

Legislative Council

Tuesday, 26 November 1985

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 11.00 a.m., and read prayers.

ABORIGINAL LAND RIGHTS INQUIRY: ACCOUNTS

Select Committee: Point of Order

Hon. J. M. BROWN: I seek your guidance, Mr President, on the Select Committee that was appointed by this Chamber last week. We have held two meetings. An opinion has been expressed as to the rights of a member of a Select Committee. I do not agree with that opinion. Because of the time constraints, I believe that the Legislative Council should give a direction on this matter. I believe that the terms of reference of the committee are such that some confusion has been caused and I want to share that confusion with my colleagues.

The PRESIDENT: Order! The member has risen on a point of order. He will have to tell me what that point of order is.

Hon. J. M. BROWN: It relates to the final paragraph of the terms of reference which says that the proceedings of the Select Committee during the hearing of evidence shall be open to accredited representatives of the news media and the public. That is covered by Standing Order No. 358 in my opinion. It allows the public and accredited media representatives to attend committee hearings.

The PRESIDENT: Order! What is the member asking me to do? Is the member asking me to rule on what that means?

Hon. J. M. BROWN: No, I am not asking you to rule on that, Mr President. The confusion arises on the difference between Standing Order No. 355 and Standing Order No. 358. Standing Order No. 355 states—

When a Committee is examining Witnesses, strangers may be admitted, but shall be excluded at the request of any Member, or at the discretion of the Chairman of the Committee and shall always be excluded when the Committee is deliberating.

It is on that question that I want you to rule, Mr President.

The PRESIDENT: Hon. J. M. Brown has asked me to rule on an alleged contradiction between the Standing Orders and the last paragraph of the terms of reference. He believes there is a contradiction.

Hon. J. M. BROWN: In addition to that contradiction I am also aware of the responsibility of a member of the Select Committee. I want you, Mr President, to rule on that responsibility of a member under Standing Order No. 355 which states—

When the Committee is examining Witnesses, strangers may be admitted but shall be excluded at the request of any Member...

The PRESIDENT: I will not rule on that matter now, I need time to consider it and I do not believe it is a matter to rule on at this moment.

ABORIGINAL LAND RIGHTS INQUIRY: ACCOUNTS

Select Committee: Extension of Time

HON. N. F. MOORE (Lower North) [11.10 a.m.]: I am directed by the Select Committee to move—

That the House give approval for the committee—

- (a) to adjourn from place to place;
- (b) to be given an extension of time for reporting from 10 December to 20 December.

Debate adjourned, on motion by Hon. Fred McKenzie.

(See paper No. 353.)

ELECTORAL AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 20 November.

HON. P. G. PENDAL (South Central Metropolitan) [11.12 a.m.]: This is a very small Bill which seeks to protect the enrolment and voting rights of people described as "British subjects". As such, the Opposition has absolutely no quarrel with it.

I draw to the Minister's attention the quite disgraceful state of the Electoral Act. If one is given the task, as I have been on this occasion, of following the various amendments to the Electoral Act of 1907, one finds that it is a nightmare to follow through the amendments that have been made since the Act was last consolidated in 1982.

We are now dealing with the tenth amending Bill in the last three years. Two of those amending Bills were sponsored by the previous Liberal Government; eight of them—this is the eighth—have been sponsored by the present State Government.

Hon. Garry Kelly interjected.

Hon. P. G. PENDAL: If ever there were an opportunity for some serious reform, it is with respect to the Electoral Act. We should consolidate the Act so that members can follow what is being done. I am not making the comment in a party political sense. There may well be other Acts of Parliament that are in a similarly disgraceful form as a hangover from previous Governments. I simply make the point that it is a disgraceful situation that a member of Parliament is expected to get hold of the principal Act and, having got hold of it, finds that it is out of date because of amending legislation to the parent Act. I refer to No. 66 of 1983; No. 54 of 1983; No. 31 of 1982; No. 9 of 1983; No. 78 of 1984; No. 76 of 1984; No. 28 of 1984; and, of course, the major electoral amendment legislation that the Parliament is dealing with in the current session.

Hon. Tom McNeil interjected.

The PRESIDENT: Order! There is far too much audible conversation. The honourable member is trying to address the Chamber.

Hon. P. G. PENDAL: I thank Hon. Tom McNeil for his comment, because when Acts are left in such a disgraceful form it underlines to all members of the Chamber and to members of the public the injustice that is done. I wonder whether the Minister knows that only last week a Perth Technical College examination was aborted because of the non-availability of the Real Estate and Business Agents Act which was passed by the Parliament only a few years ago. Mature age people moving towards licensing within the real estate industry got halfway through an examination before it was called off. It was called off because there were not sufficient copies of the Real Estate and Business Agents Act available to examinees who applied for them prior to entering the examination. The lack of availability of Acts and the fact that they are not up to date is not only a reflection on the Parliament, but also an insult to members who are asked to handle those Bills. In addition, in the instance referred to it was a grave imposition on the people who faced an examination which was aborted for no better reason than that the Statutes in this State were in such a deplorable condition.

I implore the Attorney General, who is handling the Bill in this House and who is known to be a fair-minded individual, specifically to ask his colleague, the Minister for Parliamentary and Electoral Reform, to channel some of his energies into some worthwhile and decent reforms that will assist constituents by consolidating the Electoral Act, so that the next time it is sought to be amended people will have a better understanding of what they are doing.

That aside, the intention of preserving the enrolment rights of British subjects is supported by the Opposition. Therefore, we support the second reading of the Bill.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [11.18 a.m.]: It is clear that the subject matter of the Bill itself is not contentious. I welcome that indication from the Opposition. I can only agree with Hon. Phillip Pendal that the Electoral Act is clearly a candidate for early consolidation. The problem here, as in many other areas, is twofold. Firstly, the office of the Parliamentary Counsel functions under very great pressure. Secondly, in respect of this Act there has been a very substantial proposal for further amendment this session. It appeared to make good sense to know the results of this year's amending Bill before the consolidation was finalised. Nonetheless, I accept the point that this Act requires early attention and I will ensure that that is given.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and passed.

ELECTORAL AMENDMENT BILL

Assembly's Further Message

Message from the Assembly received and read notifying that it had agreed to the time and place for the Conference of Managers, and that the managers for the Assembly would be Mr Tonkin, Mr Mensaros, and Mr Gordon Hill.

FORREST PLACE AND CITY STATION DEVELOPMENT BILL

Second Reading

Debate resumed from 19 November.

HON. P. H. LOCKYER (Lower North) [11.22 a.m.]: The Opposition agrees to this Bill, although I understand that some of my colleagues have some pertinent matters to bring to the attention of the Council. I think that any redevelopment within the city centre which will assist people to gain access to the city should be applauded. This Bill allows for the demolition of the Padbury Buildings and the amalgamation of that land into a large civic square. This, as the House will know, is part of the bicentennial commemorative project and is part of Western Australia's contribution to it.

The demolition of Padbury Buildings will be regarded by some as sad. However, it seems to me that most cities of the world have some sort of civic centre or square, and this will take care of that. It is also very important that places like this redevelopment connect properly with the main city shopping centre, in particular the Hay Street Mall. This is all taken into consideration in the construction of this development. The north-eastern and north-western corners of that square are linked by walkways with Wellington Street and the Horseshoe Bridge.

This development will be welcomed by those who operate out of the city. It is important to remember that this is the capital centre of our fair city of Perth, and for that reason we support it.

HON. JOHN WILLIAMS (Metropolitan) [11.24 a.m.]: I support the Bill. I have had discussions with several people outside, and in general they are extremely happy that Parliament has seen fit to incorporate the maximum flexibility in the site so that the work can proceed quickly.

However, I want to make two points, and these opinions have been expressed to me by people I have spoken to about this development. I doubt if there is any person who does not welcome the redevelopment. The attitude of most is that they look forward to having a civic square, as it were, in the heart of Perth. The business people see it as a tremendous help to their continued battle for custom and to bring life back to the central business district.

Perhaps the Attorney General could confirm or deny something. It is not contained in the Bill, but it is a little strange that compensation will be paid to the Commissioner of Railways for air space. A precedent has been set in re-

spect of the brewery, which received money for air space. I wonder whether the railways really need it. Has the Attorney General heard the rumour? If he has, how much money will be given to the railways? It seems rather incongruous for the railways to receive money for air space.

In his second reading speech, on page three, the Minister said that one of the things to be considered is the retention of the northern facade of Boans. He went on to talk about the development of an integrated section. It is only fair to say that the information I have had is that while every effort will be made to retain that northern facade—the part which fronts onto Wellington Street—it may be almost impossible to do it. With all the good intentions in the world, I do not want members to be disappointed, because it may be architecturally impossible. It may be that that facade is in such a state of decomposition that the whole project would be in jeopardy if it were to be retained in its present form.

That is no criticism of any of the people concerned with this development. It is just pointing out that the Minister, in good faith, has said that the facade should be retained, and the intention is to retain it. But my information is that it will prove extremely difficult. In other words, people who have a penchant for wanting old buildings retained should not be disappointed if on this occasion the architect, the developers and the experts, who will be doing their best, express grave doubts as to whether it can be saved. It would be silly to ruin this beautiful project as a result. The Government has been honest in presenting this Bill, and I urge my colleagues to support it.

HON. P. G. PENDAL (South Central Metropolitan) [11.28 a.m.]: I want to support this Bill and use the occasion to repeat a few remarks I have made in recent weeks concerning another project, one in which, I took an interest along with a colleague from the other side of the House, Hon. Robert Hetherington, namely, the Perth Technical College site.

The important part of this Bill, in my opinion, is the protection it affords to what is referred to in the title as the city station, ordinarily known as the Perth Railway Station. This Bill demonstrates that the retention of old buildings in the public sector can occur where there is a will. Members will probably be aware that during the life of the previous Government a decision had to be made about the retention of the old Perth Railway Station. This was during the regime of the then Minister for

Transport, Hon. Cyril Rushton. The Cabinet decision was made to retain the old Perth Railway Station, as indeed it should have been made, in my opinion. While the building does not have the best features to commend it, it is nonetheless an important part of our heritage, an important part of the history of this State, and an important part of the city's transport network; and therefore the retention of that building as part of an integrated redevelopment of Forrest Place is very important.

I referred a few seconds ago to the Perth Technical College. That is another example of how, if Governments have the will to do something, they have the way to do something. Members will be aware that there was considerable Government resistance to retaining the Perth Technical College in its entirety and, indeed, I doubt very much that it ought to have been retained in its entirety. There is a conglomeration of buildings on that site, most of which are not worth retaining and, indeed, the part that is to be retained is the part that ought to be retained.

I put it to the Government and to the members of this House that there is a way of short-circuiting all of this sort of thing so that we will no longer have any future controversies over retaining such things as the Barracks Arch, the Perth Railway Station, or the Perth Technical College; and that is, in the case of Government-owned or publicly-owned buildings, for the Government of the day to simply declare as a matter of public record that those Government-owned or publicly-owned buildings form part of a public register of buildings which must be retained.

The first thing that will be said is that that is, in effect, what I think either the National Trust or the Royal Western Australian Historical Society (Inc) already does—it conducts a register of buildings and says that those buildings ought to be retained. Of course, those organisations have no legislative backing for the register, which is half the sadness in this, but it is open to the Government of the day to declare, simply by a public declaration, that demolition of a building will not be permitted for redevelopment. To that extent I doubt that we even need the sort of heritage legislation that both the previous Government and the current Government have talked about over a period of time. What would that do? In the first place, if a register of public buildings was kept and declared by the Government of the day, it would have the effect of not only retaining

those buildings for the time being but also serving notice on developers that those sites are sacrosanct, and that they will not be permitted for redevelopment under any circumstances. Therefore, without using a big legislative stick we would achieve the end, and I repeat that I am talking only about publicly-owned or Government-owned buildings.

Another example is that of the Supreme Court library which I understand, Mr Attorney General, has now been under construction for some months. I put a proposition via this House to the Premier some months ago that we ought to look at the possibility of sinking the proposed Supreme Court library, which I think is going to be of about four storeys, into a hole in the ground next to the present Supreme Court; that is, below the old and historical Arbitration Court building, at the top of the stairs.

The suggestion I put to the Premier on that occasion was that the building ought to go down into the ground four storeys, which is no great architectural or engineering problem. Indeed, if anyone has visited the New South Wales Parliament in recent years, he will know that that has been very successfully undertaken. I think six or seven floors are below the ground at the back of the New South Wales Parliament House and therefore the need to have a 14 or 15-storey building dominating the New South Wales Parliamentary precinct disappeared by the simple expedient of putting half the building under the ground.

Hon. J. M. Berinson: Mr Pendal, the New South Wales building is on a hill whereas our building is just about at water level.

Hon. P. G. PENDAL: It is even worse than that—it is on the old river flats. A person of the Attorney General's years would probably remember—

Hon. J. M. Berinson: We often used to sail up to that area.

Hon. P. G. PENDAL: In those days, long before my time, the river did come right to the back of the present Supreme Court and it was built on that level because immediately below that is what used to be called the river flats, and it is only in relatively recent times that the Esplanade has changed from being a marshy swamp to a green belt for the city of Perth. But Mr Berinson's point, while valid, does not make it impossible. I understand that there are places in the world where people have been faced with far greater difficulties than a high water level.

Hon. J. M. Berinson: That is true. They are planning a tunnel under the English Channel.

Hon. P. G. PENDAL: I was about to say precisely that, and it is delightful to know that at this late stage of the session the Attorney General is so alert as to predict that point. It is only regrettable that the Attorney General apparently did not take up more seriously the suggestion I put. Certainly the Premier did not, because I asked him by way of a question in the House whether he would consider that. It seemed at the time that it was sufficient for the Premier to say, "Maybe it is worthwhile and maybe it would then remove that controversy surrounding the new library for the judges." There is no question that the judges and their staff need that library, but it was a question of putting it in in an acceptable way. We have lost that opportunity and unfortunately we will muck up a most important part of the historic precincts of this State again.

Hon. J. M. Berinson: We will do nothing of the sort.

Hon. P. G. PENDAL: Will we not?

Hon. J. M. Berinson: No. The old Supreme Court will still be a very distinctive building and will not be disadvantaged at all by the new building.

Hon. P. G. PENDAL: With respect, that is entirely a matter of opinion and I suggest that precisely that will occur.

Hon. J. M. Berinson: How?

Hon. P. G. PENDAL: By building it where it is going to be built and by not even considering alternatives. That is what irritates me more than anything else—the Government did not even consider the suggestion put to it to sink the library so that it did not protrude from the ground even by half an inch—unless Mr Berinson is telling me the good news that the library will be built below the ground next to the Supreme Court.

Hon. J. M. Berinson: That would be very bad news from the public's point of view. The additional costs would be enormous and the benefit would be negligible.

Hon. P. G. PENDAL: On the contrary, if we are talking about privately-owned buildings—and we often are—the Government piously tells private owners how they must preserve their buildings; and if we are doing that then I accept Mr Berinson's point regarding costs as a valid one. However, when we are talking about a public building, the extension of a public facility and the protection of two historic

publicly-owned buildings, then I think we require a little greater effort than has obviously been put in terms of what the Attorney General has just revealed by that interjection.

I am simply lamenting the point that the Premier did not see fit to come back and fulfil the promise he made to me in this House when he said "Yes, the suggestion of sinking the library four storeys below ground level will be looked at and we will let the member know in due course, or by mail." I have never heard the outcome, and that is regrettable.

I repeat my underlying concern. For example, if members were to go out the front of this building now and look across to my electorate—across to the South Perth foreshore—in all likelihood they would see part of Mends Street in South Perth. Mends Street is a very historic part of South Perth; perhaps, in concert with the Old Mill, Mends Street is the most important historic area of South Perth.

Mends Street has no fewer than five publicly owned buildings, as it stretches from The Esplanade up to Labouchere Road. I mention the old police station which is a magnificent building and in relation to which I received an assurance from the previous Government that it was in no danger of being demolished. As Mr President well knows, it really is a magnificent old building which is worth retaining.

Diagonally opposite the police station is what is known as the Old Mill Theatre. This building is currently used by a local repertory group. It was recently refurbished after a fire. It is again owned by the public purse, in this case, by the local authority.

Next door is the old municipal chamber which building has a magnificent facade. I confess that I do not know what the interior of the building is like, but the facade of the building is worth retaining. Fortunately, that building is also owned by the local authority.

On the other side of Mends Street is a Commonwealth owned building in the form of the post office and while it has been vandalised in an official sense by being modernised some years ago, it is by no means beyond recognition or restoration to its earlier status.

As Mr President would be aware, on the diagonal corner stands the Windsor Hotel. It is a colonial or pre-federation building owned again by the public purse via the University of Western Australia.

My point is that there is no guarantee that those five buildings will be saved in the way that this Bill envisages saving the old Perth Railway Station. It would be a simple activity for the Government of the day to officially declare that those five buildings, because they are owned by the public purse, should be sacrosanct and their redevelopment should not be permitted.

It is not beyond imagination that one day we might see Mends Street being redeveloped along the lines of the The Rocks area in Sydney. Anyone who has visited that redevelopment which is beneath the Sydney Harbour Bridge could not fail to agree with me.

Hon. P. H. Lockyer: That is drawing a rather long bow.

Hon. P. G. PENDAL: On the contrary, I do not think I am drawing a long bow, Mr Lockyer. This is certainly a more modest and more modern group of buildings but, nonetheless, if it is considered in relation to the ferry service and what could be done to attract people to that historic part of the metropolitan area during the America's Cup event, a grand opportunity is going begging because no-one will take the bit between his teeth. Indeed, I am looking at the possibility of bringing in a private member's Bill that might formally and officially declare those five Government owned properties part of an historic precinct.

The PRESIDENT: Order! That might well be a more appropriate time in which to discuss those matters.

Hon. P. G. PENDAL: I agree and I therefore will not use all my arguments on this occasion.

I conclude on this point: Hon. John Williams made a very valid comment about the difficulty that might arise in respect of retaining the Wellington Street facade of the Boans building. His point was made when he gently warned those who were interested that it may well be that structural and other difficulties may step in and not permit that facade to be retained. Hon. John Williams therein touched on a most important question because we in this State have been ready in the past to point the finger at a private developer or a private landowner and say what he or she must do about retaining such a building.

Members will recall what happened in relation to the retention of the Palace Hotel. Frankly, the same degree of fuss that was created about retaining the Palace Hotel should have been directed towards saving the Esplanade Hotel which was demolished perhaps 10

or 15 years ago. We in this State have a great propensity for saving the wrong things. Nevertheless, the interior of the Palace Hotel contains some magnificent attributes which are worth saving. Alan Bond deserves to be commended for saving it.

We reach the situation where as Governments or as Parliaments we are dictating to private landowners and building owners what they should be doing at a time when Governments are failing in their duties. Individual members of Parliament should be setting the example. If the Government did what I am now requesting it to do and issued a public register of Government-owned buildings on which, for a start, could be listed the old Treasury building and the old Hale School buildings—perhaps that would appeal to Mr Lockyer?

Hon. P. H. Lockyer interjected.

Hon. P. G. PENDAL: All members who were educated at that school would agree. That honour also extends to a few other members.

I endorse the point that Mr Williams made about the Boans building facade, which is relevant to this Bill. An unfair obligation has been placed on property owners in the past which public institutions have not been prepared to shoulder. I commend the previous Government in regard to saving the old Perth Railway Station because it permits the present Government to bring to this House a most commendable Bill which will not only enhance a magnificent part of the city, Forrest Place, but will also then provide a link through to what is fast becoming an equally magnificent area in the form of the cultural centre on the other side of the railway line.

I commend the Government for bringing in this Bill. I ask it to seriously consider the creation of that register of publicly owned buildings.

I support the Bill.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [11.47 a.m.]: I welcome the general support of this Bill, that is appropriate given its subject matter which offers the prospect of an exciting development in the heart of the city. The cooperation which is already evident between the State Government, the City Council and adjacent property owners is an indication of the widespread view that this is the way to go.

As you, Mr President, pointed out earlier with your usual gentleness and subtlety, much of the discussion generated by Mr Pendal was a

little removed from the direct subject matter of this Bill. I do not argue against his sentiments for the time being; however, the matters that he raised could well be considered on a more appropriate occasion.

Mr Williams raised a question about the air-space over the railway line. As members will have noted, the Act itself contemplates the separation of rights in air space from other rights attaching to the railway, and that land would certainly be of interest to Westrail due to the developments that will pass over its property.

I am unable to say whether particular arrangements have been entered into, whether payment is involved and, if so, of what amounts, but I have no doubt that that information will be publicly available when arrangements are made. I would only add in that context that unlike Mr Williams' expressed view that some payment to Westrail would be incongruous, I feel it would be quite fit and proper; indeed, Westrail should in general be encouraged to act in a commercial way no less in relation to the better use of its property holdings than in any other respects.

