

Legislative Council

Thursday, 14 November 1985

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

ABORIGINAL AFFAIRS: LAND RIGHTS INQUIRY

Tabling of Documents by Leader of the House: Ministerial Statement

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.31 p.m.]—by leave: I inform the House that the papers sought by Hon. N. F. Moore in his motion will be tabled in this House this afternoon as soon as they are available to me. They will also be placed in the library for the benefit of other members of the Parliament

Tabling of Documents by Auditor General: Motion

HON. N. F. MOORE (Lower North) [2.32 p.m.]: I move—

That the Auditor General be, and is hereby so ordered, to lay on the Table of the House on Tuesday 19 November 1985, the statements of expenditure provided by each person and organization who or which was in receipt of financial assistance from or through the Aboriginal Liaison Committee to prepare submissions to the inquiry into Aboriginal Land Rights (the "Seaman Inquiry") where such statements were audited by him or by any person acting on his behalf.

I thank the Minister for his indication that he proposes to abide by the direction of the House as determined yesterday.

I would like to remind the House that earlier this week the Minister—and this is no reflection on Mr Dans—indicated that he would table the papers I sought. I realised when the papers were tabled that they did not contain all the information I requested and because I have not seen the papers Mr Dans is going to table today, I am in a similar situation because I do not know whether the papers are exactly what I seek and whether they are the papers I require.

Hon. D. K. Dans: I had 46 of those individual audited accounts and today I have 49.

Hon. N. F. Moore: That is good, but I will wait until I actually see them because they may not be what I have been asking for. Mr Dans,

being a man of great perception, would realise that one needs to take precautions in these circumstances.

I suggest that the House proceed with the two motions. In the event that the papers I have been seeking are tabled by the Minister and there are no deletions or bits and pieces missed, then there is no problem in requiring the Auditor General to do the same. However, in the event that there are some further discrepancies, further questions could be asked.

I suggest to the House we proceed with the motions on the Notice Paper today and that the decision be taken forthwith. The Government could, as it did last time, seek to adjourn debate on these two motions, in which case they would go to the bottom of the Notice Paper. I am asking the House not to allow the adjournment of these motions but to resolve them now so that the Auditor General will be required to table the documents next Tuesday. Then we can see whether the documents that are tabled by the Minister are in fact the same documents to which I have been referring.

For all the reasons I have been giving for the last week or two, I seek the support of the House for this motion.

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.38 p.m.]: I object most strongly to the line taken by Hon. Norman Moore. I am quite prepared to move for the adjournment of those two motions to the next sitting of the House. What Mr Moore is trying to do, is to assert the authority of the Council over the whole of the Parliament of Western Australia.

I have just given my word. I have said I will adjourn debate on these two items until the next sitting of the House and that will give ample opportunity for the matter to be debated then if necessary. Certainly there is nothing wrong with that. The track that Hon. Norman Moore is proceeding down is fraught with a great deal of danger. The papers that I have are papers that the Auditor General is rechecking and from what I have seen of them, they are copies of the originals.

Hon. N. F. Moore: What are you worried about?

Hon. D. K. Dans: I have nothing to worry about, and neither has Hon. Norman Moore. If he is afraid to allow me to adjourn this motion to the next sitting of the House then his motives are suspect. It will not hurt to have those

matters debated on Tuesday. What Mr Moore is saying to me is, "You may be a liar, Mr Dans."

Several members interjected.

Hon. D. K. DANS: That is what Mr Moore is saying, and that is what he is saying when he talks about the Minister in the other House.

Hon. N. F. Norman interjected.

Hon. D. K. DANS: It does not matter. I am the person responsible in this place today. I am the person who will table these papers today—not the person in the Legislative Assembly but me, the Minister in the Legislative Council. I have given members opposite an undertaking that the papers I have are, to the best of my knowledge, correct in every detail. I misunderstood the motion yesterday as an order for access because it read like that.

Hon. N. F. Moore: That is your interpretation.

Hon. D. K. DANS: We have had a close look at it and that is certainly how the motion reads, and how we have interpreted it. These documents will be placed in the library today for everyone to look at and they will be tabled in this House. If Hon. Norman Moore still does not like that, he can proceed with his motion on Tuesday.

Several members interjected.

Hon. D. K. DANS: I think members opposite are putting the cart before the horse and saying, "The figures that have been given to you, Mr Dans, by the Auditor General might not be the correct ones." If members opposite want to go down that trail they can do so but their motives are suspect. I think the Opposition does not want the papers at all.

Several members interjected.

