with the detail of the Press release to which the Deputy Leader of the Opposition refers, I should say that I have absolutely no qualms about ever having accepted that trip. I do not believe that members of Parliament, unless there is something untoward involved, should have any hesitation about accepting these sorts of offers. I remind the House that as recently as the trip to this State by Ansett Airlines of Australia some months ago, both the

Minister for Transport and the Minister for Tourism accepted the offer of travel on that trip.

I do not believe anything is wrong in their accepting that offer. As far as I am concerned, while the Opposition dwells on this sort of thing, it will not advance its cause one iota. I do not want to go through all of the trips that have been accepted in the past by different Premiers and Ministers. However, if the Opposition wants me to I am happy to make the information available to it.

#### REGIONAL DEVELOPMENT: SOUTH WEST DEVELOPMENT AUTHORITY

##### *Future: Liberal Party Conflict*

277. Mr D. L. SMITH, to the Premier:

- (1) Has his attention been drawn to a radio news report suggesting conflict in the Liberal Party over the future of the South West Development Authority?
- (2) Does the Government have any information available to it that sets out clearly the Liberal Party's position on the authority?
- (3) What is the Government's position?

Mr BRIAN BURKE replied:

- (1) to (3) My attention has been drawn to a report broadcast on ABC radio in Bunbury this morning. This report refers to what it calls a "public disagreement" between two south-west Liberals over the future of the South West Development Authority.

Apparently, the member for Murray-Wellington regards the authority as a waste of money and he called for it to be scrapped. However, the endorsed Liberal candidate for Bunbury, Mr John Sibson, in the same broadcast said the Liberal Party wants the authority to continue and he will be fighting to ensure this happens. In fact, Mr Sibson even went a step further and had the temerity to claim for the Liberal Party the credit for setting up the authority. He said it is just

the South West Development Advisory Committee under a different name.

I know that in politics one cannot copyright good ideas, and that one has to be prepared often to see one's opponents pinch one's good ideas, but even allowing for that, Mr Sibson is stretching everyone's credulity by seriously expecting he will be believed when he says the Liberal Party established the South West Development Authority.

If the Liberal Government set it up, I cannot understand why it was so strongly criticised by some Liberal members in this place. Mr Sibson is of course 100 per cent wrong in trying to claim the credit for the authority. Nevertheless, we are delighted to have his support for the authority.

I suppose the confusion among south-west Liberals about the authority is only to be expected because it reflects the confusion of the party's leadership in Perth. When the Liberal Party released its privatisation hit list—a hit list which it subsequently claimed it did not have, even though it had issued a Press release about it—the authority was on it. There was such an outcry in the south-west that the Leader of the Opposition made the fastest backtrack members have ever seen, denying it had ever been under threat.

Subsequently, that position was fudged a bit more and though I might be wrong, I now understand the position to be that a Liberal Government will not necessarily do away with the authority, but it will not necessarily keep it either. In other words, it is in line with the rest of its privatisation policy, namely, it is in favour of privatising things, but only if the privatisation has no practicaleffect. The Opposition does not really know which things it wants to privatise and it does not really expect to know for some time.

## MINISTERS OF THE CROWN: GIFTS

*Rules: Breach*

278. Mr MacKINNON, to the Premier:

(1) Is he aware that the Press release to which I referred in my previous question was issued by the Department of Premier and Cabinet on 20 June 1983, reference P83 378?

(2) Is he aware that that statement commenced as follows—

A policy adopted by Cabinet today is designed to remove any uncertainty which might have existed in past years concerning acceptance of gifts by State Government Ministers?

(3) Is he also aware that the statement continued as follows—

The policy provides that Ministers, their spouses and their families should avoid circumstances in which the acceptance of any gifts could give the appearance of a conflict of interest, past, present or future with public duty?

(4) I repeat again, why did the Premier contravene that policy set down so clearly and concisely by Cabinet in June 1983 and in a statement issued by himself as Premier at that time?

Mr BRIAN BURKE replied:

(1) to (4) I can only repeat that I am not aware of the detail of the statement.

Mr MacKinnon: You have a very short memory.

Mr BRIAN BURKE: The Deputy Leader of the Opposition may think so.

