

# Legislative Council

Thursday, 30 April 1987

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

## AGRICULTURAL EDUCATION

*Select Committee: Motion*

**HON. C. J. BELL** (Lower West) [11.03 am]: I move—

1. That a select committee of three members be appointed to inquire into and report on agricultural education in State educational institutions in Western Australia, including—
  - (a) the relationship between the various levels of educational institutions and the programmes they provide;
  - (b) the availability and the broad effectiveness and efficiency of the various agricultural educational programmes;
  - (c) whether the future needs of the agricultural and associated industries in Western Australia are being adequately catered for through these educational programmes; and
  - (d) such other matters, generally relevant to any of the foregoing as may be desirable to comment or make recommendations on.
2. That the committee have power to send for persons, papers and records, to open its proceedings during the hearing of evidence to accredited representatives of the news media and the public, and to adjourn from place to place.
3. That the committee report not later than 30 November 1987.

I bring this motion before the House because of the very real concern I have for the future of education in the agricultural industries in Western Australia. I am most concerned that we are not achieving that which we would like to achieve on behalf of a very major industry in Western Australia. What finally brought it home to me was my reading of some figures regarding the post-secondary education levels of farmers in various places. It was said that the post-secondary education incidence of farmers

in the United States and the European Economic Community was 20 per cent, the level in New Zealand was 10 per cent, and in the Eastern States of Australia it was six per cent; but the level in Western Australia was three per cent—a disastrous level.

I then started to inquire how we were performing currently and became very concerned, from reports given to me and from personal experience, that we were not going to turn that very unsatisfactory position around in the near future. The McDowell report was commissioned in 1979 by a former Minister for Education, Mr Bill Grayden, and was presented to Parliament in 1981 when Mr Clarko was Minister for Education. Parts of that report have been implemented and yet it does not seem to be achieving much at all in terms of where we are going. In fact, the situation may well be getting worse.

Only this morning the *Farmers Weekly* landed on my desk, and on page 2, in "From the Zones", the Harvey zone president, Mrs Marie Dille, made some comments regarding rural education. I point out that this was long after I expressed concern. She made it quite clear that she felt the provision of rural education was not adequate; indeed, it was far from adequate. If we pursue that a little further, it is incumbent upon us to look very closely at where we are.

Another fact of concern was raised in a recent newspaper report which said that in the faculty of agriculture at the University of Western Australia, only 18 of the 41 positions available were filled this year. Last year 25 or 26 of those positions were filled. It is likely that funding for that faculty will be cut next year because of non-acceptance of course positions available to university undergraduates. When we have a very major industry in Western Australia not filling the positions available in the education system, the situation is fairly serious.

There are a whole host of reasons for that, and the task of the proposed committee would be to find out those reasons, and ascertain what we can do to assist rural people to benefit. My own observations are that in this industry there is a multitude of producers whose financial position is such that it is very difficult to source funds to assist in the campaign funding situation. Members should compare that with the mining industry, which has done a tremendous job in identifying the need to train people in that industry. One sees the manner in which that industry moves through our high schools,

making the students aware of the industry's requirements at all levels, seeking out students and having them actively participate in courses and campaigns involved in the industry so that they might better generate an interest in the industry. By contrast, agriculture is a very low profile industry which is very disjointed and apparently lacks coordination.

The Western Australian Farmers Federation policy paper indicates a dissatisfaction in the direction agricultural education is taking. In agricultural education, three levels must be catered for. Firstly there is the academic aspect, including the agricultural sciences, agricultural engineering, and agricultural economics, which are normally catered for by universities in a joint fashion rather than separately, other than the veterinary sciences, which are stationed at Murdoch University.

The next level which must be considered is that of Muresk, which could be considered to be the peak in the teaching of management skills of budgeting, practical farm operation skills, and marketing. In addition to that there are the farm skills such as operational skills, machinery and plant operation, stock husbandry, and so on. Each of those areas covers a special and distinct need, but over and above that there is a need for more education. For example, I have had approaches from groups such as the Australian Veterinary Chemicals Association saying that they feel there is a deficiency in the provision of education in their area. Such groups seek to be involved in providing some input into how we might better structure those service industries' interests in agriculture.

This is a huge area and there is a need to educate the people involved in such industries, some of whom are providing services to farmers worth thousands of dollars in chemicals and their application. Yet there is minimal training, in many cases no training, in that area. The AVCA, for example, is very concerned that better facilities be provided. All of these areas appear to have some deficiencies in terms of the current structure of agricultural education in this State.

There appears to be a lack of coordination between the educational programmes available, and a lack of direction in what these programmes seek to achieve. There appears to be little progression in overcoming the problems people perceive when considering a future involved in the agricultural industries. Another indicator to this is when one looks around the rural and associated industries in Western

Australia and looks at the training people receive, one finds that in effect the majority of trained people are not Western Australians. In the farm management skills area—for example, farm consultancy—most trained people are New Zealanders. One would think that with such a major agricultural industry in this country, we would be able to train a higher proportion of our own professionals.

It is for those reasons alone that I seek the cooperation and the assent of the House in moving this motion to have a Select Committee examine this problem. It is a very real problem, and there are undoubtedly deficiencies in the agricultural education system in this State. There are effectively three structures operational in this field. In Western Australia we have a totally decentralised policy structure. The Victorians have adopted a different structure whereby they seek to maintain the academic aspects of agriculture within the universities and, in addition to that, they operate the Victorian College of Agriculture and Horticulture which supervises the structure of agricultural courses throughout the various educational facilities in that State to ensure that the various programmes are coordinated and cover all aspects of the agricultural industry. When one looks at New Zealand, one sees a different situation altogether because that country has sought to accommodate the agricultural sciences and management and operational skills totally within one institution.

I feel we have some people in Western Australia, who probably have been through that particular New Zealand institution, who might be able to give us some sort of advice as to how similar facilities could be provided here, and used to boost agricultural education in this State.

I perceive, and people have expressed to me the view, that the deficiencies which exist in this area can be overcome. That is why I have brought this motion to the House, and I seek the House's assent in the formation of a Select Committee to examine this matter.

**HON. D. J. WORDSWORTH (South)**  
[11.15 am]: I have pleasure in seconding the motion of Hon. C. J. Bell.

I have long felt there is a need to examine the facilities available in this State for further education in agriculture. Indeed I have always been somewhat appalled at the lack of education of farmers in Western Australia. This is one reason why we have seen such a rapid de-

terioration in our farmlands in this State. Indeed we have the reputation in Western Australia of mining our soils rather than farming them.

Of course we have a major problem with salinity. I am not saying that had we had better facilities in agricultural education we would not have had the salinity problem, but certainly we would have been in a better position to cope with it. One of the problems in Western Australia is that we seem to have based our whole education in agriculture around agricultural high schools. That was the basis of the report given to Hon. Jim Clarko by the committee set up by Hon. Bill Grayden. Quite frankly, to try to teach agriculture to future farmers at the age of 14 or 15 to set them up for business is most impractical. It might give them a basis for working with farm animals, but generally speaking it seems to have become a course for those who are not academically minded in order that they can remain at school, and go out feeding farm animals. Agriculture, however, involves more than that, and yet that is really the backbone of education for agriculture in this State.

Our farmlands collectively are worth billions of dollars to the State. As Hon. C. J. Bell mentioned, the next level in education is that provided by Muresk; but quite frankly, when one visits Muresk, one would have to say that it is a very small and inadequate sort of agricultural college which copes with a relatively small number of students.

Hon. J. M. Brown: They call it "The Institute of Agriculture".

Hon. D. J. WORDSWORTH: I always become worried when names are changed because it indicates that someone is trying to lift the grade by changing the name rather than in any other way.

Members might know that I attended Lincoln Agricultural College, which is part of the University of New Zealand. I return there regularly; I was there earlier this year and spent some days on the campus. I think about 8 000 students go through Lincoln College each year, some of whom attend short courses only. That is only one agricultural college in New Zealand. There is also Massey, which is just as big, although it is not the size of the University of Western Australia, but it is certainly as big as some of our institutions.

Hon. C. J. Bell: Eighteen thousand students attended Massey in one year.

The DEPUTY PRESIDENT (Hon. John Williams): Order! There is far too much audible conversation in the Chamber.

Hon. D. J. WORDSWORTH: Hon. C. J. Bell has pointed out that 18 000 students went through Massey in one year, attending the various courses there. I think Muresk would have possibly 40 or 50 students in residence, and a matter of only hundreds doing the short courses. In Western Australia we are farming one-third of the land mass of Australia, and yet our total output of educated people in agriculture amounts to 25 from UWA, 50 or so from Muresk who are doing courses of more than one year's duration, and three or four agricultural high schools graduating perhaps 20 or 30 14 or 15-year-olds.

That is the situation in a business where there are 10 000 farmers; we are looking to turn out 100.

Hon. J. M. Brown: There are over 15 000 farmers.

Hon. D. J. WORDSWORTH: I thank Mr Brown for that information. It highlights the small proportion we are turning out—100 educated people are going into that group of 15 000. If a person lasts 30 years on average in farming, that is 500 a year who are going into farming. It illustrates how few of them have had the opportunity of any formal education, or any education at all. We have to do something about education for our future farmers in Western Australia.

We have had so many inquiries into this matter that I hope Mr Bell's inquiry does not become just another one.

Hon. J. M. Brown: Do you know that the McDowell report did not contain one sentence on land degradation?

Hon. D. J. WORDSWORTH: I can believe that. I think one of the problems was that it was an inquiry into school education of children up to the age of 17. The committee did not have on it people who were aware of the other forms of education. It was an inquiry into what should be done at school.

I favour the New Zealand system where all agricultural education is integrated on one site, so rather than agriculture students who are doing a degree course mixing with students who are doing degree courses in other subjects on a multi-course campus, they mix with other students studying agriculture at various levels. They are attending a university but they are not studying on the main campus; these two places in New Zealand are both out of the city on a

farm, and the campus is big enough to carry university students and those doing their doctorate—that lifts the standard of those on campus—as well as diploma students. Several different diploma courses are needed to cater for those who are going to participate in agriculture, horticulture, and farm management, to name a few.

It is rather interesting that when farm managers became popular in Western Australia almost all of them came from Lincoln College in New Zealand, because that was the only college providing the sort of education that turned out agricultural advisers and farm managers. I would favour that sort of setup in Western Australia.

I visited Roseworthy College in South Australia a couple of years ago, and I was appalled at that institution. It had some very old and dilapidated buildings. One of the things I do when I go to these colleges is to look at their libraries and the books for sale. I am interested in buying books and updating my education. Roseworthy had an appalling bookshop; I was unable to find one book to buy, and yet I came back from New Zealand with about 30 books worth between \$400 and \$500.

I fully support Mr Bell's motion. There is a great need to further agricultural education. I wish the committee well. I hope Mr Bell can do more than the previous inquiries and commissions, because as the economic difficulties in agriculture worsen there will be a greater need for more and better trained farmers.

Debate adjourned, on motion by Hon. Fred McKenzie.

#### ADDRESS-IN-REPLY: EIGHTH DAY

##### *Motion*

Debate resumed from 29 April.

**HON. C. J. BELL** (Lower West) [11.26 am]: I support the Address-in-Reply. I congratulate the new frontbench on the Government side. Many people say from time to time that things do not change much around Parliament. I have been here for four years, and only one of the Ministers who was on the frontbench when I came is still there, and even he will not sit still. I congratulate the members who hold those positions. They are admirable people, and I am sure they will do an excellent job as spokesmen for the Opposition in two years' time.

I had the privilege of serving on a committee with Hon. Kay Hallahan for a couple of years prior to her elevation. I admire her skill and ability to manage her portfolio. I look forward

to her meeting the needs of our State in the area of her responsibility before we allow her to resume her seat in Opposition.

**Hon. Kay Hallahan:** That is very kind of you, but I will make the choice, thanks.

**Hon. C. J. BELL:** I have not had the opportunity to do quite as much work with Hon. Graham Edwards, but I am sure he will do the job well. He attacks his work with gusto, and he will do an admirable job in that portfolio. Hon. Joe Berinson is the one Minister remaining from four years ago, and undoubtedly his skills and abilities have led to his elevation to Leader of the House, and it is richly deserved. I am sure the House will prosper under his leadership over the next year or two.

The Address-in-Reply gives us the opportunity to raise a number of issues, and I always refer to the dairy industry at least once a year. It is opportune that I should be able to raise this matter now because it is a very contentious subject for a number of people in this State. Many people take for granted the fact that their bottle or carton of milk is always available and their kilogram of cheese is always on the shelf, both at a reasonable price. The dairy industry now is in a fairly tenuous situation. We are nearing the end of the first year of the national Kerin plan which was intended to bring economic realities to bear on the industry. Some trade-offs were involved, but the reality is that today the Victorian dairy industry has adopted the European Economic Community-style tactics of invading markets interstate. That was not the intent of the Kerin plan; it was a trade-off, but it was not intended to create a trade war. All the other producers in Australia paid 1.4c a litre levy to assist the Victorian dairy industry, which is basically an export industry. There were no written guarantees in the plan. Law officers will tell one never to pay blackmail because it never works; the blackmailer always comes back.