Hon. D. K. DANS: Members opposite want to make so much political capital out of this incident and they want to maintain a very high profile for as long as they can. Members opposite want to say to the public of this State, "It may be a Labor Government in this Parliament but because it has not the numbers in this place, we will make them do this, that and the other. We will take the unprecedented procedure of making the Auditor General and the other gentleman come up here and present the papers to this House." There is a Labor Government in this State and I am representing it in this House.

Hon. P. G. Pental: Not very well.

Hon. D. K. DANS: That is Hon. Phillip Pental's opinion and his opinion does not count for very much in his own electorate, in here, or among his own colleagues.

Hon. P. G. Pental: What do you know about that?

Hon. D. K. DANS: We do know how Mr Pental is regarded.

Several members interjected.

The PRESIDENT: Order! The House will come to order. This debate is becoming uncontrollable. I am asking honourable members to refrain from interjecting. Each member is entitled to speak uninterrupted. If members disagree with what the speaker on the floor is saying, they can take their opportunity when their time comes to disagree but they are not to do it in the course of another member's speech.

Hon. D. K. DANS: I have made a statement to this House. I am not trying to mislead the House. Those papers will be tabled today. They will be placed in the library and I will move to adjourn these motions until the next sitting of the House. I think that is a perfectly reasonable course of action. If Mr Moore genuinely wants the papers, he will accept that. If he wants to continue his political stunts, he will insist on his motion being carried.

Hon. N. F. Moore: That is your stupidity.

Hon. D. K. DANS: I will let the public determine which course of action they support. We are talking about the principled attitude of putting those papers on the Table today and putting them into the library because proceeding with those motions on Tuesday is a perfectly reasonable request.

Adjournment of Debate

HON. ROBERT HETHERINGTON
(South-East Metropolitan) [2.45 p.m.]: I move—

That the debate be adjourned until the next sitting of the House.

Motion put and a division taken with the following result—

Ayes 10

Hon. J. M. Berinson	Hon. Garry Kelly
Hon. J. M. Brown	Hon. G. C. MacKinnon
Hon. D. K. Dans	Hon. Mark Nevill
Hon. Lyla Elliott	Hon. S. M. Piantadosi
Hon. Robert Hetherington	Hon. Fred McKenzie

(Teller)

Noes 12

Hon. C. J. Bell	Hon. P. G. Pandal
Hon. V. J. Ferry	Hon. I. G. Pratt
Hon. P. H. Lockyer	Hon. W. N. Stretch
Hon. G. E. Masters	Hon. P. H. Wells
Hon. I. G. Medcalf	Hon. John Williams
Hon. N. F. Moore	Hon. Margaret McAleer

(Teller)

Pairs

Ayes	Noes
Hon. Peter Dowding	Hon. D. J. Wordsworth
Hon. Tom Stephens	Hon. Tom Knight
Hon. Kay Hallahan	Hon. Neil Oliver
Hon. Graham Edwards	Hon. A. A. Lewis

Motion thus negatived.

HON. G. E. MASTERS (West—Leader of the Opposition) [2.49 p.m.]: I move—

That the debate be adjourned until a later stage of this sitting.

Motion put and passed.

*Tabling of Documents by Aboriginal Affairs:
Motion*

HON. N. F. MOORE (Lower North) [2.50 p.m.]: I move—

That the Chief Executive Officer of the Aboriginal Affairs Planning Authority, or the person to whom the administration of the said Authority is committed, be, and is hereby so ordered, to lay on the Table of the House by delivery to the Clerk of the Council not later than Tuesday, November 19 1985, the statements of expenditure provided by each person and organization who or which was in receipt of financial assistance from or through the Aboriginal Liaison Committee to prepare submissions to the inquiry into Aboriginal Land Rights (the "Seaman Inquiry") where such statements were provided to him or to any person on his behalf.

Mr Piantadosi has a silly look on his face, but he will not have a laugh on his face when the information provided by the Minister is made public. He will have egg on his face when the people of Western Australia know what the Government has done with \$500 000 of its funds. I remind him that he laughs best who laughs last.

Hon. Mark Nevill: Isn't it terrible that the aborigines will get \$500 000.

Hon. N. F. MOORE: This motion seeks, in the same way as the first motion I have moved, to have an officer from the Aboriginal Affairs Planning Authority table the papers to which I have referred. When the papers are tabled by him and by the Auditor General, presumably

we will check them to see if they are the same papers which were tabled by Mr Dans, on behalf of the Minister with special responsibility for Aboriginal Affairs.