Mr MacKinnon: Didn't the statement mean what it said?

Mr BRIAN BURKE: Let me simply say that if the Deputy Leader of the Opposition maintains that in some way there is an untoward aspect to any travel accepted by any Minister or by myself, let him say so.

Mr MacKinnon: I am quoting your words.

Mr BRIAN BURKE: Of course the Deputy Leader of the Opposition is. All I am saying is that as far as I am concerned, if the Deputy Leader of the Opposition wants to draw from that trip that there is some appearance of untoward action or obligation entered into, let him say so.

Mr MacKinnon: That is your statement.

Mr BRIAN BURKE: Of course it is. As far as I am concerned there is absolutely nothing untoward in the appearance that was involved in that trip unless it is in the view of the Deputy Leader of the Opposition.

My conscience is clear, and as far as I am concerned, if the Deputy Leader of the Opposition has any evidence of anything untoward, then he should say so. What is the evidence? I do not believe that there was anything untoward about that trip whatsoever.

Mr MacKinnon: You set the rules.

The SPEAKER: Order! The Premier will resume his seat. I am not going to tolerate these continual interjections. Once a member has asked a question I think he should listen to the answer.

Mr BRIAN BURKE: In the same way, I do not believe there is anything untoward in the acceptance by the Leader of the Opposition of the offer of a business person to pay the round-the-world travel expenses of his Press secretary or in the acceptance by a number of Ministers, a number of former Premiers, present Ministers, and former Ministers of different offers of travel assistance during the past 10 or 12 years. That is the situation.

As far as the Government is concerned it does not believe that there should be any instance in which there is anything untoward. However, if the Deputy Leader of the Opposition wants to reach the stage where witch-hunts of the sort he is trying to promote are carried out, he will be as guilty as will any other member of this Parliament.

## ENVIRONMENT: PEEL INLET-HARVEY ESTUARY

*Algae: Budget Allocation*

279. Mr READ, to the Minister for Transport:

Will the Minister give details of how the allocation of funds in the 1985-86 Budget will be spent to help solve the algal problems at Peel Inlet and Harvey Estuary?

Mr GRILL replied:

As part of the Government's six-point action plan to solve the algal problems in Peel Inlet and Harvey Estuary, it has allocated \$460 000 to initiate dredging of the Peel Inlet channel at Mandurah. The project will involve the dredging of 177 000 cubic metres of material from the channel between the traffic bridge and ocean marina and will improve both small craft access and estuarine flushing.

The Government has also allocated \$809 000 for land acquisition and to undertake detailed engineering and environmental studies for the Dawesville channel. The channel will produce a four-fold increase in the flushing rate in Harvey Estuary. The weed problem should be reduced to acceptable levels within about five years following construction of the channel.

Preliminary work indicates that the channel should be about 1½ kilometres long, 200 metres wide, and about 3½ metres deep. The project will cost \$31 million.

#### EDUCATION: HIGH SCHOOL

##### *Padbury Construction*

280. Mrs BEGGS, to the Minister for Education:

- (1) When is the construction of the new Padbury High School due to commence?
- (2) Will the Minister give consideration to his department calling a public meeting with parents of the area to discuss all matters affecting the school, particularly the matter of safe access for students from Hillarys crossing Marmion Avenue to attend the school?

Mr PEARCE replied:

- (1) There is an allocation in the current Budget for the Padbury High School. The intention is that the construction of the school will begin at the commencement of 1986 and will continue through that year ready for a 1987 start.
- (2) There is a difficulty in regard to the catchment area for students because it is bisected by Marmion Avenue, which is a busy four-lane highway.

Therefore, students' safety is something which will have to be carefully considered in the establishment of access paths for students to the school.

The suggestion of the member that a public meeting of parents be held in early 1986 before planning is finalised is a good one. The meeting should be held. Perhaps the member might care to call such a meeting which I will attend in conjunction with departmental officers and possibly officers from related departments such as Planning and Main Roads in order to ensure that parents can be involved in the planning of safe access ways for their children to that school.

