

Legislative Assembly

Wednesday, 29 March 1989

MEETING OF THE ASSEMBLY

The Legislative Assembly met at 10.00 am.

PROCLAMATION

The Clerk of the Assembly (Mr B.L. Okely) read the proclamation of His Excellency the Governor (Prof Gordon Stanley Reid AC) summoning the first session of the Thirty-third Parliament.

OPENING PROCEEDINGS

Message from the Governor's Commissioner

A Message from His Excellency's Commissioner (His Honour Mr Justice Malcolm) requested the attendance of members of the Legislative Assembly in the Legislative Council Chamber. Members accordingly proceeded to that Chamber; and, having heard the Commission to do all things necessary for the opening of Parliament, returned to the Legislative Assembly Chamber.

MEMBERS OF PARLIAMENT

Swearing-in

His Honour Mr Justice Malcolm, Chief Justice of the Supreme Court of Western Australia, having been commissioned by His Excellency the Governor, entered the Chamber to administer to members the Oath of Allegiance to Her Majesty, or the affirmation required by law, and was conducted to the Chair. The Commission to swear in members having been read, the Clerk produced the writs for the general election, held on 4 February 1989, showing the names of the members returned. These members - with the exception of Mrs Watkins - took and subscribed the Oath, or made and subscribed the affirmation required by law, and signed the Roll.

The Commissioner then retired from the Chamber.

ELECTION OF SPEAKER

MR PETER DOWDING (Maylands - Premier) [10.39 am]: The House being duly constituted I move -

That Mr Michael Barnett do take the Chair of this House as Speaker.

MR PARKER (Fremantle - Deputy Premier) [10.40 am]: I have pleasure in seconding the motion.

MR BARNETT (Rockingham) [10.41 am]: I submit myself to the will of the House.

MR MacKINNON (Jandakot - Leader of the Opposition) [10.42 am]: I move -

That Mr Leon Harold Watt do take the Chair of this House as Speaker.

MR COURT (Nedlands - Deputy Leader of the Opposition) [10.43 am]: I second the motion.

MR WATT (Albany) [10.44 am]: I submit myself to the will of the House.

[A ballot was taken with the member for Ashburton and the member for Vasse acting as scrutineers. Mr Barnett was declared by the Clerk to have been elected by a majority of votes, and he was conducted to the Chair.]

THE SPEAKER (Mr Barnett): I thank honourable members for the signal honour they have bestowed upon me, and I now assume the Chair as Speaker of the House.

[Applause.]

MR PETER DOWDING (Maylands - Premier) [10.50 am]: Mr Speaker, on behalf of the Government I extend my congratulations to you for your assumption of this office. The office of Speaker is an important one in the conduct of this House, and the responsibility which it carries is indeed onerous. It is important not only to the office holder, but equally to the proper workings of this House. It is incumbent on all of us as members of this House to observe the proprieties in our references to Mr Speaker, in our references to the Chair and in our dealings with the Chair. I take this opportunity to express the wish, the desire and the belief that your having been properly elected to the Chair, we will all obey and comply with the proprieties in our behaviour as members of the House towards the Chair. We wish you well in the office to which you have been elected.

MR MacKINNON (Jandakot - Leader of the Opposition) [10.52 am]: Mr Speaker, I congratulate you on your election to the position of Speaker, and I can assure you that you will have the support of the Opposition in maintaining proper order in the Parliament and in the work you do to protect and I hope defend its standards and principles.

MR COWAN (Merredin - Leader of the National Party) [10.53 am]: Mr Speaker, on behalf of my colleagues in the National Party I extend to you my party's congratulations. There is no question that the comments made by the Premier are correct. The Speaker's task is a very difficult one to perform, particularly now that Parliament has tended to become much more a forum which is reported by the electronic media as "them" versus "us". It creates some difficulty for you.

The position of Speaker requires some involvement with the good management of this House and of the Parliament, and in that we also wish you very well in making sure that the Parliament functions correctly, and that all those people who are responsible to you are well cared for in their positions. We wish you well in the next four years.

THE SPEAKER (Mr Barnett): I want to take this opportunity of thanking members for the comments which have just been made, and also to say that the rights and privileges of members of Parliament have been hard fought for over many hundreds of years. They are very special privileges which are guarded in this place by our Standing Orders. All members of this place have my assurance that during my term as Speaker I shall be doing my best to interpret those Standing Orders in a fair and impartial way. As those of you who have been members before will know, decisions are sometimes viewed differently on different sides of the House. A decision which is seen by one side of the House as fair and impartial, may be regarded by the other side as not quite so fair and impartial. I can assure members that I shall be doing my best to administer the Standing Orders in an impartial way. I seek the cooperation of each and every one of you in an effort to do that.