That is the situation in the dairy industry nationally. The blackmailer is back; he obtained a 1.4c levy last year and now he is seeking to disrupt the markets in all States to generate a greater fund. He will keep coming back until there is nothing left—history shows that. I gave this warning to members in this place when the Kerin plan was introduced, and it has come to pass. I have no joy in saying, "I told you so."

The State Minister for Agriculture, to his credit, has supported the dairy industry in its endeavours to bring this matter to the attention

of the national Minister. He has been told about what has resulted and that some form of redress should be sought under the comfort clause of the legislation. The only comfort in that is that it takes away any pretence of cooperation or regulation in the industry, and it leads to an all-out trade war.

I will endeavour to outline, in detail, what has happened. There is a dairy company in Shepperton, Victoria, which has sought to gain a share of the Sydney market contrary to the agreement previously held. Unfortunately, it has been rumoured, and has yet to be refuted, that the son-in-law of the Premier of Victoria, Mr John Cain, is a major operator of that company. It is a matter of some concern, but it is part and parcel of the scenario that so often occurs.

The State Minister must be supported in his endeavours to have this problem redressed. If the milk industry in this State is attacked in the same way as the cheese and butter industries have been attacked in recent years, between 2 500 and 3 000 jobs will be in jeopardy. Another aspect is that if we imported those products it would result in a deficit to this State of hundreds of millions of dollars. Some sense must be brought back into the industry. It is important that this House is aware of what is happening to the dairy industry.

I now turn to the local scene and to what is actually happening in this State. The return to dairy farmers in the last year has been static. In reality they are actually below what they were at 1 April 1986.

For the benefit of metropolitan members I advise that a dairy farmer is receiving 31.69c for a litre of milk at the farm gate, and it is sold for 80c a litre.

Hon. Robert Hetherington: I am surprised he gets so much.

Hon. C. J. BELL: It is getting less. The dairy farmer was receiving 50 per cent of the retail price of milk some years ago, but today it is considerably less. The price the dairy farmer received at 1 April 1987 was 32.73c per litre less the Kerin plan levy of 1.4c. One cent of the 1.4c is paid by the Dairy Industry Association. As from 1 July this year, the total levy of 1.4c will be met by the dairy farmer, and he will find himself worse off than he was 12 months ago. Very few people will say that there has not been a cost escalation because, in fact, there has been a decrease in returns over the past year. It is a serious situation.

There is no doubt that the farmer's profitability is declining. It is fair to say that Western Australian dairy farmers are better off than their counterparts in other States. One of the problems when looking at the income of the dairy industry throughout the nation is that one is not always comparing apples with apples.

A dairy industry survey shows that 90 per cent of the income of a Victorian dairy farmer comes from dairy production. In Western Australia, less than 50 per cent of the dairy farmer's income comes from dairy production. I wonder how much of the farmer's profit should be attributed to dairy production when 50 per cent of his income comes from other enterprises on the farm.

Hon. Tom Helm interjected.

Hon. C. J. BELL: I do not have the current figures, but there has been a decline in the number of agricultural dairy properties in the last two or three years. Of course, there has been a decline in the real estate values of agricultural properties throughout the State and the nation. However, that is part and parcel of agriculture, but it does represent a serious situation throughout the western world.

Another interesting aspect of the local scene is the rip-off that is being perpetrated on the producers of Western Australia and which continues unabated in regard to the flavoured milk market. Most members in this Chamber would be aware that when they buy flavoured milk in the delicatessen or the supermarket they pay more for it than they do for white milk. Perhaps I could explain how this is worked out.

The farmer's return is based on the wholemilk content, and flavoured milk contains two per cent fat while white milk contains four per cent fat. It is accepted that flavoured milk contains only half the fat content as white milk and that 80 per cent of the quantity can be used in flavoured milk because it contains sugar and flavouring. When one looks at it, the farmer's return is based on 0.4 per cent of the 31.69c per litre sold.

Hon. Doug Wenn: That is not a rip-off, it is robbery.

Hon. C. J. BELL: I believe that it has been for some time. The Western Australian Farmers Federation has a paper before the prices committee seeking an investigation into the matter. When one compares it with other States, it is said that they allow 10 per cent for recipe and marketing. Ninety per cent of a litre of flavoured milk is accredited as milk and

therefore, 90 per cent is sold by the farmer at the full price of 31.96c. The producers in this State are being deprived of in excess of \$1.25 million, and it is a legal rip-off.

Hon. P. G. Pandal: Who gets what?

Hon. C. J. BELL: The dairy companies have sought to use those funds for their own purposes. The Kerin plan was intended to bring economic realities to bear on the industry. In other words, if a farmer's produce was going to a market that was not viable, he would know because of his return.

We have a situation in Western Australia which has applied for a long time; that is, producers cannot change the company to which they supply their produce. For instance, if Masters Dairy or Peters WA Ltd put up the price of milk, a producer would not be permitted to change the company with which he deals. Because of a cosy arrangement within the dairy industry, the situation is even worse. One company could say to a producer, "The best we can pay you is \$2.40 per kilogram".

The second company could say the best it could do was \$2.35. The Dairy Industry Authority pays the balance. What competition is there in that situation? Here are two companies supposedly in competition with one another for the supply of milk. They have a very cosy arrangement which would not bear scrutiny if taken to court. It is very much against the spirit of the legislation.

Hon. Doug Wenn: They can buy in bulk.

Hon. C. J. BELL: The only danger in allowing producers to change companies would arise if a company said, "We do not want your milk." The reality there is that it can only say, "We do not want that portion of milk outside your contract," because the contract is with the Dairy Industry Authority and the company treats it on behalf of the authority. Only that percentage of the milk can be taken.

A very unsatisfactory situation has prevailed where Western Australian dairy farmers receive the lowest price by a substantial margin in Australia for milk used for butter and cheese. There is no prospect of that position improving. The local situation is in serious need of attention, and I urge the Government to instruct the Minister to bring forward a report on the very serious anomaly which has arisen in Western Australia.

With regard to the Midland saleyard, it is quite clear the position has not been resolved.

Hon. Fred McKenzie: That is rubbish.

Hon. C. J. BELL: We have still not seen the details of the new lease. I have not. The Minister keeps telling the Press he will release the new details. I am not happy even with the 15-year extension.

Hon. Fred McKenzie: Have you rung Mr Peter Ellett, who owns the site?

Hon. C. J. BELL: No.

Hon. Fred McKenzie: Do that!

Hon. C. J. BELL: Mr Grill has made frequent and regular statements that the details of the new 15-year extension will be announced soon.

Hon. Fred McKenzie: Of course.

Hon. C. J. BELL: I am still waiting for it.

Hon. Fred McKenzie: Do you not believe him?

Hon. C. J. BELL: It is for the Government to tell the people what it has done on their behalf.

Hon. Mark Nevill: Treloar recommended five years.

Hon. C. J. BELL: I am not worried about what Treloar says. I am talking about what the rural industry of Western Australia needs. The producers of Western Australia are looking very closely at this whole matter and I shall be raising it as required. I am a very patient person. There is no urgent hurry, although Mr Grill made a statement at the beginning of March that he would be announcing the terms of the 15 or nine-year extension within weeks—almost immediately. I am still waiting for it.

Another matter is the \$40 million promised for RAFCOR. Only \$3 million has been passed on. I shall be watching with interest to see how the new guidelines will affect the availability of that money to farmers in the field. I wonder where rural and associated industries will go for help?

Another matter in recent weeks concerns the potato chip industry in Manjimup. Edgell Birdseye has invested something like \$4 million at this stage, and the State Government has promised to invest something like \$3 million in that area as well. From an announcement in the Press recently the project appears to be in jeopardy. That would be very unfortunate should it come to pass. Here we have the opportunity to move into a growth area in the potato industry. There is no doubt about that. It would appear that people, both in Western Australia and outside, have perhaps not done enough to ensure that the project gets off the ground.

Hon. Mark Nevill: What about the growers?

Hon. C. J. BELL: The growers have not responded as readily as they should have. One wonders whether the company, the department and the Potato Marketing Board have made enough endeavours to ensure that farmers understand this new position at which the industry has arrived. Suddenly we are no longer producing Ware potatoes; we are processing potatoes at \$160 as against \$230 a tonne. My understanding is that we are looking at processing potatoes and turning out something like 55 tonnes per acre compared to 32 tonnes per acre for Ware potatoes with a much lower rejection rate and a much lower cost in that it is not necessary to produce them in adverse seasonal conditions.

It is my understanding, from talking to people in the area, that not enough has been done to educate the producers to the new circumstances which prevail. I hope that we can draw this project back from the edge of the abyss. It is a very important area. The Manjimup-Pemberton area has the potential to be one of the major vegetable growing areas in Australia.

Hon. A. A. Lewis: The growers have been greedy.

Hon. C. J. BELL: They need to be told the facts rather than be accused of being anything. It is not a matter of accusing anybody, it is a matter of getting information to make value judgments.

Referring to the Mandurah district, some issues need to be looked at fairly closely. The educational facilities are of very real concern. The Mandurah high school has 1 150 students, and it has 22 transportable units. Members would all have some transportables at certain schools in their areas, but in Mandurah High School the main building hides behind them. These buildings are taking up what was formerly the recreational area. There are no covered walkways, and it is terribly hot in the summer and terribly cold in the winter. The students are totally exposed to rain and the elements as they progress from classroom to classroom.

Taking the average class size as 25, something like 550 out of 1 150 students are housed in transportables—nearly half. This is an appalling situation. Recently an announcement was made that a new high school will be starting in 1989. That is a significant date as it is the year after the next election. This should

be tackled as a matter of high priority as so many high school students may spend all their high school life in transportable classrooms.

The Government needs to consider giving more attention to a new high school in Mandurah. If no money is available for that it ought to consider a repair and renovation programme, even if it means reviewing the Government's current repair and renovation programme for schools. But money needs to be found for this job because a new high school needs to be built now, not in 1989.

The South Mandurah area needs a primary school. Both parties have said that something needs to be done, but nothing concrete has eventuated. A primary school is also needed for the Greenfield area.

We need to review the technical education facilities in the Mandurah-Murray districts. This area is the dormitory suburb for the alumina industries and there is a real need and a use for technical education there. Currently the majority of students must travel to the Rockingham facility, but the problem is one of transport. It is a fairly difficult problem to overcome for students undertaking evening classes. The bus services are fairly infrequent at night. This is another matter that needs to be addressed. A number of new industries are moving into the area and we need to consider involving industry in the education facilities provided in the area.

The Mandurah Hospital has been programmed to commence this year. Unfortunately it would seem that of the 18 or 20 beds to be made available, something like 15 will be for use by aged persons, leaving very few for general patient admissions.

Another concern I have relates to the report on the Mandurah Estuary. Its arrival seems to be getting further away. It seems it has been promised every couple of months for the last two years. It was supposed to be here in February, and then April; now I understand that it will not be received by the Government until June and will not be made available to the public at large until late this year. I predict that it will be put off until such time as the next elections, when the Government is hoping it will be able to put it off until the following elections.

I turn now to the ridiculous attitude recently displayed by the member for Mandurah in relation to a meeting that the member for Murray-Wellington and I called recently in an endeavour to be cooperative and sensible about

the Mandurah Estuary. We wrote to all land-holders in the catchment areas and suggested that as the report was soon to be made available—almost forthwith it seemed at the time—it would be sensible for them to form themselves into committees—we suggested two—to present a unified front on the subject. We held a meeting at Coodanup which was attended by about 40 people, and another at Mandurah which was attended by about 100 people. A committee of six was formed to present a united view when the report was finally presented. Surely it was reasonable for us to seek to unite these people so that they could put forward a common and informed argument on behalf of the people in the agricultural industries in the area?

Hon. B. L. Jones: You didn't believe what you said about it taking another two years.

Hon. C. J. BELL: My latest information is that we will not see the report before the end of this year, and this Government's history would indicate it might take even more time. I want a good report; I want the study done properly. However, prior to this Government's taking office four years ago, its members repeatedly denigrated the previous Government for conducting studies. There must be an end to studies at some time.

Mr Read denigrated Mr Bradshaw and me for seeking to head off at the pass a multitude of individual submissions. We sought to organise these people so that they could display a proper and professional approach. For some reason Mr Read thought we should have had all the people who presented information at the meetings to explain what was happening. We did have informed people at those meetings, but to give information was not the purpose of the meetings. The purpose was to get the land-holders together so that they could have a cohesive approach in representing their interests. The Government would benefit from having the land-holders' being coordinated and able to present a cohesive submission. Mr Read did not even see fit to attend the meetings, yet he went to the Press and denigrated our efforts to seek to be of assistance. Of course it was his prerogative to take that action, although it was a strange action to take. I would have thought he would applaud our efforts because we were seeking to be cooperative.

I hope the Government gives consideration to the matters of concern I have raised and I look forward to the Government's making constructive endeavours to overcome the problems I have outlined. I support the motion.

**HON. NEIL OLIVER (West)** [11.59 am]: It is interesting to note the changes on the Government frontbench and to see that Hon. Des Dans is now a backbencher. He has always been a very novel member of the House and a very capable Leader of the Opposition and Leader of the Government. I have always enjoyed his sense of humour and his sense of fair play. I hope he takes an active role as a backbencher. I extend my congratulations to Hon. Joe Berinson, and to Hon. Graham Edwards on his elevation to the Ministry.