#### MINISTERS OF THE CROWN: GIFTS

##### *Rules: Breach*

281. Mr MacKINNON, to the Premier:

- (1) I refer again to the Press statement of 20 June 1983 and ask the Premier if the policy adopted by Cabinet in June 1983 which reads as follows is still in force—

... designed to remove any uncertainty which might have existed in past years concerning acceptance of gifts by State Government Ministers?

- (2) If not, why not?

The SPEAKER: Order! I think I should remind the Deputy Leader of the Opposition that the questions without notice session is a privilege extended to this House by the Speaker. There are other members who want to ask questions and that question is an absolute repeat of the two previous questions.

Mr Brian Burke: I am perfectly happy to answer the question.

The SPEAKER: I know that the Premier may be willing to answer the question, but I must ensure that the rules of the House are obeyed.

Mr MacKINNON: I am asking the Premier if the policy is now in existence. I have not asked that question before and I wish to know if that policy still applies.

Mr BRIAN BURKE replied:

- (1) and (2) The one consistent policy is that no Minister should involve himself in anything that is dishonest, nor should he do anything that would contradict his oath of office. As far as the Government is concerned, it is absolutely impossible to reach a situation in which there is a hard and fast, and completely exclusive, policy.

Mr MacKinnon: Does what you said in 1983 still apply?

Mr BRIAN BURKE: The general policy, and the specific policy in this case, is that there should be no dishonesty attaching to anyone's action. That is the situation.

As far as the Government is concerned it cannot be expected, and I do not think it should be required, that Ministers should have to refuse legitimate offers that are made to them. I remind the Deputy Leader of the Opposition that in the case of the trip to which he specifically refers, I accepted it in a private capacity and had no qualms about accepting it. It is absolutely unrealistic to think that Ministers of the Crown, the Leader of the Opposition, or other office holders will not from time to time be offered absolutely legitimate trips. That is perfectly clear, and unless the Deputy Leader of the Opposition can demonstrate some dishonesty attaching to it, I do not believe that any strength is to be gained from referring to policy which has been discussed from time to time since it was first debated and decided upon more than two years ago.

Mr MacKinnon: You said it.

Mr BRIAN BURKE: That is the assumption that there is no variation to the policy and that there have been no discussions about it since.

Mr MacKinnon: It is a flexible policy then?

Mr BRIAN BURKE: Of course, we have a general policy that goes to the ultimate honesty of the Ministers in the situation. That is the story and as far as I am concerned, unless the Deputy Leader of the Opposition can demonstrate some dishonesty involved in a Minister, a Premier, or a Leader of the

Opposition, accepting a legitimate offer, he, and particularly the Opposition does not have an argument to which to cling.

In addition to the matter I have raised, we are told publicly that the telex costs of the Opposition are being paid by a private businessman, and another journalist is being paid by a business interest to support the Opposition's quest for re-election.

Mr MacKinnon: What is the difference?

Mr BRIAN BURKE: It has to do with the much more important question of someone's honesty. That is the important question. A person is either honest or he is not honest, and the Opposition is as dishonest or capable of being perceived as dishonest by accepting those much more intimate and public offers of business assistance.

I did not raise that in the sense of any accusation against the Opposition, but I do say that it is as capable in its perception of dishonesty as is the trip I took to Fiji.

Mr Coyne: You are still compromised.

Mr BRIAN BURKE: The member for Murchison-Eyre may think I am.

Mr Coyne: Because you took that trip, when they want something you will have to give it to them.

Several members interjected.

Mr BRIAN BURKE: I wonder whether the member for Murchison-Eyre makes the same challenge about previous Premiers.

Mr Coyne: I am not talking about previous Premiers.

Mr BRIAN BURKE: In 1975, during the months of January, March, and April, and on five different occasions in 1981, a former Premier and a present member who accompanied him at the time accepted what I would consider to be legitimate offers of accommodation and air travel from different multinational companies.

#### *Point of Order*

Mr COURT: The former Premier to which this Premier is referring never accepted trips overseas on holidays with his family.

The SPEAKER: There is no point of order.

*Questions without Notice Resumed*

Mr BRIAN BURKE: I raised the point to try to demonstrate to the Opposition, particularly the member for Murchison-Eyre, that it is entirely possible for members of Parliament and other public people to be offered legitimate assistance, including travel, without incurring as a result of the acceptance the sort of convictions that the Opposition seems to want to cast.