If the House seeks to adjourn this debate to a later stage of today's sitting, it will not upset me because it will simply mean that the motion will be debated today. What worries me about adjourning the debate to the next day's sitting is that the matter will then be in the hands of the Government. If the Government seeks not to debate it it will be its business and, through the rigmarole of Standing Order No. 118, I will have to get the motion back to the top of the Notice Paper.

Several members interjected.

The PRESIDENT: Order!

Hon. N. F. MOORE: If the Government seeks to bury this motion it could do so by having the debate adjourned to the next day's sitting of this House because I would not have sufficient time, as the Leader of the House is aware, to use Standing Order No. 118 again. I would have to give notice to do that and it would take two days and the Leader of the House knows that we will not be in this place much longer. It would suit the Government's purpose well to drop the motion and not discuss it at all.

If we adjourn the debate to a later stage of today's sitting we will have an opportunity to debate it today and be in a position to read the papers that will be tabled. We will be in a position to ascertain whether the papers tabled by Mr Dans today are the same as the papers tabled by the Minister with special responsibility for Aboriginal Affairs in the other House. Two days ago he tabled the papers in the House which bear no relationship to the papers which are not strictly correct.

The motion will enable the Opposition to compare the papers with those tabled by the Auditor General because he is not beholden to the Government, he is an officer of the Parliament and I doubt whether he would table papers which are not strictly correct.

By passing the motions I have moved today we will know whether politics is being played again. It is all right for Mr Dans to say that he will give me the papers happily and willingly. I have been asking for them for two years and it is now five minutes before the end of this session and I have had to go through this process to obtain them. If there is nothing to hide why did not Mr Dans give me the papers two weeks ago?

I am concerned that the papers to be tabled by the Minister are not what I asked for. The only way for me to know whether that is correct is to compare the papers tabled with the papers tabled by the Auditor General if the House agrees to my motions. As I said, the Auditor General is not beholden to the Government but is an officer of the Parliament.

I ask members not to support an adjournment of this debate to another day's sitting. If they desire to move that the debate be adjourned until a later stage of today's sitting, I will accept that.

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.55 p.m.]: I think Hon. Norman Moore is going off the edge of the planet. He is now saying, "Not only do I want Mr Dans to table the papers, but let us forget about the Minister in another place." I have said that I will table those papers and that I am running a little late because the Auditor General is checking them for me. I had 46 papers yesterday and the Auditor General had three outstanding.

It would have been better for Mr Moore to have moved in his original motion for the Auditor General to lay on the table of the House the papers he sought. What I understand him to be saying is, "I am not going to be satisfied with the papers tabled by the Leader of the House."

Hon. N. F. Moore: You are trying that once again.

Hon. D. K. DAns: I am trying it again. Mr Moore was also saying, "I will proceed with my motion for the Auditor General to table the papers so I can compare his with those which have already been tabled." What he is saying is that Mr Dans is being dishonest.

Let me assure the House that I think even the most unbiased listener to or reader of the debate would recognise the action of Hon. Norman Moore is nothing but a political stunt.

If I had thought to move that the debate be adjourned until a later stage of today's sitting, I would have done so. I do not have an evil mind—evil is as evil does. I had not considered the question of Standing Order No. 118—but obviously Hon. Norman Moore has moved to adjourn the debate until the next day's sitting. I would have kept members in this House until the requirements of these motions had been met. I did not think of those things which Mr Moore has thought about, they were the last things on my mind. I have no objection to the debate being adjourned until a later stage of

today's sitting. It is a better proposition than that which I suggested because it will settle the matter once and for all today.

More importantly, Mr Moore is making another observation; that is, if he does not agree with the papers tabled by the Auditor General he will do something else.

Hon. N. F. Moore: That is not right.

Hon. D. K. DAns: Mr Moore implied that. Where does he think I am getting the papers from?

Hon. N. F. Moore: I want to check them to see if there is a discrepancy.

Hon. D. K. DAns: I can assure members opposite that there will not be a discrepancy. I have a great deal of respect of the Auditor General (Mr Rolston) and I hold him in high regard. I would not come to the Parliament with papers other than the ones he gives to me. I wanted to make sure that they were correct and I have asked him to check them. Members opposite can make their own judgment. They have the right to ask questions on appropriations and public moneys, but they do not have the right to usurp the role of Government. They should not engage in political trickery and of stunts of this kind when I have said that I will do what has been asked of me.

HON. G. E. MASTERS (West—Leader of the Opposition) [2.59 p.m.]: I am pleased to hear the Minister say that he intends to bring this matter forward and to hold the House in session for as long as it takes to deal with it. I hope he views with the same reasoning the BLF (Deregistration) Bill and the Select Committee report for the Legislative Council because they are also important matters. I guess we will be in this House until those matters have been dealt with.