I am not aware of detailed arrangements in other areas, but the use of air space above railway stations is of course well known in Europe, America and even in other States of Australia. I would, in speaking generally, suggest that Westrail might well be encouraged to further consider its prospects in that regard. As to the main purpose of this Bill, I again welcome the general support for it.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and passed.

LOCAL GOVERNMENT AMENDMENT BILL (No. 3)

Second Reading

Debate resumed from 19 November.

HON. P. H. LOCKYER (Lower North) [11.54 a.m.]: The Opposition basically agrees with this Bill. The Bill has been brought to the House because of the situation that has arisen

in Albany. No doubt the member for South Province, Hon. Tom Knight, will have some comments to make on the matter as a local issue, and he will inform the House as to how precisely this matter came to be brought to the attention of the Government and in turn to the attention of the Council. Obviously there is an anomaly with legislation that came to this House in 1984 under which it was intended that unimproved valuations used by local authorities for rating purposes in the preceding financial year should be the unimproved values to be used for the purposes of phasing in the new system under section 548B.

In Albany, the Valuer General established new unimproved valuations for the town. He brought these in, and gazetted them, to apply from 30 June 1984, and consequently an anomaly has arisen for that reason. The previous Bill did not totally cover it and this amendment may do so. The Opposition sees no reason why it should not accept it. I urge members to do so.

HON. TOM KNIGHT (South) [11.55 a.m.]: I will not be voting for this Bill unless I get some confirmation from the Minister handling it that all the questions that I put before him will be answered to the satisfaction of the people I represent.

There have certainly been some anomalies, and one in particular is outlined in the following article, which I believe covers it very fittingly. It reads as follows—

AN unfortunate choice of dates and a badly worded piece of State Government legislation appears to have been the cause of a ratings row between the Albany Town Council and the local ratepayers association.

The row erupted last month when the council announced its intention to use the 1978 unimproved valuations as a base for its 1985-86 rates, despite the fact that the Valuer-General had gazetted new valuations.

Ratepayers, who believed that the new valuations would mean lower rates, complained that the council was acting illegally by not adopting the new valuation.

But, according to the Local Government Department, there were three complicating factors.

Firstly, the council had decided to change its rating base in 1985-86 from unimproved values to gross rental values.

Secondly, the State Government had included a clause in the Local Government Act allowing councils to phase in gross rental value rating over three years.

In the first year, a council had to use a ratio of two thirds to one third between unimproved and gross rental valuations. In the second year it would be a ratio of one third to two thirds and in the third year the full gross rental value would be used.

The unimproved valuation that had to be used during the phase-in process would be the valuation used in the previous financial year.

The third and most confusing factor was that the new unimproved valuation was gazetted by the Valuer-General on June 30—the last day of the financial year.

The question was: Which unimproved valuation should the council use?

The council chose the 1976 valuation, which raised the ire of ratepayers.

In an effort to clear confusion the Minister for Local Government, Mr Carr, pushed an amendment to the Act through Parliament on Thursday, allowing the council to use the 1978 valuations.

A spokesman for Mr Carr said that the confusion was caused by a lack of understanding of the rating system.

"No one anticipated that the new unimproved valuations would come into force on the last day of the financial year," the spokesman said.

"In the circumstances the Act was badly worded but the council acted correctly to the intention of the Act."

In another article that brought closer attention to the matter, it is stated—

IN a surprising about face the State government has rushed through retrospective legislation which removes any possibility of action being taken to quash the apparent illegal rates struck by the Town Council for this year's budget.

Ratepayers are concerned at the fact that the town clerk gave information to the council, to the councillor and to the mayor—who stood up at public meetings and at a meeting with the ratepayers' association and stated that checking had been done with the Valuer General and that permission had been granted. I was approached by the ratepayers' association and I

rang the Valuer General, and he informed me quite strongly that he had given no such permission—

Hon. J. M. Berinson: I am sorry—permission for what?

Hon. TOM KNIGHT: To use the rating system as the town clerk did for Albany, and not the new valuation which, from memory, was brought in on 14 July and backdated to 30 June. I ask the Minister handling the Bill: Can he advise me whether the ratepayers of Albany will benefit by this legislation, or will it be detrimental to the rating system and the rates the people of Albany will pay? It is believed that the town clerk brought in the rates for the town at a time in which the normal method was to introduce them at the start of the financial year. In the meantime, the new valuations came in and it was stated quite openly that the council chose not to go to the cost of doing new valuations in order to put a new rating system in. My electors believe the council told mistruths by saying it had been given that permission by the Valuer General.

The PRESIDENT: Order! It being 12.00 midday and a Conference of Managers between the two Houses having been arranged for that time, the business of the House will be suspended until the ringing of the bells.

Sitting suspended from 12 noon to 2.00 p.m.

Hon. TOM KNIGHT: Before sitting was suspended I was quoting from the *Albany Advertiser*.

The article stated—

Local Government Minister Jeff Carr stated early last week that he would not consider retrospective legislation for one council but late last week he did just that.

The situation has been created where the Government has seen fit to bring in retrospective legislation in respect of the Town of Albany. I consider that ratepayers in Albany should not be disadvantaged as a result, and I am asking the Minister representing the Minister for Local Government to answer some questions I have asked before. From discussions during the lunch break, I am given to understand the answers will suit admirably.

At the same time I must raise another point. Within one week retrospective legislation was brought in to cover this issue. For some 12 months now the Albany Ratepayers' Association has been asking the Minister to look at some information regarding administrative problems and council problems in that town.

The Minister has not found the time to discuss them with the ratepayers' association, although he has indicated to me that he will do so at the appropriate time. I hope this will now become a matter of some urgency. As stated in the *Albany Advertiser*, within one week he has changed his mind from not being prepared to introduce retrospective legislation to now doing so.

The question I asked of the Minister, Hon. J. M. Berinson, before lunch—and I believe he understands what I am trying to determine—is that, with the council adopting the 1978-79 unimproved valuations up to 30 June, as against gross rental valuations which were endorsed and approved as at 30 June this year, and which came into operation on 1 July, the ratepayers have asked me to oppose the legislation if they could not be assured they would not be disadvantaged.

I believe the information the Minister will pass on to me is that, with this retrospective legislation, the rates applying to these people will not be introduced over a three-year period, because they did not accept the new valuation as of 30 June. There would be no phasing-in period. If there is to be no phasing-in period it will cost them more, because they are expecting to pay on GRV as of this year rather than on GRV valuations over a three-year phasing-in period.

If I can be assured by the Minister, as I was during the lunch break, I shall support the legislation, because this is what my electors want. Because of the anomalies and uncertainties of this situation they are convinced that they should accept the UV at this time.

In that period the GRV has been introduced. This legislation is retrospective, hopefully to allow the unimproved values and the phasing-in period which they all want.

It is stated somewhere that, if another valuation is introduced during the phasing-in period, that immediately takes precedence. Ratepayers are then forced to pay the full rate of GRV at this stage rather than at the end of the phasing-in period. This is most important, and I believe it is part of the background of the legislation.

I will support the Bill on the Minister's assurances, but I am very concerned that the town clerk has seen fit to advise the council and the mayor that he sought the approval of the Valuer General to do this. He did not, because

the Valuer General assured me that it was up to the town to decide what it wanted, and he had advised the town clerk of that situation.

This has been the disconcerting situation, and people have been led up the garden path. The ratepayers' association has wanted the Minister to consider some four hours of tapes of records of information which he has not been able to find the time to do. The ratepayers are concerned that all of a sudden, out of the blue, one week after making a statement not to agree to introduce retrospective legislation, he has changed his mind.

I want to know why the Minister is not prepared to come down and look at this other information regarding the problems which the ratepayers' association in Albany is facing. In fact, a letter was published in the *Albany Advertiser* to which I would like an answer. It states—

Further to recent publicity regarding the Albany Town Council use of the 1978/79 valuations in the 1985/86 budget.

The June (1985) minutes of the council show that the new valuations were then available, effective from July 1, 1985, and from this several questions arise:

1. Who made the decision to use the '78/79 valuations, and why?
2. Why was not a proper research made of the subject; and the necessary written authority sought?

I refer to this because the town clerk stated that he had sought and was given the authority by the Valuer General.

To continue—

3. Why were the elected body of councillors not advised; and given the opportunity to decide this important issue?

That is most important, because it was stated at one time a discussion was held at council level, but the council was not aware of it. To continue—

4. In the past a number of councillors have been subjected to court action due to "technical" breaches of the Act. If this action on the valuations turns out to be a breach of the Act, will some similar type of action take place?

That was stated because of the four hours of information which are available to the Minister to look at the administration of the town council and some of the anomalies which have taken

place. In one week he has changed his mind. First he says on one day that he will not do it, and then he turns around and agrees to do it.

Many questions need answering, and many are still to be asked. I am still hoping to receive an answer from the Attorney General to questions I have asked before. At the same time why does the Minister not come down to look at the problem facing Albany? I believe it is more pertinent than this situation which he has chosen to ignore and put aside to a more suitable time for him.

It is a problem facing Albany. There have been situations where Albany town councillors have been taken to court and threatened with a lot of situations they could not face up to, but at the same time the administration has not had to stand up to the same sort of scrutiny and actions of which there is considerable documented proof.

This Bill has given me the reason to bring forward something that has been sticking in the craw of Albany ratepayers for two or three years now. I hope the Minister handling the Bill in the House will ask the Minister for Local Government to ensure that, subject to swift and speedy action on this Bill, he is prepared to come to Albany and discuss the problems facing the ratepayers to eliminate the uncertainty and bad feelings that exist in Albany.

HON. D. J. WORDSWORTH (South) [2.11 p.m.]: While this Bill would appear to be normal legislation to retrospectively allow the council to use rates which it has set, I think there is more to it than meets the eye. Hon. Tom Knight has outlined to the House the difficulties that are occurring in Albany. I support him in saying that there are great problems underneath. Normally this would have passed by without being noticed.

Hon. J. M. Brown: Do you think there is a lot of conflict in the council?

Hon. D. J. WORDSWORTH: There has been conflict between the councillors and the staff. Normally the staff could get away with this sort of thing where it would appear that they had gone to the Local Government Department and received an opinion, worked on it and not even told the council that it had a choice of two valuation systems. It would appear the council was not given a choice by its staff.

There has been a case in Albany where a local shire councillor lost his seat because of the interpretation of voting on matters in which a

councillor has a vested interest. A report in respect of this Bill appeared in the local Albany paper, the *Great Southern News*, which is a supplement to *The West Australian* newspaper, of 20 October. The headlines were, "Rates cover-up alleged" and "Councillor issues writ". An Albany Town Councillor has issued a Supreme Court writ against the Albany Town Clerk, Mr Hill. This is the sort of feeling that exists there. Two other councillors have resigned because of a report, which was destroyed without debate, on the efficiency of the staff of the Town of Albany, which cost something like \$20 000. It has been shredded and not made public. This is the type of thing that has been going on in Albany.

Hon. J. M. Brown: How do you align that cost of \$20 000?

Hon. D. J. WORDSWORTH: The report cost \$20 000 and it appears to have been shredded.

Hon. Tom Knight: It has been shredded.

Hon. D. J. WORDSWORTH: It has not been seen. There has been talk by people in Albany of the need for Parliament to set up a Select Committee to look at the Albany situation. I have not chosen to follow this path. I think local government is local government and State Parliament is State Parliament and we lay down the parameters within which local government should work and we should not interfere. It now appears that this Bill has fallen into our lap without our requiring it. We have been asked to put our signature to an action that has been taken by that town council on the recommendation of the Local Government Department. I have to admit that Albany likes a little bit of controversy at times because the local newspaper eggs it on. This issue is more sensitive because without doubt it affects the most sensitive of human nerves, the hip pocket nerve. If the valuations of 1985 had been used instead of the 1979 valuations the amount of rates paid by certain ratepayers would have been different.

In the newspaper of 14 November, Mr Hugh Smith—who happens to be the association's secretary, I presume it is the ratepayers' association—is reported to have told the crowd that he had done an extensive study on the two valuation bases to estimate the differences in his rates under the two systems. He stated further—

"On my property in Middleton Road my rates would have been \$529.60 less if the 1985 UVs had been used, but on my home property they would have been \$93.50 more," he said.

Not only is this a controversy but it has an economic consequence for various people. They are a little unhappy; but most people realise the issue has to be resolved and this Bill is one way of doing it. There is another group of people who believe they can go back to what they believe is the correct interpretation of the Act and issue new valuations, and the insurance policy of the town council would have covered the cost of re-issuing those rate notices.

Difficulties have been occurring in Albany over the last couple of years. It is a very unhappy local government and it has great difficulty in getting people to stand for election as councillors. This is regrettable and only adds to the controversy. I hope also that the Local Government Department will publicly review the efficiency of the Albany Town Council staff so that if they are not inefficient, then their name would be cleared, or if there is need for improvements to be made, then ratepayers would know that they will ultimately benefit.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.19 p.m.]: During the luncheon recess I took the opportunity to consult with the Minister for Local Government and Hon. Tom Knight also made himself available for discussions. As a result, I think I am in a reasonable position to answer the questions that have been raised on the actual content of this Bill. I am not in a position, nor do I think could I be expected to be able to respond to the very much wider questions that have been raised by Hon. Tom Knight and Hon. David Wordsworth. In respect of those matters I can do no more than to undertake to bring their comments to the attention of the Minister for Local Government for his consideration.

The real question that I understand Mr Knight to be raising relates to the phasing-in provisions as they affect the ratepayers in Albany. Section 548B of the Local Government Act provides for local authorities to phase in a change from unimproved valuation to gross rental valuation, and that is to be done over a period of three years.

Because of the special circumstances which arose in Albany, the question was raised as to whether the council should apply the 1978 valuations or the valuations provided effective

from 30 June 1985. In the event the council proceeded on the basis that it should use the 1978 valuations. I am authorised by the Minister to assure Mr Knight that there is no intention and no question that the position will be disturbed over the phasing-in period, which has already commenced. This year is the first of that period. Next year will be the second year of that period and it is again contemplated that the 1978 valuations will be used as the basis. That is in fact the effect of this Bill and it assures that.

A further question was raised as to whether the gross rental valuations that were also brought down at 30 June 1985 might somehow be given earlier effect because of the operation of section 548B(3) of the Act. That could not occur because that subsection provides for the implementation of a new gross rental valuation which is set during the phasing-in period. What we have here is a gross rental valuation which was set the day before the phasing-in period began, so that question does not arise.

I am also informed by the Minister that there is no question of another gross rental valuation being made during the phasing-in period. On the contrary, the Valuer General reports considerable difficulties in meeting even a four or five-year cycle of revaluations and there is no prospect of a further valuation of this nature over the existing phasing-in period. As I understand it, that meets the points of concern raised with respect to the Bill.

On the other matters I can only repeat my undertaking to bring the comments of members to the attention of the Minister.

Hon. D. J. Wordsworth: The phasing-in was designed for those people whose rates were going up and I gave an instance of a person whose rates would go down. The idea of the phasing-in was to gradually inflict heavier rates upon the ratepayers, but in fact it has worked the other way because the rates are being gradually lowered.

The PRESIDENT: Order! The member cannot go on making a speech sitting in his seat.

Hon. J. M. BERINSON: I think he did it pretty well.

The PRESIDENT: I kept thinking that at any second he would stop.

Hon. J. M. BERINSON: I can only add that in spite of exceptional cases, the overall pattern applies; that is, the phasing-in period should extend over the existing three years.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Hon. D. J. Wordsworth) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clause 1: Short title and principal Act—

Hon. TOM KNIGHT: The answers I have received from the Attorney General were given to my satisfaction. The undertaking I gave to the people of Albany who approached me was that I would ask those questions in the House to ensure that the people concerned would not be subjected to increased rates because of the introduction of this special Bill. The Attorney and the Minister for Local Government, with whom I discussed this matter during the luncheon suspension, have assured me that this Bill provides only for the retrospectivity necessary to save the ratepayers of Albany the additional increase in costs that would have been borne by them had this Bill not been introduced. I am satisfied with the answers given to my questions and I will therefore support the Bill.

Clause put and passed.

Clauses 2 to 4 put and passed

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and passed.

ADOPTION OF CHILDREN AMENDMENT BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

FORESTS: REVOCATION OF DEDICATION

Assembly's Resolution: Motion to Concur

Debate resumed from 20 November.

HON. V. J. FERRY (South-West) [2.29 p.m.]: I support the motion.

We have another Order of the Day dealing with the partial revocation of State forests to follow this and I will direct my main remarks to that second motion. Suffice it to say in regard to this motion that it deals with relatively

small parcels of land in the Collie area. They are reasonable adjustments in the context of land use around that part of the State.

We all know that Collie has had a number of developmental programmes of some moment in recent years, and in order to service the needs of those programmes, land has been required and is still required. The nature of Collie has meant that State forests have to a large extent surrounded the township, so in order to utilise land required to service the activities of various programmes, other than those associated with State forests, it has been necessary to excise certain parcels of State forest for other designations.

I am satisfied that the proposals before the House are reasonable. I reserve the right to make some general comments on the revocation of State forests during the course of the debate which I believe will follow this debate as item No. 5 on the Notice Paper.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.31 p.m.]: In many respects the comments I now propose to make will also deal with the next Order of the Day as the issues involved are similar, on my understanding. Hon. Sandy Lewis initiated a debate on the first of these Orders of the Day, and his concern was that the change of vesting would alter the management of the areas in question. The short answer to that is that the management does not change. It is the same department run by the same people, even if the name has changed.

The advantage of the proposed vesting is to obtain security of purpose. The Lands and Forests Commission vests the area in the National Parks and Nature Conservation Authority, which was the old National Parks Authority. The Government can readily agree that it would be preferable to provide more resources to prepare management plans and put them into operation on the ground. That is appreciated, and will be considered sympathetically by the Government.

As it is, available resources are being used to develop plans and to manage the parks where pressure is greatest. The Honorary Royal Commission into the Conservation and Land Management Act recommends the preparation of a land resource inventory, and of course that will be given every consideration.

The Government is meeting a commitment it gave to the electorate to act to establish the northern jarrah forest, Lane-Poole reserve, and

Ludlow national park. I repeat, however, that the management does not change; we will have the same people doing the same job.

Question put and passed, and a message accordingly returned to the Assembly.

FORESTS: REVOCATION OF DEDICATION

Assembly's Resolution: Motion to Concur

Debate resumed from 19 November.

HON. V. J. FERRY (South-West) [2.33 p.m.]: This partial revocation of State forests affects a number of areas. I refer in the main to two specific parcels of land. One concerns an area of land near Capel in the south-west, and the other is well known as the northern jarrah forest area, recently renamed as the Lane-Poole reserve.

It is a compliment to the old Forests Department and foresters over the years that the Lane-Poole reserve is being transferred out of State forests and into the category of an "A"-class reserve. It is a compliment that so many conservationists have latched onto this area as worthy of preservation because of the state it is in. We must remember that most of this area has been cut at least twice for timber milling purposes, and yet it is being asked for and the Government is putting it aside as an area to be preserved under an "A"-class reserve classification.

It saddens me when we hear from time to time so much criticism of the work of professional foresters suggesting they have not been acting in the interests of the State and that their only interest is in commercial production in order to make money. Of course, in the making of money in that context they make money for the Government of the day and create opportunities for people—those who are employed and who gain from the production of timber in those areas. The general population gains from the harvesting of the water resource in that timber area. That is a very important facet of land management.

When we talk about that particular reserve we should pay a compliment to the foresters who until earlier this year acted under the old Forests Act. Now it is all being done under the Conservation and Land Management Act 1984. The Forests Department, the National Parks Authority, and the wildlife section of the Fisheries and Wildlife Department have now been amalgamated.

The Honorary Royal Commission, to which I had the privilege to belong, reported recently and its report is now public. The commission made some very pertinent remarks regarding land management generally.

I refer secondly to the area near Capel, which is quite sizeable. It is being transferred under this motion to an "A"-class reserve designation. It seems particularly odd to me that the Government, in spite of all its posturing, had no consultation whatever with the local authorities that administer the general areas of land contained in this motion and the motion we have just dealt with. There has been no consultation with the Shires of Busselton and Capel. I understand there has been no consultation with the Shire of Serpentine-Jarrahdale, nor has there been any consultation, I am advised, with the City of Armadale in respect of the northern jarrah area. One would have thought that the Government, which advertises itself as one that confers with local government and sets out to give local government more authority and autonomy, and helps local government in its management obligations, would have consulted the local authorities before embarking on the revocation of State forests within those authorities' areas. That is extremely disturbing.