Having examined the Governor's Speech it seems that nothing of significance is to come before us this session, apart from a regrinding of previous initiatives.

We are to have new legislation relating to dogs. This legislation will affect people personally and will ensure that our electorate offices receive a large amount of correspondence when it comes forward.

Never before has it been realised that the lucky country is in difficulties. Those difficulties are widespread and very acute. In the past we have adopted an attitude of "No worries", and "She'll be right, mate" which is an old Australian colloquialism. However, the old saying "She'll be right, mate" does not apply in the present circumstances, nor will it apply in the foreseeable future. It has become quite obvious throughout the community that there has been a drop in real wages of 4.5 per cent over the last three years. Even we, as members of Parliament, are aware of that; it escapes no-one. We are aware of rising prices. I do not know what the Government's Price Check scheme intends to do about this situation.

I recall when the Burke Government was first elected to office in 1983 we were summoned to this House for a single sitting to discuss prices legislation. That legislation was a total and utter failure. We are experiencing the highest interest rates this country has ever witnessed. They are in the vicinity of 20 per cent. The Premier recognised this when he issued an economic statement on 24 June 1986 to the Legislative Assembly. Little has been done about it. The Premier said on page 3 of that document—

For Western Australia, we must pay more attention to diversifying our economic base and especially to adding value to our raw materials by doing more processing of them before they leave the State.



With all due deference to the Premier the reverse situation has occurred with rural producers. Australia is without doubt the largest producer of raw material of any country in the world. Previously, Australia did have some form of a vertical textile industry which allowed the combing of wool and the production of wool tops for export. Naturally, one would not expect it to go much further because the various fashion trends and requirements from other countries dictate the need to have a textile industry. In addition, women play a very important part in the work force with respect to this industry. Most of the developing countries—India, Pakistan, Taiwan, Singapore, Malaysia, Thailand and even Iran—have established their own textile industry. There has been a major decline in the semi-production of manufactured goods from Australia's largest raw material—greasy wool.

There has been a slight improvement in scouring—the initial pre-treatment of wool—which was affected by the high fuel prices and the freight costs associated with it. With the downturn in fuel prices it is now not acceptable to scour wool in Australia because of the problems associated with its unbalancing, carding and combing.

I welcomed what the Premier was saying but his statements fell on deaf ears because the Government has done nothing about the situation. The Premier has said there is to be a day of reckoning in Western Australia, and I agree it has arrived. I would have thought the Premier—back in June 1986—would have recognised this like a great ball of lightning. However, no action has been taken. If anything, the situation is totally the reverse of what he first proposed. The economy is labouring under many problems. When one considers the Consumer Price Index figures released this morning in Canberra, one finds they show that over the last 12 months the figure for Western Australia is one per cent greater than any other State, excluding Tasmania which has 10.4 per cent against our 10.6 per cent.

I would like to draw to the attention of the House a comparison of some research material and a recognition of the problems caused by the Premier's lack of action. The best way to research the economy is to examine the CPI and the price of food when this Government came to power in 1983 and to look at the increases in different areas of Government revenue. The Premier has complained about diminishing Government revenue and said he has not confronted the issue because it is essen-

tial for the Government to show restraint and set an example. I wish to give an example of the state of the economy. Food prices in Western Australia since 1983 have increased 26 per cent, according to the latest Australian Bureau of Statistics figures to the end of December 1986.

In addition, the CPI figure in Western Australia has increased by 31 per cent. In the same period, total State taxation increased by 81 per cent. That is a magnificent example to the community to practise restraint!

The State tobacco tax has increased by 180 per cent and the State fuel tax, which is a great burden on our rural community, has risen by 125 per cent. The State liquor tax has increased by 57 per cent, and car registration and stamp duty fees have increased by 100 per cent—that increase in an industry which is already experiencing difficulties mainly because of Mr Keating's fringe benefit tax.

On a smaller scale, domestic excess water charges have increased by 32 per cent, almost in line with the CPI increase; and domestic gas and electricity charges have increased by 51 per cent.

Hon. J. M. Berinson: What about the basic water rates? Why do you pluck out one aspect of water charges?

Hon. NEIL OLIVER: I have not researched those figures, but I will do so to ensure that I am being reasonable. I am using ABS figures, and I have taken out what I believe are some of the major items affecting the day-to-day living standards of the ordinary people. I challenge any member of this House, including Hon. Fred McKenzie who made a speech in reply to my statements in August—

Hon. Fred McKenzie: Why pick on me?

Hon. NEIL OLIVER: Because the member told me that none of these increases had happened, and that what I was saying was ridiculous.

I challenge every member here to tell me that, as he or she moves around their electorates, complaints about these matters are not raised. I do not go out soliciting complaints. However, I assure members that I do not need to because even now I am inundated with them. The people of Western Australia have had enough. They know what is being taken from their pay packets, and they know that they have had trouble trying to make ends meet over the last four or five years.

I was interested to hear Hon. Beryl Jones say that it was essential that the Government retain its advisers, because the Premier, in his statement on 24 June 1986, referred to trimming the fat off Government expenditure. In his speech on the Address-in-Reply, Hon. Tom Helm explained to us how it does not matter whether the money is spent in the public sector or in the private sector. He does not understand that the public sector is grabbing larger and larger amounts from our community. In the early 1970s, the public sector took about 38 per cent. In 1973-74 the amount had jumped to about 45 per cent, and today the public sector is taking more than 50 per cent. For Hon. Tom Helm's edification, out of every \$100 earned by the community, the Government takes over 50 per cent. Those dollars are non-producing. The private sector is declining and the dollars that should be at work in the private sector providing employment have dropped below 50 per cent of national earnings.

Hon. Des Dans and Hon. Jim Brown know that when one races a horse, one tries to get the lightest jockey one can to ride that horse. The horse is handicapped by the jockey. What has happened in our economy is that the jockey, which is the public sector, has become too heavy for the horse, which is the private sector. How in the name of heaven can the horse win under those circumstances? Who wants to invest their money in a horse when the jockey is heavier than it? That is why Australia's credit rating is going down the tube. This has never happened before. Australia is a prosperous country.

Hon. D. K. Dans: From my experience, it is still the most prosperous country in the world.

Hon. NEIL OLIVER: I agree. I hope Australia's and particularly Western Australia's best years are still to come. However, I can assure members that they will not come under a Labor Government. I hope that every Australian agrees with Hon. Des Dans, because a lack of confidence in this country would be disastrous. I hope also that the Australian colloquialism, "She'll be right mate", is forgotten. I have every confidence in Australians to wake up and accept the challenge. They need leadership; they do not need this public relations document put out by Mr Brian Burke. The sentiments expressed in that document need to be put into practice.

The mild rally in the Australian dollar follows its major collapse. It has been devalued by about 38 per cent since 1982-83. It has been the

most dramatic drop in the value of the Australian dollar in Australia's history, and that includes the Depression years.

Hon. E. J. Charlton: It is up because the value of the American dollar has fallen.

Hon. NEIL OLIVER: I thank Hon. Eric Charlton for that because he is so right. It has nothing to do with Mr Keating's J-curve. The value of the American dollar and the Japanese yen are completely responsible for what happens to our dollar. Mr Keating can claim no credit for its improvement. Mr Charlton is a primary producer, and knows it has nothing to do with what is called the J-curve which, after all, has no relevance to Australia. It relates to what Maggie Thatcher is doing in the UK to solve her country's economic problems.

Hon. Fred McKenzie: Do you have any sympathy for bananas?

Hon. NEIL OLIVER: Due to the low value of the Australian dollar, forward sales were made, which has meant a rally in wool and wheat prices; but the new base, if it is to continue, will have serious effects on our manufacturing industry, which may gear itself up to take advantage of the dollar's lower competitive rate in the international market.

The prosperity of Australia is dependent on all of us, and productivity is high on our list of achievements. Hon. Des Dans has just mentioned—and I agree with him—that our best years are yet to come.

Hon. E. J. Charlton: The only problem with the J-curve is that it will not work until it gets the Joh push.

Hon. NEIL OLIVER: He has been of great service, a great performer. He has shown a lot of leadership, and this is what this country needs.

Hon. Graham Edwards: What about the coalition?

Hon. NEIL OLIVER: I do not mind talking about coalitions. They are things which change quite dramatically in the European scene. They do not even operate here in Western Australia.

If I am around when we are in Government again, I am certain there will be a coalition Government, and I am certain the Liberal Party and the National Party recognise that. The member should not bring that up and think it will go away. That is what is so essentially good about our side of politics; we have flexibility. We are able to work with one

another. The Labor Party goes into its Caucus room, members come out, and they cannot speak.

Hon. Graham Edwards: We know how your leader tried to shelve the National Party.

Hon. NEIL OLIVER: We have a lot of individuality. We have a lot of flexibility. We will work together. There has been a National Party Deputy Premier in Western Australia in every conservative Government.

Hon. Graham Edwards: Backbench leadership, that is what you have.

Hon. NEIL OLIVER: He has always been the party's leader. I do not think that will change. If members are talking about Sir Joh Bjelke-Petersen, that is really what this country is looking for—some leadership.

Hon. Tom Stephens: That is disloyal to your Federal leader.

Hon. NEIL OLIVER: Members opposite are receiving no leadership from Mr Brian Burke.

Hon. Tom Stephens: What sort of support are you dishing out to John Howard?

Hon. NEIL OLIVER: Recently I was in Esperance with Hon. David Wordsworth. It was interesting to hear the comments of a farmer's wife, who said, "There is something wrong with a country when it is so easy to make money but so hard to create real wealth." We have had a major debate on this.

Hon. Graham Edwards: Is that a former Liberal candidate?

Hon. NEIL OLIVER: I do not know who the woman was. The comment was made during a discussion on problems of health for farmers and their wives, and the isolation they live in. I was pleased to see that in the Labor Party a woman spoke very emotionally on the problems facing the rural community because of the isolation of farms. They have to live with this problem. It is a little different from living in Dianella.

Hon. Tom Stephens: It reminds me of the farmer who had to sell the family silver. Most families do not have silver.

Hon. NEIL OLIVER: The point I would like to come to is that the Australian economy is cracking under the weight of its uncompetitive costs. Australia's income is earned mainly from the unprotected open markets of the world. A key factor is that at this time the rural industry is earning 40 per cent of Australia's export income. Previous rural shakeouts followed extreme market fluctuations and structural changes. Members on both sides of the House

recognise the problems which the rural industry faces and the effect they are having on the different communities.

Hon. Des Dans: Is it only the rural community?

Hon. NEIL OLIVER: This time it is the dead weight of uncompetitive Australian costs, including Government charges, which is pushing rural industries under. Forget about the rural industries, because I want to put it in another way. The rural industries are so important to our economy that if they go down—and I explained the problems of manufacturing and raw materials earlier—the economy will sink. As vital exports are lost, the balance of payments worsens, unemployment rises, the dollar weakens, and interest rates are maintained at crippling levels.

I heard Mr Charlton talking about the answers. He said there has been too much talk about the problems and not enough action. It is time we recognised that if the rural industry goes down, our economy goes down. This Government, with its fuel taxes, has had a major impact on the rural community. Those Federal taxes on farm inputs which are relevant and attributable to export production must be removed. I am referring to sales taxes, fuel taxes, and import taxes.

We should achieve a maximum of 10 per cent interest on funds to finance export farm production. These are the proposals I am putting forward to members as what I call action.

The final suggestion is already in place, and I am pleased to see it. That is the restoration of the right to combine off-farm and on-farm income for tax purposes. That has been implemented, and it is the only one of the three major items which has been. But it was only implemented as a result of pressure brought to bear by the National Farmers Federation. Mr Kerin, by some means or other, was able to get that through the Federal Cabinet.

I believe the strategy I am proposing is workable. It means a form of tax holiday, but I would like members to know what it might cost. It is all very well to put forward a proposal, but it must be workable. We have 40 000 average farm units in export production. Each of these is estimated to pay \$25 000 in sales tax and fuel, and all these other taxes on farm inputs. I do not know if any work has been done in this area, but that is an average figure. There

should be some elimination of these taxes while this crisis is growing in the Australian economy on the farms.

The tax revenue cost of removing that tax on farm inputs is estimated at \$1.25 billion. But what about the tax revenue that is rescued? What about the income that can be created by these 40 000 average farms? If they return to a viable situation I estimate they will return to the Government and to the community possibly in excess of \$15 billion. The multiplier effect of that on the economy must be at least \$50 billion, and that in turn is estimated to yield not less than \$16 billion in tax revenue in our entire economy.

But at least 10 per cent of farmers this year and another 10 per cent next year are expected to drop out of production through inability to carry costs-caused losses, unless viability can be restored via the proposed export incentives. This will reduce the rural-based tax harvest of \$16 billion by 10 per cent, or by \$1.6 billion this year and \$3.2 billion next year. Tax revenue rescued is therefore at least \$1.6 billion, or 30 per cent more than tax forgone, and could be much greater.