Hon. D. K. DAns: I did not mention that, Mr Masters.

Hon. G. E. MASTERS: I am suggesting that that is the answer.

Hon. Norman Moore has been asking questions for two years or more about this matter.

Several members interjected.

The PRESIDENT: Order! That is the stone end. The next member who interjects during this debate will be named and I will be taking some action. I shall not say it again, so everybody is warned that the next member who interrupts will be named. I cannot tolerate the shocking attitude to the decorum of the Chamber that members have adopted for some

extraordinary reason. If members will not desist, our ranks will dwindle during the afternoon. I give an assurance on that.

Hon. G. E. MASTERS: Hon. Norman Moore has been asking questions in relation to the \$500 000 for more than two years and those questions have not been properly answered. The member has been fobbed off and it is clear that the answers he has been given are not correct. They are untrue. The person responsible, and we must hold the Minister in charge of the portfolio in another place responsible for those answers, is surely guilty of uttering an untruth. Quite clearly he has given incorrect and misleading answers. In view of those misleading answers and untruths it is natural that the member should be suspicious of the answers he is to receive today.

We know that the Leader of the House is the agent of the other Minister but he says he accepts these answers.

Hon. D. K. Dans: I am not the agent of the Minister.

The PRESIDENT: Order! The Leader of the House is in danger of moving a motion with regard to himself.

Hon. G. E. MASTERS: This is a very serious matter indeed. A member of this House has asked that an amount of \$500 000 of public funds be accounted for. Any member could ask for such information and would be entitled to receive truthful answers. It seemed that at last some of the answers were forthcoming and the Leader of the House tabled papers which we assumed from his remarks would contain detailed records of how that money was spent. However, when we examined those papers we found that the information was sketchy and that it simply stated the total amounts without giving any details of the expenditure. That is not what the member asked for. He wanted information about groups or individuals who may have been given amounts such as \$20 000 or \$10 000 or whatever, and to know how that money was spent. The Opposition asked for those details and it is entitled to have that information.

All members in this House know that a time factor is involved and that the House will rise in the near future. If the Government is able to continue to put off the day of reckoning until the House has risen the member will not receive that information. One cannot blame any man for being suspicious who has waited two years for answers and then finds that the information has been available. It is quite clear—

whether or not the Leader of the House was responsible—that it was the intention of the responsible Minister in another place to keep those details under wraps until the House had risen, to keep the matter out of the public eye. All members understand that that was the reason for the delay in providing the details.

It is no wonder that Opposition members are suspicious; they were entitled to receive these details and they were prevented from doing so. The Leader of the House has now tabled those figures, which he said would answer the questions, and the Opposition has discovered that they will not do so.

From our information it seems that the records contain some embarrassing details and, therefore, it is no wonder that we persist in this matter. Certainly we will delay those discussions and the debating of these motions until the Leader of the House has had an opportunity this afternoon to examine the figures. I point out to the House that if the figures do not provide the details we require, it will not be the direct fault of the Leader of the House. He supplied those facts and figures from another Minister on the basis that they would provide the answers. He has not had a chance to examine them in detail and he has taken the word of another Minister. It might be that he thoroughly trusts that Minister but the Opposition has every reason to distrust the answers it has received. Having reached the stage, even at the last minute, of not being provided with the information promised, it is perfectly reasonable for Hon. Norman Moore and members on this side of the House to persist and say that we should be given truthful answers. If funds have been mismanaged and improper use has been made of public money we are entitled to know. It does not mean that the Leader of the House or members on his side of the House are at fault, but somebody is at fault if there has been a misuse of public funds. That is the point we are making as responsible members of the Legislative Council.

I would support a motion to adjourn the debate until a later stage of the sitting.

Debate adjourned until a later stage of the sitting, on motion by Hon. Fred McKenzie.

MINING AMENDMENT BILL

Recommittal

Bill recommitted, on motion by Hon. J. M. Berinson (Attorney General), for the further consideration of clause 95.

In Committee

The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clause 95: Section 123 amended—

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

Page 97, line 13—To add after “123. (1)” the following—

On and after coming into operation of the Mining Amendment Act 1985

During the Committee debate yesterday, Hon. Ian Medcalf queried the provisions of the new section 123(1) in clause 95 of the Bill.

The suggestion made by Mr Medcalf was that the passing of this amendment could have the effect of invalidating compensation agreements already entered into between farmers and miners which in some respects are contrary to the provisions of the new subsection.