In referring specifically to the general statement—which I do not recall but which the Deputy Leader of the Opposition says was made in 1983—it was subjected to the practical implementation of, for example, the sorts of offers that I have referred to and does not contradict the fundamental compulsion of honesty. That is the test, and I do not consider that Sir Charles Court, John Tonkin, Ray O'Connor, or Bill Hassell are dishonest because they accept some form of assistance legitimately and honestly offered by a particular party. So far as I am concerned that is the test to which the situation needs to be applied.

## STATE FINANCE: BUDGET

*Works Projects: Kimberley*

282. Mr BRIDGE, to the Treasurer:

Can the Treasurer detail the major works that will be undertaken in the Kimberley regional area as outlined in the 1985-86 Budget?

Mr BRIAN BURKE replied:

Yes, I am pleased to advise the member for Kimberley that the Kimberley regional area will have better police, education, administration, and medical facilities as a result of the 1985-86 Budget. Major works and funds allocated announced in the Budget include—

- (1) Major improvements and additions to Broome District High School, Kununurra District High School, Derby District High School, Kalumburu Primary School, and the Kimberley regional office. Allocations have also been made to special Aboriginal education and provision for

facility improvements at the Kimberley Camp School at Broome.

- (2) \$2 130 000 has been allocated to stage 2 of the Broome Hospital redevelopment. This work is expected to cost \$2.7 million and will be completed over three years. Broome will also have much improved police facilities following a \$500 000 allocation for major improvements to the police station and lock-up.
- (3) \$1 600 000 has been set aside for stage 1 of the Kununurra Hospital redevelopment. This work is expected to cost \$3.9 million and will be completed over three years.

Finally, \$100 000 has also been allocated for planning fees for stage 2 of the Derby Regional Hospital. This project has an estimated completion cost of \$11 million over three years.

In conclusion, that sort of performance by Government is a far cry from the performances that were the responsibility of previous Governments. We now have in this State a Government that cares about the Kimberley and that is prepared to devote resources to the development of the area to seek to ensure that people living in the Kimberley enjoy a standard of living as comparable as possible to that pertaining to the rest of the State.

## EDUCATION: SAIL TRAINING SHIP

*Brunei: Purchase*

283. Mr OLD, to the Minister for Education:

I refer to my question 1042 about sailboats.

- (1) Is the Minister chairman of a foundation formed to purchase a brigantine from Brunei?
- (2) Has that vessel in fact already been purchased?

MR PEARCE replied:

- (1) I am not the chairman of the foundation which recently purchased the vessel from Brunei. Offhand I cannot recall who is, but I am Chairman of the Education Endowment Trust, although by past practice the Minister does not normally chair meetings. The

meeting of the Education Endowment Trust is usually chaired by the Director General of Education. However, I have resumed the chairing of those meetings in recent weeks.

- (2) The vessel to which the member refers has been purchased from Brunei—

Mr Old: You told me that it hadn't been. I think you misled the House.

Mr PEARCE: The member for Katanning-Roe assumed a lot of things in his question, many of which were wrong because he did not understand the details. If the member for Katanning-Roe had simply asked me what was going on with regard to the vessel, I would have been perfectly happy to explain the whole thing to him, as I am now.

My understanding is that the purchase has gone through very recently, but obviously the question was asked prior to that. The import licence was obtained a couple of days ago and I paid the cheque out on Friday last week. I assume that the purchase was concluded some time after that. The vessel, if it has not been purchased, is about to be purchased. I have not seen the forms which verify that the purchase has been concluded so I am not exactly certain at which point proceedings are. Certainly it is the intention of the department to purchase the vessel to sail it to Western Australia to replace the *Vivienne of Struan*, which is the Education Department's sailing vessel that is used for sailing excursions and the like.

I am well aware that a charter operator has approached the member for Katanning-Roe protesting about the replacement of the Education Department's yacht with another one. He would see school groups involved in chartered excursions rather than a continuation of the policy initiated under the Liberal Government of having an Education Department yacht.