The tax revenue cost of reducing interest on seasonal export production finance to 10 per cent I estimate as follows: As with tax remissions, the proposed interest subsidy is also assumed to apply to 40 000 farm units. Each farm unit's seasonal borrowing requirement is estimated to average \$60 000, allowing for some very wide variations, but the total borrowing is reasonably and soundly estimated at \$2.4 billion. Interest is assumed to average 20 per cent for 12 months, and the interest cost is thus estimated at \$480 million. To reduce interest to export farmers from 20 per cent to 10 per cent, the equivalent of \$240 million would need to be provided interest-free. If the Federal Government met the interest subsidy in full at market rates the tax revenue cost would be equal to 20 per cent interest on \$240 million, or \$48 million over a 12-month period. That is quite easily attainable. It is not beyond the reach of the present Government.

Let us now look at the other side of the coin. The tax rescued would be substantially more than the interest subsidy cost, for these reasons: At least one in four rural exporters is being driven to the edge by the crippling cost of interest on seasonal finance, even though he may still be otherwise viable at this stage. For not less than one in 10 farmers, interest costs are having a make or break influence, and

many of these are separate from those being driven to the edge by production costs. Even if the interest subsidy holds in production only the same ones held by removing tax on farm inputs, the margin between revenue cost and revenue rescued covers the interest rate subsidy cost many times over.

The PRESIDENT: Order! Order! There are relatively few honourable members in the Chamber, but it sounds a little like Subiaco on grand final day. I suggest honourable members cease their audible conversations and allow Hon. Neil Oliver to address the House.

Hon. NEIL OLIVER: The tax remission and the interest subsidy work together to strengthen the whole industry and revive its confidence in the future.

I have already spoken on the combining of off-farm and on-farm income, and that has been implemented. I believe it was totally unsatisfactory that the rural community in this State did not have the flexibility to hedge their investments off the farm during downturns—a flexibility enjoyed by every other industry and every other single private investor in Australia. As farm business should be encouraged to follow the safety net practices of other business by diversifying to counter losses in one activity with gains in another, it is counter productive to discriminate by preventing farm income—and only farm income—from being combined with other income for tax purposes.

I wished to make that brief contribution because I have studied the rural problem in great detail for some years now. Indeed, I believe it is not a rural problem but a problem that faces each and every Australian, and each Government in each State. It requires actions, not words, and I support very strongly what has been said by previous speakers on this subject, especially Mr Charlton.

I will now discuss interest rates in a broader sense. We have all been there before, and I suggest to members that it is on again. We should remember we have sustained high interest rates under only two Prime Ministers—Gough Whitlam and Bob Hawke. We have also forgotten that at the last State election Premier Brian Burke promised us lower interest rates by June 1986, and all we have is higher interest rates on our home mortgages.

We have forgotten all about asking questions on interest rates. The real question is: Why are

Australia's interest rates seven to 10 percentage points higher than interest rates in the rest of the world, other than Mexico? I will tell members why—it is an international vote of no-confidence in our Government. It is a direct result of the policies of our Government and its adherence to the unworkable policies of the Accord.

The simple fact is that Australian workers and householders are paying seven to 10 percentage points more for the mortgages they are raising to buy and furnish their homes and provide for their families. This amounts to something in excess of \$80 per week more than they would be paying if this country had followed sane economic policies and had interest rates in line with the rest of the world. On the one hand Hawke gives people a wage increase by wage indexation, and on the other hand he taxes it and takes away even more money in higher interest rates.

It is little wonder that our families are going out backwards. We are not only making them worse off by following these policies, but also making employers less competitive as we jack up their costs of doing business and cause them to lose export markets overseas and be non-competitive with imports in Australia.

It is a fact of life, and every Australian is now starting to wake up to it. People are feeling it in their pockets. They do not need me to say it here, because it is becoming common knowledge across the nation. The problem is not only on the desks of accountants or stock-brokers; it is also in the homes with the husbands and wives as they pass across the house-keeping and try to make ends meet.

It is unfortunate that I see little in the Government's policy in this session other than the old rehash of previous Government policy. In fact, the only significant measure appears to be the introduction of a new Dog Act, which has already brought a rush of correspondence to my electorate office. I do not know whether other members have received that response as well. It is obvious that the Government is running out of steam. It has lost initiative and the walls are tumbling down. I will be very interested to see what initiatives, if any, the Government brings forward in the Budget session of the Parliament to restore at least some level of productivity to this State, which is currently shrouded in a major propaganda campaign.

Hon. J. M. Berinson: How do you rate electoral reform, Mr Oliver?

Hon. NEIL OLIVER: The Government is telling everybody that things are all right, that the Premier recognises the problems and will fix them. In 1987 our problem is not a military disaster but an economic one.

The current economic malaise in Australia has the capacity to destroy our way of life in such significant ways that it can be compared with military invasion by no less than our present Prime Minister. I recall a statement made the other day that if Bob Hawke were still the President of the ACTU he would still be running Australia. If Australia was a small business it would now be in the hands of the receiver. Our country is returning a massive loss on its monthly trading figures—as with the current account deficit. I have already referred to the improvement in wool prices and, of course, this may only be a passing phase. Our credit rating has been downgraded and our currency has been floated but it has been propped up ever since it was floated. It has been propped up by Reserve Bank buying and it is not a floating currency at all.

Our real interest rates are at an all-time high. We have inflation more than three times the average of our major trading partners and we are rapidly running up foreign debt. Thirty six per cent of the income from our exports is required just to service our foreign debt. Unless we can lift exports our foreign debt will continue to rise and the servicing of that debt will soak up more of our income.

When you, Sir, go back to work in January each day you get up you earn nothing. Every dollar you earn from the time you return from your annual holidays is passed into the revenue coffers of a high-spending Government and you have to wait until 28 July to get out of debt and have a dollar in your hands. The Government is trying to revive investment in this country, but it cannot be done with a tax system which operates in this way. Hon. J. M. Berinson knows all about that. The statistics of the ABS cannot be denied. This is the danger of which Keating warned when he talked of Australia heading down the path of a banana republic. This is a Mexican scenario. Increasing proportions of our national income could be taken up in holding the creditors at bay.

The income required to maintain our standard of living will dwindle and Australia will enter an ever-deepening cycle of poverty. It is not something to smile about. It is a deadly serious matter. The Prime Minister and the Premier have acknowledged this problem, but they have both done absolutely nothing. Mr

Hawke informs us that the good times in Australia are finished. I join with Hon. D. K. Dans in saying they are not. I believe the resilience of Australia in tackling this problem will give it the best years to come. All I can say is that when Bob Hawke was talking about the good times for Australia being finished he was speaking in Mexican.

I would have liked to elaborate more about the rural economy and Australia in its total context, but time does not permit me.

I support the Address-in-Reply.

Debate adjourned, on motion by Hon. A. A. Lewis.

*Sitting suspended from 12.44 to 2.30 pm*

## FAMILY COURT AMENDMENT BILL

### *Second Reading*

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [2.31 pm]: I move—

That the Bill be now read a second time.

When the Family Court of Western Australia was established in 1976 it was agreed that the State Family Court Act would, so far as possible, conform with the Commonwealth Family Law Act.

In 1983, the Federal Government made extensive amendments to the Commonwealth Act. As a result, I appointed a committee chaired by Judge O'Connor of the Family Court of Western Australia to consider amendments to the Family Court Act. The committee reviewed the 1983 Commonwealth amendments and made recommendations concerning the need to bring the Family Court Act into conformity with those amendments. It also made recommendations in a number of other areas.

The Bill implements the recommendations of the O'Connor committee and contains amendments suggested from a number of other quarters which clarify the existing law.

The amendments which follow the Commonwealth Act cover a wide range of matters and include—

- (1) Definitions of guardianship and custody and express provision for joint guardianship.

- (2) Directions by the court in relation to conferences with welfare officers.
- (3) Confirmation of matters to be taken into account by the court when making orders in respect of custody, guardianship and access.
- (4) An expanded provision relating to the supervision of court orders.
- (5) Provisions relating to the award of costs and the principles that should govern them.
- (6) The powers of the court to require information in order to locate a child.
- (7) Provisions for recovering losses and expenses incurred by the Government in restoring a child to the possession of the person entitled to possession in certain defined circumstances.
- (8) The powers of the court to deal with vexatious or frivolous proceedings.
- (9) Provisions relating to restricting the publication of court proceedings and to the closing of the court in certain proceedings.
- (10) Provisions relating to proof of paternity, including the power to direct persons to submit to a prescribed medical procedure.
- (11) Provisions for requiring a report from a welfare officer.
- (12) Provisions giving the court a rule-making power.

These provisions in the main follow the Commonwealth provisions and are made in furtherance of the view that the State and Commonwealth Acts in this area should so far as possible be uniform.

There are several other matters to which I wish to draw attention in greater detail.

The Bill deletes the injunctive power in section 34 of the Act and re-enacts it without amendment as section 28A of the Act. This is proposed because the power is clearly not limited to property matters in its terms, but is located in part III, division 2 of the Act which is headed "Powers With Respect to Property". This has given rise to confusion. No change in substance is intended by this amendment and the new section 28A will continue to operate, as presently, as a power to issue injunctions in aid of some other relief under the Act. It is not a power to issue injunctions independent of proceedings under the Act.

The Bill also deletes the more limited injunctive power in section 52 of the Act dealing with non-molestation orders. The section 52 order is little used. Where restraining orders of this type are necessary, they are normally now sought under section 172 of the Justices Act. If the court desires to make an ancillary order in the terms of section 52, it can still do so under its general injunctive power in section 52.

The Bill amends the definition of non-Federal jurisdictions in the Act. The amendment is intended only to clarify that the ancillary jurisdiction to deal with children in need of care and protection which is provided in section 27(3) is part of the non-Federal jurisdictions of the court. This amendment will ensure that courts of summary jurisdiction may exercise the powers in section 27(3) by virtue of section 75, which provides that courts of summary jurisdiction may exercise all the non-Federal jurisdiction of the Family Court.

The Bill expands the provisions of section 44 of the Act to enable the guardian of a child for the time being to appoint any person to be guardian of the child after his death. Under the existing provisions, only the parents of the child have this right. The section also expressly provides for the appointment of joint guardians in terms similar to new section 36A(b) which is added by the Bill. In order to avoid conflict with existing guardians, the section provides that no appointment by deed or will, will be effective unless the appointor is the sole guardian at the time of his death. The new section is thus intended to operate in much the same way as the existing section 44(2).

There are also a number of amendments of a technical nature in the Bill. One group of amendments relates to an attempt to rationalise the references in the Act to the court and to courts of summary jurisdiction. For the sake of consistency, the approach which has been adopted is to use only the term "the court" in the main provisions of the Act and to rely on section 75 to extend those sections to courts of summary jurisdiction. No change in the law is intended by this group of amendments.

Because of the technical nature of a number of the amendments proposed by this Bill, I have arranged for the distribution of clause notes to all members.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. P. G. Pendal.

## LOCAL COURTS AMENDMENT BILL

### *Second Reading*

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.35 pm]: I move—

That the Bill be now read a second time.

The amendments proposed by the Bill are intended to facilitate the operations of the Local Court and to extend its jurisdiction to reflect changes of money value.

It is proposed, first, to provide for a trial or proceeding to be transferred to a place where it can be more fairly or conveniently tried or heard. Under the existing provisions of the Local Courts Act it is not possible for a magistrate to conduct a trial or any other proceeding in any place other than the court in which the action was commenced. This restriction is impractical. For example, it may prevent the magistrate examining a judgment debtor during his regular circuit visits to a town even though the defendant lives and works in that town.

The amendment will provide a magistrate or a Clerk of the Local Court with a discretion to determine the venue to be used to hear any matter under the magistrate's control.

It will also improve the service in country areas by allowing Local Court matters to be dealt with at 57 additional centres which magistrates currently visit for petty sessions matters only.

It is also proposed to increase the jurisdiction of the Local Court in respect of monetary limits in the following ways—

General jurisdiction of the Local Court—from \$6 000 to \$10 000.

Small debts jurisdiction—from \$2 000 to \$3 000.

Provision for recovery of possession of land in section 99—from \$10 000 to \$15 000.

The increased monetary limits will take into account the effect of inflation and enable a wider range of matters to be commenced in the less formal environment of the Local Court with resultant cost savings to litigants.

The Bill also proposes the introduction of a pre-trial conference system into the Local Court. Subject to magisterial discretion, parties

to a defended Local Court action may file with the court a certificate of readiness for trial and attend a pre-trial conference.

The proposed procedures are designed to encourage settlement and reduce the number of trials which have to be adjourned because parties are not properly prepared. At present, parties requesting a trial date are not required to certify that they have taken all necessary steps preliminary to trial. Nor are they required to discuss with each other, or the court, matters such as the likely duration of the trial or the prospect of settlement.

The amendment will enable discussion to take place between the parties and allow the court to list hearings with greater certainty than has previously applied.

Pre-trial procedures are already in place in the District Court and they have proved to be effective.

Finally, it is proposed to provide that a defence may be struck out where a defendant fails to comply with an order of the court that he supply particulars of his defence. At present, the only sanction against the defendant who fails to provide his defence when ordered by the court on application by the plaintiff, is an award of costs against him for that particular application.

The amendment provides redress similar to that which currently applies for failure to comply with other interlocutory orders in the Local Court and is consistent with the practice in the Supreme and District Courts.

The above amendments will enable the Local Court to carry out its functions in a more effective and efficient manner and by increasing its jurisdiction allow more litigants access to its more informal procedures.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. Margaret McAleer.