I refer to what the Honorary Royal Commission said in regard to local authorities as follows—

Local Government is an integral part of our total community and therefore has a keen and legitimate interest in the management of public lands.

By virtue of this interest, the Department of Conservation and Land Management would do well to inform, seek advice from, and have regard for the views and role of local authorities throughout the State.

In terms of land management, the Commission can perceive opportunities in some circumstances for a local authority to act as managing agent for the Department. Co-operation in this way could provide for a rational system and may prove less costly to the Department and the public purse.

The report went on in paragraph 269 on page 73 as follows—

The Commission recognising Local Government's major role in the management of public lands, therefore, recommends that—

There be constant interchange of information between Local Government bodies and the Department of Conservation and Land Management. This interchange should be conducted at all levels.

That was the finding of the Honorary Royal Commission. It is extraordinary that the Government has established a Department of Conservation and Land Management and, in so doing, absorbed the former Department of Forests. In this instance it has not liaised or consulted with local authorities on the parcels of land with which we are now dealing. The Government stands condemned for that. Local authorities have an important part to play under the Conservation and Land Management Act. Whereas it may not specifically lay out what the local authorities' role is, in the interests of good land management local authorities should be consulted at all times.

It has been my experience and the experience of so many members that where one is able to liaise on an informal basis with local authorities, many problems can be appreciated and alleviated, or better understood. I am sure many members of Parliament have had discussions with local authorities on a range of topics, and not only on revocation of State forest matters. Very often the best results are obtained in close liaison with local authorities; for example, rights of way to someone's property, fire control burning programmes, and so on.

It is extraordinary that this Government has ignored all of those principles and the authorities have had no input at all, even though they might only have been consulted as a matter of courtesy. Local authorities are the local administrators and deal with the public. It is therefore incumbent on the Government to liaise at all times with them.

My remarks have been fortified by the Honorary Royal Commission in its consideration of the Conservation and Land Management Act. The new department is the custodian of these public lands. The Act provided for the establishment of the Lands and Forests Commission and the National Parks and Nature Conservation Authority. The functions of these two bodies provide for certain parcels of land to be vested in each of them. Both bodies are given the responsibility for considering any cancellation, change of purpose, or boundary

alteration of the land vested in them in accordance with section 17 of the Conservation Land Management Act 1984.

For some inexplicable reason, section 17(1) excludes timber reserves, national parks, and certain class "A" reserves from being formally considered by the commission or authority respectively. Here I am referring to the Lands and Forests Commission and the National Parks and Nature Conservation Authority. The commission recommended, as a matter of urgency—

that the Conservation and Land Management Act 1984 be amended to provide for the areas currently excluded by Section 17(1) of the Act to be referred to the Commission or Authority for consideration. In the interim, the Minister should refer all such proposals for recommendation to the respective bodies.

It seems, then, that when the Conservation and Land Management Act passed through the Parliament, this was an omission. It was brought to the attention of the Honorary Royal Commission which was examining the department and the Act under which it operates.

I believe that not sufficient time was provided for that amendment to be considered by the Parliament, and that there is a need for that amendment to come before the Parliament in the near future. Maybe what we are doing is open to challenge. However, I am prepared to accept it, in the spirit it is offered to the Parliament, because the intention is there. The normal practice has been put in place although the method by which it has been done has been a little sloppy. Obviously the whole matter should be tightened up to make it more acceptable in a legal sense. I am not a legal man, but that was the finding of the Royal Commission.

During the course of the debate on a previous revocation of dedication of State forests, reference was made to the land resources inventory. That is a most important arrangement in this State. It is particularly important in the South-West Land Division because there is a pressing need for proper land management. This is occasioned by pressure on land for a host of reasons—for agricultural needs, timber production, urban sprawl, horticulture, vegetable growing, fruit growing, and mining. There is tremendous pressure to provide services such as recreational areas for people, not only on the land, but also on the water. There therefore needs to be a proper land resource inventory.

I commend members to the Honorary Royal Commission's comments on land inventory on page 31 of that report, paragraph 112, which states—

The Commission was impressed by a check list used by the Ministry of Natural Resources in Ontario, Canada, which is:

1. Policy—what and for whom;
2. Land use planning—where and what;
3. Resource planning—how;
4. Working plans and operations—what in a given year, specifying the source of funds; and
5. Evaluation—how well.

Those are simple guides for planning on how to tackle problems of land resources. Paragraphs 114 and 115 of the same report state—

The immense damage that can be caused to our land resource, either by ignorance or injudicious development, is of vital concern to the Commission. Effort must be directed at both protection of the resource and rehabilitation where degradation may have occurred.

In the interest of effective land management and to ensure both protection and rehabilitation, the land's physical and biological attributes must be fully understood. This understanding can only be achieved through preparation of land resource inventories.

I commend the report of the Honorary Royal Commission and that section on land resource inventory to members because it is the key to the well-being of Western Australia in the future. Western Australia is an unusual land mass. We have a relatively green south-west corner. However, we all know that the rest of the State is generally very dry. Certainly in the far north there is a tropical belt, but even that has its vagaries. Often the monsoon wet does not result as it should and the whole area can be placed in jeopardy with the wrong sort of treatment. That has been borne out by overstocking.

Western Australia has a tremendous number of national parks and reserves. It is obvious that vast areas of the State are reserved in name only. We have never had the resources in Western Australia to catalogue the land. That would be a tremendous task for the new Department of Conservation and Land Management. It will be an ongoing task for many years. Immense human and financial resources are

required to catalogue what may or may not be associated with those lands. The lands vary from the top of Western Australia, to the west coast, to the South Australian border.

In this motion we are changing lands which are State forests to class "A" reserves. That has limited value at this stage. However, there is value in attempting to preserve what is already there. I refer, again, to the northern jarrah forest area which has been preserved. That has been acknowledged by the former Department of Forests, and the preservation should be continued. However, other reserves could be used for a number of purposes, not the least of which would be for recreational needs. One of the main sources of complaint to the Royal Commission was that there is a lack of sufficient recreational areas. I am quite certain that when evaluations of various areas of land are made through a land inventory system, a percentage of it could be used for recreational purposes safely, whereas other sections should be preserved for flora and fauna and other purposes.

I do not think it is good enough to draw a line around the map and say that a particular area of land is to be designated a class "A" reserve, and to allow nothing whatsoever to happen to it. For example, part of that area may be quite suitable for some purpose which would benefit the State and the people. It could well be that minerals could be found in one part of that area, and perhaps mining could be permitted in the area without detracting from the purpose of reserving the land. The mining would have to be undertaken under strict guidelines and be subject to environmental restraints. That is done in other parts of the world. We must be realistic. It is not good enough to lock up land forever and say that it is not to be touched for time immemorial. We have to be realistic and flexible with respect to the categorising of land.

Through the inventory system we may be able to save ourselves and private firms a lot of money by allowing them to say to the Mines Department or some other Government department that they want to exercise their prerogative to mine a particular area. The department could look up the land resources inventory and say to the company concerned that the land it seeks to mine contains certain features which would not allow the company to mine it. It could tell the company if there were no hope that it would change its mind. That would save a lot of time and a lot of money. That is just a simple explanation of what might happen. On

the other hand, the authority could say to a party applying to use land for a certain purpose that a proposition was reasonable subject to certain constraints. Approval may be given subject to certain conditions. That is the sort of situation we need.

Water is a very important resource. Our State forests and Crown lands have played a very real and significant part in helping the people of Western Australia in the harvesting of water. Again, I do not think enough attention or acknowledgement has been given to the work of the former Forests Department in this regard. The State foresters have zealously managed timber country which not only has produced commercial timber resources and provided recreational needs, but has also provided a water resources catchment area to service our reservoirs in the hills. I say without any fear of contradiction that without that proper management our ability to harness the water would have been impeded quite markedly. We owe a great debt of gratitude to the foresters who in their professionalism ensured that water harvesting occurred in that way.

The cost of preserving water catchment areas for the State in the past has been borne entirely by the Forests Department. It was not a cost on the consumers of water. The old Public Works Department, and now the Water Authority of Western Australia, and the people the authority serves, have benefited very markedly indeed. One could not put a quantitative figure on the benefit in money terms, but there has undoubtedly been a benefit to consumers. The good management of the Forests Department has allowed the water to be harvested, stored, and reticulated to consumers in the metropolitan area, as well as in many country districts, through comprehensive water supply schemes.

It was argued in the Royal Commission report that water may arguably be the most valuable of all the natural resources under the control of the Department of Conservation and Land Management. One could argue about that point, but it certainly is a very valuable natural resource. I commend the new department for this continuing work. The new department will continue to assist consumers to obtain good quality water at a somewhat reduced rate. As I said, we cannot quantify it in dollar terms, but without good stewardship consumers would obviously pay a lot more.

The Royal Commission commented—

While water conservation may be regarded as an ingredient in land management, the Commission believes it would be premature and inappropriate for the Department of Conservation and Land Management to have direct control of the water resources of the State.

It is recognised that the Water Authority of Western Australia is the appropriate authority, at least at this time, to continue its superintendence of the water services, notwithstanding the very real part played by the Department of Conservation and Land Management.

[Questions taken.]

Hon. V. J. FERRY: I was referring to the important matter of water conservation. Whereas it may be regarded as an ingredient of land management, it is not the only ingredient. It is pertinent to remark that the Honorary Royal Commission made specific mention of the preparation of land management plans for lands managed by the Department of Conservation and Land Management. The commission considered it practical for consultation to occur between that department and the Water Authority of Western Australia, the Department of Agriculture, the Commissioner of Soil Conservation, and, where appropriate, the Water Boards of Harvey, Bunbury, and Busselton. There is a degree of cooperation among departments but it needs to be strengthened. The Government must give very close attention to this.

In the early part of my remarks this afternoon I laid stress on the lack of liaison and consultation with the Government and local authorities in the areas concerned with the motion before the House. The Government seems to have a lot to learn, but the Honorary Royal Commission has spelt it out in paragraph 292 on page 78.

It also said that management programmes should be drawn up by the respective agencies, and when approved the programmes should proceed in clear and precise terms. That is very important. The plan should be absolutely clear so that everyone knows exactly what is meant. The plans do not have to be elaborate, but they must be precise and simple.

The Commission believes that the expertise of each agency would provide for a knowledgeable, balanced, and realistic approach to the management of such a vital resource as water. I do not think anyone could argue about that.

I have taken the opportunity to make these remarks during the course of this motion. I refer to the importance of the two main areas, the northern jarrah forest and the area near Capel which has been under pressure recently from mining operations. Capel contains mineral sands, not necessarily in this parcel of land we are dealing with, which have been the subject of an ongoing industry for the last 30 years and will continue for a number of years yet.

The mineral sands industry is very well conducted and regulated. The people concerned are highly responsible. The industry has a wonderful reputation for responsibility, and the people concerned are experienced operators.

Capel also has the famous tuart stand. There may be a contribution from another member in that regard, but the tuart forest in that area is unique. It is recognised as a feature of the south-west and one which we jealously guard.

All these factors come into it, but people pressure in the northern jarrah forest area is tremendous. It is part of the south-west area anyway. There is tremendous people pressure that will be an ongoing pressure as the population continues to increase.

I support the motion.

HON. C. J. BELL (Lower West) [3.11 p.m.]: I rise not to oppose the motion but to voice my concern with regard to these actions affecting State forests. I do so on the basis that much of the forest concerned lies either within my electorate or adjacent to my home property, and to that extent I have a very real interest in the management of the State forests.

At times I am concerned that the change in status of these forests to "A"-class reserves will in fact change the management practice. I know the Minister has said it is not intended to change the practice; nevertheless, the realities will surely bear close examination. I say that on the basis that while the old Forests Department over many years managed these areas, it was done on the basis that they were renewable, harvestable reserves and some of the practices that needed to be involved in that management had some commercial practicalities.

I can well remember a senior forestry officer telling me how he as a farmer perceived a paddock of grass: It could be harvested provided it was nurtured and suitably managed to ensure that the reserve itself did not degenerate in any way. That has always been the management philosophy behind our forests. While at times

we may not have enough knowledge of our forests to manage them properly, nevertheless the philosophy remains.

I inform Mr Ferry who spoke before me that I absolutely support the recommendations of the Honorary Royal Commission which he read out in regard to the use of Crown land in Canada.

The northern jarrah forest revocations include the Lane-Poole Reserve. The Lane-Poole Reserve is a beautiful spot and I support totally the protection of that reserve because it is of great significance. We need to be careful that we keep some land in its natural state. In saying that, I still believe that we need to ensure that we do not just lock it up, that we do not just put a fence around it, if one likes, and allow as a matter of course certain things to happen to the land in its natural state.

The control of fire, of course, is one of our major endeavours in regard to forests. This is one of the major differences between the current system and the forest management system which existed prior to the European settlement of our land. It has changed very dramatically the actual forest itself by precluding the natural action of fire from the time of pre-European settlement.

The northern jarrah forest is a very valuable resource. Mr Ferry has spoken of the water resource that comes from the area and I support those comments. I also believe it is not totally valid to lock away the total northern jarrah reserves to prevent the timber industry from having some participation in it. They still have a great deal of potential which does not preclude the other forest users. Recreation, conservation, and management are part of the same thing and we need to perhaps be aware that those things are possible. I do not intend to say anything more about the jarrah forest.

I now address myself to the tuart forest at Capel. My home property has a 1.5 kilometre frontage to State Forest No. 1. I have resided on that property since March 1957, so for approximately 28½ years I have observed the tuart forest and I believe I have some knowledge of the environment itself. I have made some observations as to how the management of those forests has proceeded over that 28½ year period.

There is no doubt in my mind that one of the problems we face with the tuart forest is the small area of the blocks. The relatively narrow strip of land is hemmed in between agricultural areas on the eastern and western sides and to

that extent the natural firing of those forests is something which we have sought to control markedly for a long time.

I was very concerned to hear Mr Ferry say there had been no comment from the two local authorities involved in tuart operations because they may well have had some worthwhile input on the matter.

If one examines some of the early diaries one finds the early settlers' views of the tuart forests were recorded quite well. They spoke of the tuart forest being an open forest with very little understorey, a grassed forest, if you like. Today that situation no longer applies. The tuart forest understorey has been taken over by peppermints. It is very difficult to ride a horse through much of that forest. If one looks at the diaries of earlier days, it is quite obvious that it was then very easy to do so. It was basically a forest without an understorey. It was perhaps overgrassed or was an agro-forestry area of parkland. Fire management practices over 150 years have changed the situation substantially. Some years ago that was graphically illustrated on the Higgins Road map. If members look at their maps this is included on the eastern side of State Forest No. 3 which is on the south side of State Forest No. 1.

The adjoining landowner was harvesting a crop. The crop was set alight and with a big jump spread onto Higgins Road and into the jarrah forest. It burnt approximately 40 hectares. It was probably the hottest fire I have ever seen. Only the tuart trees remained. They appeared to be damaged but in fact they were not, and when spring arrived they became green, but there was no understorey; the peppermint understorey was completely destroyed. There was not a skerrick left on the ground—not a grass seed remained. At the end of August there was not even any grass on the floor of the forest where the fire had been. The first visible signs of green appeared in early September when the little tuart trees emerged from the ash bed.

Nowhere in the State forest today is there a stand of tuart such as this stand of 40 hectares which was burnt by a wildfire in January.

I think that illustrates quite clearly what changes we have made in the management of that tuart forest, and I am extremely concerned that in locking up this area as an "A"-class reserve much of the experimental work which was carried out by the former Forests Department, now the Department of Conservation and Land Management, in endeavouring to

move toward a better management of that forest, may well go by the board. That tuart forest in its natural and healthy state, is a beautiful piece of forest. To abandon it, and to put a fence around it and to shut it up on the basis of conserving it for the future, would be one of the greatest mistakes and tragedies that has ever been perpetrated on this unique piece of Western Australia.

Currently much of that tuart forest is fenced off and it is used for the grazing of stock each year, on an open auction basis. Grazing stock through that forest is done in an endeavour to keep down the fire hazard. If we were to see that grazing cease, undoubtedly the fire hazard would increase substantially.

With regard to the recreational use of the tuart forest which is occurring, I suggest that we look at the State Forest No. 1 as a perfect example of that. It has been used for recreational purposes—a few people walk through it, but the major use is by local landowners, such as my son and others, who train their horses on the firebreaks around the forest. As such the forest serves a useful purpose because it is so convenient for them.

One benefit of classifying the forest as an "A"-class reserve is that it would eliminate the prospect of mining in the area. I say that advisedly, even though, as Mr Ferry has previously said, there may be some call for mining. However, I think the area is so small that we ought to preclude mining in the tuart forest. I well remember a company in the 1960s pegging the south-western end of State Forest No. 1 for the mining of limestone. It caused a panic. In the earlier part of the century, parts of the State forest were used for the mining of limestone. There are still old kilns in which limestone was burnt on the site. These kilns can still be seen today if one knows where to look. They were fed with wood which was burnt on-site and the lime was extracted from the ground. I think some areas of that limestone grade were about 98 per cent pure. It was very rich and there must have been some temptation to exploit it.

I think the prevention of that exploitation of a very limited resource is valuable. However, the prospect that this unique timber will never be harvested for any purpose, which I rather gather is the purpose of an "A"-class reserve, is unfortunate.

The tuart is a very dense timber and it has a tight grain. It is an attractive timber when handled properly and, of course, it is a very tough timber. If the tuart forest is merely

locked up in order to see the trees grow, it will be unfortunate; it might well be that with better management practices we can still maintain our tuart forests in all their splendour. At the same time we might have some option of having the use of this timber for special purposes.

I draw the Minister's attention to the comments that I made in regard to the tuart forest because I will endeavour all my life to ensure that nothing is done to denigrate that forest. I would support endeavours by this or any other Government to improve the status of that tuart forest, although at the same time I would like to think that we can get a multi-use function from it.

I support the motion.

HON. W. N. STRETCH (Lower Central) [3.25 p.m.]: I think the points just made by Mr Bell and Mr Ferry underline to this House why we should be very careful in assessing any changes that are proposed to the forest estate in Western Australia.

This motion is to revoke certain parts of the forest estate, and it is a normal occurrence in this House. Over the years it has been accepted that certain parts of the forest will need to be changed for various reasons. Many of these reasons are admirable. On occasions, we have small projections of private land pushing into the State forest, and alternatively, we have areas of forest protruding onto areas of private land. This not only makes the boundaries lengthy and unwieldy, but it also makes the forests extremely hard to handle in the case of firefighting and general disease management.

I am not concerned that areas are being brought forward for revocation because, as I have said, that is an accepted practice; but it is the motive behind this motion that is causing the people of the south-west the gravest concern at this stage. The point put forward by the Honorary Royal Commission into conservation and land management was that we must stop looking at the forest estate in a piecemeal manner. It is very tempting to take a piece here and a piece there and to say, "Okay, we will make that an 'A'-class reserve", or, "We will take another piece over here and make it a class 'A' reserve", because as members know, the removal of any part of the forest from the forest estate puts pressure on the remaining portions of the forest. For that reason—whether it be for logging, recreation, for horse training or for bushwalking—we must work to an overall plan as put forward by forest man-

agers and not by environmental groups who take a narrow view of the whole field. Unless we do this, we will end up putting the whole of our forest estate into jeopardy.

I have mentioned the Honorary Royal Commission into conservation and land management, and at this stage I would like to pay tribute to those commissioners who sat on the commission. I know from discussing this matter with people far more qualified than I that plaudits have been given to the commission's work. One experienced forester of whom I know has written saying that he believes that it is the best report on land management for Western Australia that has ever been published. It is not for me to judge whether that is true, but I think it gives some indication of the high regard in which these three commissioners are held by the community. It is true that this is not an opinion held by all of the community because some members of the community are extremely concerned about the odd provision in the report. However, generally speaking, the report is acclaimed by the whole community as being well-balanced. I think that is evidenced by the remarks of my colleague, Hon. Vic Ferry, who spoke just recently. It is not for him to indicate the quality of the report, but at this stage I would pay tribute to it.

My colleague, Hon. Sandy Lewis, is the most informed and balanced person on the forest management in this House. The Minister looked at me rather strangely when I said, "the most informed and balanced". Those who know Hon. Sandy Lewis would have no doubt as to the truth of my remarks; I believe the expertise and the experience on the land and in forest management that he brought to the commission was a great asset.

I would also like to pay tribute to Hon. Fred McKenzie because I know he is held in high regard by the other members of the commission. I believe Mr McKenzie has the distinction now of being in a position to bring highly informed pressure to bear on sections of his party to take a more balanced view of forest management and to recognise, above all, that the forest estate is not a static piece of the scenery which we can just shove in a file and say "This will be for ever more an 'A'-class reserve for the purpose of any conservation matter."