I agreed to the replacement of this boat because it could be done with a larger vessel at no cost to the Education Department. Under those circumstances it seemed an offer too good to refuse. It will mean a cheaper

service to the Education Department in any event, but the charter yacht owned by the person who approached the member for Katanning-Roe is not large enough to undertake the functions which it is intended that this vessel will undertake.

Mr Old: What about the 25-metre yacht which is available?

Mr PEARCE: The department has not been approached with regard to that 25-metre yacht mentioned in the article the member for Katanning-Roe is waving around. The yacht described in that article has only just recently been completed. I have had no approach from the gentleman concerned, who, I believe, built the yacht in his back-yard over many years—and good luck to him—but when one comes to dealing with young children at sea one needs to have a safe and controlled situation. I am not saying that that would not apply with certain charter firms.

I indicated to those charter operators who approached me that I would certainly be prepared to look at proposals from them. As yet I have received none but when I have them I am certainly prepared to look at them. In the meantime all the Government has done is replace the yacht which the Liberal Government bought for the Education Department in the first place with a bigger yacht in better condition which will not make children quite as sick as the yacht supplied by the Liberal Government did, and we are getting it for free.

## EDUCATION: HIGH SCHOOL

### *Australind: Construction*

284. Mr D. L. SMITH, to the Minister for Education:

Has there been any provision made in the 1985-86 Budget for construction of a new high school at Australind?

Mr PEARCE replied:

The current Budget provides an allocation for a new high school at Australind. On the number of questions I am getting about new schools, I would like to say that during my period in Parliament, which runs to



nine years, I have never seen so many new schools in a Government Budget. The fact that schools are growing like mushrooms all over the State indicates very strongly this Government's commitment to education.

I recall, in the days when I was the shadow Minister for Education, scouring the education budget in vain to see where a new school was to be provided. The standard practice was that schools would be bursting out of their roofs and windows before a Liberal Government would provide a new school for an area. We have been able to provide a massive number of schools in this Budget to build on the work that we have done in previous years. One of those is the new high school at Australind. It will open its doors at the beginning of the 1987 school year and provide for children in that area as well as for—

Mr Spriggs: Look what you did to Roleystone High School—you wrecked it!

Mr PEARCE: That just reinforces the point I was making earlier. Under previous Liberal Governments one could only get one school a year, and it was a palace. The Roleystone District High School was built to such a level of extravagance that it was possible to save nearly \$500 000 on construction of that high school by changing the roof and taking away two verandahs that students would never walk on. The buildings at the Roleystone District High School had verandahs on all four sides because it was considered to be aesthetically appealing rather than necessary for the student traffic.

I have whipped some money away from the Roleystone District High School so it now will have buildings of a good standard commensurate with the standards that are built in other schools, and that means we will be able to build other necessary schools, including the Australind District High School. In the northern corridor, at Bibra Lake, and in other places where we are building schools, people are extremely grateful for the fact that we have been able to spread the money widely around the State. They are very

pleased in the electorate of the Deputy Leader of the Opposition that they now have a new primary school—

Mr MacKinnon: A year late.

Mr PEARCE: They would never have got it under a Liberal Government.

The Australind High School will open its doors at the beginning of 1987, and this will provide much-needed relief for the Bunbury Senior High School.

## GOVERNMENT MEDIA OFFICE

### *Information: Availability*

285. Mr TUBBY, to the Premier:

Further to question on Notice 898 and question without notice 235 which I asked recently concerning information from the Government media monitoring unit is the Premier prepared to continue to allow the monitored material to be made available to the Parliamentary Library, as was the policy since the establishment of the unit until the Premier's direction that that information be available only to Ministers?

Mr BRIAN BURKE replied:

Strangely enough I happened to be speaking to the Director of the Media Office today and I asked him whether he could fathom what the member for Greenough was getting at. It seems that the member for Greenough in asking his first questions was referring to Press releases.

Mr Tubby: No, I wasn't.

Mr BRIAN BURKE: I understand that he is now talking about transcripts of different news items or programmes that are monitored from time to time. I am informed by the Director of the Media Office that no decision was made to make transcripts available. What happened was that inquiries were received from time to time from the Parliamentary Library seeking information that was contained in transcripts because the information was broadcast in the media.