## **GREAT SOUTHERN DEVELOPMENT AUTHORITY BILL**

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. Graham Edwards (Minister for Sport and Recreation), read a first time.

### *Second Reading*

**HON. GRAHAM EDWARDS** (North Metropolitan—Minister for Sport and Recreation) [2.39 pm]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to establish a Great Southern Development Authority to plan, co-ordinate and promote the economic and social development of the great southern region of Western Australia.

The State Government as part of its regional development policies initiated the "Albany Tomorrow" programme. "Albany Tomorrow" is a development strategy focused on enhancing the economic and social development of the great southern and its regional centre, Albany.

One of the key commitments in the "Albany Tomorrow" programme was the establishment of the Great Southern Development Authority. An interim authority was established on 1 October 1986 and this Bill proposes the establishment of the authority on a statutory basis.

The functions of the authority will be to plan, coordinate and promote the economic and social development of the great southern. This will be achieved by close cooperation between the authority, other Government agencies, local government, private developers, and community groups.

The Government recognises the need for encouraging regional development and perceives as essential the need for local community input into decision making. It is only through cooperation between Governments at all levels, private enterprise and local communities that development, compatible with community expectations, can be maximised.

The proposed authority will have three main components: a board, support staff, and an advisory committee.

The seven-person board will consist of a chairman, deputy chairman, the director ex officio, and four other members. The board is to be the governing body and provides policy direction for the authority.

The advisory committee will consist of a chairman and 14 members. The membership of the advisory committee will be representative of the interests of the people of the great southern. Special emphasis has focused on the important role of local government and at least six members of the advisory committee will come from nominees from local government. It is also intended that the membership will reflect a substantial representation of people



from all areas of the great southern. Their expertise and interest will provide a significant contribution to the development of effective policies and initiatives.

It will be noted that this legislation will enable the authority to establish committees for the purpose of assisting it to carry out its functions. Such committees will be able to examine specific areas of economic and social development and provide additional expertise and community input.

The Minister for Regional Development is confident that through the proposed structure the authority will integrate local community expectations into its decision-making processes.

The staff of the authority is the third and most essential component of the proposed structure. Staff under the direction of the director and board will implement authority functions. A small, efficient and effective unit of eight or nine staff is proposed in the first instance with the capacity to engage consultants where specific expertise is required. Staff will be employed under the Public Service Act 1978.

Funding for the proposed authority will be provided in the main from the Consolidated Revenue Fund as approved by Parliament.

In line with modern management practices in the public sector this Bill emphasises delegated authority and accountability. The authority will be Albany-based and through its board and advisory committee will ensure that decisions are made that reflect the priorities of the great southern.

In terms of accountability it should be noted that the authority is subject to ministerial direction, and that the authority will be subject to the provisions of the Financial Administration and Audit Act 1985, including the preparation of audited annual reports. It should also be noted that a review of the operations and effectiveness of the Act is proposed after five years. The review report will be made available to each House of Parliament.

This Government gave a commitment, prior to the last election, to the development of the great southern and its regional centre, Albany.

The Great Southern Development Authority will provide the mechanism for implementing this commitment and the Minister is pleased to be associated with the implementation of the "Albany Tomorrow" programme.

The Government is sure that the Great Southern Development Authority will provide the impetus for increased economic and social development in the great southern.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. Margaret McAleer.

## MAIN ROADS AMENDMENT BILL

### *In Committee*

The Deputy Chairman of Committees (Hon. Robert Hetherington) in the Chair; Hon. Graham Edwards (Minister for Sport and Recreation) in charge of the Bill.

Clauses 1 to 7 put and passed.

Clause 8: Heading and sections 12A to 12E inserted—

Hon. D. J. WORDSWORTH: From my point of view, I do not care whether there is an advisory body to the Commissioner of Main Roads, but bearing in mind that the body is incorporated within the Bill, I will move amendments which I believe will make it a better advisory body. I outlined the reasons for this in my second reading speech. I pointed out that the Western Australian Chamber of Commerce and Industry should be represented on that advisory board because of the great involvement it has in business, and the importance of roads to the carrying out of business, not only in the city but in rural areas. That organisation is represented in most country towns from Carnamah to Esperance.

I also explained why the Western Australian Farmers Federation should be represented on that advisory body, because of the very great significance of roads to the rural industry and the manner in which those engaged in it earn their living.

It will also provide an opportunity for organisations such as Co-operative Bulk Handling Ltd to be involved at an advisory level. As a previous Minister one of the banes of my life was where CBH would put its bins, because under its Act it has to put them 25 miles apart. It would try to put them where it thought the greatest number of grain producers was, and that often was not on a road which was developed by either the Mains Road Department or the local shire for that type of traffic, so one could suddenly find a bin at the end of a gravel road which was never expected to carry heavy traffic. This occurs now with CBH bins, not necessarily in respect of carting the grain in, but in respect of carting it out by road train.

There are good reasons why there should be a representative of farmers on any advisory body. I also gave reasons why there should be a representative of pastoralists. Pastoralists build road systems on their stations, which by necessity have to be open to the public. The public cause a lot of wear and tear on those roads, yet the pastoralists have to maintain them in order to keep up their own business. There is not only tourist traffic but also mineral exploration. Because pastoralists actually lease half of Western Australia and supply a road network on that half, it would be good commonsense for them to be represented.

I move an amendment—

Page 3, line 8—To delete “11” and substitute “14”.

Hon. GRAHAM EDWARDS: We are opposed to the amendment. I am pleased we have come to the realisation that the board has some real value and a role to play as an advisory body.

As far as representation goes, the people proposed in the Bill have actually indicated an interest in being part of the board. I am not sure that that is the case with the amendments proposed by Hon. D. J. Wordsworth. Even if it were, I would argue that the interests of the people for whom Hon. D. J. Wordsworth has shown some concern, will be looked after by the board proposed.

One of the members of the board is to represent road freight hauliers, another would be appointed by the Minister to represent private motorists, and another to represent rural local governments and people connected thereto. It is my belief that those people will have the ability to represent all the groups the honourable member has mentioned. One has to find a balance when proposing a board such as this.

We can take the argument further and ask why should we not have someone to look at the interests of fishermen and mining people because they are road users too. My advice from the Main Roads Board is that it feels that balance is not achieved by the necessity to extend the advisory board by three additional persons.

We oppose the amendment.

Hon. D. J. WORDSWORTH: There may have been a time when the local government representative would have covered these industries, but this Government has amended the Local Government Act so non-ratepayers have a vote in local government. Indeed, the situation could quite easily exist with any local

government areas in the country where the ratepayers themselves will not be as well represented as previously. We could well end up with someone who is not a farmer, a pastoralist, or a fisherman representing local government. It could be just a housewife. I am not criticising local government for wishing to have a housewife as their representative on the advisory body. I say “just” a housewife as against not a pastoralist or farmer, which the Minister indicated he thought the local government would have as a representative.

I personally do not find it is too big a board. In order to help the Government, I will stick to the three representatives I have nominated. If there is to be a board let it at least be representative.

Hon. GRAHAM EDWARDS: I believe quite firmly that the changes that have been made to the Local Government Act have improved the representation of country shires. I do not agree with the argument put by Hon. D. J. Wordsworth. I would see no difficulty if the country shires were to put forward a person who was a housewife. There are many housewives who live in the country and have a tremendous amount to offer such a board. I do not think country shires would be looking at having someone on the board who did not have the ability to represent the interests of country shires and country people. I do not think fears of members opposite are at all founded.

Amendment (deletion of expression) put and a division taken with the following result—

Ayes 13

Hon. C. J. Bell	Hon. G. E. Masters
Hon. J. N. Caldwell	Hon. Neil Oliver
Hon. E. J. Charlton	Hon. P. G. Pandal
Hon. Max Evans	Hon. John Williams
Hon. V. J. Ferry	Hon. D. J. Wordsworth
Hon. A. A. Lewis	Hon. Margaret McAleer
Hon. P. H. Lockyer	(Teller)

Noes 12

Hon. J. M. Berinson	Hon. Garry Kelly
Hon. Graham Edwards	Hon. Mark Nevill
Hon. John Halden	Hon. S. M. Piantadosi
Hon. Kay Hallahan	Hon. Tom Stephens
Hon. Tom Helm	Hon. Doug Wenn
Hon. Robert Hetherington	Hon. Fred McKenzie
	(Teller)

Pairs

Ayes	Noes
Hon. N. F. Moore	Hon. T. G. Butler
Hon. H. W. Gayfer	Hon. D. K. Dans
Hon. W. N. Stretch	Hon. J. M. Brown
Hon. Tom McNeil	Hon. B. L. Jones

Amendment thus passed.

Amendment (substitution of expression) put and passed.

Hon. D. J. WORDSWORTH: I move an amendment—

Page 4, after line 14—To insert the following paragraphs—

- (l) one shall be a person appointed by the Minister after consultation with the Western Australian Chamber of Commerce and Industry (Inc.) and such other persons or bodies, if any, as the Minister considers should be given an opportunity to make representations on behalf of business and commercial interests generally;
- (m) one shall be a person appointed by the Minister after consultation with the Western Australian Farmers' Federation (Inc.) and such other persons or bodies, if any, as the Minister considers should be given an opportunity to make representations on behalf of farmers;
- (n) one shall be a person appointed by the Minister after consultation with the Pastoralists and Graziers' Association of Western Australia (Inc.) and such other persons or bodies, if any, as the Minister considers should be given an opportunity to make representations on behalf of pastoralists.

Hon. E. J. CHARLTON: I apologise for coming late into this debate. However, I want to make the position of the National Party clear on this matter.

While the National Party supported the deletion of the number "11", it totally opposes the establishment of the board. I do not know whether I am out of order in making these comments at this time or not, Mr Deputy Chairman, and I seek your advice on that. But I want to place on the record the fact that whether the number is "11" or "14", the National Party opposes the establishment of the board and will therefore vote accordingly.

The DEPUTY CHAIRMAN (Hon. Robert Hetherington): The honourable member was in fact out of order, but what he has said is now on the record.

Hon. GRAHAM EDWARDS: It is to some degree a loss, given the fact that the Government has had an amendment thrust upon it which will increase the size of the board from 11 to 14. As I said earlier, I believe the extra three people on the board will destroy its balance, but this situation has been forced upon the Government.

I point out that as we now have an amendment to include representatives from the Western Australian Chamber of Commerce and Industry (Inc.), the Western Australian Farmers' Federation (Inc.), and the Pastoralists and Graziers' Association of Western Australia (Inc.), an imbalance has now been created within the board which previously did not exist. I would not be surprised if the Opposition were to come under some pressure to increase the board to put other interested groups from the community onto that board. It comes back to a matter of balance, and I believe we should listen to the recommendations put forward by the commissioner when he suggested that the perfect balance had already been found.

I also would respond to the position put by Hon. E. J. Charlton. I understand that the National Party's position is to oppose the board, but for the life of me I cannot see why. I would like to clear up one other point which was made in a speech by Hon. Mick Gayfer during the second reading debate. I assure the Chamber that the Commissioner for Main Roads is in favour of this board and sees it as a body which will add some value to the operations of the Main Roads Department. I think the National Party needs to be aware of that, simply because it is one of the major factors which has led that party to oppose this clause.

**Amendment put and a division taken with the following result—**

**Ayes 22**

Hon. C. J. Bell	Hon. G. E. Masters
Hon. J. M. Berinson	Hon. Fred McKenzie
Hon. Graham Edwards	Hon. Mark Nevill
Hon. Max Evans	Hon. Neil Oliver
Hon. V. J. Ferry	Hon. P. G. Pandal
Hon. John Halden	Hon. S. M. Piantadosi
Hon. Kay Hallahan	Hon. Tom Stephens
Hon. Tom Helm	Hon. Doug Wenn
Hon. Garry Kelly	Hon. John Williams
Hon. A. A. Lewis	Hon. D. J. Wordsworth
Hon. P. H. Lockyer	Hon. Margaret McAleer

(Teller)

**Noes 2**

Hon. J. N. Caldwell	Hon. E. J. Charlton
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(Teller)

**Pairs**

Ayes	Noes
Hon. T. G. Butler	Hon. N. F. Moore
Hon. D. K. Dans	Hon. H. W. Gayfer
Hon. J. M. Brown	Hon. W. N. Stretch
Hon. B. L. Jones	Hon. Tom McNeil

**Amendment thus passed.**

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

**Clause 9: Section 32 amended—**

Hon. GRAHAM EDWARDS: I move the following amendments—

Page 7, line 20—After the word “first” add “and second”.

Page 8, line 9—After the word “first” add “and second”.

Page 9, line 5—After the word “first” add “and second”.

Page 9, line 8—Delete “that year” and substitute “those two years”.

The amendments are technical and have been circulated to members.

Hon. D. J. WORDSWORTH: These amendments are needed because the Government prorogued Parliament before it finished its work. We are now one year behind; hence the change from “one year” to “two years”.

**Amendments put and passed.**

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

**Clauses 10 and 11 put and passed.**

**Title put and passed.**

**Bill reported, with amendments.**

**DECLARATIONS AND ATTESTATIONS  
AMENDMENT BILL**

*Report*

Report of Committee adopted.

*As to Third Reading*

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.16 pm]: I seek leave to proceed forthwith to the third reading.