As we know, the forest is a living, moving, dying estate. It is never still, although in Western Australia, and in hardwood forests particularly, we are looking at a very slow growth

cycle. It is nevertheless living and dying at a predetermined rate. If we are to make the most of the asset that the forest provides, we have to allow all bodies at all times the opportunity to go into the forest and manage it to the best of man's ability.

The whole question of forest management is not a finite art, it is one that has grown up over many generations. Some of the finest citizens in Western Australia have been associated with forest management. In the very Bill under discussion the name Lane-Poole appears, and very fittingly so, because he was one of the earliest of several highly accomplished forest managers who have given us the heritage for the benefit of our generation. There are other equally distinguished sons, and I mention George Nunn and Don Stewart, both known to me personally. They were irascible characters in their own ways, but totally dedicated scientists who always gave their best to the forests and did their part in managing, developing and preserving the forests for all time.

The late Don Stewart, especially, made major progress in the control of burning and the removal of litter from the forest floor and the techniques of aerial or incendiary bombing of the forest which allowed the protection of huge areas of forests to take place. Until that time all forests had to be lit by hand, and when members look at the areas involved they will realise what an impossibility it was to carry out fuel reduction burns of any significance over that estate.

I therefore pay tribute to the professionals who have managed the forests over the years. I believe we have a great deal to be thankful for, and to undertake large-scale revocations such as those proposed in this Bill is a very dangerous step. The whole policy must be one of hastening slowly in forestry, because even though that is probably regarded as a reactionary statement, we must accept that the forest is a living but very slow-growing entity. Mistakes that are made today can easily be covered up for another 100 years. It will not be until our grandsons or great grandsons come to harvest that resource that they will pass judgment on our management 100, 120, 150, or in some cases 200 years earlier.

Jarrah, especially, is a very slow-growing tree and, indeed the present executive director, when he was a scientist—a field in which he was very good—was doing research into the jarrah tree, he believed that we could speed up the development of jarrah timber considerably. I hope he is right because it is a superb timber

but is becoming so rare that we have just about relegated it to the furniture timber trade alone. While it is a superb building timber and an unsurpassed bridge-making timber, we are simply going to run out of it and that would be a tragedy, but one which will not be reversed without considerable research.

The research into jarrah is very closely tied to the question of jarrah forest revocation. Mr Deputy President (Hon. D. J. Wordsworth), in case you think I am not speaking to the Bill, I will reassure you by coming back to the area No. 2 set out in the revocation motion. It does take in a very large and significant part of the jarrah forest estate. It is an area where we must be particularly careful that jarrah dieback is managed properly and carefully. It is not something we can treat lightly and say, "Okay, we will keep everybody out of there, it is an 'A'-class reserve and we can manage it how we like." There are so many other hazards that are not controllable at this stage.

It is probably one of the greatest breeding areas of feral pig in the whole of the State. The damage they are doing is unbelievable, and their role in the spread of disease is not yet fully understood. I question the wisdom of excluding the timber harvesting industries from that area because their very presence there, provided that it is controlled, at least keeps the pigs on the move and moves them out to areas where they can be controlled and hopefully shot out. They are mostly feral pigs—I believe they are all domestic pigs gone wild, so they are true ferals. I do not believe there are any of that ilk native to our country, thank God, but they do cause a problem for the forest managers in their work.

The whole area is also extremely rich in other fauna such as the kangaroo, the wallaby, the tamar, the numbat, and countless other marsupials that I have not identified. They all require a highly developed level of management if they are to survive. I believe that these animals, along with the timber, are best managed by the people who have a proven track record in managing them; that is, the personnel in the Forests Department. They have recently been reinforced, under the Department of Conservation and Land Management, by the addition of wildlife officers, and while there are some teething problems in settling these departments down, I believe that on the whole the move is for the good. However, it is absolutely essential that the forest managers manage the forest. They have a proven track record.

Hon. G. C. MacKinnon: I argue about their ability to manage the wildlife. I do not believe they have that ability.

Hon. W. N. STRETCH: One of these days, in his retirement, I look forward to taking Hon. Graham MacKinnon down through the Perup reserve to look at the work of Dr Christensen.

Hon. G. C. MacKinnon: I have plenty of time to do it and I have taken members of Parliament from one reserve to the other when they were run by the former department.

The DEPUTY PRESIDENT: Order! Hon. G. C. MacKinnon will have his chance to make a speech.

Hon. W. N. STRETCH: Far be it from me to scorn the help of an expert, but I do believe that there is a considerable amount to be learnt from the management of the old Forests Department. The Dryandra reserve near Narrogin is a reserve of a totally different type, where similar research is undertaken. I know it is horses for courses, but while Hon. Graham MacKinnon's experience leads him to the support of his colleagues in some areas, I believe that in areas of the forest where they are dealing specifically with the forest marsupial, some of the scientific officers with the old Forests Department can hold up their heads in any company. We will not make a contest of it but I think we can all learn a little bit.

Hon. G. C. MacKinnon: We should agree to disagree. Their expertise is in plants.

Hon. W. N. STRETCH: Yes. I think the research carried out in relation to the plants at Perup is also of great value; this research has a major effect on the environment and is essential for survival. The ex-Minister's comments are valid, but I will leave it at that and agree to disagree. We both have independent views, as have all my colleagues in this House.

Another matter which is of major importance is the salinity of the streams and this was mentioned by Hon. Vic Ferry. It is a major challenge for the future if we are to preserve supplies of potable water for future generations. In this regard, I have no argument with the revocation of State Forest No. 14 which is marked on the plan provided. Members who have assiduously studied the map will realise that the revocation involves the area being granted "A"-class reserve status. It includes a narrow strip near the Murray River which runs in a north-westerly direction. It varies in width from three kilometres to 10 kilometres and it widens out near Dwellingup. It encompasses

what would be regarded as the northern-most catchment area of the Murray River. I have no quibble with that, but I will come back to the management of water catchments in a while.

I am worried about the area which drops down below the Worsley conveyor belt which carries bauxite from an open-cut mine near Boddington. The conveyor belt line is an operation which has been set up with the closest attention being given to the environment and the indigenous flora of the area. Those members who have not travelled near the conveyor belt, which incidentally is one of the longest in the world, will not know that the belt has been lifted approximately three metres above the ground in places to allow kangaroos and other animals to get under it safely and without any interference. The conveyor belt system is a highly efficient way of moving ore. The belt operates in near-silence and is approximately 54 kilometres in length. When one considers the dislocation that would have occurred to the environment by shifting the ore by truck, one realises what a boon the conveyor belt has been to the environment and to my furry friends.

The installation of the conveyor belt was the result of discussions between experts in the field and environmentalists. I underline the fact that this operation took place many years ago and before the Department of Conservation and Land Management was established. The project was undertaken as a result of quiet consultation.

The "A"-class reserve widens out to a very large area and comprises a significant part of State Forests Nos. 15 and 24 which are mentioned in this motion. They are both significant areas and on the western side we have a further small revocation which involves State Forest No. 3. It is one of those commonsense balances and it involves the moving of a piece of forest away from one status of tenure to another. The latter is one of the usual actions taken under this type of motion and the Opposition has no quibble about it.

State Forests Nos. 15 and 24 concern me because these revocations put enormous pressure on other sectors of the forest.

Members would be well aware that if we are to maintain a viable active forest harvest for the timber industry, we have to provide the base resource; that is, State forest. I hope the private forest will, at some time in the future, be involved in a larger scale, but in the mean-

time the State forest will have to bear the major responsibility of supplying this resource base to the industry.

Sitting suspended from 3.46 to 4.00 p.m.

Hon. W. N. STRETCH: As we broke for afternoon tea I was making the point that any removal from milling of an area of the State forests inevitably imposes pressure on other areas. In the foreseeable future it will be up to State forests to provide the bulk of the resources for the milling industry.

The timber milling industry still has a great future. It has had severe problems in the past. We had to cut back our logging intake in order to achieve a sustainable yield. We have been doing that steadily for a number of years. Both Governments have worked on this policy, but the Burke Government's recent move to remove large parts of the resource base has caused severe difficulties for the whole of the forest management.

It has been mentioned before in this House in other debates, but it is worth repeating in view of this revocation motion, that the removal of the Shannon Basin from the resource base of the timber industry in Manjimup caused the old Forests Department to approve cutting in stream reserves and in road reserves. That is bad enough, but it has also had to thin down the fire buffer zones around the young karri forests. That is a dreadful act which was forced upon the industry by bad legislation and bad politics.

I do not believe the Labor Party in its wildest dreams imagined the damage it was doing in the forests of Western Australia. It was one of the imagined good ideas which went totally wrong. As members know, it was put forward at the ALP State conference and became part of its policy. If that opinion had been well enough informed we would have had to go along with it, as did the Labor Party. But it was not. It was put forward by people who thought it was a good idea, but they were totally unaware of the effect that that removal would have on the rest of the forest.

One should compare the input of those people with members like Hon. Vic Ferry, who has lived and worked in the south-west—and now represents it—over a total period of 50 years. One can look at Hon. Colin Bell, who has just realised, to his astonishment, that he has been living adjacent to a State forest for 30 years. I have lived adjacent to that forest for 30 years. I have worked near it and cleared land

there. I know something about the nature of the forest, its animals and its management, particularly fire management.

Hon. Sandy Lewis probably has more experience in this field than anyone else in this House. Those are the people qualified to make comments on the management plans put forward to the House. Now, through his experience on Select Committees with Hon. Sandy Lewis and others, Hon. Fred McKenzie is well qualified.

Hon. G. C. MacKinnon: You totally discount my 69 years.

Hon. Fred McKenzie: You are next!

Hon. W. N. STRETCH: Hon. Fred McKenzie is now well qualified to appreciate the plans and inform a few of his colleagues, both on the organisational side of the Labor Party and on the parliamentary side. I hope that with his added input we can avoid situations where policies are brought forward which have such disastrous consequences on forest management.

Hon. G. C. MacKinnon indeed has 69 years experience in the south-west. He seems determined to carry on the debate with me, and I have no doubt he will not rest until he has carried it further. I believe he is well qualified to put forward his own views to this House. I am inclined to the opinion that he will add to this debate, particularly if I mention wildlife management again.

In all seriousness, I believe forest decisions are best left to foresters and those who have the closest association with them. It is wrong to lock up large areas of the northern jarrah forest, virtually in a line below the Worsley conveyor belt. I see no reason for it because I do not believe any large area of forest should be set aside for that purpose.

Management must be an ongoing exercise in all parts of the forest. I recently visited New Zealand to study at first hand forest management in that country, because with joint ventures into pine occurring in the Manjimup Shire I thought it was incumbent on me to be better informed.

I was staggered at the innovativeness of New Zealand's forest management, and concerned at the aggressiveness of its timber marketing policies. We have a lot to learn from that country. In areas like "A"-class reserves provision should be built in for the salvage of trees which have passed their usefulness and which

are in a state of decay; trees which have virtually become rotten and a danger in parts of the forest.

I accept that the leaf mould and litter caused by decaying old trees is important, but by the same token the forest is still going to have all that leaf, branch and top structure of those trees forming part of the forest litter. All we are removing are the trunks. If one takes into account what many agronomists or silviculturists have to say, there is as much timber below the ground as there is above, and one can see that a large proportion of the timber in the forest stays where it always was. In the meantime we have the ability to salvage the logs and use the proceeds to enhance the beauty of the forest while making a significant contribution to the future of the timber milling industry and the export of that timber itself.

I was particularly impressed by one aspect of the New Zealand forest management scene. It involved part of the kauri forest. Kauri once covered a major part of New Zealand but it is now reduced to isolated pockets. It is now so rare that the forest services in New Zealand call tenders for fallen forest log trees. On one occasion a person tendered for a particular tree, and not a section of the forest. He tendered for a fallen dead tree. He won the tender and set up his own spot mill. He stripped slices off this magnificent dead kauri which was just forrest dead-fall. I do not know what he paid for the tree, but when I saw it he had taken off about 20 boards from that old dead tree. The boards were about three feet wide and 15 feet long. He was having them cut off to make boards for a table. By the time it became a piece of furniture it was estimated that the table would sell for about \$10 000. This is a rare chance to utilise what we would regard as forest waste. We have to get away from the concept of cutting up a whole section of forest for a particular use.

To return to my earlier theme: The forest is a living cycle identity, and trees do come to the end of their useful life. They may make a great home for the possums and other forest animals, but there are alternatives for them; the possum will always survive. Why are we not salvaging the very old stag trees that are getting past their prime and using them in the timber industry to help supply a resource base for industry? It is crazy to wait until they rot, fall over or are burnt. They should be salvaged. We should investigate this concept. It is a commonsense, businesslike way to do it. Apart from that, the royalties go back into improving and rebuilding

the forest as well as replanting forest areas. Nothing is static in the forest. These trees could be removed to man's benefit and equally the proceeds could be ploughed back to man's benefit. We can learn a lot from the example I gave.

We should not expect that if we log section A of the forest it will mean we will move in the D-9s and all the large-scale log-loading equipment. Timber specialists in Western Australia would give their eye teeth to get into areas of forest and to remove odd trees. We have to get away from a large-scale approach that we are not going to do it without opening up whole coups. We may have been led to believe that the only way timber will ever be removed is by a large company moving in with heavy equipment and clearing large areas. We may have overlooked in the past the role of the individualist or the small salvage miller. Bear in mind that under the New Zealand conditions, if a person is allowed to go in and remove a tree he is told what other trees can be touched. He cannot go in and clear a path to get that particular tree out. It has to be carefully felled and removed causing the absolute minimum of damage to the surrounding environment. That is only a commonsense approach to this whole problem. That is why I view with great concern any move by Parliament to revoke any area of forest and convert it to any other type of tenure.

The old Forests Department was the best forest manager. It had a proven track record which supported that view. The new department has to widen its sights to take in more salvage millers, to take in the single tree operator and the small furniture manufacturer who wants particular trees for certain purposes, etc. I do not think it matters two hoots whether the trees come from national parks, "A"-class reserves or the forest. Provided the right conditions are applied, it is only sensible that these people be allowed access to the trees.

I know many previous Ministers for Forests and some conservationists will take issue with me. I know some areas of the conservation movement will be very concerned, but I am afraid that is a risk we have to take in this place. I call the play as I see it. The timber industry has an enormous future, but I do not believe it is best served by such legislation as we have before us now.

It is too late in the sitting to move amendments, but the Government is making a big mistake in excising that section of forests Nos. 15 and 24. I do not believe that this is in the best interests of all Western Australians.

I do support that area that will protect the watershed of the Murray River. That is only sensible and proven management. I urge the Government to pay close attention to what it is trying to do. I urge the Government to listen to industry because, while we have problems with industry, it is still a great employer of people and a great creator of wealth, and with the present state of our economy we cannot afford to turn our backs on those people who are making a major contribution to the welfare of all Western Australians.

With strong reservations about forests Nos. 15 and 24, I am forced reluctantly to support the motion.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.16 p.m.]: I thank the speakers who have participated in this debate. We have had a thoughtful and constructive discussion. Although it may not always have been apparent, I am also comforted in the view that on the whole the House does give general support to this motion.

I acknowledge, of course, the reservations which have been expressed by members in respect of particular proposals. I have also noted the more general issues which have been raised and which have been the subject of expressions of concern. I will ensure that all these matters are brought to the attention of the Minister and the department.

Question put and passed, and a message accordingly returned to the Assembly.

ELECTORAL AMENDMENT BILL

Conference Managers' Report: Bill Laid Aside

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.18 p.m.]: I present the report of the Conference of Managers.

The managers of the Council met with the managers of the Assembly in connection with the above Bill and no agreement was reached.

I move—

That the report be adopted.

HON. G. E. MASTERS (West—Leader of the Opposition) [4.19 p.m.]: I have noted the statement made by the Attorney General dealing with the Conference of Managers. I think this is the first time that there has been a Con-

ference of Managers when the parties involved have not drawn up a document giving the reasons for their disagreement or otherwise as a result of the Conference of Managers.

I must say that I personally have never been so upset and concerned for the future of this Parliament and where we are going than I have been today over the events in relation to this Conference of Managers.

The report of the Conference of Managers is very brief and it simply says that there has been a disagreement. I suggest that it was the most complete set-up in which I have ever been involved in Parliament in my nearly 12 years in the Legislative Council. It took all of 20 seconds for the members of my party—and I was one of those—to come in after the Government members and to be faced with a proposition by the spokesman in another place who said, in effect, that he would agree to all the amendments of the Opposition, except one. Once he had made that statement, I then said that I could not agree with that proposition and at that stage the Minister from another place simply collected his papers and stood up to go. I think I said something like, "Let me get it absolutely straight. What you are saying is that we are not prepared or not able to negotiate on that point, or there is a disagreement on that point and you are not interested in talking any more." If my recollection is correct, he said, "That's right". In effect the Minister walked out even though the Attorney General briefly tried to persuade him to stay at the table and at least to talk about these matters. The Minister walked out of that conference without another word. I would say that that is the action of a man who is virtually bordering on lunacy.

That man has demonstrated over a long period of time what he thinks of our parliamentary system. He has avoided the speeches on the opening of Parliament in another place, and he has introduced legislation into the Parliament which sought to undermine and destroy the parliamentary system, and in particular this Legislative Council. He has shown an utter and complete contempt for the parliamentary system of Western Australia. There was no better example of that, and what this man is about, than what happened today, when members from this side went in all good faith to talk with him.

Members on this side went to that conference to talk to Government members. We were quite happy to forgo our lunch and we were quite happy, if necessary, to spend the entire afternoon at that conference. We went in there and that arrogant Minister demonstrated—

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! I do not believe that the honourable member should attack a Minister in another place. The member should confine his remarks to the debate currently before the House.

Hon. G. E. MASTERS: May I just say that "a member" of another place has shown an utter contempt for what was going on and what was organised. He had no intention whatsoever of reaching a conclusion or even an arrangement. In fact he would have been distressed if we had sat down for any length of time—

Hon. Peter Dowding: What is your position?

Hon. G. E. MASTERS: I know the Attorney General would have been concerned about that sort of activity, and obviously it was a great loss to the people who were taking an interest in what was happening. No reasonable person could have attended a conference on such serious matters and subsequently been treated in that conference to a 20-second hearing—

Hon. P. G. PENDAL: He got what he wanted.

Hon. G. E. MASTERS: He did indeed. He had no intention whatsoever of reaching a conclusion, and we have seen further actions of his today in another place where he is continuing along that road. I am distressed, as I am sure my colleagues were, at the sort of treatment that was handed out to the Conference of Managers. A Conference of Managers is, after all, a meeting in which representatives of both Houses meet to discuss the issues and to see whether some common ground can be found. The Minister did not want any common ground. He had no intention of allowing the conference to go to a stage where there was any common ground and he treated that conference, and this Parliament, with utter contempt. I deplore what went on today and I deplore the attitude of the Minister and, indeed the Government, in this conference.

HON. P. G. PENDAL (South Central Metropolitan) [4.24 p.m.]: As one of the managers who attended the conference this afternoon I would make a few comments.

The Minister for Parliamentary and Electoral Reform has set his own dangerous and nasty precedent by his actions today. He has paved the way for anyone now and in the future to walk into a Conference of Managers and abort it within seconds of its opening simply by a refusal to talk. That is what happened. The chairman, I presume, was Mr Tonkin. He sat at the head of the table and he, as indicated by the Leader of the Opposition, was present when

two of the three Opposition members attended the Select Committee room. Within seconds of our arrival, he proceeded to deal with the matter.

There was certainly no formal meeting or any formal opening, not that I or anyone necessarily expected that. Mr Tonkin took charge quite clearly and, as outlined by Mr Masters, he set about the task of giving a sudden death to the Conference of Managers. I would like to compare that behaviour—that mindless, irresponsible behaviour of the Minister—with only two or three examples within the memory of people within this Parliament.

Hon. D. J. Wordsworth: How long did the conference take?

Hon. P. G. PENDAL: From the time Mr Tonkin uttered his first words until he stood up and snapped the book closed—whatever it was—and said, "That's it", the conference took no more than 20 seconds. There were then perhaps a few more seconds, maybe 40 seconds, as he was enticed back to the table by the Attorney General who was trying to give nothing more nor less than some opportunity to the other members of that conference to make a contribution.

It must be understood that in effect Mr Tonkin said to the Conference of Managers, "We have on the menu an entree, a soup, a main course, and sweets, and in that order. If you don't like that, have none of it." It was my understanding that Mr Masters, who responded by saying, to draw my analogy out, "Perhaps we could look at something that might mean having our soup and our sweet and then the main course." That was unacceptable to the Minister for Parliamentary and Electoral Reform. The man had made up his mind. There was to be no Conference of Managers. There was to be no discussion; there was to be no compromise.