I issued no direction either to start or stop the process. I asked the director of the office today whether there was any direction to start or stop the process and he said, "No, there have been no policy changes whatsoever." The

availability of transcripts grew up naturally, or in some other way, because requests were received from the Parliamentary Library, presumably when members like the member for Greenough made requests about information they wanted. I indicated to the Director of the Media Office that I would be happy to accept his advice on whether or not transcripts should be made available.

Bearing in mind the vitriolic criticism made from time to time about media resources of the Government I would suggest that members opposite seem to want a lot of work done but at the same time they want to be free as a breeze to criticise the number of people involved in doing the work.

Mr Tubby: I haven't criticised.

Mr BRIAN BURKE: The Leader of the Opposition has criticised.

Several members interjected.

Mr BRIAN BURKE: If members opposite do not support their leader's criticism, then they have been remarkably silent about it. In any case, the Leader of the Opposition has been sharply critical of the number of journalists involved in the Media Office. I think it is perfectly legitimate for me to point that out at a time when members opposite are asking that extra work be undertaken.

Mr Tubby: I am not asking for extra work. I am asking for a continuation of what has existed in the past.

Mr BRIAN BURKE: The member is asking for a continuation of what has existed in the past which has involved the use of extra staff. That is the situation and I am just gently pointing out to him that he cannot have his cake and eat it too.

Mr Tubby: That was provided within the staff that you operated in the unit. I do not see there has been any extra staff.

Mr BRIAN BURKE: The Director of the Media Office tells me the staff are under considerable pressure to do the work that he assigns to them. If we were to prioritise their work, I would think answering the queries of the member for Greenough would be one of the first things we would stop

doing. However, I am happy to take the matter up again with the Director of the Media Office and to have him advise me about whether or not he thinks we can undertake the work. If he says no, we will not do it. If he says he can manage to do it with his existing resources I will certainly consider his advice and do my best to assist him.

## HEALTH

### *Day Hospital: Bunbury*

286. Mr P. J. SMITH, to the Minister for Health:

Has any provision been made in the 1985-86 Budget for construction of a day hospital in Bunbury?

Mr HODGE replied:

Yes. The Government has allocated \$50 000 for work to commence on construction of a 30-place day hospital at Bunbury. The day care facility is designed to provide an alternative to in-patient admission or early release from existing hospital facilities in the Bunbury area.

The day hospital, with an estimated cost of \$2.2 million to be constructed over three years, will incorporate a base for the region's geriatric assessment and rehabilitation services, and a psychiatric in-patient and out-patient service.

The hospital will also allow an expansion of home care services in the region.

It is interesting to hear the greeting to this announcement by the Liberal members representing that general area, the member for Vasse and the member for Murray-Wellington. They apparently do not think this initiative is an important one for the people of the south-west.

## MINISTERS OF THE CROWN: GIFTS

### *Rules: Staff*

287. Mr MacKINNON, to the Premier:

(1) Is the policy which was adopted by Cabinet in June of 1983 applicable to members of the staff of the Premier or

of Ministers, and is that policy still in place in relation to Ministers' staff or the Premier's staff?

- (2) Have any of the Premier's staff accompanied him on any of these trips?

Mr BRIAN BURKE replied:

- (1) and (2) I will try to answer the question, but I do not recall the Press release and, as far as I am concerned, there have been numerous discussions at Cabinet and among Ministers about the situation to which the Deputy Leader of the Opposition refers. If he wants to say that it is a watertight policy for which we will be answerable for ever more—

Mr MacKinnon: I just asked you a question. Does it apply to your staff or doesn't it?

Mr BRIAN BURKE: I will answer the Deputy Leader of the Opposition's questions. He does not like the answer so he shouts me down. If he wants to say it is an unalterable policy or a watertight and exclusive decision, let me say that the policy he has read out, and which I do not recall, is unworkable in any case.