While it was originally felt that the Interpretation Act would have taken care of this in that any agreements entered into prior to the amendment of section 123 would continue to be valid, it is agreed that the matter should be made clear and beyond doubt. To make it clear that the provisions of clause 95 will not affect any pre-existing agreements, I have moved the amendments referred to.

Hon. I. G. MEDCALF: As I read the new section 123(1), it provides that so far as the mineral is, by virtue of section 9, the property of the Crown, or the mining is authorised under this Act, no compensation shall be payable except in accordance with the provisions. I have already indicated that the new provisions were acceptable, and I was simply pointing out that the Select Committee had taken the view that after discussing this matter with Parliamentary Counsel a transitional clause was required by reason of the fact that the new subsection is believed to include prior agreements in relation to which the parties have negotiated between themselves.

The phrase “the mining is authorised under this Act” caused this concern to the committee. Prior to that, the agreement was in a sense outside the normal compensation provisions, or would have been under the present Act. But because the mining is authorised under the Act it would no longer be outside the purview of the new section 123.

The effect of the amendment now is that on and after the coming into operation of this Act, where mining is authorised under this Act—that means in the case of mining which has already been authorised under this Act—compensation shall only be payable in accordance with the section.

I am not absolutely certain that the wording does take all pre-existing agreements outside the scope of the section. I have not had time to study it, but that is obviously the intention of the Government. I did not hear exactly what the Attorney said, but I think that was the purport of his comments.

The committee merely wished to draw attention to this. The committee's view is an expression purely of principle. If the Government believes that this amendment has achieved that objective I will not raise any objection to it. I simply point out that I sincerely trust we will not find some previous agreements are still included. No doubt if we do, the Government will be able to take care of that by further amendment.

Amendment put and passed.

Clause, as further amended, put and passed.

Report

Bill reported, with a further amendment, and the report adopted.

Third Reading

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

ALUMINA REFINERY (MITCHELL PLATEAU) AGREEMENT AMENDMENT BILL

Second Reading

Debate resumed from 12 November.

HON. N. F. MOORE (Lower North) [3.17 p.m.]: I indicate that the Opposition is prepared to support the legislation which refers to the Mitchell Plateau refinery agreement. Details are included in the second reading speech. The Opposition supports this Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

ACTS AMENDMENT (STATE PLANNING COMMISSION) BILL

STATE PLANNING COMMISSION BILL

Cognate Debate

HON. P. H. LOCKYER (Lower North) [3.20 p.m.]: I understand that the Acts Amendment (State Planning Commission) Bill and the State Planning Commission Bill are consequential upon each other and I seek leave for a cognate debate on these Bills.

Leave granted.

Second Readings

Debate resumed from 12 November.

HON. P. H. LOCKYER (Lower North) [3.21 p.m.]: Much has been said in another place concerning these Bills, and for that reason it is not my intention to say a great deal except to point out that I will urge members on this side of the House to support the second readings. I understand, however, that some of my colleagues have some reservations about the lack of authority by Parliament to oversee what the Bills are trying to do.

Basically the Bills provide for the formation of a State Planning Commission which will replace the Metropolitan Region Planning Authority, the Town Planning Board, and the Town Planning Department with a single planning organisation. The Bills place a considerable amount of power in the hands of the commissioner, and I understand that is where some of my colleagues have some concern.

These are detailed Bills and I believe that we should accept them, but I would like the Minister to give us an undertaking that they will be closely watched in operation. It is planned to have associate members as well as full members of the commission, and they can be brought into the commission as it deals with various planning problems, specifications and models from all over the State. The commission has the power to coopt associate members, and they will have a full vote. The power of course can be delegated to a local authority, or a committee, or an appropriate officer.

As I said, they are fairly intricate Bills and a big step is being taken. Only time will tell whether this is the right way of going about it. I ask the Minister for an undertaking that a close watch will be kept on the commission and perhaps it would be appropriate to look again at

this matter at some future time see whether the operation of the commission is in the best interest of the State.

HON. JOHN WILLIAMS (Metropolitan) [3.25 p.m.]: Unlike my colleague Hon. Phil Lockyer, who has an unbounded trust of all these things, I will go into a little more detail. The Attorney General would know, and I have given due notice in this House, that I believe any new statutory authority which is being set up—and that is what is happening here; it is all very well to say it is an amalgamation of two or three bodies—should be scrutinised by this Parliament to ensure that it is responsible to the Parliament and that its officers are also responsible to Parliament.