HON. G. E. MASTERS (West—Leader of the Opposition) [3.16 pm]: This is a departure from the normal practice. If there is a desire by the Minister responsible to take this course of action with a piece of legislation, he should give some explanation to the House.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.17 pm]: Members will have noticed that there has been a slow start to the movement of legislation between the Houses and, with the two weeks' break in front of us, we are anxious to at least move this non-contentious Bill into the Legislative Assembly before the break.

Leave granted.

*Third Reading*

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and transmitted to the Assembly.

**BUSINESS FRANCHISE (TOBACCO)  
AMENDMENT BILL**

*In Committee*

Resumed from 29 April. The Deputy Chairman of Committees (Hon. Robert Hetherington) in the Chair; Hon. J. M. Berinson (Minister for Budget Management) in charge of the Bill.

**Clause 5: Section 4 amended—**

Progress was reported on the clause after the following amendment had been moved—

Page 4, line 24—Insert the words—

Where the person exercising the power is, or is accompanied by, a police officer the

Hon. G. E. MASTERS: I note that an amendment to this clause has been circulated by Hon. E. J. Charlton, and I would like to hear his comments before dealing further with my amendment.

Hon. E. J. CHARLTON: It is clear that the amendment proposed by the Leader of the Opposition tries to deal with a concern that on some occasions the attendance of a police officer would be necessary. However, I believe the amendment goes a little too far.

I suggest that proposed subsection (1b) should be amended by inserting after the word “circumstances” the words—

where the use of such force can reasonably be anticipated to involve personal violence, the person exercising the power shall be accompanied by a police officer.

It is quite apparent that it would be wrong for a police officer to be in attendance on all occasions even though it may be necessary sometimes. One can never anticipate when personal violence will take place, but if personal violence occurred during the conduct of an inquiry, the procedure to be adopted would be set out in the legislation. I think that would cover the situation.

Hon. G. E. MASTERS: I am able to add up if nothing else, and I recognise that Hon. E. J. Charlton has endeavoured to reach some sort

of compromise. The Minister has not indicated whether he will oppose or support Mr Charlton's compromise amendment.

If this amendment is moved, I will seek to change some of the words. Because I am able to count, I will debate Hon. E. J. Charlton's amendment and I seek leave to withdraw the amendment in my name on the Notice Paper.

**Amendment, by leave, withdrawn.**

Hon. E. J. CHARLTON: I move an amendment—

Page 4, line 26—To insert after "circumstances" the words "where the use of such force can reasonably be anticipated to involve personal violence, the person exercising the power shall be accompanied by a police officer."

Hon. J. M. BERINSON: I went to some lengths last evening to explain the Government's objection to the inclusion of any specified requirement for the presence of a police officer. In summary, what I argued then, and would still argue, is that experience indicates no need for such a provision. On the contrary, experience with many Acts over a lengthy period suggest that the use of police officers in appropriate circumstances can very safely be left to the professional judgment and experience of the authorised officers themselves.

Mr Charlton's amendment covers a more restricted area than does Mr Masters', and to that extent it is less objectionable. On the other hand it is not an amendment which the Government would support, and I therefore make clear that while it does present somewhat less difficulty than would arise from Mr Masters' proposal, it remains a proposition the Government could not support.

Hon. G. E. MASTERS: With regard to Mr Charlton's amendment, I wish to debate the exclusion of the words "to involve personal violence". I seek to have his amendment read as follows—

To insert after the word "circumstances" the words—

where the use of such force can reasonably be anticipated, the person exercising the power shall be accompanied by a police officer.

Although personal violence is part of my concern, I am also concerned about the use of force or violence in entering premises.

It is possible that force would need to be applied to the entering of premises, whether it be the knocking down of doors or the forcing of locks, or for whatever reason. Where force is required, whether it be personal violence or whatever, the police officer should be accompanied by an officer of the department.

This matter was canvassed last night and there is no point going into lengthy debate at this time. I made it absolutely clear that my concern is not a political concern; it is a personal concern. The experiences I have had and the information I have received over recent times about the use of force and the forcing of entry onto private property has led me to believe that members of Parliament on all sides of the political fence should view the sort of legislation that is being talked about today very seriously.

I say again my personal view has not developed only over recent times. Over a long period of time I have been concerned about the increasing ability of departmental officers or inspectors, as a result of legislation enacted through this Parliament, to enter property against the will and consent of the owners.

I accept what the Minister has said about tax evaders and the like, but with all the risks involved one should think seriously about this.

Hon. J. M. Berinson: Would the member accept my comments about experience?

Hon. G. E. MASTERS: I do accept experience in perhaps some of the areas talked about, but I also have experience and reports from other areas, and it does cause me concern. I have said on a number of occasions that with all goodwill and in good faith, this House quite often passes legislation with comments from the Minister and members, and indeed from this side sometimes, that the excessive powers given to these officers will never be exercised, and surely one does not expect officers or inspectors to exceed their powers.

The Minister drew attention yesterday to the South Australian experience where the officers in my view were going far beyond what the Parliament expected them to do. In that light one has to look very seriously at such measures as the right of entry, the intrusion into private property. I know Hon. Eric Charlton has considered that fact in his compromise, and I am sure I convinced him in part of my concern and that of the community. Hon. Sandy Lewis said last night he thought there was far too much legislation which enabled officers of Government departments, whether they be local

government, State Government or Federal Government, to have the right of entry and excessive use of powers over private liberties and personal rights.

If this was a piece of legislation which my own party was bringing forward, I would adopt exactly the same attitude. I am not trying to take the Minister or the Government to task. It is a very strong personal view. I accept there would be some difficulties, as the Minister has outlined to the Chamber, in the amendment that has been put forward; nevertheless, it should be accepted in the public interest that there will always be difficulties, and the right course of action should be taken, which is the compromise position put forward by Hon. Eric Charlton, with the amendments, and the deletion of just a few words that I have put to the Chamber.

Hon. J. M. BERINSON: I have something of a Hobson's choice here in that there are two alternatives, and I like neither. I oppose Hon. Eric Charlton's amendment, but I oppose Hon. G. E. Masters' proposed amendment even more. To the extent that Hon. Eric Charlton has produced some sort of compromise to the position outlined in the Bill itself, that certainly is as far as this Committee should go at this stage. To open the field even wider would for all practical purposes come very close to the whole of that position I outlined at length last night, the end result of which could well be the need for a policeman to accompany an authorised officer on almost all of his work.

Hon. E. J. CHARLTON: I cannot see the need to delete words as proposed by the Leader of the Opposition because the Committee did add the word "reasonable" last night, and that was really to overcome the problem of people forcing entry. That wording should take care of the situation. Regarding the personal side of things, which is what the Leader of the Opposition is most concerned about, this amendment as it stands will cover that aspect.

**Amendment put and a division taken with the following result—**

#### Ayes 14

Hon. C. J. Bell	Hon. G. E. Masters
Hon. J. N. Caldwell	Hon. N. F. Moore
Hon. E. J. Charlton	Hon. Neil Oliver
Hon. Max Evans	Hon. P. G. Pandal
Hon. V. J. Ferry	Hon. W. N. Stretch
Hon. H. W. Gayfer	Hon. D. J. Wordsworth
Hon. A. A. Lewis	Hon. Margaret McAleer

(Teller)

#### Noes 13

Hon. J. M. Berinson	Hon. Garry Kelly
Hon. J. M. Brown	Hon. B. L. Jones
Hon. T. G. Butler	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. John Halden	Hon. Tom Stephens
Hon. Tom Helm	Hon. Doug Wenn
	Hon. Fred McKenzie

(Teller)

#### Pair

Aye	No
Hon. Tom McNeil	Hon. D. K. Dans

**Amendment thus passed.**

Hon. J. M. BERINSON: I move an amendment—

Page 5, after line 22—To insert the following paragraph—

(c) by repealing subsection (3) and substituting the following subsection—

(3). A person does not commit an offence against paragraph (a), (b) or (c) of subsection (2) in relation to the exercise or attempted exercise of a power referred to in that paragraph, if he proves to the satisfaction of the court that, at the time of the exercise or attempted exercise of the power, the Commissioner did not identify himself as such, or the officer or person did not produce a certificate issued to him under subsection (1b).

I referred to this amendment in the debate last night. It is to go with other listed amendments. In view of earlier discussion, elaboration on this item is not necessary.

**Amendment put and passed.**

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

**Clause 6 put and passed.**

**Clause 7: Section 6 repealed and a section substituted—**

Hon. J. M. BERINSON: I move an amendment—

Page 8, line 5—To insert after "holder of" the following—

a

It will be apparent to members that the purpose of this amendment is to correct a typographical error.

**Amendment put and passed.**

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

*Sitting suspended from 3.45 to 4.00 pm*

**[Questions taken.]****Clauses 8 to 11 put and passed.****Clause 12: Section 12D inserted—****Hon. J. M. BERINSON:** I move an amendment—

Page 10, lines 11 to 22—To delete subsection (1) of the proposed section 12D and substitute the following subsection—

(1) Where an offence is committed against section 6(1), 6(2) or 8(1) by a body corporate, every director of the body corporate is jointly and severally liable with the body corporate and every other director for the payment of—

(a) any fine imposed on the body corporate for the offence; and

(b) a fee that is payable under section 12A.

Since the Bill was first introduced, representations have been received suggesting that the Bill in its original form went too far in creating a separate offence for the directors, as well as the companies, and that the aim of the legislation would be amply met if the personal liability of directors for the payment of fines was retained. The Government has accepted that view and accommodated it. The end result will be that fines unpaid by a two-dollar company, or any other company, which is unable or fails to pay a penalty, will result in a personal liability on the directors.

**Amendment put and passed.****Clause, as amended, put and passed.****Clauses 13 to 18 put and passed.****Clause 19: Increase of penalties—****Hon. G. E. MASTERS:** I move an amendment—

Page 12, line 32—To delete “2,000” in the third column of the table and substitute the following—

\$10,000.

Clause 19 deals with the penalties applied, and members will note that the penalties have been substantially increased by the Government. I have no quarrel with these increases in the penalties, but I draw members' attention to section 5(2) of the Act wherein the penalty stipulated a fine of \$1 000. The Government proposes to substitute that sum with a figure of \$2 000. I

propose that the penalty should be increased from \$1 000 to \$10 000. Section 5(2) of the Act reads as follows—

(2) The Commissioner or any other person who is or has been employed in the administration of this Act shall not either while he is or after he ceases to be so employed—

(a) either directly or indirectly, except in the performance of any function or duty in relation to this Act or in accordance with subsection (1), make a record of or divulge or communicate to any person any information acquired by him respecting the affairs of any other person in the course of that employment;

(b) be required to produce in court any document in his custody in the course of his employment or to divulge or communicate to any court any matter or thing coming under his notice in the course of his employment except where it is necessary to do so for the purpose of carrying into effect the provisions of this Act.

I draw members' attention to the great importance of this matter. We have seen in the legislation—and it is supported by the Chamber—that inspectors who are responsible for carrying out the directions of the Act will be given authority to go into premises to seize documents, books, including computer records, and so on. Business enterprises today deal with millions of dollars in some cases, and obviously their records will contain sensitive material.

In the case of a person who has broken the law an inspector is able to gain information of a sensitive kind—important facts and figures—about that person's business enterprise. It is absolutely imperative that that information is kept confidential and that the inspectors keep the information to themselves and not make it available to other people such as business competitors.

Members will note that in clause 19 the penalties range from between \$1 000 to \$40 000. I hope that the Minister for Budget Management is prepared to accept my amendment to increase the penalty to which I am referring from \$1 000 to \$10 000.

I am hopeful that the Minister for Budget Management will note the importance of the amendment I am putting forward because it reflects the concern I have about the information being kept as confidential as possible. A

penalty of \$10 000 appears to be a fair penalty when one considers the penalties for other breaches under the legislation.

Hon. J. M. BERINSON: The Government does not oppose the amendment, although the increase from \$1 000 to \$10 000 is a striking increase by any standard. I hope that neither the Leader of the Opposition's comments nor my own will be taken as indicating any concern about the professionalism or the observance of the secrecy provisions of the members of the State Taxation Department. So far as I am aware there has never been a case where the secrecy provisions, under section 5(2) have had to be applied against an officer of the department.

Nonetheless, I accept the argument that secrecy provisions are always important in respect of public servants' duties and probably nowhere more important than in respect of the sort of confidential material to which the State Taxation Department is entitled to have access. For that reason the Government is prepared to support this amendment.

**Amendment put and passed.**

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

**New Clause 8A—**

Hon. G. E. MASTERS: With your consent, Mr Deputy Chairman (Hon. Robert Hetherington) I would like to speak to the proposed amendment. I do not propose to move the amendment which stands in my name on the Notice Paper because the Minister for Budget Management has an amendment in his name which is almost identical to my amendment, with the exception of the changing of a few words, which, no doubt, has made the amendment more clear.

The Minister for Budget Management has seen fit to note the concerns of the Opposition about employees, under the existing legislation, being threatened. I am sure it was an oversight on the part of the Government and that there was no intention to place employees in that position. Although it is a sensitive area, I am pleased to note the amendment the Minister for Budget Management has on the Notice Paper and which members on this side of the Chamber heartily support. I do not propose to move my amendment or to speak further on the Minister's amendment.