Mr Dowding interjected a few minutes ago during Mr Masters' contribution in order to ask him what his position as Leader of the Opposition was to be. I would answer that query: Mr Dowding will never know. The Minister for Parliamentary and Electoral Reform will never know what the Opposition might have been prepared to do—

Hon. Peter Dowding: But neither do you.

Hon. P. G. PENDAL: Mr Dowding may speculate on this for ever, but it was a black day for the operation of the Conference of Managers in this Parliament, and the Government will never know what the outcome might have been. Several weeks ago there were people on

the Government side—indeed there were people on the Opposition side—who said in effect that there was not the slightest prospect that the State would get a 6.00 p.m. closing of the polls on polling day. However, to the surprise of some of the members on that side—and even to the surprise of some members on this side—an agreement was reached whereby the 6.00 p.m. closure of the polls was to be tried under the device that I moved in this House.

That was an innovation that permitted a compromise to occur on the floor of the House when members here had no idea what rapport we were going to be able to reach on that matter. That is the answer I would give to the Minister for Employment and Training. He does not know what might have been the result if those six people had still been in the Conference of Managers at 4.30 p.m. today, but the Minister for Parliamentary and Electoral Reform was not looking for that. He was looking for a confrontation and he thought that he was a smart man. Not only did the Attorney General attempt to restrain him at the table but that Minister followed the Minister for Parliamentary and Electoral Reform, and it was clear to blind Freddy that a question was to be asked of the Minister fleeing the room as to whether something could have been worked out. There may have been five people in the room today who were prepared to look seriously at where we go from here—but not six.

Having been the lead speaker for the Opposition and handling the Bill for our side, I could not give a jot about the Minister's Bill now. It has had the fate it deserved, and it has been given that fate by the man who was hell-bent on aborting the process from the start. I hope members of this House understand what now has happened.

The Bill has been, in parliamentary parlance, determined. There is no retrieving—and I hope the members of the Government side understand—the six o'clock poll closure on 22 February. That has gone. The Bill has gone out the window. There is no provision any more for the oral application for postal voting upon which the Minister in another place placed so much reliance. We will have to wait for another session of the Parliament and for another Government, maybe, to bring in a Bill for those two reforms. What about the plaintive pleas we heard in this House about the poor group of people otherwise known as eligible absentee voters? What about the exhortations that we had to make allowance for these people

otherwise it would be a less than democratic election? They will not get a vote because the Minister for Parliamentary and Electoral Reform pulled the plug today and decided, by his action in reporting the way he did and in aborting the meeting the way he did, that the Bill has been determined.

That Bill is now lost, thrown out, and rejected by his own silly attitude. All those things that members of this House worked towards—and there are members on the Government's side and the back bench who know what I am talking about—by way of this Bill have gone out the window or they are determined. They will not get that chance again until a new parliamentary session. They may well rue the day because there could be a change in Government—no-one knows what will be in the voters' minds in three or four months' time. The Government has allowed this irresponsible and mindless Minister to do what he has done and now the few reforms the Government was able to achieve by this Bill in the last 12 weeks in this Parliament are down the drain.

I seriously question whether this man has the rationality to continue to serve as a Minister of the Crown. He did not act like a rational human being at the meeting. One wonders how much longer the people of this State will have imposed on them someone who borders so close to the edge that it is not funny. It is an insult to the parliamentary system that we have to put up with him. Not only members of the Opposition are being insulted by him; two members of his own party, one who sits in the Cabinet alongside him, were also insulted by his actions today, all because this man felt that if he could not get the whole loaf he was not going to compromise with a half loaf. This should go down as a day when this great reformer, this great advocate of parliamentary democracy, refused point blank to use the facility that was at his beck and call today, to spend some hours there and convince other people of the arguments in a way that other people have been convinced about his arguments in weeks gone by.

There is even some evidence on the record in this Parliament to suggest that the way in which the message came into this House from that great protector of the people's democratic traditions, was inaccurate. Under the Standing Orders of another place there is a requirement that the message conveyed to this House, pointing out that the Assembly is to insist upon its amendments, has to be accompanied by

reasons stated by a Committee of Reasons—that is the three people chosen by the lower House to state why the amendments are to be insisted upon. I invite members of this House to look at message No. 76 because it conveys to us the fact that the Assembly was indeed continuing to insist upon its amendments but there was an absence of any reasons. There are no reasons contained in message No. 76. I suggest the Minister, in the over-zealous, obsessional-type behaviour we have come to expect from him, cannot see the trees for the forest. As a member of that Committee of Reasons in another place, he put forward the fact that the Assembly was going to continue to disagree, but he failed to tell this House, as is its constitutional right to know and as is his constitutional duty to advise, what those reasons were, or why the Assembly was going to insist upon those amendments. That is a parliamentary technicality we can lament on or have discussed at some conference years down the track, but more important is that the progress that has been made—pretty good progress I might add—in the last eight or 10 weeks is now lost because of the stupidity, the selfishness, the self-centredness, and the obsession of the Minister who thankfully is doing more damage to this Government than most others put together.

HON. P. H. WELLS (North Metropolitan) [4.38 p.m.]: I have shared with Hon. John Williams two Conferences of Managers during the term of this Government. I speak with some disappointment that the conference appears to have been set up to fail from the beginning, if not sabotaged by the Minister in charge of the Bill. I wonder whether it might not go down in the *Guinness Book of Records* as the Conference of Managers that sat for the least time. It may be remembered that the Dental Prosthetists Bill's Conference of Managers took more than 7½ hours to listen to each member of that conference, trying to find whether there were grounds and objections so we might be able to come up with some solution or compromise. Not only did we ask each member whether he or she was opposed to the matter but also each member gave some reasons as to whether there were any levels at which we could agree. A conference starts off with two groups of people who disagree. Each person needs to sit down, think out, and talk around the matter to find out whether there are any levels of agreement. I have been involved in conferences that have taken quite some time; not only the one on the Dental Prosthetists Bill.

I took the trouble to look back to other Conferences of Managers held. In 1972 there were three Conferences of Managers. It seems a strange coincidence that the members at that conference—

Hon. Garry Kelly interjected.

The PRESIDENT: Order!

Hon. P. H. WELLS: The member was complaining about the volume of my voice. I try to keep it down and he decides to interject.

In 1972 it was rather strange that of the members who went to the Conference of Managers in connection with main roads, two of the Assembly members who sat on the conference are members of this House today. They are Hon. Jim Brown and Hon. Mick Gayfer. That conference commenced at seven o'clock and deliberations were completed at 10.30 p.m. Each of those conferences took much longer than this conference.

It would appear that on previous occasions when Conferences of Managers have been held members concerned have sought to listen to each other.

Hon. Peter Dowding: Do you think people should be decisive and unequivocal?

Hon. P. H. WELLS: Sometimes I have to raise my voice in this place because there are so many thickheads in it that it takes a long time to get my message through to members.

I mentioned at the beginning of my speech, and I will repeat it again for the benefit of the Minister for Employment and Training, that a Conference of Managers is held because there has been a disagreement between the two Houses. In such conferences the members involved can ask questions and, as a result of discussion, a solution is generally found. It may well be that at the beginning of the conference everyone disagrees, but in the end the options are considered, agreement is reached, and the result is reported to the two Houses.

I am very disappointed that from the time allowed for this conference it appears that there was some sabotage on the part of the Minister in charge of the Bill. I feel sorry for democracy because that man, who espouses it, is not willing to try to resolve an issue.

In 1972 it appears that three Conferences of Managers were held and each of them came up with a solution. The two Conferences of Managers in which I have been involved produced a 50 per cent result—in one, an acceptable result was achieved, and in the other we could not resolve the dispute.

Members who are involved in a Conference of Managers should listen to what other members have to say; if this occurs, there is a chance of the conference succeeding. However, if, as I have said before, a Conference of Managers is sabotaged for political purposes, not only is it difficult for the conference to work properly but I also suggest that any system set up by it would not work. It appears that the Minister in charge of this legislation did not want this conference to work.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.43 p.m.]: There has been some extravagant language used in this debate, and I especially deplore the personal attacks made on the Minister for Parliamentary and Electoral Reform.

Hon. N. F. Moore: You should hear what he says in the other place about other people.

Hon. J. M. BERINSON: This is the first Government which has created a special portfolio to pursue questions of parliamentary and electoral reform, and that is a measure of the importance this Government attaches to the process. The fact that such a ministry did not exist before is a measure of the lack of importance that earlier anti-Labor Governments attached to that process.

Several members interjected.

The PRESIDENT: Order! I ask honourable members to come to order while the Attorney is addressing the Chair.

Hon. J. M. BERINSON: No Minister in the history of this State has done so much to put parliamentary reform on the political agenda of this State and that, I suspect, is the real reason for the antagonism and the venom which has been directed against Mr Tonkin this afternoon. The real reason for that, as I see it, is not his decision or his actions today, and it is not to be found in what is described as his ineffective approach to the conference. The real antagonism derives from the fact that he has been as effective as he undoubtedly has been in highlighting the weakness of the electoral position in this State.

His duty has been to highlight the gerrymander in this State and the corrupt electoral practice which is at the basis of the election of this Parliament. He has been successful to an unprecedented extent in that endeavour and that is to his credit, even if it does happen along the way to upset the members of the Opposition.

Several members interjected.

The PRESIDENT: Order!

Hon. J. M. BERINSON: I have previously put to the Council that the Electoral Amendment Bill was effectively gutted by the number and the nature of amendments which were carried in this House. What the responsible Minister said, in spite of that background, was that he would accept all the Council's amendments, provided the Opposition would agree to the single proposal for the designation of party names on the ballot paper. That was a very modest proposal and a reasonable one, and when it became clear, as it did become clear immediately, that that was not regarded as negotiable by Opposition members at the conference, the Minister took the consequences as they appeared to him.

It is not the role of the Minister to gratefully accept titbits which are left over from his legislation after mauling by this Council. The Minister has a responsibility and he exercised that responsibility, as he has done effectively over many years, in an appropriate way and one which has had the result of bringing this question of electoral reform to the forefront of public interest in this State. That, as far as I am concerned, is to his credit and not to be regarded as a basis for criticism by members in this House.

Question put and passed, and a message accordingly returned to the Assembly.

Bill thus laid aside.

ACTS AMENDMENT (MEAT INDUSTRY) BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

ELECTORAL AMENDMENT BILL

Assembly's Further Message

Message from the Assembly received and read notifying that it had agreed to the Conference Managers' report.

ABORIGINAL LAND RIGHTS INQUIRY: ACCOUNTS

Select Committee: President's Ruling

THE PRESIDENT (Hon. Clive Griffiths): Hon. J. M. Brown has sought my ruling on two matters relating to the conduct of a Select Committee's procedure.

I should point out that the procedure adopted by the honourable member is irregular to the extent that this House, having appointed

the committee, takes no formal notice of what occurs in or before the committee unless by way of report. Strictly, the matter should have been raised with me privately or, given the honourable member's desire to have the benefit of a formal ruling, through a report brought up by the chairman. I have allowed the member to pose his questions on this occasion, and it is right that I should answer them in the House.

The first question is whether there is any conflict between part of the committee's order of reference which states that the "proceedings of the committee during the hearing of evidence shall be open to accredited representatives of the news media and the public" and the express terms of Standing Order No. 355 which allows the committee to admit strangers at its discretion when examination of witnesses is in progress.

At the time that the House made the order of reference for the committee, I must assume that it had in mind any potential conflict between the part of the order I have cited and the Standing Order. In my view, the use of the mandatory "shall" in the order was not intended to override the power vested in any committee to conduct its proceedings in an orderly fashion and to exclude any person whose behavior threatens its ability to perform its functions. Standing Order No. 355 is a recognition of that power but its use, so far as this committee is concerned, is restricted to the maintenance of good order.

What I have said in relation to a Select Committee is no more than the procedure that would be followed were a similar situation to arise in a Committee of the whole.

The second question is whether a simple request made under Standing Order No. 355 by one member to exclude strangers is sufficient to achieve that object. Given that a Select Committee's proceedings are to comply, as nearly as may be, with those of a Committee of the whole House, I believe that the answer must be "No." I believe that the Standing Order does no more in this regard than Standing Order No. 413 does for a Committee of the whole House. I trust this answers the honourable member's questions.

HON. J. M. BROWN (South-East) [4.51 p.m.]: I seek leave to make a comment on your ruling, Mr President.

The PRESIDENT: Order! The honourable member is out of order.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Urban Lands Council: Consideration of Tabled Paper

Debate resumed from 26 September.

Point of Order

Hon. PETER DOWDING: I seek guidance on the status of the debate. The report was presented by Hon. John Williams and the Notice Paper makes reference to its being a motion of Hon. Neil Oliver. I wish to speak on this matter but query whether a speech by Hon. Neil Oliver would effectively close the debate.

The PRESIDENT: I take it from the reading of the motion, and my memory is a little hazy, that the fact that the debate was adjourned by Hon. Fred McKenzie indicates that Hon. Neil Oliver has spoken in support of his motion and, therefore, unless the Clerks tell me differently, I would certainly agree that any comment by Hon. Neil Oliver would close the debate.

That member has spoken and, therefore, the debate is now open for other members.

Debate (on motion) Resumed

HON. J. M. BROWN (South-East) [4.52 p.m.]: The Leader of the Opposition, Hon. G. E. Masters, suggested that this item would not be debated again.

Hon. G. E. Masters: I did not say this one.

Hon. J. M. BROWN: If the Leader of the Opposition checks *Hansard* he will read that he said not only this one but also the next one would not be debated. He made that statement in this House.

Hon. G. E. Masters: Prove me wrong on the next two.

Hon. J. M. BROWN: I am pointing out that we have been waiting a long time to make some comments on this matter because of the misleading comments made by Hon. Neil Oliver concerning the report of the Standing Committee in respect of the Urban Lands Council.

I wish to remind members of the situation.

Hon. I. G. Pratt: Tell us about the misleading statements.

Hon. J. M. BROWN: I certainly will. From my memory, the report of the Standing Committee on Government Agencies has also been spoken to by Hon. Norman Moore. I sought an opportunity to speak on report No. 7 of the

Standing Committee, of which I was a member together with Hon. Robert Hetherington, and Hon. Kay Hallahan.

I could see some of the potential dangers when we first made that report. Members will see in that report that the recommendations were made on the basis that the Government intends to continue the operation of the Urban Lands Council. The 10 recommendations of the committee about the operation of that council were made unanimously. Unfortunately, because of the insistence of a certain member of the committee—not Government members—dissension occurred as to whether the Urban Lands Council should continue. That dissension was introduced purely on a political basis by Hon. Norman Moore. I want there to be no doubt in anyone's mind that he introduced that aspect. The committee wanted to bring forward a report similar to its previous reports, and in circumstances under which the consideration and progress of the report transcended any other grievances or considerations. That did not happen because of Hon. Norman Moore's insistence that these matters be brought forward. His colleagues automatically supported him.

Time and time again we tried to ensure that commonsense would prevail but unfortunately we could not prevent the conflict that was emerging. In my opinion it is a great shame that Hon. Norman Moore introduced that dissension.

Hon. N. F. Moore interjected.

Hon. J. M. BROWN: I have listened to Mr Moore for too long up to the present time and I do not wish to listen to him at the moment. I expect some consideration when making this speech. Hon. Norman Moore was the one who caused the problem.

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): Order! The honourable member will address the Chair and the member interjecting will cease doing so.

Hon. J. M. BROWN: There were three areas in dispute. One area was whether the Urban Lands Council should continue and that was opposed by Hon. Norman Moore, Hon. Colin Bell and Hon. John Williams, who was chairman. Hon. J. M. Brown, Hon. Kay Hallahan, and Hon. Robert Hetherington agreed that the council should continue because it had performed satisfactorily for the past 11 years.

I now refer to the report on the Urban Lands Council prepared by Price Waterhouse. That report was instigated by a motion moved by

Hon. Neil Oliver, approved by this House and presented to the Standing Committee. As a result of that motion, the committee in its wisdom, commissioned Price Waterhouse to carry out an examination of the Urban Lands Council which cost \$26 750.

With hindsight I can say that Price Waterhouse produced a very competent and comprehensive report and no doubt it earned its \$26 750. With due respect to Price Waterhouse though, I think we as a committee were quite competent to do the job ourselves. When we talk about waste of funds, we must consider whether that \$26 750 could have been better used.

Hon. N. F. Moore: Did you support its expenditure?

Hon. J. M. BROWN: I am just as guilty as Mr Moore in seeing that money expended. The Standing Committee could have undertaken the work, and without incurring that expenditure.

Hon. I. G. Pratt: How do you feel about the \$500 000 spent on the Aboriginal inquiry?

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): Order!

Several members interjected.

The DEPUTY PRESIDENT: Order! When I call for order I do not expect honourable members to continue to carry on. I ask the honourable member on his feet to address the Chair, and in that way he will not attract unruly interjections.

Hon. J. M. BROWN: Mr Deputy President, I was addressing you and trying to ignore the interjections, and I will continue to do so. I shall quote the overview of the Price Waterhouse report—

Following the election of the Whitlam Federal Labor Government in 1972, the Commonwealth Department of Urban and Regional Development was established. That Department was to liaise with the State Governments with the view to establishing land development agencies in each State. In the case of Western Australia, negotiations led to the provision of financial assistance for approved programmes of urban and regional development under the Urban and Regional Development (Financial Assistance) Act 1974 as amended. The accord called for:

- (a) The establishment of an urban lands council.

- (b) Stabilization of price in development areas and growth centres.
- (c) Redevelopment of urban areas.
- (d) Development of urban land within urban areas and growth centres.
- (e) Financial assistance to the State.

From a State viewpoint the accords provided funds which would not have otherwise been available because to some extent the State Housing Commission did not have sufficient funds to acquire residential land as well as carry out its primary role of providing low cost housing. We also understand at about the time negotiations took place thought was being given to the establishment of a power station, jumbo steel mill and associated industrial complex in the Moore River area. It was apparently thought the Commonwealth funds could be used to assist in the acquisition of residential land in that area.

The first meeting of ULC was held on 15 April 1975. Commonwealth funds amounting to \$8 million were made available during the year ended 30 June 1975 with the proviso that any unspent portion would become available to other States. Accordingly, there was considerable pressure on ULC to acquire sufficient land in a very short time to fully utilize the State share of the available funds.

ULC has no legislative backing; it is an advisory body initially responsible to the Minister for Planning and more recently the Minister for Housing.

Apart from the acquisition of broadacres for development as residential land, ULC has entered into other associated areas of interest such as:

- (a) Joint ventures wherein arrangements have been made with government and private agencies for the joint development of residential and other land.
- (b) Development and marketing of crown lands on an agency basis where ULC receives income from interest on funds provided and management fees.
- (c) Involvement in negotiations with local authorities to allow changes to previously accepted planning and development standards thereby introducing an element of experimentation and innovation in urban development.

- (d) Provision of funds for development pre-funding such as the provision of head works in new areas.

In summary, ULC is a residential land developer mainly catering for the needs of the low income first home buyer and operating along commercial lines but subject to government policies and constraints.

Hon. N. F. Moore: And a \$28 million gift.

Hon. J. M. BROWN: That interjection is interesting because it shows that, as usual, the member is never right with his figures.

Hon. Robert Hetherington: It was \$22 million.

Hon. N. F. Moore: It hardly makes it a commercial operation.

Hon. J. M. BROWN: Mr Deputy President, I seek your support. As I explained to the House, and in particular Hon. Norman Moore—who has been wrong again with his figures—

Hon. N. F. Moore: I have not been wrong in the last two weeks, as you are about to find out.

Hon. J. M. BROWN: I hope the House takes note of that interjection; it calls for some censure because the member has made a statement with respect to what I will find out in the next two weeks.

Hon. N. F. Moore: I said the last two weeks.

Hon. J. M. BROWN: An amount of \$22.109 million has been a debt of forgiveness on the part of the Commonwealth, and the main part of the component was interest charges.

Hon. N. F. Moore: Who else is forgiven that?

Hon. J. M. BROWN: Mr Deputy President, if I may have your support and protection which I know you can wield when it comes to interjections, I will point out that every other State was also forgiven its debt. That should be borne in mind when Mr Moore tries to make great play about the \$22.109 million debt which was forgiven by the Commonwealth. Also included were repayments of the principal and part of the interest, as outlined in the report. Our obligation to the Commonwealth was \$23.5 million in full support of the original advances and portion of the interest liability. That amount is the full settlement of the contribution in 1975, when the Commonwealth forgave the State the interest charges that were to be paid, where \$22.109 million was forgiven by the Commonwealth. The repayment of that \$23.5 million is over the period 1 January 1985, 1 January 1986, 1 January 1987, and the final payment is to be made on 1 July 1987.