I will be brief, but I want the Attorney to consider my remarks and my objections to certain clauses of the Bill. I will try to be as clear and concise and specific as the Attorney General so that he will be able to understand me.

The State Planning Commission Bill provides in clause 19 that the commission can appoint committees comprised of such persons as it thinks fit. The commission may delegate any of its functions to an "eligible person". This includes, under clause 20, any member of a committee established by the commission. The Bill also establishes in clause 24 a Metropolitan Planning Council. The council may appoint committees comprised of such persons as it thinks fit. That is in clause 36. The council may delegate any of its functions to an eligible person. Under clause 37 this includes any member of a committee established by the council.

So far there are no worries; that is all background. The net effect of the provisions of the Bill is that the functions of both the Planning Commission and the Metropolitan Planning Council may be delegated to any person so long as that person has been appointed to a committee formed by the council or the commission. Such provisions would enable the exercise of statutory powers by persons over whom the Parliament has no effective control either in respect of the way the powers are exercised, or in regard to the qualifications of the person to exercise those powers.

The Bill will replace the Metropolitan Region Town Planning Scheme Act 1959. Section 18A of that Act empowers the MRPA to appoint committees, and section 19 empowers it to delegate its functions to any member of such a committee. The significant difference between this Bill and the Metropolitan Region Town Planning Scheme Act is that the only persons

whom the MRPA may appoint to its committees and hence may delegate its functions, are members of the MRPA or their deputies. The Bill will allow the State Planning Commission to delegate its functions to any person it thinks fit. That is the basis of my objection.

There is a significant difference there, and I ask the Attorney General to consider that point even if he cannot do anything by way of amendment in Committee. I have not had time to work out an amendment because the Bill has been before the House for only two days. My remarks will be on record, for certain. I will go a little further than Hon. Phil Lockyer; should there be a change of Government or not, I will be asking for such an amendment early in the new Parliament because I do not think it is right that any person who is not a member of the State Planning Commission should have power delegated to him and be able to act on it.

I think the Minister will agree that the power to act on this commission is a very substantial one. To delegate it willy-nilly—and I am not being derogatory of the people who will delegate it—is unwise. We would not have to consider legislation if everybody behaved responsibly at all times. That is not to say I am casting aspersions at the present and future incumbents of the commission. We have to legislate for people who cannot live within certain limits.

I am drawing the Minister's attention to this matter. I am concerned that this House should guard its rights and privileges. I have on the record the points I wish to make.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.31 p.m.]: I am sure that members understand that I am not in a position to engage in an offer of amendments at this stage. As I understand the members, they are not really looking to action of that nature. I think Hon. Philip Lockyer can take it for granted—and to the extent that he requires my assurance I am prepared to provide it on behalf of the responsible Minister—that this legislation will be subject to what he called a close watch. I am sure, even without his urging, that that would be the case because it is legislation in a very important, sensitive area and the Government would be anxious to ensure that the new framework functioned as well as required.

I think, to a large extent, that also meets the points raised by Mr Williams. I disagree with him only in one respect and that is in the view that there might be a delegation of powers,

willy-nilly, to adopt his terms. With due respect, we are dealing here with a very authoritative, senior, and influential new commission. It is really beyond the bounds of possibility that a group of responsible officers of that nature charged with the duties with which they are charged would approach the question of delegation lightly. I believe we can reasonably take it that any delegation would be most carefully considered and granted in as responsible a way as the importance of the area under consideration requires.

This legislation is the result of lengthy consideration and wide consultation. As members have previously been advised, it has the agreement of all local authorities. I believe, with all the consultation that has been invested in this Bill, it can safely be adopted by the House at this stage.

Questions put and passed.

Bills read a second time.

In Committee, etc.

Bills passed through Committees without debate, reported without amendment, and the reports adopted.

Third Readings

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

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Consideration of Tabled Paper

Debate resumed from 6 November.

HON. P. H. LOCKYER (Lower North) [3.40 p.m.]: It is traditional for members to take the opportunity to speak from subject to subject on this Bill and I will not be different in that regard.

I wish to bring to the attention of the House a subject in which my good friend the Attorney General will be interested and may care to make some comment on in due course. The Attorney General and I always have healthy debates and I quite enjoy dealing with the different subjects we debate. I have always found him to be very helpful.

In the town of Carnarvon for some time the local Chamber of Commerce has been bringing to my attention its worries about the penalties that are being handed down by courts to offenders. These penalties mostly relate to

petty offences such as breaking and entering and in most cases concern juveniles. I do not criticise the magistrate or the police.