PRESENTATION OF SPEAKER

MR PETER DOWDING (Maylands - Premier) [10 55 am]: I desire to announce that His Excellency the Governor will be pleased to receive the Speaker and such members as desire to accompany him at 11.30 am today.

Sitting suspended from 10.56 am to 12 noon

THE SPEAKER (Mr Barnett): Members, I desire to report that this morning, accompanied by the members for Balcatta, Collie and Riverton, I submitted myself to His Excellency the Governor, and on behalf of the House laid claim to its undoubted rights and privileges, and prayed that the most favourable construction be placed upon its proceedings. His Excellency has been pleased to express his satisfaction at the choice of the Assembly in the following terms -

Mr Speaker,

It is with much pleasure that I learn that you have been elected by the members of the Legislative Assembly to the high and honourable office of Speaker of the House.

I congratulate you upon your election and wish you every success in fulfilling your new responsibilities.

Gordon Reid,
Governor.

SPEAKER'S COMMISSION

THE SPEAKER (Mr Barnett): I also wish to report that I have received from His Excellency a Commission to swear in honourable members and this I hand to the Clerk to read to the House.

The Commission was read.

SUMMONS FROM THE GOVERNOR

The Speaker and members, in response to summons, proceeded to the Legislative Council Chamber and, having heard His Excellency deliver the opening Speech (see Council report preceding), returned to the Legislative Assembly Chamber.

PETITION - LAND*Long Point (Port Kennedy) - Development Opposition*

MR MARLBOROUGH (Peel) [12.22 pm]: I have a petition which reads as follows -

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

We, the undersigned, as citizens of Western Australia would like to stress our concern for the future use of land known as Long Point (Port Kennedy). We disagree with any development that will change its present use, ie, public access to beach, destroying of the local environment and removal of shacks.

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

The petition bears 13 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 1.]

MEMBERS OF PARLIAMENT (FINANCIAL INTERESTS) BILL*Leave to Introduce*

MR PETER DOWDING (Maylands - Premier) [12.24 pm]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move -

That leave be given to introduce a Bill for "An Act to require disclosure of certain financial interests by members of Parliament, to establish a register so disclosed, and for connected purposes."

Question put and passed; leave granted.

Introduction and First Reading

Bill introduced, on motion by Mr Peter Dowding (Premier), and read a first time.

GOVERNOR'S SPEECH*Distribution of Copies*

THE SPEAKER (Mr Barnett): Accompanied by the honourable members of this Chamber, I attended His Excellency the Governor (Prof Gordon Stanley Reid AC) in the Legislative Council Chamber to hear the Speech which His Excellency was pleased to deliver to members of both Houses of Parliament. For the sake of greater accuracy, I have caused printed copies of the Speech to be distributed among members of this Chamber.

ADDRESS-IN-REPLY - FIRST DAY*Motion*

MR LEAHY (Northern Rivers) [12.27 pm]: I move -

That the following Address-in-Reply to His Excellency's Speech be agreed to -

May it please Your Excellency -

We, the Legislative Assembly of the Parliament of the State of Western Australia in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to address to Parliament.

I am extremely honoured to have been asked to move this motion in reply to His Excellency's Speech and to be one of the first in this House to congratulate you, Mr Speaker, on your election to that position. It is a position to which I am sure you will bring impartiality and fairness and I am sure that the next four years will show that well.

I also congratulate all of those members who were elected at the recent general election and commiserate with the candidates who were not successful. I know the amount of work that candidates must put into an election campaign and the sacrifices that families and friends must make for a person to be successful. That sort of motivation and effort is also necessary from unsuccessful candidates and, as one who has been a candidate three times, I can understand and commiserate with them in their efforts. I am particularly sorry at the defeat at the last election of Barry Hodge, Graham Burkett, John Read, and, in the case of Northern Rivers - the old Gascoyne seat - Dudley Maslen. These members, defeated because of the boundary changes, were extremely hard working and represented their respective seats well. Dudley Maslen, who was a member on the other side of politics from me and who is a personal friend of mine, did a marvellous job in the electorate and I take this opportunity to pass on my commiserations to him.

The electorate of Northern Rivers is the second largest in Western Australia, second only to the electorate of Eyre. The Northern Rivers electorate comprises the old electorate of Gascoyne, the western part of the old electorate of Murchison-Eyre and the southern part of the old electorate of Kimberley and it will be difficult to represent because of its size. I have difficulties getting from one end of the electorate to the other because there is no direct access by air. On occasions it necessitates four days of travel to fly from Perth to parts of my electorate. The situation will not be improved as a result of the tribunal's recent determination on charter allowances. I will find it difficult to service the electorate, but with the provision of a vehicle I will make sure that at least one week in every month is available to me to travel the electorate.