Notwithstanding the contribution from the Commonwealth, it is interesting to read the report of the firm of consultants, Price Waterhouse, which states—

In summary, ULC has been able to establish its operations in their present form at no cost to the State and notwithstanding the apparent need for additional funds in the near future it should be regarded as having a sound financial base.

Hon. Neil Oliver: Is that report available to everybody?

Hon. J. M. BROWN: I am aware that at the meeting following our meeting on 11 December the Urban Lands Council said the committee unanimously resolved to empower the chairman to release on a confidential basis one copy of the Price Waterhouse report to each of the Minister for Housing and the Leader of the Opposition. That was in December 1984, and since then I believe that the report on the Urban Lands Council has become a public document.

I do not want to be drawn away from the importance of the report because on page 25, Price Waterhouse, the independent consultant appointed by the committee with the approval of this Chamber said—

In summary, we consider ULC is fulfilling its objectives in an effective manner but further improvement could be made by adopting the recommendations contained in this report.

Members would be aware that those recommendations relate to the consultant's overall findings. The report said in summary that it considered the Urban Lands Council was fulfilling its objectives in an effective manner. They are the important words.

That inquiry was instituted through a motion moved by Hon. Neil Oliver. He moved that motion on Wednesday, 19 October 1983, and it is recorded on page 3304 of *Hansard* as follows—

That the Standing Committee on Government Agencies:

- (1) Determine whether the Urban Lands Council falls within the jurisdiction of the Standing Committee; and if so:
- (2) Investigate, within the criteria set out in Standing Order 38 (g) (1) (i), the activities of the council;

Therefore I was surprised when the honourable member had this to say in the Chamber on page 1639 of *Hansard* on 26 September 1985—

As a member, I initially gave notice of the motion to this House on 18 October 1983. The motion was that at the next sitting of the House the Standing Committee on Government Agencies should investigate within the criteria set out in Standing Order No. 38 (g) the activities of the Urban Lands Council . . .

The member did not say Standing Order No. 38 (g) in his original motion; he referred to Standing Order No. 3 (g) (1) (i). The member then went on to say on page 1640 something I consider to be nonsense, and it was irresponsible of him to say it. He stated—

Yet in this first example of a realistic inquiry into a Government agency the vote on the result of the inquiry was taken on party lines; that is, the Labor members voted in accordance with their Caucus contrary to the Legislative Council's Standing Order No. 38 and the motion to hold an inquiry which included as one of the terms of reference—

- (iv) To inquire into and where necessary report to the House when, in the view of the committee, any agency duplicates all or part of the work of another.

It went on as follows—

- (v) To recommend as it deems necessary the application of the "Sunset" principle to any government agency.

That is not what the member moved, and yet he told this House on 26 September 1985 that that was the motion he had moved on 19 October 1983. I draw those two important points to his attention because he has accused us of voting on party lines and implied that we have not fulfilled our functions. He is quite erroneous and it does him no credit. The committee studied this report of the Urban Lands Council and gave the council its approval. We did divide on party lines as I have explained.

I could go on and point out the excerpts from the Urban Development Institute of Australia which Hon. Neil Oliver quoted in his speech. The member quoted chapter and verse from the institute's Press release, and it did him no credit at all.

The Urban Lands Council has performed a useful service to the State under successive Governments since 1975. It is not deserving of censure by members of the Opposition. They should take the opportunity, as we did, of

speaking to the Chairman of the Urban Lands Council, Mr Stan Parks, who is a former manager of the City of Fremantle.

Point of Order

Hon. NEIL OLIVER: I understand the member is quoting from some document which is a report to a committee of this House. I would like him to identify the document.

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): I understand the member is raising a point of order under Standing Order No. 151 which clearly says the member can identify the document at the time such quotation is made and on request from any member immediately at the conclusion of the speech the member who has quoted from the document shall table it. If the member wishes to know what document Hon. Jim Brown is quoting from he must ask immediately the member has resumed his seat.

Debate (on motion) Resumed

Hon. J. M. BROWN: I said, and *Hansard* will prove it, that I was quoting from the Price Waterhouse report. The report stated that the company placed on record its appreciation for the assistance and cooperation readily given to it by the chairman, directors and staff of the Urban Lands Council.

The committee viewed the developments. The Urban Lands Council has been operating for 11 years, and from 1975 until 1983 under a Liberal Government. I pay full credit to the council for the way it has operated in those 11 years and I think my colleagues would want to do the same.

The council gave us a brochure about the Broadwater Village development. The brochure indicated that private enterprise played a responsible role in the development of that village. It included Kaleema Homes, Don Russell Homes, Dalfield Homes, and Lifestyle Homes. They played an important part by devoting their abilities, energies, and business acumen to assisting in what the Whitlam Government set out to achieve in 1972, which was to make cheap blocks of land available to people who were financially disadvantaged. It injected a great deal of confidence into the building industry. The development which took place—that is, the road designs and the houses—were a credit to the council, to the builders, and to the State, and certainly fulfilled a very valuable need.

The Urban Lands Council's being asked to carry on in other areas by other Government departments through successive Governments is a testimony to its ability. Future members of Parliament will make determinations in that regard. It should be clearly stated, though, that the Urban Lands Council fulfilled a need in this State and will continue to do so provided it is not harassed by what I consider to be ill-conceived comments by members of this Chamber and by people outside this Chamber. I refer to a newspaper report of 6 September 1985 which carries the headline, "Abolish Council: Hassell". Although one is not sure about which council he wishes to abolish, I assure members that it is the Urban Lands Council that he considered should not continue to operate. For reasons best known to himself and stated by his spokesman in this place, Hon. Neil Oliver, he wants the council abolished.

I am concerned that the Urban Lands Council has not received the credit that it deserves. I am pleased to be able to make these comments at this late stage to correct what I consider is a wrong.

I regret there was a division on the seventh report. I am not ashamed to say that I thought the Standing Committee on Government Agencies should not consider this matter on the basis of political allegiances. It is because of that I believed the committee was doomed. That is a sad reflection on this Chamber. It was not because of any interference by the Labor Caucus room or by the Liberal Party room. Of all the reports made by this committee, this was the only report on which there was dissension. I have already said who I believe was responsible for that dissension. I believe that that was a disservice to this Chamber. However, if we recognise the 18-13 rule that so often applies in this place—18 of them and 13 of us—one can understand why it happened. It gives us little joy when we are trying to do our jobs as elected representatives of the State.

The Urban Lands Council has done a very fine job for Western Australia. I was pleased to be able to sit on the committee in the first instance and to take part in the examination and report on the Urban Lands Council. However, I regret the dissension that took place because of what I have already referred to as party politics.

Point of Order

Hon. NEIL OLIVER: In accordance with Standing Order No. 151(b) I call for the tabling of the Price Waterhouse report referred to by the member in his speech.

The DEPUTY PRESIDENT: Order! Under Standing Order No. 151(a)(ii) the member is required to table the documents from which he quoted until 72 hours have expired.

(See paper No. 358.)

Debate (on motion) Resumed

HON. JOHN WILLIAMS (Metropolitan) [5.28 p.m.]: It was not my intention to speak on this matter but I have to put one or two things in their correct perspective. The investigation by the committee into the Urban Lands Council involved long and arduous work. I disabuse any member of the House who thinks there was a division brought about by party interference. That was not the case. The division occurred because there was an acknowledged difference between the philosophies of both groups. Hon. Robert Hetherington my erstwhile deputy chairman Hon. Jim Brown, and Hon. Kay Hallahan, stuck to one side of the argument in stating that they believed the Urban Lands Council should continue. On the opposite side of the fence, Hon. Norman Moore, Hon. Colin Bell, and I felt that perhaps another organisation in the private field could do better given the same circumstances.

It is not fair in one respect to say that the whole thing was precipitated by an action of Hon. Norman Moore. Had it been totally and absolutely political, there was another device that could have been used and that device would have been for the chairman to use his casting vote in deciding what the resolution should be. It would then have been up to my colleagues in Government to put in a minority report. It must be acknowledged that I did not use my casting vote.

It was a simple matter of a committee coming together, doing its work, and publishing its findings on the evidence presented to it and the circumstances surrounding that evidence. I do not deny for one second the integrity of Hon. Robert Hetherington, Hon. Jim Brown, or Hon. Kay Hallahan. They stuck to their philosophy and I acknowledge that. By the same token, I have to acknowledge the integrity of members on my side. We honestly felt that any organisation in

the private sector, given the same set of circumstances, could have done an equal or even better job. That was the crux of the matter.

I was rather disappointed that the matter has been regurgitated this afternoon. I have had one lesson that I should not be tedious, but I will repeat what I have said before. The Standing Committee on Government Agencies will stand the test of time, until such time as the three members resign, as being one of the best committees that this Parliament, let alone this Legislative Council, has ever produced. I can well understand disappointment at the fact that we reached a point where different philosophies had to be expressed. There was no way around that.

Had I felt there could have been a way around it, you could bet your life, Mr Deputy President, that Hon. Robert Hetherington and I would have had long and earnest discussions about it. I value the contribution that Hon. Robert Hetherington has made to that committee since its inception. I do not want to make him blush—he has gone beyond the blushing stage—but I point out that his contribution was at times outstanding, particularly in expediting the publishing of reports because of his absolute understanding of editorial matters. I pay tribute to him and I am sorry if I have embarrassed him.

Hon. Jim Brown and Hon. Kay Hallahan also brought to that committee an understanding. However, we reached a certain point and from that point we followed a course. I assure the House that no member, particularly from our side, was told by our members either in this Chamber or any other place, such as the party room, that we should bitterly oppose this or that. That is not our way. But I say most sincerely that Hon. Norman Moore did not cause that rupture. A difference in philosophies caused it.

The mover of this motion, Hon. Neil Oliver, will reply. I have merely given a brief outline of the matter as I saw it. I do not think even my colleague, Hon. Bob Hetherington, would disagree with me when I say that in no way was any pressure applied by me to achieve a result which caused a disagreement. Had that been so, I would have used my casting vote. We would then have had a minority report. We disagreed on only one point with respect to all the recommendations.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [5.34 p.m.]: I thank the gentleman who has just resumed his seat for

his remarks. I am glad that he was pleased to stand up for the integrity of honourable members of the Standing Committee on Government Agencies. I would expect nothing less of him. I am not impugning anybody's integrity but I object to having my integrity impugned by a member of this House.

I want you, Mr Deputy President, to take particular notice of this because I regard it very seriously. I wonder whether I should have taken more serious action at the time the statement was made. Hon. Neil Oliver made a speech on Thursday, 26 September, which is recorded on page 1640 of *Hansard*. That honourable gentleman said—

We have already heard Labor members, in particular Hon. Bob Hetherington and his colleague in another place, Hon. Arthur Tonkin, expound the need for a committee system. Yet in this first example of a realistic inquiry into a Government agency the vote on the result of the inquiry was taken on party lines; that is, the Labor members voted in accordance with their Caucus contrary to the Legislative Council's Standing Order No. 38, and the motion to hold an inquiry which includes as one of the terms of reference—

- (iv) To inquire into and where necessary report to the House when, in the view of the Committee, any agency duplicates all or part of the work of another.

I object to the words, "the Labor members voted in accordance with their Caucus contrary to the Legislative Council's Standing Order No. 38". That is an accusation that we have deliberately breached Standing Orders. It is a very serious accusation to have made in this House. At the time the speech was made, I did not quite catch what was being said. I did get up on a point of personal explanation when the honourable member sat down, but on reading his speech I was seized of the nature of the accusation. When the honourable member rises to speak he should withdraw and apologise to the three Labor members of the committee for making such an accusation.

I can only presume that Hon. Neil Oliver was referring to Standing Order No. 38(g)(2)(iii) which states—

All members of the Committee shall have access to Committee records, files and materials.

Other than information available from public sessions of the committee no information obtained through the Committee may be released without the consent of the Committee and any disclosure will be a breach of Parliamentary Privilege.

Is that what we are being accused of by the honourable gentleman who led this debate? If we are not being accused of that, what are we being accused of? I would like him to state it and then perhaps we will have to consider in this House whether we set up a committee of privilege to see how his accusations stand up. I object to my integrity being impugned by that gentleman over there. I object to it most strongly.

On all committees of which I have been a member, I have at all times behaved with the utmost propriety. The Chairman of the Standing Committee, Hon. John Williams, knows that and has said so. I know he knows it and we all know that we have behaved properly. At no stage have I received a direction from the State Parliamentary Labor Party on how to vote in a committee. I would not expect to. I do not go to Caucus about what has happened on a committee. I vote according to how I see it. I vote according to my principles.

Hon. Neil Oliver may be surprised to know that I have some principles, but I do. I vote consistently according to my principles, particularly on committees, whether Standing Committees or Select Committees. That is the first point I wanted to make. I deny the accusation. I take it very seriously and hope that you, Sir, will look at what was said and see whether any further action needs to be taken.

Secondly, we were accused of not doing what the terms of reference required; that is, to see whether any agency duplicated certain functions. I gathered the impression when the honourable gentleman spoke that he had not read the report. From what I heard him say, I gather that he read the Press release of the Urban Development Institute of Australia. If he had read the report, he would have found on page 23 the heading "Duplication of Functions". So the honourable gentleman will know what it says, after accusing us of not looking at what we were supposed to look at, I will read it as follows—

4.24 The ULC is not the only government agency in Western Australia which performs the functions of acquiring, developing, managing and marketing urban land. The SHC, the Rural and

Industries Bank ('R&I Bank') and the Joondalup Development Corporation are currently performing, and have in the past performed, similar functions.

- 4.25 The R&I Bank developed 328 lots in the year ended March 31 1985 with land currently available in Bibra Lake, Carine, Duncraig, Greenwood, Marmion and Rockingham. The Bank has also entered into a joint development at Forest Lakes, Thornlie ...

I might say I have seen this development and I think it is a very fine development. To continue—

The land developed by the R&I Bank is marketed to attract middle and upper-middle income earners ...

That is true of the Thornlie development. To continue—

... The profits from the sale of land, most of which is transferred Crown land, are split equally between the Bank and the Consolidated Revenue Fund.

- 4.26 The development of land by the R&I Bank does not duplicate developments by the ULC which are intended to attract low income first home buyers: the developments are targeted toward different markets. However, developments by the ULC of Crown land as agents for the State Government are also directed at upper-middle income earners. In relation to these developments by the ULC, there would appear to be considerable duplication of functions by the ULC and the R&I Bank: both agencies are developing Crown land on behalf of the State Government for a market which, if not identical, overlaps.

- 4.27 The SHC develops and markets land which it believes has a higher market value than could be justified for welfare or government employee housing. Profit from such sales assists the SHC in the provision of welfare housing. The SHC has engaged the ULC to jointly develop SHC land at Balcatta. The activities of the SHC in developing residential land clearly results in some duplication of function between the ULC and the SHC.

- 4.28 The Joondalup Development Corporation is responsible for the development of the Joondalup sub-regional centre. Current development is based

around an exclusive golf course and is, therefore, targeted towards upper income earners. As with developments by the R&I Bank, this development overlaps the market sector at which ULC developments of Crown land are aimed.

- 4.29 As both the SHC and the R&I Bank are excluded from the Committee's jurisdiction, the Committee has not more closely analysed the degree of duplication of functions between the ULC, the SHC and the R&I Bank. It is, however, clear that a considerable degree of duplication is involved in the development of residential land by the ULC, the SHC, the R&I Bank and the Joondalup Development Corporation. It is reasonable to expect that the rationalisation of these development activities would result in a more efficient development programme.

RECOMMENDATION 6

While government agencies are developing residential land, the Government should give full consideration to rationalising their activities.

This means that we did look at that section, as the chairman knows. We looked as far as our authority went and we made a recommendation accordingly. That recommendation was made on two grounds. One was the accusation about the integrity of the three Labor members and one was the accusation that we did not read the motion that set up our terms of reference. The honourable member is inaccurate. We decided on 10 recommendations unanimously, and the fact that we divided on certain matters is not the fact of the division. I personally—and I know Hon. John Williams would say this is not the way he sees it—thought we were following the evidence. I could see no reason for getting rid of the Urban Lands Council on the evidence before me and I thought the honourable gentlemen on the other side, particularly Hon. Norman Moore, were being ideological. I thought privatisation was taking over.

Hon. N. F. Moore: I thought you might have been doing the same thing.

Hon. ROBERT HETHERINGTON: That is a matter of opinion. I do object that, when we divided on party lines, I was being set up by the person who established the inquiry in the first

place, I gather to discredit the Urban Lands Council. We differed because we had different points of view.

I would be much happier if some of the commentators who have used those differences, people like the Urban Development Institute of Australia, had not used the three Liberal points of view to quote as the views of the committee and ignored those of the three Labor members. This worried me because what are we to do if these things happen? I would be happier if the committee had been unanimous in everything.

I also object to the Urban Development Institute of Australia pouring out its propaganda, which is so easily picked up by Hon. Neil Oliver, saying the Urban Lands Council had wasted, or lost because of its lack of efficiency, a sum of \$22 million.

I would like to read a couple of things that the committee said about financial treatment. We were quite even-handed and recognised the problem. People like the Urban Development Institute of Australia and Hon. Neil Oliver seem to be synonymous as far as I can see. I will read what we had to say and come to a balanced appraisal instead of plucking bits out and using them for propaganda purposes, because I object to this. Page 36 of the report states—

Finance

8.3 Part 3 of the Report provides detailed information on the financial position of the ULC. The ULC has received favourable financial treatment from the Commonwealth when compared to private developers. The Commonwealth loans made to the ULC were at a less than commercial rate and the Commonwealth has forgiven an amount of \$22 109 000. Commonwealth funds are no longer available to the ULC. The ULC has not received favourable treatment from the Commonwealth in comparison with similar public land development authorities in other States.

8.4 The ULC continues to receive favourable financial treatment in comparison with the private sector because it does not pay taxation on income, land tax, or water, sewerage and drainage rates. The ULC pays local government rates on an *ex gratia* basis.

8.5 The ULC is financially disadvantaged in comparison with the private sector because it does not receive full compensation for land acquired by or transferred to other government agencies (eg the MRPA); it does not receive a commercial return for work done for other government agencies; and it holds land as a result of government policy and direction which is unsuitable for development and sale.

I am quite sure that any private enterprises would not have done that because Governments would not have directed them or they would not have taken any notice at all. It says that the ULC has had disadvantages as well as some advantages and I believe the disadvantages have outweighed the advantages. The report further states—

Within these parameters, the ULC has been trading profitably; achieving an average margin of 24 per cent on the cost of developments.

We found unanimously that the Urban Lands Council was an efficient body. All the evidence showed that it was an efficient body. When we commissioned Price Waterhouse I wondered what the investigation would turn up. One person suggested we were getting a private enterprise firm to look at a public enterprise council. I said, "That is all right, we will see what comes up."

What came up was a favourable report, because Price Waterhouse is not in the business of playing politics. It is in the business of reporting fairly with a balanced report, and that is what it did. The recommendations and report of our committee is based to a large extent on the Price Waterhouse study. I think our report was a decent report.

From the evidence placed before me, as an ex-member of the committee I believe that the ULC emerges as an efficient and highly desirable body which I would like to see continue under the aegis of the Minister for Planning.

I wondered whether I was terribly happy with some of the up-market development indulged in by the ULC. This is another thing we disagreed on. I have thought about it and discussed it, and I have jotted down some notes. I argued that the ULC perhaps should not discuss an expanded role. This relates to the issue of developing surplus Crown holdings which are usually advantageously located, and consequently, when developed, the lots are

priced at the upper end of the market. Examples are Churchlands, Bridgewater at Applecross, and Bateman.

The rationale behind this is simple; the Government holds an asset in this land, and considers it has not only a right but a responsibility to maximise the return from its disposal. Consequently, a Government land development agency is used because the developer's profit—around 30 per cent or more—goes back to the Government. The Urban Development Institute of Australia (WA), in suggesting the broadacres should be sold to the private sector, is asking the Government to forgo substantial revenue for no reason.

This Government is anxious to do that. The ULC has been used by the Government in these cases because of its track record of efficient and market-orientated operation. It is also the only Government agency whose sole role is land development—it enables the Rural and Industries Bank to "get on" with banking and Homeswest to concentrate on the huge issue of housing.

The Government has naturally used one of its agencies, the ULC, to assist in the overall land-use planning and development design of areas which have complex issues involved and often require close ministerial involvement such as at Swanbourne, Leda, and East Perth. A great deal of coordination between Government agencies is required as well as the joint participation of a number of Ministers. This could not be achieved by a private firm, nor would it be appropriate for their involvement.