I want to deal precisely and concisely with the penalties available to the courts to hand down. I use the town of Carnarvon as an example because it is the one I am most familiar with. For some time prior to this Government coming into power when Mr Medcalf was the Attorney General, it had been of concern to members that when an offender was caught for an offence such as breaking into a local shop, that person was dealt with in the court and much frustration was caused to the person whose property was affected.

I give the example of a chap in Carnarvon who has a large wholesale food and tobacco outlet, where he stores icecream, milk products and tobacco products among other things. Even though he has made the place secure, from time to time people break in. This type of crime is not uncommon. Not only do people break in and take a small number of items but they also cause some destruction by making a fairly hefty mess inside. In some cases juveniles get hold of motor vehicles and race around the yard and end up doing great damage.

The police do a first-class job and the offenders finally end up in court. What inevitably happens is that the offenders have no money of their own and in many cases neither do their parents; so the courts, with the penalties available to them, find them guilty. Yet it seems that in no time these people are out doing the same thing again. It is often difficult, even though the court might order them to make restitution, to get them to pay.

I believe the time has come where the penalties for those types of offences need to be reviewed. I make it quite clear that I do not mean we have to put these people behind bars. I think there has to be some way that we can review some penalty that will bring, first of all, the greatest benefit to the offender and the person who has been offended, because the accused sees that not only has justice been done, but it has been seen to be done.

Sitting suspended from 3.45 to 4.00 p.m.

[Questions taken.]

Hon. P. H. LOCKYER: The reason I bring this to the attention of the Parliament is that the penalties do not go far enough. People will simply get sick of the penalties that are being handed out to these offenders and will take the law into their own hands and hand out sum-

mary justice on the spot. While this might appeal to some persons who feel that they have been offended against once too often, it is not the answer. The answer rests with an investigation into how we will deal with the problem.

One of the reasons that this problem exists of course is the unemployment situation which faces us these days. It is no better or worse in any town in my electorate than it is State-wide or Australia-wide. However, the people in Carnarvon in particular—and I repeat that I use it as an example because it is the town I know best—will not put up with these continual offenders breaking into their homes and doing malicious things to their property, going to court and finding themselves back on the street almost the same day and committing crimes again. I know some penalties provide that these people be placed in institutions, but the general public are simply not seeing it that way.

I warn the House that this is happening in other places and unless something is done to stop it the situation will get out of hand. The only sound suggestion I have is that these people be forced to do some sort of work as a penalty. I know they can be given an order to work in the community. That recently happened in Carnarvon where a Justice of the Peace handed out a penalty to a young offender to do a certain amount of community work for one month. Unfortunately, there was an outcry from the people defending him. I do not criticise those people who were defending him because it was their job to do so, but it looks bad in the community. A young man or young lady may break into an establishment and do a massive amount of malicious damage—I am talking about things like breaking mirrors and using the floor as an open air toilet. These crimes seem to have no rhyme or reason. I can understand it if people break into an establishment for food because they are hungry or something like that, but unfortunately the penalties available to the courts for these offences do not seem to work. I bring that matter to the attention of the House because I know it is worrying business people in my electorate and that it needs to be dealt with pretty soon.

Members of this House would not like it if I did not bring up the matter of two-up. I regret that my good friend, the Leader of the House, is absent from the House on urgent parliamentary business but I think he will return shortly. Recently during question time I asked him a question regarding two-up being legalised in Port Hedland. The Leader of the House replied

that if I could guarantee him that the Bill would have a quick passage through this House he would legalise two-up in Port Hedland. For many months—in fact it is starting to run into years now—since this Government legalised two-up in Kalgoorlie there has been considerable dissatisfaction in certain towns in this State. Although Port Hedland is not in my electorate, I did spend some years there when I was president of the shire. I am vaguely aware that from time to time a game of two-up has been conducted in the town. In fact, the situation is as ludicrous as are the brothels in Kalgoorlie. I call them the Claytons brothels because if one ever asks anybody of authority such as the Premier, Cabinet Ministers or policemen, one is told they do not exist. However, they do exist. I am not saying it is wrong for them to exist. In fact, Kalgoorlie is a fine example of a place where they have operated for many years and everyone seems to be happy.

If anybody ever tried to do anything about those brothels, the biggest outcry would come from Kalgoorlie and, more than likely, from some of the families in the town who see brothels as acceptable.

However, I want to talk about Port Hedland and the possibility of it having a licensed two-up game. In my view it is inevitable, because the Government has placed a yoke around its neck by giving permission for legalised two-up games to be conducted in Kalgoorlie. It is inevitable that sooner or later that policy will have to be extended elsewhere.