As I understand—the Deputy Leader of the Opposition should read the Press statement—it was made some time in 1983. It is clearly not the experience of this Government at least to maintain unworkable policies. I do not believe, as I have already said, that anyone has been compromised by anything that has been done by this Government in the area to which the Deputy Leader of the Opposition refers, and I repeat that as far as the policy of the Government is concerned, it is a policy that has been reflected in the acceptances of offers of travel on behalf of numerous staff members and Ministers.

Recently people travelled to London to publicise the America's Cup; and at the same time as the London Philharmonic Orchestra's different performances, in order to attend public receptions that were to be held, free travel was provided for some tourism commissioners. I do not regard that as being wrong or bad. We received an invitation to fly down to Perth on the first ANA flight. The Minister was to

accept it and I decided he should stay here to welcome the plane. The Government's officer in Tokyo accepted the flight. I do not see anything wrong with that. I was asked today about a trip to Sydney for one of the officers of the Government. I approved the trip. I do not see anything wrong with that. I do not believe that officer is compromised by the acceptance of the offer of travel that was made in that instance.

That is the measuring stick by which I try to judge whether or not people should accept offers of the type to which I have referred. I absolutely do not see anything wrong with it. I do not believe that the people involved are compromised by accepting these trips. If the Deputy Leader of the Opposition believes they are compromised, he should demonstrate that they are.

Mr MacKinnon: I asked you questions and you are not answering them.

Mr BRIAN BURKE: The Deputy Leader of the Opposition asked me a question about Government officers.

Mr MacKinnon: I referred to members of Ministers' staff or of the Premier's staff and I asked did these rules apply to them? The second question was, to refresh your memory, which is not very good today—

Mr BRIAN BURKE: It is excellent.

Mr MacKinnon: I asked if any members of the Premier's staff or Ministers' staff accompanied them on these "free" trips.

Mr BRIAN BURKE: Yes, from time to time they have. If the Deputy Leader of the Opposition had read the newspaper he would know that my Ministerial Services Officer and his son came with me to Fiji, and that information was published and telecast. The Deputy Leader of the Opposition would have known, although I cannot quickly recall the occasion, but when I was in America in 1984 I think my Press secretary and one or two other officers accepted an offer of travel in America made by one of the companies we were visiting.

If the Deputy Leader of the Opposition had read the newspapers he would have read that recently, when I was in the United Kingdom my wife, a journalist not employed by me, the Agent General in London, and perhaps one other person—I am not sure—accepted a flight from London across to Sweden. All of those things have been made public. There is no secret about this matter.

Mr MacKinnon: Did I say there was?

Mr BRIAN BURKE: The implication is there.

Mr MacKinnon: No, it is not. I am just asking you a simple question.

Mr BRIAN BURKE: I am simply trying to demonstrate that I do not believe that there is anything untoward whatsoever in that matter. If the Deputy Leader of the Opposition wants to go back to 1983 and say, "Now, here is a policy that you announced. You must be bound by this for ever more", let me simply say that policy, as the member has read it out to me, is unworkable.

Mr MacKinnon: You made it, not us. We didn't make it. I have never seen a statement from you saying you had changed your mind, so we must assume that is still the policy, surely. Has that policy been changed by Cabinet? Has a subsequent decision by Cabinet changed that position?

Mr BRIAN BURKE: As I have tried to say three or four times, the matter has been discussed on numerous occasions

and the policy the Deputy Leader of the Opposition has read out is an unworkable one. No Government—the previous Government or my Government—would ever be bound by a situation that is so necessarily contradicted so frequently.

Let me underline the fundamentals. I am not aware of that Press statement but, even if I were, I simply say it is an unworkable policy. It cannot be adhered to as a result of numerous occasions on which contrary decisions have been made. Quite obviously the policy does not apply but, in any case, it is not a policy that applied during the previous Government's period in office and, as I have said on numerous occasions tonight, it is a silly policy that cannot be applied and one which has been contradicted, though not as recently as my trip to Fiji.

But as long ago as my visit to America in 1984 it has been contradicted. It was contradicted during my visit earlier this year to the United Kingdom. That is the situation. There has been no compromising of anyone involved, and I repeat that if that is the best the Opposition, particularly the Deputy Leader of the Opposition, can find to argue about, not only will he not be Deputy Leader of the Opposition for much longer, but also his party will remain in Opposition for a lot longer.