To my knowledge, at no stage did any member of the committee behave improperly and without complete propriety. It is true that on a minority of issues the committee divided, and the division happened to be Liberals on the one side and Labor Party members on the other. I would not accuse Hon. Norman Moore, Hon. John Williams, or Hon. Colin Bell of being directed by the Leader of the Opposition, Hon. William Hassell, because I know that would not happen.

Hon. N. F. Moore: It could not happen at all. It does not happen.

Hon. ROBERT HETHERINGTON: I would not even suggest it, and I would not have mentioned it here if it had not been for suggestions made about party policy and Labor Party Caucuses. I am aware of those suggestions, but that is a different thing from saying that on the committee we followed the directions of Caucus. We did not.

Hon. N. F. Moore: We took a sensible approach by having two views.

Hon. ROBERT HETHERINGTON: I was not too happy about the approach.

Hon. N. F. Moore: We could have had a vote.

Hon. ROBERT HETHERINGTON: What has happened has happened. I have been sad about the fact that we looked at the duplication and we produced a report which in general showed that the committee thought that the Urban Lands Council was one of the efficient bodies, although we differed on whether private enterprise would have made it any better or worse. That is a matter of opinion. The Urban Lands Council came out of this inquiry as a council which was perhaps one of the most efficient Government bodies around.

I point out that I regret the selected use made of parts of the report, both by Hon. Neil Oliver in the House and by the Urban Development Institute outside the House. It is a pity that our reports are to be used in this way. There is nothing much we can do about it, I suppose. We report honestly and hope other people will treat our reports in an honest and balanced fashion. If this does not always happen I regret it, but I want to put on record that I have been most impressed by the Urban Lands Council. It has a small staff which has been shown to us to be highly efficient. It is my personal view that the Government should continue with it and give it the status of an authority.

HON. NEIL OLIVER (West) [5.58 p.m.]: It is interesting to hear the remarks made by Labor Party members of this committee. When one looks at the Standing Orders, they clearly make an examination such as this necessary. They provide for an examination to inquire into the performance, finance, accountability, extent, nature, administrative control, and methods of State Government agencies, including statutory corporations, primary produce boards, regulatory and quasi-judicial bodies, trustees of Government agencies, and so on which are subject to legislation in Western Australia, with the exception of those agencies listed in detail.

The first point I make is that this is a committee of this House. As such it would be expected to be guided by its terms of reference.

When I first moved this motion on Wednesday, 19 October 1983 my interest was not involved with urban development. My intention in moving this motion was the accountability of the taxpayers' money.

I was interested to hear Hon. Jim Brown talk about the cost to the Government and to the Western Australian taxpayers.

Sitting suspended from 6.00 to 7.30 p.m.

Hon. NEIL OLIVER: Prior to the tea suspension I was referring to the Standing Orders relating to the Standing Committee on Government Agencies. I spoke about accountability. That is really what I am talking about.

Other speakers to this motion seem to be going round in circles referring to the Urban Lands Council and the Institute of Urban Studies, but not coming to grips with what this is about. The Standing Committee is charged with accountability to this Parliament. I am very pleased to see that the Attorney General and Minister for Budget Management, Hon. Joe Berinson, is here, because he knows there is a requirement of accountability to the Parliament.

Much as Hon. Jim Brown might like to gloss over the fact that the Price Waterhouse report cost \$26 000, there is no mention of the fact that \$22.109 million was lost to the Australian taxpayer. Mr Brown takes great delight in this. He referred to the section which said there was no charge upon the State. Where does the charge lie on the State?

Hon. J. M. Brown: That is what Price Waterhouse said.

Hon. NEIL OLIVER: Mr Brown is saying this was at no cost to the State of Western Australia. This is the basis of my request for this motion to be brought to this House. The basis was the taxpayers' money. He quietly glosses over the \$26 000—whatever he calls it—and says in the report that the \$22 million was bad luck. What a disgraceful situation!

This was the first and only time that a member has referred matters of this nature to the committee. Since I came to this House I have always thought it was the duty of members of Parliament to be accountable to the people of Western Australia.

Hon. J. M. Brown: That is not the first matter to be presented to a Standing Committee.

Hon. NEIL OLIVER: We are all taxpayers. We should be accountable. Hon. Jim Brown and Hon. Robert Hetherington become tied up in philosophical arrangements and they cannot come to grips with this.

I would like to take the House through the sequence of this motion. Having been the first person ever to refer the matter to the com-

mittee, it should be placed on record, because I hope that matters of this sort will be brought up on many further occasions.

Hon. Arthur Tonkin in another place based his maiden speech on the committee system. He spoke very widely. We know we are pursuing this committee system. I know that the Ministers, particularly the Attorney General, are very interested in the development of the committee system. But one cannot have the committee system developing if it is to run on party lines. It must run on a logical system. It is totally illogical that an organisation should operate and lose \$22.109 million, or whatever it may be, without being accountable to this Parliament.

That is why I moved the motion. It has nothing to do with what Hon. Jim Brown or Hon. Robert Hetherington say. I brought it to the Parliament from a sense of duty to inquire into the misuse of taxpayers' money.

Hon. J. M. Brown: You found you were wrong.

Hon. NEIL OLIVER: I thought that this Standing Committee would say, "If you lose \$22 million you are not a profitable organisation." That is sad.

I shall move into the area of how the committee formulated itself, and then I will briefly wind up this debate. Having moved that motion on Wednesday, 19 October 1983, ultimately the report called the Seventh Report of the Standing Committee on Government Agencies was tabled in this House.

Prior to that report I was asked to present myself to the committee. Hon. Jim Brown, Hon. Robert Hetherington, and Hon. Kay Hallahan were present. It was a very brief meeting; it probably lasted one minute. I was requested by the principal adviser to the committee to provide statistics, information, or assistance that I as a member of this House—not a member of that committee—might put forward.

I would like to reiterate this. It is already in *Hansard* but it is important to remember the manner in which this Standing Committee on Government Agencies operates, because I hope many other members will follow me with motions similar to this.

On 16 January, in response to this request, I wrote a letter. I ultimately replied further on 14 February in a more substantive way. My first letter was one of acknowledgment, for courtesy, but my final document was written on 14

February. I was asked what I thought the Standing Committee should examine. I replied in these terms—

- (a) Currently the ULC is the only body which purchases broadacres as the raw material for the land development which it undertakes.
- (b) It is the only organisation which has as its prime role the conversion of broadacres into residential allotments.

On that basis therefore—

- (1) Does the strategy adopted by the ULC, or subject to Government direction, take into consideration the activities of other Government bodies involved in the industry of land development?
- (2) Is it reasonable to expect that the activities of the ULC could be, in the main, carried out by the private sector without ULC/Government intervention?
- (3) Are the activities of the ULC duplicated by any of the following instrumentalities:
 - (i) Private enterprise
 - (ii) The Rural & Industries Bank of Western Australia
 - (iii) State Housing Commission
 - (iv) Joondalup Development Corporation
 - (v) Lands Department
 - (vi) Industrial Lands Development Authority
 - (vii) Education Department
 - (viii) Metropolitan Region Planning Authority
 - (ix) Town Planning Board
 - (x) University of Western Australia
 - (xi) Local Government Authorities
- (4) In what form does the ULC account for the expenditure of public funds? Is this form of account subject to audit? In what form is an Annual Report made, and to whom?

This is what I am bringing out. It really has nothing to do with land development but rather with the public purse. This could be any other organisation or subject. Basically I am coming back to accountability; the accountability of us to the people who elected us, to the people to whom we are responsible; namely, the Western Australian taxpayers. Mr Brown and Mr Hetherington can go on as they like and talk all they like about other organisations; but I am talking about our being accountable to the Parliament and therefore to the people of WA. Is that not something to be proud of? Is that not something in which we should be involved? Is that not a responsibility that a member of Parliament should accept? I am told I should not bother with this; I am told I should not worry about a figure of \$22.109 million. But that is taxpayers' money, and Mr Brown and Mr Hetherington should not tell me to forget about that. They tell me I am on some kind of political stunt.

Hon. J. M. Brown: Hear, hear!

Hon. NEIL OLIVER: All I know is that Brian Burke is the greatest stunt man WA has ever seen; he is the No. 1 stunt man.

My letter continued as follows—

- (5) What are its sources of funds, the terms and conditions of any loans, and under whose authority are any surplus funds controlled or invested?
- (6) After 9 years' operations, is there an overall surplus or deficiency in the income or expenditure of the ULC?
- (7) Could the present ULC funds be used to make advances to client authorities against future emerging cash flows rather than undertake direct development in their own right?

I was not moving for the disbanding of the ULC. I was interested to see how we could best spend the taxpayers' dollar. I did not expect to be criticised for doing that, yet that is what happened. Mr Brown and Mr Hetherington say I should not have mentioned the matter. They say I have said things under parliamentary privilege. Mr Hetherington comes up with some dreamland experience of this whole business. I have been interested in the accountability of the Parliament to the people who pay taxes, to the people who keep us here, yet I am criticised for that. I am disappointed with the standard of debate conducted by Mr Brown and Mr Hetherington. I am concerned about accountability.

My letter continued as follows—

- (8) Does the ULC analyse the quantity of new allotments at different price levels required by the market in varied localities in Western Australia in order to influence price restraint without the Government being obliged to take over the total land development activity?

What a wonderful response I got from Hon. Jim Brown on that one. He said he had had a good look at it, and I presume he was talking about Floreat Waters. He said that was a good move. To continue—

- (9) What percentage of ULC activities, and at what price levels, is perceived as being the optimum?
- (10) What activity, if any, has been carried out in non-metropolitan centres and, if none, why not?
- (11) After 9 years of operation, can the objectives of the ULC be fulfilled by any other existing Government agency, by redeploying the funds presently utilised by the ULC?
- (12) With 9 years of experience, should the ULC continue as a non-Statutory body advising the Government in the land development area without being involved in direct activities?

Point No. 12 is a very interesting one. I will refer now to the first recommendation of the Standing Committee, a recommendation which no member has bothered to mention. Recommendation 1(1) reads as follows—

the Government should immediately take the appropriate steps for the enactment of legislation to ensure the validity of all contracts entered into by the ULC since its inception.

That is the real crux of the whole issue. That is the first recommendation put to us gathered here tonight. Members can understand my disappointment to find that I should have to speak for so much of the debate, because that was the first recommendation of a Standing Committee of this House after it had examined the operations of the ULC. However, Hon. Jim Brown and Hon. Robert Hetherington did not mention that recommendation. Where do we stand if this is the way we are to operate a committee system in this House? What a great way to run a committee system! I can see the Minister for Employment and Training smiling away even though the taxpayers have just footed a \$22 million bill. He has no interest in the idea of accountability for money spent.

The Attorney General is not smiling. The Attorney General and our Premier are on record as being accountable and good managers of the taxpayers' funds. That is the rhetoric. This is what they have said: "We do not mind losing \$22 million on this because we didn't lose it; the Commonwealth Government lost it. We don't have to worry about it." What a basis for accountability of the Government. What a basis for members of Parliament to be accountable for their electorates when the Government just writes off \$22 million. One of the Government's responses is, "We spent \$26 000", but the Government lost \$22 million. That is accountability of Government! Everything Hon. J. M. Berinson mentions has an element of accountability. This Government has set itself up to be a Government that is prepared to represent the people, and prepared to stand up and be accountable.

Recently I commended the Attorney General for his comments on the Financial Administration and Audit Bill. Yet tonight two members from the Labor Party stood up and said, "Bad luck, we have lost \$22 million but it is not the State's, it is the Commonwealth's."

In my letter I then went on to ask these questions—

12. With 9 years of experience, should the ULC continue as a non-Statutory body advising the Government in the land development area without being involved in direct activities?

That is quite clearly stated in the report. I asked—

13. Alternatively, should there be any changes in its direction by acting as an agent for other Government agencies who have land holdings which presently are developed independently of any overall strategy, but rather to the perceptions of each body as to its needs to realise capital sums and its own development programme?
14. Does the ULC enjoy any special privileges not granted to private enterprise in its dealings with the Town Planning Board, the Metropolitan Region Planning Authority and the Metropolitan Water Authority?
15. Is the marketing of land undertaken in a fair, commercial manner in competition with private enterprise and are all costs taken into account and rates and taxes paid—e.g. Land Tax, Metropolitan Water Authority rates,

Metropolitan Region Planning Authority Improvement Tax, and Local Government rates, etc?

16. Has there been a significant reduction in the number of residential allotments developed since the introduction of the ULC and if so, has this been caused as a result of the ULC's operations and is it in the best interests of home purchasers or detrimental to free enterprise individuals and corporate development bodies?

We know that the people who actually purchase land through the Urban Lands Council are disadvantaged. We know that their likelihood of capital appreciation is not a reality; that is, this council which was set up to operate for the benefit of the first home buyer, the young people of Australia who want to own their own homes, actually works to their detriment. They have no capital appreciation whatsoever.

The report is excellent. I commend the chairman (Hon. John Williams) for the manner in which this investigation was undertaken. I commend all committee members, whether Liberal or Labor, for their participation. Obviously the work of the committee involved a lot of time and expense, to the extent of \$26 000 to Price Waterhouse alone. I would have to be disappointed because the Labor Party chose to run contrary to the facts and wishes that I set forth. This has nothing to do with land; I am talking about the accountability of taxpayers money. If it is regarded as lighthearted to wander off and say, "Look, bad luck. \$22 million is nothing", so be it, but my electors do not feel that way. I assure members that the people who elected me to this Parliament expect it to be accountable and to ensure that money shall not be wasted. In this regard it is a total loss of \$22 million. I cannot understand why members of this House should regard it as a unique and wonderful enterprise.

In conclusion, one would ask: How can a decision be arrived at based on all those factors? I cannot comprehend the Government losing \$22 million on an excellent operation. I just cannot understand it. I will continue in my parliamentary position to examine any area of Government, either Liberal or Labor, that needs to be examined. I have a record in this House of actually drawing the attention of the House to such matters, not like members of the Labor Party.

Hon. Fred McKenzie: You don't have to keep repeating it.

Hon. NEIL OLIVER: It was said it was not discussed in Caucus, but we know the way Labor Government members are endorsed on how they must vote in this House. They speak in this House provided Premier Burke has passed their speeches. I exclude the Ministers from this requirement, but that is the way Labor Party members operate. They are not allowed to speak otherwise, because if they do and they make a mistake they will be taken to task by their endorsement committees. We see it time and time again. I will not bore the House because I know it goes on *ad nauseum*. We have seen it so often. I am the only person who had the opportunity to witness the events of one occasion relating to Hon. Des Dans' opposite number who in regard to the homosexuality Bill used his feet and walked out of this House.

The PRESIDENT: Order! The honourable member is deviating quite distinctly from the motion before the House. Indeed, his role at the moment is to wind up his remarks, and to comment on the debate that has ensued. The honourable member is out of order in talking about the matter that he is currently discussing.

Hon. NEIL OLIVER: Thank you, Mr President, for your advice.

The only point I was bringing to the attention of the House was that the committee system operating in our Parliament must operate in a logical way. It must give attention to all the matters that are presented to it. Otherwise the position that you, Mr President, hold as custodian of this House to protect the interests of members and the people who elect them is placed in jeopardy. Logic somehow must prevail. Commonsense is not necessarily found in people of high intelligence—Hon. Bob Hetherington has a number of degrees—but it may well be found in people of limited education.

Hon. Robert Hetherington: We all know that. What is the point you are making?

Hon. NEIL OLIVER: The point I am making is that if Mr Hetherington comes to a logical conclusion he is more versed than I think he is in logic. If one were versed in logic one would arrive at a different decision from this report.

Hon. Robert Hetherington: That is a matter of opinion.

Hon. NEIL OLIVER: It is a matter of opinion, and I have questioned myself and other people about it.

Hon. Robert Hetherington: Are you criticising the Labor Party or the whole committee?

Hon. NEIL OLIVER: How can one possibly make a logical reply to an interjection like that? All I can say is that if this is the way the committee system is going in this House, what does the future hold?

Several members interjected.

Hon. NEIL OLIVER: I was very interested in what Edward Shann said in 1927 when he was reported as follows—

... Public works are excellent things but only so long as the balance is preserved between capital and earning power, between component and its use in furthering production". Overset that balance he said and "they became a burden as voracious as the grasshopper".

How do we on this committee compare with the Shann test? Finally I would like to quote a person unpopular with the Labor Party, John Stone, who summed it all up by saying—

Both in this State and other States and at the Commonwealth level also public spending "on time payment" is proceeding today on works which display not the faintest likelihood of servicing the interest rates, which are being contracted by the Government concerned in order to pay for them.

This Standing Committee on Government Agencies has done an excellent job. It has gone about its work in a deliberate way, and I understand that it has put a tremendous amount of expertise into its deliberations. But the point of accountability to the Parliament and the people of Western Australia, is the test by which this seventh report must be measured.

Hon. Robert Hetherington: Have you read the section on accountability?

Hon. NEIL OLIVER: That is the test. I moved this motion back in August or September 1983 and ultimately this report was tabled in the House by Hon. John Williams, and I moved that it be noted and made an Order of the Day for the next sitting of the House. What did the Government do with it? It put it on the bottom of the Notice Paper. I had to use Standing Orders to bring it forward in such a way that the matter could be debated.

I thank Hon. Des Dans for at least allowing this motion to come up the Notice Paper and not drop off tonight as Parliament moves

towards being prorogued. The total question is accountability to the Parliament and to the Australian taxpayer.

Question put and passed.

EQUAL ELECTORAL RIGHTS (REFERENDUM) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [8.06 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks, pursuant to clause 4(2), to put the following question to the people of Western Australia by way of referendum—

Do you believe that the electoral laws of Western Australia should ensure that all electors of the State have equal rights?

The Bill is unusual in a number of respects. It deals with a matter which is central and crucial to the democracy of this State and yet it is very short. It has also come on at very short notice and I will suggest in due course that we should proceed immediately to debate the second reading, without the usual adjournment.

The reason for these unusual procedures is that the subject matter of the Bill, while going to the heart of our electoral system, is nonetheless extremely simple.

There is no need to agonise over terminology or legal technicalities.

We are faced with two simple questions: Firstly, do we believe in equal voting rights and, secondly, given the paralysis of this House on electoral reform, should the people of this State be given the chance to express their opinion? That is the long and short of this Bill and it offers a clear and straightforward challenge to the Opposition. Does it support a democratic system or not? If it does support a democratic system, will it endorse this Bill for the support which it offers to that principle? If the Opposition does not support this Bill, why not?

It should be noted that this Bill does not purport to go into the detail of any new electoral system or new electoral boundaries. Indeed, this Bill if passed, and the subsequent

referendum if also passed, would not affect either. This would, in practice, change nothing at all.

What it would do, however, is lay to rest once and for all that incongruous Opposition view that the people of this State actually support our current shameful process.

There is no need for any extensive analysis of the current gerrymander. We all know the facts quite well—none better than the Opposition which has been protected for years by the awful and corrupt system we now have.

Need I remind the Opposition that the 68 per cent of voters in the metropolitan area are represented by only 41 per cent of the seats in this House? Or that the 32 per cent of voters in rural areas have 59 per cent of the seats? The Assembly district with the highest enrolment contains more than 7½ times as many electors as the district with the lowest enrolment. The Legislative Council province with the highest enrolment contains over 11 times as many electors as the province with the lowest enrolment. North-East Metropolitan Province has 95 200 electors and Lower North Province has 8 600 electors, yet they each have two members in this House, and who could defend that situation in good conscience?

Well, the Opposition defends it; more than that, it relies and thrives on it. It has consistently taken a shameful position on this issue and its failure to support this Bill would be in keeping with its own worst traditions. I urge the Opposition to act differently on this occasion and to allow the people to at least express an opinion. Nothing more is involved than that, and this House, in the interests of its own self-respect, should not do less.

I commend the Bill and the immediate further discussion of it to the House.

Adjournment of Debate

HON. G. E. MASTERS (West—Leader of the Opposition) [8.12 p.m.]: I move—

That the debate be adjourned to the next sitting.

Motion put and a division taken with the following result—

Ayes 18

Hon. C. J. Bell	Hon. N. F. Moore
Hon. E. J. Charlton	Hon. Neil Oliver
Hon. V. J. Ferry	Hon. P. G. Pandal
Hon. Tom Knight	Hon. I. G. Pratt
Hon. A. A. Lewis	Hon. W. N. Stretch
Hon. P. H. Lockyer	Hon. P. H. Wells
Hon. G. E. Masters	Hon. John Williams
Hon. Tom McNeil	Hon. D. J. Wordsworth
Hon. I. G. Medcalf	Hon. Margaret McAleer (Teller)

Noes 12

Hon. J. M. Berinson	Hon. Robert Hetherington
Hon. D. K. Dans	Hon. Garry Kelly
Hon. Peter Dowding	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. Lyla Elliott	Hon. Tom Stephens
Hon. Kay Hallahan	Hon. Fred McKenzie (Teller)

Pair

Aye	No
Hon. Graham MacKinnon	Hon. J. M. Brown

Motion thus passed.