The electorate of Northern Rivers is of importance to this State. The town of Carnarvon, where I reside, is the largest producer of out of season vegetables in this State and it produces 70 per cent of the bananas consumed in the State. It also is the major prawn, scallop and snapper fishery in Western Australia. Exmouth, which is situated north of Carnarvon, is the town in which the Harold E. Holt Communications Base is located and this joint United States - Australia facility is extremely important to the defence of Australia. My electorate includes goldmining towns which provide a significant amount of the gold which is produced in Western Australia. A number of historic goldmining towns are situated in the Murchison region including Mt Magnet, Cue and Meekatharra. Mt Newman has the largest iron ore mine in Western Australia and it exports iron ore overseas. Because of its immense importance to Western Australia I mention also the pastoral industry which encompasses the entire Northern Rivers electorate. It provides a substantial amount of the wool produced in Western Australia.

I turn now to the tourist industry which is of importance not only to Western Australia, but also to the region I represent. The electorate of Northern Rivers provides some of the greatest attractions in Western Australia, just two of which are the dolphins at Monkey Mia and the newly proclaimed Ningaloo Marine Park which, in my opinion, will be the number one tourist destination in Western Australia within four or five years. It is an attraction which everyone in Western Australia should make an effort to visit. It is only a day's drive from Perth, albeit a long day's drive, and it is an attraction of which Western Australians should be proud.

My electorate has within it the largest rock in the world, Mt Augustus, which is two and a half times the size of Ayers Rock. It is of increasing importance as a tourist destination. I hope that Mt Augustus will be proclaimed a national park and that the Aboriginal community from Mt Grange will be provided with work opportunities as tourist guides and park rangers.

I want to keep my speech reasonably short in keeping with other speeches made today. I take this opportunity to thank everyone involved with my election to Parliament, especially my campaign manager, Mr Tom Stephens, and an elder statesman of the Gascoyne area, Mr Danny Norton, who was the Speaker in this House some years ago. I have pleasure in moving the motion.

[Applause.]

MR READ (Murray) [12.35 pm]: I formally second the motion.

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

CHAIRMAN OF COMMITTEES

Appointment

On motion by Mr Peter Dowding (Premier) resolved -

That the member for Perth (Dr Alexander) be appointed Chairman of Committees.

DEPUTY CHAIRMEN OF COMMITTEES

Appointment

The Speaker (Mr Barnett) announced the appointment of the member for Albany (Mr Watt), the member for Belmont (Mr Ripper), the member for Morley (Mr Donovan), and the member for Victoria Park (Dr Gallop) as Deputy Chairmen of Committees during the present session.

[Questions without notice taken.]

ADJOURNMENT OF THE HOUSE - SPECIAL

On motion by Mr Pearce (Leader of the House), resolved -

That the House at its rising adjourn until Thursday, 30 March at 10.45 am.

ADJOURNMENT OF THE HOUSE - ORDINARY

MR PEARCE (Armadale - Leader of the House) [12.44 pm]: I move -

That the House do now adjourn.

I thank the House for its multitudinous assistance on this occasion and I hope that that is a prelude to four years of such assistance and cooperation.

Question put and passed.

House adjourned at 12.45 pm

QUESTIONS WITHOUT NOTICE

MINISTERS OF THE CROWN - DEPUTY PREMIER *National Australia Bank - Rothwells Ltd, Meeting*

1. Mr MacKINNON to the Deputy Premier:

- (1) Did he meet with National Bank of Australia officials prior to the Government's arrangements which attempted to retire its \$150 million guarantee to the bank for its advances to Rothwells Ltd?
- (2) When did he meet with the bank's officials?
- (3) What commitment did the Deputy Premier give to the National Bank at that meeting about the financial position of Rothwells Ltd?
- (4) Did the meeting he held with the National Bank and the commitments he gave have the prior approval of the then Treasurer?

Mr PARKER replied:

- (1) No.
- (2) Not applicable.
- (3) No commitment was given at a meeting which, as I have indicated, did not take place on any occasion.
- (4) Not applicable.