Hon. J. M. BERINSON: I move—

Page 8, after line 30—To insert the following clause—

**Liability of Employees**

8A. A person is not guilty of an offence against section 6(1) or (2) or 8(1) as an employee if he proves to the satisfaction of the court that he acted under an honest and reasonable belief that the tobacco wholesaling, the purchase of tobacco, or the sale of tobacco, as the case may be, took place under, and in accordance with, a licence.

**New clause put and passed.**

**Title put and passed.**

**Bill reported, with amendments.**

### **ADJOURNMENT OF THE HOUSE: SPECIAL**

On motion by Hon. J. M. Berinson (Leader of the House), resolved—

That the House at its rising adjourn until Tuesday, 19 May.

### **ADJOURNMENT OF THE HOUSE: ORDINARY**

HON. J. M. BERINSON (North Central Metropolitan—Leader of the House) [4.17 pm]: I move—

That the House do now adjourn.

#### *Pastoral Industry: Caretakers*

HON. P. H. LOCKYER (Lower North) [4.18 pm]: It is not my intention to delay the House, but there is a matter I want to bring to its attention because it needs to be clarified swiftly.

Every member in this Parliament would be aware of the tragedy of the two young lads in the north and the discovery of their bodies this week.

The Press has referred to the two lads as jackaroos. I note that today the State Secretary of the Australian Workers' Union made comments concerning the employment of jackaroos on pastoral properties. I want to make it perfectly clear that the two young fellows concerned were not jackaroos. Jackaroos are treated almost like families on the properties on which they are employed. Many pastoralists in this State who have jackaroos working for them look after them well and we cannot say that all pastoralists do not look after their jackaroos.

Notwithstanding that, I believe that there are some anomalies in this case, but they are the prerogative of the Coroner and no doubt investigations along these lines will be carried out.



I understand that these two gentlemen were employed as station hands in which case they would be covered by the Australian Workers Union. If they were employed as caretakers they would come under the care of the union concerned.

I want to make it perfectly clear in order that criticism is not levelled at pastoralists and farmers who employ jackaroos specifically to train them in the pastoral trade: The two young gentlemen concerned were not employed in that capacity and it is necessary that all pastoralists are not branded with the logo that they do not look after their employees.

This is not the first instance in which people have perished as a result of misadventure in the north and I daresay that it will not be the last.

#### *Mining: Kimberley*

**HON. TOM HELM** (North) [4.20 pm]: I take this opportunity to make the Chamber aware of something that is happening in the north of the State which members would not hear much about. The Chamber should be made aware of the attempt by the doyen of free enterprise, after attacking the mining towns in the Pilbara, to affect the Kimberley. This House should be made aware of the fact that the company is Peko-Wallsend. Exploration licences are to be exploited in the Kimberley with little or no regard for the traditional owners of the land. Members will be aware that anyone who intends to explore or mine in the Kimberley must operate under the Aboriginal Heritage Act. Under that Act miners are obliged to inform the traditional owners or their representatives that they are about to trespass on their land, or that they could possibly disturb sacred sites or sites which may be of some value to those owners.

In this case I have been informed that Peko-Wallsend has no intention of complying with the spirit of the Act. Although the company might operate under some part of the Act, it is suggested that its compliance with it will be decided in court. I ask this Chamber to be aware the Peko-Wallsend and the funds at its disposal will have an advantage over any land council which may be responsible for the owners.

Peko-Wallsend has not finished the job it has been doing in this State. It has been to Kakadu, to the Pilbara, and now it is in the Kimberley about to exploit its licences with no recognition for the rights of the owners or any regard for the spirit of the law. This Chamber should be aware of the position before it is adopted and a

court case ensues. Every member should be aware of the fact that that is what Peko-Wallsend intends to do.

#### *Pastoral Industry: Caretakers*

**HON. TOM STEPHENS** (North) [4.23 pm]: Hon. Phil Lockyer drew the attention of the House to an aspect of the recent tragedy in the north west. I am sure we all share the same sense of sadness that this tragedy has happened.

Two aspects of the tragedy concern me. I have considerable concern for the obligation of care which needs to be maintained by pastoralists in those parts of the State. The pastoralist involved on this occasion has a track record which fills me with concern. The Aboriginal people of Gordon Downs were the recipients of pretty horrific treatment on the part of that pastoral company when they were carelessly turfed off that pastoral lease only a few years ago. Obligations of care towards employees, both long-term and new, should be treated very seriously. In fact, in the history of the north they were.

My family has long associations with this station. My great-uncle was the first white man to set up a cattle station in that area. It is a beautiful area, but it is also very dangerous for the inexperienced and those who have no fear.

Obligations of care must be treated seriously. The families of those boys seem now to have exhausted their financial resources in their efforts to discover the fate of those two lads. It seems to me that an employer who has put his employees in that situation—

**Hon. P. H. Lockyer:** Do you not think there is a huge responsibility on the Coroner in this case?

**Hon. TOM STEPHENS:** I agree, but the Coroner's inquiry addresses narrower issues. The obligation of an employer is to look at the situation he has now left those families in.

**Hon. P. G. Pental:** And the parents.

**Hon. TOM STEPHENS:** It is a tragic situation and the families appear to have lost all of their financial capacities, besides the loss of life. They have sold up their homes in order to search for the lads. If the media is to be believed the families are now in dire economic circumstances as a result of that search.

Another aspect I should draw to the attention of the Minister for Budget Management is the management of the road between Alice Springs and Halls Creek. It is a road which these lads may have wanted to use to get to Adelaide or to

Alice Springs. Having crossed that road a number of times, it would not surprise me if they ended up on a seismic grid. That road is not well maintained. My colleague, Mark Nevill, probably knows the history of it as well as I do.

Father Ray Hevern was concerned about the travel of tourists into Balgo Mission, so he went up the track with his bulldozer or grader—

Hon. Mark Nevill: It was Father Maguire.

Several members interjected.

Hon. TOM STEPHENS: I always understood it was Father Hevern. Anyway, it was one of the priests from Balgo Mission. Two of them may have been involved in grading this road and diverting it away from Balgo Mission straight down in the direction of Alice Springs to ensure that the traffic did not go through the mission. It was simply a thin bush track. Now it is regularly used by motorists.

A friend of mine once broke down there for three days and was passed by nobody. That was five years ago. This road is used more regularly now, but it is not a well-defined track. It is understandable that a person, particularly travelling at night, might have taken a seismic grid and ended up with this misadventure. That is an issue which the Coroner will address himself to.

In this State we now have the opportunity to look at that road and see if we can be sure that adequate funds are expended in that area so that the road is extremely well defined and has the opportunity of taking people along a defined track which nobody could mistake for a seismic grid. I will be asking the Minister for Transport and the Minister for Budget Management to see if some resources can be allocated to that remote track, a track which is in need of expenditure to ensure that it can be safely used by motorists travelling between Halls Creek and Alice Springs.

HON. A. A. LEWIS (Lower Central) [4.30 pm]: I associate myself with Hon. Phil Lockyer and Hon. Tom Stephens, and I take Hon. Tom Stephens' words, "the obligation of care", as between all—between parents and the children who go there, and between the employer and the community. That is all I will say on that subject, because that is not the subject about which I originally rose to speak.

#### *Mining: Kimberley*

I take issue with my colleague, Hon. Tom Helm, about Peko-Wallsend. If that company has licences to explore or mine, those licences

have been given in good faith by the departments, and just because Mr Hawke has taken a somersault backwards in favour of some conservation groups I do not believe the whole community should do the same thing. I believe that once licences are issued they should be honoured by any Government.

Hon. Tom Helm: And the obligations as well.

Hon. A. A. LEWIS: And the obligations under those licences; and the mining companies, like individuals. We heard Hon. Phil Lockyer talking yesterday about random breath tests and the obligations of individuals driving motor cars. That leads to the obligations and integrity of Ministers and leaders of parties, about which I rose to talk.

#### *Parliamentary Parties: Leaks*

As an Independent in this place last year when electoral reform first came forward, I was privy to a number of handwritten and typewritten letters, notes, theses, memos, and anything else one would like to call them, about the Acts Amendment (Electoral Reform) Bill. In the six months during which I was an Independent, not one of them got out.

I am horrified. I had a fight with my own conscience last night as to whether to take handwritten notes from the Deputy Premier, the Deputy Leader of the National Party—or the New Nationals, or whatever they call themselves now—the Leader of the House, and Hon. Andrew Menzies, and put them all before the Press. That appears to be the line that some people are taking. I checked today to see who were the people who could possibly have had the so-called letter—and it was not a letter—that was published over the electronic media and in the Press this morning. I had a copy of it. Do members know where I got that copy from? There were three sources when I was an Independent.

Hon. D. J. Wordsworth: You had the balance of power at that stage.

Hon. A. A. LEWIS: Yes, I did. I had that note from three sources because we were considering the various options. I will not point the finger at anyone for leaking that information, because there are only two ways one can point one's finger: at the Government, or at the National Party. All the stuff leaked was of damage to the Liberal Party; nothing was leaked that was of damage to the Government, written in the Deputy Premier's own handwriting, or in the handwriting of the Leader or Deputy Leader of the National Party. That

makes me think a lot, and it might make members think. It worries me, because if we in this party—I mean in this Parliament—

Hon. Mark Nevill interjected.

Hon. A. A. LEWIS: I have been in the same party but not in the same parliamentary party. At least I have had the guts to stand up and show where things count. I have not taken a good member's seat because I am a relation of someone high up in the party.

Hon. Tom Stephens: He got there on his own merits.

Hon. A. A. LEWIS: He will be on the frontbench soon—he will be next. They will probably sack Hon. Joe Berinson in order to give him a go. But it will only be for a month or two because the Government will not be in Government for much longer.

I am horrified that confidential discussions between parties have been leaked. I thought that all parties—and I was one of them at that stage—were treating these discussions as confidential; yet now—and I wonder why now?—

Hon. Tom Stephens: Because somebody started telling lies.

Hon. A. A. LEWIS: The member is saying Mr Cowan started telling lies?

Hon. Tom Stephens: I would never say that.

Hon. A. A. LEWIS: That the Labor Party and the Liberal Party have done a deal? Is the member saying Mr Cowan told lies?

Hon. Tom Stephens: I would never suggest Mr Cowan would tell a lie.

Hon. Mark Nevill: It sounds like a set-up to me.

Hon. A. A. LEWIS: It sounds like a set-up to Mr Nevill. It definitely is a set-up.

Hon. Mark Nevill: By whom?

Hon. A. A. LEWIS: I am not accusing anybody, as I said when I rose. But I have handwritten notes. At times the Attorney General has written me handwritten notes about things which I could have applied to other things. If I had divulged them everybody would say there had been a deal between the Attorney General and me. Or Mr McKenzie—I have had hundreds of handwritten notes from him.

Hon. Fred McKenzie: You never had any deals though.

Hon. A. A. LEWIS: No, no deals whatsoever. Mr McKenzie has put his finger right on it: There are no deals. I do not believe the National Party and the Labor Party have done a deal, nor that the Liberal Party and the Labor

Party have done a deal; but some individuals within some parties want to create publicity for themselves and lower the standing of this Parliament.

Hon. P. G. Penda: Hear, hear!

Hon. E. J. Charlton: You would know all about it, would you not, Mr Penda?

Hon. P. G. Penda: I would, Mr Charlton.

Hon. A. A. LEWIS: This is interesting, but I will not get into side debates. I am horrified that this Parliament should even contemplate these things. I am horrified that I have to rise in this place to complain about this. I honestly believed we were getting somewhere with electoral reform. We might have been in widely diverse situations—and I cannot canvass that matter because it is on the Notice Paper—but I believed a little trust and honesty would get us somewhere and that we would achieve a result. I remember saying to the then Leader of the House, Hon. Graham MacKinnon, and to Hon. Bob Hetherington, I think four years ago when we were sitting in a corner of this Chamber, that four or five of us could sit around a table and work out a solution to all this, and that we should not be bashing our heads against brick walls.

The PRESIDENT: I remind the honourable member that he has 40 seconds in which to resolve it.

Hon. A. A. LEWIS: I am never going to resolve it, and neither are you, Sir.

The PRESIDENT: Thirty-two seconds.

Hon. A. A. LEWIS: There are no lights, Sir, so I cannot see.

The PRESIDENT: I am telling the honourable member.

Hon. A. A. LEWIS: While you interrupt me I should get more time, surely, Mr President. All I am saying is that certain people are trying to play politics. This House could have done that job as a total House, with all parties, and would have been able to give the State some decent laws; but some people, because of leakages and smart political tricks, have ruined all those opportunities.

HON. E. J. CHARLTON (Central) [4.40 pm]: It is obvious that Hon. Sandy Lewis does not want to stick to the facts. If he does not know what they are it would be better that he did not comment on such matters. I have been involved over the months with other representatives of the National Party and the Liberal Party in the ongoing discussions about a whole series of ways and means of reaching a consen-

sus on the question of electoral reform. During that time these discussions have been very amicable, and there has been a lot of goodwill and sincerity in attempting to reach desired common ground.

Hon. Sandy Lewis has completely disregarded the fact—and it has nothing to do with the negotiations between ourselves and the Liberals, with the Labor Party, or between the Liberals and the Labor Party—that the Liberal Party made available one of its proposals in writing to the Government. The National Party has not put any proposals in writing to anyone.