ADJOURNMENT OF THE HOUSE

HON. D. K. DANS (South Metropolitan—Leader of the House) [8.15 p.m.]: I move—

That the House do now adjourn.

Legislative Council: Actions

We have witnessed a disgraceful misuse of power in this House tonight.

Hon. P. G. Pandal: What about Arthur Tonkin?

Hon. D. K. DANS: Forget about Mr Tonkin. We are now in this place and this is not the first occasion that the Opposition has taken the business of this place out of the hands of the Government. It seems to me that the upper House has now assumed the role of Government in this State, and under those circumstances this House has no alternative but to adjourn while I consult with the other members of the Government about this unprecedented action by the Opposition. We are not prepared to go along with that kind of behaviour.

Hon. A. A. Lewis interjected.

The PRESIDENT: Order! Hon. A. A. Lewis will come to order. When I call the House to order, it means that members should stop making unruly interjections.

Hon. A. A. Lewis: I apologise, Mr President.

Hon. D. K. DANS: The Opposition is not the Government, nor will it be the Government after the next election. I am saying once and for all that if it carries on with this kind of behaviour and activity, the Opposition will do more to destroy the standing of the upper House than

any move made by the Government to allow the people of this State to decide this issue by way of a simple referendum.

HON. G. E. MASTERS (West—Leader of the Opposition) [8.17 p.m.]: Members have just heard the usual outburst from the Leader of the House, Mr Dans, who is valiantly trying to defend the disgraceful position in which the Minister in the other place has placed him and this House. We have seen that person today exhibit complete contempt for the parliamentary system. The Minister in the other place simply disregarded all the traditions and practices of Parliament.

We must return to the decision taken just now. I will challenge the Minister to name another Bill that has been introduced in this session that has not been adjourned by the Opposition, with the adjournment accepted by the Government. I do not recall any Government of the day refusing an adjournment. I do not know why the Government is in a hurry. Why is the Minister saying that the Opposition is taking work out of the Government's hands? We have plenty of work to do; we can do it tomorrow or next week. Is the Minister rushing off to do some campaigning? Is he trying to embarrass the members of this House? Let me say that we will challenge the Minister and his fellow Government members to come back tomorrow afternoon to debate what is on the Notice Paper, because there are some very important issues on the Notice Paper. Why is the Minister trying to run away from them? The Opposition is not here trying to take work out of his hands. The Opposition is simply saying, "Let's come back tomorrow, next week, or Christmas if we have to." That is not unreasonable. We are not stopping the Government from doing its work for one single minute.

It is a pathetic and ludicrous exercise for the Minister to stand up and say to the effect that members of this House, on either side, have not the right to adjourn a Bill when it is introduced, particularly when members have not had time to study the Bill.

Hon. D. K. Dans: A one-page Bill!

Hon. G. E. MASTERS: I suppose the honourable member simply does not understand what can happen. Members could move amendments to the Bill and ask for all sorts of things. That is what this House is all about. If the Minister wants to come back tomorrow he can bring this Bill back then and we will have some suggestions. We should ask the public whether in fact they think the Legislative

Council acted properly in defeating the Labor Government's Aboriginal land rights legislation. That is a legitimate question. We on this side are quite happy to discuss these matters. We can stay here all night if necessary, but for the Minister to suggest that the members on my side, or indeed on his own side, have not the right to adjourn a debate when it is introduced into this House, is unheard of.

To suggest that members on my side or even members on both sides have no right to adjourn debate on a Bill is unheard of and a typical suggestion made by the Minister in another place who denigrates the parliamentary system and who destroyed the arrangements of the Conference of Managers.

I think the Government has behaved in a despicable manner today. It is fooling neither the Press nor the public. We are not frustrating the Government; we will come back tomorrow and debate the issue. I challenge the Leader of the House to come back tomorrow. We have other items and other issues to debate. We want to debate the Government's favourite Bill relating to the deregistration of the Builders Labourers Federation. We would love to do that. We also would like to debate the committee system for the Legislative Council. That is as important an issue as has ever been before the House. It will mean genuine reform of the Legislative Council.

Let us not be fooled by Mr Dans' mock outrage. He knows we will come back tomorrow and the next day, and the next week, if he wants.

HON. A. A. LEWIS (Lower Central) [8.23 p.m.]: I do not want to get outraged about this matter. I ask the Leader of the House what precedents he has for introducing a major Bill which will, according to the Premier and *The West Australian* newspaper, change the whole parliamentary system of Western Australia?

Hon. Robert Hetherington: You have had time to read the Bill.

Hon. A. A. LEWIS: I got it when I walked in during the division bells.

Hon. Garry Kelly: Is it that hard to grasp?

Hon. A. A. LEWIS: Yes, it is hard to grasp because certain implications of the Bill could affect my electors. I do not want to delay the House. Nobody would want to keep Mr Kelly here because he makes no contribution, nor does Mr Hetherington. They are prepared only to interject and they are not prepared to make speeches.

Hon. P. G. Pandal: They are not allowed.

Hon. A. A. LEWIS: You are dead right, Mr Pandal.

The PRESIDENT: Order! I remind members that interjections are out of order and the member addressing the Chair is out of order to take any notice of them. I suggest that he ignore them and get on with advising the House of his views in order that I can put the question.

Hon. A. A. LEWIS: I will ignore the interjections. For this Government to introduce a Bill in the other place 6½ hours ago and to want us to put it through this place tonight indicates how this Government thinks.

Hon. Lyla Elliott: Your Government did it all the time.

Hon. A. A. LEWIS: Hon. Lyla Elliott should tell me the number of Bills that we brought in and passed in one day—

Hon. N. F. Moore: Through both houses.

Hon. A. A. LEWIS: —through both Houses. With her lustrous hair and her bright blue eyes let her tell me one Bill that the previous Government introduced and tried to ram through Parliament.

Hon. Lyla Elliott: There were a number.

Hon. A. A. LEWIS: The member should tell me which ones.

The PRESIDENT: Order! I have already told the member that he must ignore the interjections and get on with his speech.

Hon. A. A. LEWIS: You did not protect me from the interjections, Mr President. If you want an argument about protection we will have it, with due deference to the Chair.

I think this Government is trying to play a game that has never been played before in the history of the Western Australian Parliament. It is like a chook with its head cut off. It is thrashing around to try to keep Government, which we know it will lose, because it has not performed in any area. My colleague, Hon. W. N. Stretch, asked for the revocation of dedication of forests motion to be adjourned until I could get back after tea. This was disallowed by the Government because it wanted to push that matter through. When I got back at 5.30 p.m. I heard Hon. Robert Hetherington making a magnificent speech to carry this House through until after dinner so we could receive the Bill. This is a gutless Government and these are gutless people.

The PRESIDENT: Order! I consider that to be unparliamentary. I let it go the first time, but the honourable member has to keep going and going. If he thinks he will get away with using that language in this place, I can assure him he will not.

Hon. A. A. LEWIS: Very well, Sir, I will say they are without stomach. I hope that does not offend the Chair. It is a Government without stomach. It wants to get its own way all the time.

I think the idea of a referendum may be good.

The PRESIDENT: Order! The member is out of order to talk about the contents of a Bill.

Hon. A. A. LEWIS: We have adjourned it anyway, so I will talk about the contents of the Bill tomorrow.

The PRESIDENT: Order! The question before the Chair is that the House do now adjourn.

Hon. A. A. LEWIS: Why should we adjourn? Why cannot we deal with the business on the Notice Paper? Why do we have to adjourn now? There are many questions on the Notice Paper that have not been dealt with. It is because the Government does not have the stomach to deal with the matters. I am worried that this Government is trying to deal with this legislation like it dealt with the financial arrangements, and slip away without answering the questions.

We have heard the Attorney General say that the report is not ready on all of the subsidiary companies of Exim Corporation Ltd, so we let that go and Exim's report has been produced for Parliament. It is all Government money. These are the sorts of things the Government is trying to do and it is not being honest with this House. Hon. Norman Moore proved that by the motion he moved.

Why should we adjourn? Quite frankly, I think the Leader of the House is quite wrong because he should have adjourned the House until next Tuesday. However, I will not force that issue. We will adjourn until tomorrow and then we will adjourn until Tuesday and we will make this Government face up to what it has done.

A Bill has been brought into this House tonight and we are expected to deal with it straightaway. The Government has not given us one example of a Bill that has not been agreed upon between the two parties and which has gone through both Houses in one night. I

waited for the Government to tell me of one Bill that has gone through both Houses in the one night. There have been plenty of Bills that have been controversial, but not one Bill has been forced through both Houses in the one night.

This Government is trying to play politics to the extreme, and it has tried to do that all afternoon. Mr Dowding can laugh as long and as loud as he likes—the ex-Minister of Maylands—because he will not get anywhere as a result of this sort of gambit by the Government. These are the sorts of things that will kill Mr Dowding who is not prepared to stand again for a seat in the North Province because he has been vilified so much by the people in the north, and quite rightly.

It appears to me that the Government has no stomach to fight these things all the way through. I believe that tomorrow we should look at all these issues without any influence from the Labor Party's leaders in the other place.

HON. D. J. WORDSWORTH (South) [8.32 p.m.]: I am somewhat surprised at the outburst by the Leader of the House about the fact that the Leader of the Opposition should adjourn the debate on a Bill which has just been introduced into this House. It is normal practice for the second reading debate on a Bill to be adjourned. I admit that at times the Government does put an urgency notice on a Bill. However, I am not aware that it has put one on this Bill.

I remind the Leader of the House that his Whip, Hon. Fred McKenzie, has already adjourned one debate today to the next sitting of the House. So, he has set the pace for this House to come back tomorrow. All the Leader of the Opposition has said is, "Let us have two things to debate tomorrow."

If the Leader of the House was genuine in asking his Whip to adjourn the debate on the motion moved by Hon. Norman Moore until tomorrow, the Opposition was quite genuine when it moved to adjourn the debate on a Bill until tomorrow. It is standard practice and the Opposition did not complain when Hon. Fred McKenzie, as Government Whip, adjourned debate on a motion moved by Hon. Norman Moore. I admit that at the time the Leader of the House smiled with satisfaction, and I have the shrewd suspicion that he thought that that motion had gone out the window.

The fact is that the Government chose first to adjourn a debate on a motion until tomorrow, and now the Opposition has chosen to adjourn a debate on a Bill. It is usual and had we been asked—

Hon. Robert Hetherington: Are you interested in taking turns?

Hon. D. J. WORDSWORTH: I did not say that we were taking turns. I said that the precedent had been set when a Government member adjourned the debate on a motion until tomorrow.

Several members interjected.

The PRESIDENT: Order! I ask honourable members to stop their interjections.

Hon. D. J. WORDSWORTH: I support the Leader of the Opposition in adjourning the debate on the Bill. Had there been nothing on the Notice Paper for tomorrow and the other House was rising, then perhaps we could have fitted in with the Government. However, the Government set the pace about coming back tomorrow to debate Hon. Norman Moore's motion.

Question put and passed.

House adjourned at 8.35 p.m.

QUESTIONS ON NOTICE

DEFENCE: ARMY

Lancelin Training Area: Standing Orders

411. Hon. TOM McNEIL, to the Leader of the House representing the Minister for Defence Liaison:

- (1) Has there been any alteration to the Army's standing order for the Lancelin training area since the outbreak of a bushfire following Army manoeuvres last March?
- (2) If "Yes", would the Minister provide the details?
- (3) Has the Minister read the Army report of the investigation into the bushfires in the Lancelin area from 30 March to 4 April 1985?
- (4) If "Yes"—
 - (a) can it now be considered a fact that the Army had no involvement in the outbreak of the bushfire; or
 - (b) will the Minister take into consideration the report of the Shire of Dandaragan which lays the blame for the fire on the Army?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) The Army had advised the Minister that the 5th Military District standing orders for the Lancelin training area were amended on 12 November 1985 by the inclusion of a new sentence at the end of paragraph 14 of the standing orders. The new sentence reads—
 In addition the firing of illumination, smoke white phosphorous, flares and other pyrotechnics are not permitted in the fire-risk period.
- (3) and (4) (a) The Minister has not read the Army report on the matter. However, he has been advised by the Army that there is no evidence to support the contention that the bushfires were caused by the activities of the Australian Army personnel in the Lancelin training area. Advice to this effect was sent to the Shire of Dandaragan by the Australian Government Solicitor on 3 July 1985.

- (4) (b) The Minister has not received any report from the Shire of Dandaragan about the bushfires.

CRIME

Neighbourhood Watch Programme: Sponsorship

439. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

Further to question 406 of 19 November 1985—

- (1) Who provided the private sponsorship funds for the neighbourhood watch programme?
- (2) What provincial area benefited from these funds in each of the years mentioned?
- (3) What was the media break-up of these funds for each year for—
 - (a) local papers;
 - (b) State papers;
 - (c) radio;
 - (d) television; and
 - (e) others?

Hon. J. M. BERINSON replied:

- (1) RAC Insurance Pty Ltd.
- (2) 1982-83—Conceptual ideas were developed in mid 1983 by the advertising agency engaged by the RAC at a cost of \$5 000.
 1983-84—The value of corporate sponsorship in this year was \$30 000 which was diverted to the launch of neighbourhood watch in Geraldton—1 March 1984—and the consolidation of neighbourhood watch in Bunbury which had been launched on 27 October 1982.
 1984-85—The money budgeted for by the RAC in the financial year 1983-84 was carried over for the media promotion of neighbourhood watch in Kalgoorlie—14 February 1985.
 The existing schemes at Bunbury and Geraldton were also reinforced during that year from the corporate budget of 1983-84.
- (3) It is not possible to establish the precise break-up of funds. However, the order of priority was television, press,

radio; which was supported by provincial media as a community service on a one-for-one advertising basis.

POLICE FILES

Access: Hon. Tom Stephens

441. Hon. N. F. MOORE, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) Did the Minister receive a written request from Hon. Tom Stephens requesting access to certain police files?
- (2) If so, which files were requested, and was the member given access to these files?
- (3) If the member was given access to the files, was any action taken by the Minister as a consequence?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) Noonkanbah; no.
- (3) Not applicable.

STATE EMERGENCY SERVICE

Files: Access

442. Hon. N. F. MOORE, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) Did the Minister receive a written request from Hon. Tom Stephens for access to State Emergency Services files relating to the Noonkanbah incident?
- (2) If so, were these files made available to the member?
- (3) For what purpose were these files made available?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) Yes, on a confidential basis in the Minister's office.
- (3) Consideration of Government departmental matters affecting the member's electorate.

FISHERIES

Rock Lobster: Professional Fishermen

444. Hon. TOM McNEIL, to the Leader of the House representing the Minister for Fisheries and Wildlife:

- (1) Are the laws and conditions currently applying to professional crayfishermen to remain in force for the season 1986-87?
- (2) If "No", would the Minister give details of the proposed changes?

Hon. D. K. DANS replied:

- (1) The Rock Lobster Industry Advisory Committee has recommended a number of changes to apply to the 1986-87 rock lobster season and beyond.
- (2) The report of the advisory committee is under consideration. An announcement will be made when a decision on the recommendations has been made.

LAND: NATIONAL PARK

Fitzgerald River: Management Plan

445. Hon. TOM KNIGHT, to the Attorney General representing the Minister for Conservation and Land Management:

- (1) Does the Fitzgerald River National Park have a management plan?
- (2) What sum of money has been allocated to roadworks within the Fitzgerald River National Park in the 1985-86 financial year?
- (3) Under what circumstances would the programme of roadworks in the Fitzgerald River National Park not constitute a contravention of section 33(3)(B)(I) of the Conservation and Land Management Act 1984?

Hon. J. M. BERINSON replied:

- (1) No. The Department of Conservation and Land Management is, however, in the early stages of preparation of a regional management plan for all the south coast national parks and nature reserves.
- (2) \$53 000—Point Anne track \$30 000; Pabelup track \$20 000; general maintenance on Hamersley Drive \$3 000.
- (3) The section of the Act cited by the member would be contravened where other than necessary operations were conducted. Subsection 4 of this section of the Act describes necessary op-

erations as those that are necessary for the preservation or protection of persons, property, land, flora, or fauna, or for the preparation of a management plan.

These roadworks are necessary operations for protection of land, flora, and fauna. The proposed works will constitute improvements to existing tracks and will include some realignment which is necessary to avoid areas susceptible to dieback disease and erosion, and to enable eroded areas to be rehabilitated. An important additional reason to keep these tracks open is to provide viable firebreaks within the national parks. The proposed realignments have been surveyed for the presence of rare flora and fauna by Mr Ken Newby and Mr Andrew Chapman, who are widely regarded as experts in their respective fields. The department has acceded to variations which have been suggested.

QUESTIONS WITHOUT NOTICE

HOUSING

Mr K. Watts: Change of Policy

370. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Housing:

I have telephoned notice of this question.

- (1) Is he aware that a Mr K. Watts, whose application for a State Housing Commission home was lodged upon his marriage in October 1983, was advised last Tuesday by an officer of Homeswest that he had been authorised to approve finance and that he should go to Homeswest with all relevant papers on Thursday of last week?
- (2) Is he aware that when Mr Watts appeared for his interview on Thursday, he was advised that there had been a change of attitude or policy and that finance would not now be approved?
- (3) Will he investigate and give reasons for this change in direction?

Hon. PETER DOWDING replied:

- (1) to (3) I thank the member for notice of his question. However, I would advise

that it is not the Government's policy to comment publicly upon matters specifically relating to a person or persons. Consequently I have arranged for an early written reply to the member's specific question.

EDUCATION

Primary Schools: Water Use Survey

371. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Education:

Notice of this question has been telephoned to the Minister.

- (1) What primary classes use the survey relating to consumption of water in the garden, bathroom, toilet, laundry, kitchen, cooking, and drinking?
- (2) For what purpose is this survey carried out?
- (3) Have any complaints been received to the effect that such surveys intrude into a family's privacy?

Hon. PETER DOWDING replied:

The Minister has supplied the following answer—

- (1) One year 5-6 class at the Collier Primary School.
- (2) It was used for homework purposes to highlight water usage and conservation in the home.
- (3) One complaint has been received by the school.

FISHERIES

Licences: Amateur

372. Hon. TOM McNEIL, to the Leader of the House representing the Minister for Fisheries:

Advice of this question has been sent to the Minister's office.

- (1) What are the criteria for the issuing of an amateur fishing licence?
- (2) How many amateur fishing licences were issued for the periods—
 - (a) 1982-83;
 - (b) 1983-84;
 - (c) 1984-85?

- (3) What is the estimated number of pots placed in the water by amateur fishermen?

Hon. D. K. DANS replied:

On behalf of the Minister for Fisheries, I thank Hon. Tom McNeil for advice of the question.

- (1) Any person other than a professional fisherman can be issued with an amateur fisherman's licence.
- (2) The number of amateur licences issued is as follows—
 - (a) 1982-83—29 500 approximately;
 - (b) 1983-84—30 000 approximately;
 - (c) 1984-85—28 000 approximately.
- (3) 26 000 approximately.

PRISONERS

Karnet: Unauthorised Leave

373. Hon. P. G. PENDAL, to the Minister for Prisons:

Has the Minister yet received a report on the allegation that prisoners at Karnet are being allowed to leave that prison upon the payment of a fee?

Hon. J. M. BERINSON replied:

I have had an interim report only, and the investigation is being pursued further.

GAMBLING: TWO-UP

Offences: Pardon

374. Hon. JOHN WILLIAMS, to the Attorney General:

Some weeks ago in an adjournment debate I raised the question with the Attorney General, who was not present in the House at the time, as to

whether or not he would exercise his prerogative and grant a pardon to Mr Reginald Meadmore and his friends for an Anzac Day two-up offence.

- (1) Was the matter brought to his attention?
- (2) If it was, is it the Attorney General's intention to pursue that procedure?

Hon. J. M. BERINSON replied:

- (1) and (2) That question was brought to my attention and given consideration in consultation with relevant ministerial colleagues. On the basis of that consideration, however, I have come to the conclusion that I should take no further role in this matter.

PRISONERS

Karnet: Unauthorised Leave

375. Hon. P. G. PENDAL, to the Minister for Prisons:

- (1) Supplementary to the question in relation to Karnet, for what reason has the interim report now been extended into a second report?
- (2) Whose decision was it to proceed beyond the interim report?

Hon. J. M. BERINSON replied:

- (1) and (2) It would be quite inappropriate to go into detail on matters which have been brought to my attention on an interim basis. The investigation is proceeding, but mainly in the hands of the Police Department. I believe that any further public comment in this matter at this stage could hinder the investigation.