PETROCHEMICAL PROJECT - WESTERN AUSTRALIAN GOVERNMENT HOLDINGS

Government Guarantee - Non-Occurrence Assurance

2. Mr COURT to the Deputy Premier:

- (1) Why has the Government arranged a \$100 million Government guarantee finance facility through Western Australian Government Holdings for the Petrochemical Industries Co Ltd's project when a clear commitment was made to this House that this would not occur?
- (2) Has Bond Corporation arranged similar finance, pro rata to its shareholding in PICL?
- (3) Why has the Government failed to seek approval of this Parliament for this expenditure when the Government's own Commission on Accountability listed this as a basic prerequisite for accountability?

The SPEAKER: Before I ask the Deputy Premier to answer the question I want to draw to the attention of members that that sort of question is incorrectly worded. It is not my intention to start off this session of Parliament on a bad footing. I will allow that question and if there are a couple of other questions today like it I will allow them. I think it is advisable that members consult Standing Orders about how questions should be properly framed so that we can conduct the business of this House properly on future sitting days.

Mr PARKER replied:

- (1) The assertion made in this part of the question by the Deputy Leader of the Opposition is wrong in that he said I gave a commitment to the House that an interim financial arrangement of this type would not be entered into. In fact, I made it clear to the House and to the public last year that a part of the Government's responsibility in the petrochemical project was interim financial arrangements pending the receipt of the full project finance which will subsume this interim financial arrangement. The reason for the need for that is interim financial support for the project pending the development of the project loan which we are currently negotiating with major bankers.
- (2) As I said before, one of the Government's responsibilities is the provision of an interim financial arrangement for the project. In so far as the Bond

Corporation is concerned it is, in effect, a loan from Western Australian Government Holdings to the Petrochemical Industries Company Limited and to that degree the Bond Corporation as the major shareholder in PICL is, in fact, the borrower of funds which are being provided by the Government. But, in order to secure that finance the Government has also taken out security against the Bond Corporation's assets related to that project.

- (3) In relation to the approval of the House - and as I have indicated, the approval of the House is not required for specific borrowings and for loans made by the Government - as the Premier has publicly indicated, and as the Governor foreshadowed in his speech to all of us earlier today, the Government will be legislating in order to ensure that all of the recommendations in the report of the Commission of Accountability are capable of being met and implemented by the Government. Until this legislation is passed, obviously we will have to make do with the legislation we currently have.

ROTHWELLS LTD - NATIONAL COMPANIES AND SECURITIES COMMISSION *Interim Report - Tabling*

3. Mr HASSELL to the Premier:

- (1) Does the Premier recall - or can I remind him of - a report in *The West Australian* on 4 March which stated -

The National Companies and Securities Commission interim report on the Rothwells collapse is likely to become public within a month.

The Attorney-General, Mr Berinson, said yesterday the report would be ready for tabling early in the new session of State Parliament, perhaps as early as the end of this month.

- (2) As today is 29 March, I ask the Premier when will the report be tabled?

Mr PETER DOWDING replied:

- (1)-(2)

The Attorney General will have to make the final decision on that in accordance with his responsibilities as a member of the Ministerial Council, and it will depend on the advice of the special investigator appointed after the NCSC made its report to the Ministerial Council. Members will remember that the Government did not act to appoint a special investigator last year because the NCSC was conducting an investigation in which a provisional liquidator was involved in a particular type of investigation with a responsibility to give any material relevant to breaches of corporate or other laws to the NCSC. It was the view of the NCSC that it would be inappropriate for the Western Australian Government to appoint a third investigator at that time. It asked that the Government wait until it had concluded its investigation. The NCSC concluded that stage of the investigation with a report to the Ministerial Council. The Government then appointed Mr Malcolm McCusker, QC, to act as special investigator, and it will be on the basis of his advice that the Government will act in presenting a report. I remind the House that the report has been seen by all State Attorneys General, and I understand that a copy is even in the hands of one of the local media outlets. It will be tabled in the House as soon as the Attorney General is of the view that no prejudice to any of the matters currently before Mr McCusker would be caused by the tabling of the report.

EDUCATION - DISTANCE EDUCATION CENTRE *Transfer Plans*

4. Mr HOUSE to the Minister for Education:

Are there any plans to transfer the Education Department's primary and secondary distance education centre to another department or to restructure it in any way?

Dr LAWRENCE replied:

As the member will be aware, the distance education question is one that has been examined very closely over the past 12 months. There is a document, which I believe would be in the member's hands - if not, I will provide him with a copy - which gives a comprehensive review of distance education at school level in this State. It contains a number of proposals to restructure the service and to link it more closely with schools of the air to provide a genuine regional service. However, at this stage nothing has been done subject to consultation with various groups, and we would be most interested to hear from the National Party if it has an opinion. As for the possibility of primary and secondary distance education being taken over by some other department, I have not heard about it and I will certainly be the first to scream if anyone attempts to do it.