Hon. A. A. Lewis: Hasn't it?

Hon. E. J. CHARLTON: No, it has not. We have had a whole series of proposals for discussion, but no single proposal has been put forward to the Government or anyone else.

Hon. A. A. Lewis: Would you like me to publish them?

Hon. E. J. CHARLTON: I know what Hon. Sandy Lewis would do because I know how he operates. The way he operates is totally different from that of other members of his organisation.

I want to make the situation crystal clear. I am talking about a whole series of discussions with a host of proposals being put down on paper. That is not what Hon. Sandy Lewis is talking about. It is now publicly known that the Liberal Party put a proposal in writing to the Government. I have no criticism of that. The fact is not only did the Liberal Party do that, but it wrote to people around the countryside for obvious reasons and put a big question mark on the National Party and whether it would give ground to reduce country representation. The Leader of the Opposition in the Legislative Assembly said in a letter to the shires that the Liberals would stand firm and not allow the erosion of country representation. He said he hoped the National Party would stand beside the Liberals. That would be fair enough if the Liberals had not put forward at the same time—

Hon. A. A. Lewis interjected.

Hon. E. J. CHARLTON: They are the sort of calculations Hon. Sandy Lewis makes all the time. He makes big play of things like that. I know the activities he has been involved in in the Narrogin by-election. That is part of the business of being involved in politics. He obviously does not realise that his parliamentary leader put out a letter to various people around the countryside which said one thing, with

which we had no argument, and at the same time a member of his party put forward a proposal on electoral reform which was totally different and would reduce country representation in the upper House by six members.

I have been approached by several members of the Liberal Party who have been very upset with the National Party's criticism of the Liberal Party in going around the country and saying that the Liberal Party has a position contrary to that which has been stated. They have been critical of the Leader of the National Party, Hendy Cowan, for comments he made in *The West Australian*. Hon. Phillip Pandal came to me the other day and I asked him before any of this came out whether he was sure that there was not something behind what was being said. He said "I am totally certain that nothing like this has been done."

Hon. P. G. Pandal: That is not all I said.

Hon. E. J. CHARLTON: Mr Pandal said a lot of other things; that is immaterial because it is beside the point. The point everyone seems to have conveniently overlooked while all these discussions were taking place is that never at any stage since those amendments were put on the Notice Paper last year has anyone come up with a final position which he would promote in Parliament when the debate resumed, until the Liberal Party put forward a proposal. Why are members opposite so upset about that fact? The only proposals discussed before were ramifications about the change. Hon. Sandy Lewis said earlier that a lot of progress had been made, and there is no argument about that.

Hon. A. A. Lewis: What about Cowan's accusations?

Hon. E. J. CHARLTON: They happen to be true, are they not?

The PRESIDENT: Order! the honourable member does not have much time left; I suggest he says what he wants to say and other members stop interjecting. I have been here 22 years and I have never before heard a debate in this Parliament on this sort of matter. I am absolutely astounded, but you are free to do it.

Hon. E. J. CHARLTON: I am astounded, too, and I have not been here a quarter of the time which you have, Mr President.

I cannot believe that after the commonsense approach that was taken letters should suddenly be written and sent all around the countryside saying that the Liberal Party is going to safeguard country interests while at the same time another proposal was put forward. They are the facts. The Liberal Party put a

proposal to the Labor Party, and that is fair enough. Why, in the same breath and at the same time, did the Liberal Party write to every country shire council and promote publicly in the Press the view that the Liberal Party was going to safeguard country interests; in other words it would not allow a reduction in numbers? Why not stick to one line? Consistency often beats parading.

**HON. G. E. MASTERS** (West—Leader of the Opposition) [4.48 pm]: Mr President—

The PRESIDENT: Order! The Leader of the Opposition has three minutes.

**Hon. G. E. MASTERS**: We should not fall into the trap set by the Labor Party which is for the conservative parties to start bickering and arguing among themselves. The Liberal Party has a policy which was spelled out on the Notice Paper before last Christmas. The National Party's policy was also on that Notice Paper. Since then there have been discussions, and I should know because I have been more involved than perhaps anyone else, and after those discussions there was the paper referred to by the Premier yesterday which was also handed to the National Party. The National Party made its compromise position clear to the Liberal Party, and no doubt made it available to the Labor Party as well. Certainly the National Party has given the Liberal Party papers which I have in my possession.

We have to review the situation and ask why a paper has been leaked, bearing in mind that all parties one way or another have had confidential discussions—the Liberal Party with the National Party and the Labor Party, and the National Party with the Labor Party. In these discussions various options have been considered by all parties. I make it clear that the Liberal Party has not leaked any of the information it has. I do not believe the National Party has leaked any of the papers it has. The only reason for Mr Burke's releasing some information which I emphasise the National Party had in its possession well before the Labor Party, was to drive a wedge between the conservative parties. It shows that this Labor Government is totally without ethics and totally dishonest.

It demonstrates that documents or statements that the Liberal Party or the National Party makes available to the Government are liable to be released at an opportune time to embarrass our parties. The Labor Party and the Premier are as untrustworthy as we know them to be. Let members of the Liberal and National Parties deal honestly among ourselves and ignore the Government.

Question put and passed.

*House adjourned at 4.50 pm.*

## QUESTIONS ON NOTICE

### ARTS: ENTERTAINMENT CENTRE

#### *Bunbury: Establishment*

119. Hon. V. J. FERRY, to the Leader of the House representing the Minister for The Arts:

- (1) What commitment is the Government prepared to make towards the establishment of an entertainment centre in Bunbury?
- (2) Has a time frame been placed on this project?
- (3) If so, what is the time frame?

Hon. J. M. BERINSON replied:

- (1) In the second stage of the "Bunbury 2000" programme announced in December 1985, the Government made a general commitment to assist in funding the development of an entertainment centre for Bunbury. Subsequently, a commitment was made by Hon. Julian Grill, Minister for the South West, and David Smith, MLA for Mitchell, to provide up to \$1.5 million on a joint basis with the Bunbury City Council.
- (2) A time frame of three years was envisaged. However, in 1986 the Bunbury City Council announced that it would be unable to consider funding a centre within the three-year period. The Bunbury City Council is now undertaking research with a view to planning an entertainment centre that can be funded with available resources. The Government has, at the request of the council, deferred its plans.
- (3) See (2) above.

### SPORT AND RECREATION

#### *Bikeplan: Bunbury*

120. Hon. V. J. FERRY, to the Minister for Sport and Recreation representing the Minister for Transport:

- (1) What costs were involved in the compilation of the Greater Bunbury Bikeplan report dated September 1986?

- (2) As part of the "Bunbury 2000" strategy, what arrangements have been made with the Bunbury City Council and adjoining local authorities to implement the plan?
- (3) To fully implement the plan, what amount of funding will be provided by—
  - (a) the State Government;
  - (b) the Commonwealth Government;
  - (c) the South West Development Authority;
  - (d) the Bunbury City Council;
  - (e) any other source?
- (4) Over what span of years is it expected the plan will be progressed until its completion?

Hon. GRAHAM EDWARDS replied:

This question has wrongly been addressed to the Minister for Sport and Recreation representing the Minister for Transport. It has been referred to the Minister for Local Government, and he will answer the question in writing.

### ARTS

#### *Regional Museum: Bunbury*

122. Hon. V. J. FERRY, to the Leader of the House representing the Minister for The Arts:

- (1) What commitment is the Government prepared to make towards the establishment of a regional museum in Bunbury, or some other centre in the south west?
- (2) Has a time frame been placed on this project?
- (3) If so, what is the time frame?

Hon. J. M. BERINSON replied:

- (1) The Government has no commitment to the establishment of a regional museum in Bunbury at present; nor, since I have been Minister, has it been asked to make such a commitment. Section 36(2) of the Museums Act makes provision for the establishment of branches of the WA Museum. In accordance with the above, in 1974 approval was given by the Governor-in-Executive-Council for the establishment of branches at Albany, Geraldton, and Kalgoorlie.

The commitment to establish a branch in the goldfields currently has top priority, given the honouring of the commitment by this and previous Governments to the Albany branch, completed in 1975, and the Geraldton branch, completed in 1985.

- (2) and (3) Not applicable.

#### TRANSPORT: BUSES

##### *School: Pre-primary Students*

124. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Is it correct that pre-primary students are the first to be put off school buses when the number of passengers exceeds the buses' capacity?
- (2) If so—
  - (a) what is the rationale behind this procedure;
  - (b) will the Minister change this policy so that additional buses are provided to ensure that all pre-primary students are catered for?

Hon. KAY HALLAHAN replied:

- (1) Students residing within a 4.5 kilometre radius of their nearest appropriate Government school are the first to be denied access to the bus, in cases of overcrowding.
- (2) The question of carrying pre-primary students is one currently being considered by the school bus policy review committee. This committee is still sitting, and its final recommendations are not yet known.

#### EDUCATION: PRIMARY SCHOOL

##### *Yokine: Land*

125. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) What is the total area of land occupied by the Yokine Primary School?
- (2) What area of land is to be sold to the Carmel School Board?
- (3) What is the value of this land?
- (4) Is the Attorney General a member of the Carmel School Board?

Hon. KAY HALLAHAN replied:

- (1) 5.3747 hectares. The standard for a primary school is about 4 hectares.
- (2) 0.55 hectares.
- (3) \$100 000—Valuer General's Office.
- (4) Yes.

#### EDUCATION ACT

##### *Amendment*

126. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

Is it the Minister's intention to amend section 7C of the Education Act during this session of Parliament?

Hon. KAY HALLAHAN replied:

After discussion with the Teachers Union, section 7C of the Education Act was amended in 1983. Further discussion with the Teachers Union was held in 1986, and it was agreed that no further amendment was practicable.

However, a series of procedures, which the department was using in instances involving section 7C, were discussed with the union, and it was agreed that these had improved the operation of this section. In the light of this, it is not the Government's intention to amend this section.

#### GOVERNMENT BUILDINGS

##### *Old Perth Technical College: Use*

127. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

Further to my question 25 asked on 31 March 1987, will the Minister advise as follows—

- (1) What is the Perth Technical College being used for at the present time?
- (2) For how long is it expected that the site will need to be leased?

Hon. KAY HALLAHAN replied:

- (1) To accommodate the department of English, languages and social studies; department of printing; department of refrigeration and air-conditioning; graphic design section; dental chairside assistants section.
- (2) Until December 1988.

# NOXIOUS PLANT

## *Angel's Trumpet: Drug Compounds*

128. Hon. W. N. STRETCH, to the Minister for Community Services representing the Minister for Health:

- (1) Does the plant *Datura*—commonly known as "Angel's Trumpet"—contain any presently known hallucinogens, narcotics, or other dangerous compounds?
- (2) Is it a simple process to obtain such a compound or compounds from the plant *Datura*?
- (3) Is the Minister or his Department aware of a publication entitled "Reporting Drugs—Background information on the use and abuse of drugs in Australia"?
- (4) Is the *Datura* or its derivatives listed in that publication?

Hon. KAY HALLAHAN replied:

- (1) No.
- (2) Not applicable.
- (3) Yes—prepared by the health promotion branch of the Health Department of WA.
- (4) No.

# ROAD

## *Mt Newman-Turner River: Sealing*

129. Hon. P. G. PENDAL, to the Minister for Sport and Recreation representing the Minister for Transport:

- (1) How much of the Mt Newman-Turner River road in the Pilbara has been sealed under the bicentennial road programme?
- (2) At what cost has this section been completed?
- (3) How much remains to be completed?
- (4) When will this be done?
- (5) What will the cost be?
- (6) What is the reason for the delay?

Hon. GRAHAM EDWARDS replied:

- (1) 218 km has been blacktopped.

(2) Approximately \$71 million.

(3) 198 km.

(4) Tenders have been called for a further 54 km section. This is scheduled for completion in September-October 1988. Commencement of construction of the remaining 144 km is dependent upon the availability of Federal funds.

(5) Approximately \$61 million in current prices.

(6) There has been no delay within the Main Roads Department programme. Such projects are on the national highway programme and subject to Federal Government approval and funding.

# QUESTIONS WITHOUT NOTICE

## NATIONAL COMPANIES AND SECURITIES COOPERATIVE SYSTEM

### *Abolition*

29. Hon. P. G. PENDAL, to the Attorney General:

- (1) Is the Attorney General aware that the Senate Standing Committee on Constitutional Affairs yesterday recommended the abolition of the national companies and securities co-operative system?
- (2) Is it correct in the WA Government's view that the existing scheme of joint regulation by the States and the Commonwealth is preferable to the now recommended option of centralised Commonwealth control?
- (3) What steps has the Attorney General taken, or intend to take, to have the implications of this report studied?

Hon. J. M. BERINSON replied:

- (1) and (2) Yes.
- (3) I have to say that with the pressure of Parliament this week I have not been able to study the report myself, but certainly I will be attending to that shortly. I will seek comprehensive advice from appropriate departmental officers.



## COMMUNITY SERVICES

*Child Care Services: Provision*

30. Hon. P. G. PENDAL, to the Minister for Community Services:

(1) Does the State Government have any direct financial involvement in the provision of child care facilities or services?

(2) If so, will she provide details?

Hon. KAY HALLAHAN replied:

(1) and (2) Yes.

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