In case the Leader of the House does not think people in Port Hedland are concerned, I have here a copy of a petition which I was unable to present to the House because it has been photostated. The petition reads as follows—

Petition for licence for two-up school in Port Hedland for Thursday, Friday, and Saturday nights, and Sunday nights when a public holiday falls on a Monday, under the same entitlement as Kalgoorlie.

I understand this petition was very quickly sought over one week. It contains 2 000 signatures from the people of Port Hedland, many of whom I know personally. Not many petitions that come to Parliament have as many signatures as that. It is a substantial number, particularly for a town with a population of around 13 000 to 14 000—it represents quite a high percentage.

It is my view that there are enormous similarities between an industrial iron ore town and a town like Kalgoorlie. For the life of me, I cannot see why a legalised game of two-up should not be allowed in a town like Port Hedland, which has a high population of single men and a not-so-high population of single women, although there are ladies these days who work on the mines very successfully. I might say that Mount Newman Mining Co Pty Ltd was one of the first companies to integrate women into its system. It is absolutely essential that the people of Port Hedland be afforded the same priorities and benefits as those available to people in Kalgoorlie.

The legalised game of two-up in Kalgoorlie has been an enormous tourist attraction. My good friend, Hon. Jim Brown, has brought to my attention how popular it is with tourists, who want to see the game of two-up in Kalgoorlie and also like to take part. I would be surprised if he did not support the contention that places in the Pilbara, particularly Port Hedland, should have a similar game.

I will make this petition available to the Leader of the House in his capacity as Minister for Racing and Gaming. He should urge his Government to look at the licensing of the game. Port Hedland is 1 200 miles from Perth and I understand that that is 2 000 kilometres in the metric system. That compares with about 800 kilometres for Kalgoorlie. Perhaps Hon. Jim Brown could tell me exactly how far Kalgoorlie is from Perth?

Hon. J. M. Brown: More than 800.

Hon. P. H. LOCKYER: Over 800 kilometres. Therefore, Port Hedland is more than twice the distance from Perth than is Kalgoorlie. The game takes place in Port Hedland right now. I am not aware that it is any different from places like Karratha or some of the other industrialised towns where the odd sly game of two-up goes on. I do not want that to be seen as a licence for the gaming squad to go out and knock this game off, just because a member of Parliament brought it up. I think that would be very wrong. If the game is being operated illegally at the moment, it should continue on the basis of containment and tolerance. That is the term that was used when we were asked if there was any gambling in East Perth. I think my party was in Government at the time, and we said we operated on a basis of containment and tolerance. I would like to think that that policy was pursued in the Pilbara.

The time has now come for the Government to take its head out of the sand on this matter and to extend legalised two-up to Port Hedland, so that the people there have an opportunity to participate in it, even if there is a sunset clause.

Hon. J. M. Brown: It is custom and practice.

Hon. P. H. LOCKYER: It is custom and practice, and I respect the word of Hon. Jim Brown because he understands why I am bringing this matter to the attention of the House. People in mining towns are inclined to move from mine to mine. A miner is a miner, is a miner. He might operate a machine or drive a truck or be a mechanic, but working in an iron ore mine is not much different from working in a goldmine. A miner might go from Kalgoorlie—where he can play a game of two-up every day except pay-day—to Port Hedland, where he runs the risk of being arrested for having a game of two-up.

I have commended the Government for allowing two-up games after race meetings, and that has been an enormous success. Not every race club has taken advantage of it, which is their right. But the time has come when places like Port Hedland need to be considered very carefully in the context of legalised two-up.

I know Mr Dans will scrutinise very carefully the names of the signatories to the petition. The names of quite a number of people who would not necessarily play two-up are on the petition—they might be long-term residents of Port Hedland, or newer residents. The petition contains the signatures of a wide cross-section of the community. It is not as if signatories to a petition can request that their names not be shown, because the petition becomes a public document. I hope the Government takes notice of this petition.

I know that very soon the Government will make a decision concerning a limited entry fishery in the Carnarvon-Shark Bay snapper fishery. Members will recall that over the last five years I have constantly brought to the attention of the House the great effect I thought fish traps were having on the industry.

I am now persuaded that not only are the fish traps having a huge effect, but the very high level of over-fishing of the fishery has finally taken its toll. I am pleased to say that when the present Leader of the Opposition was Minister for Fisheries, he and his predecessors instigated an inquiry and study into the snapper fishery and this was carried on when the present Government came to power.

It was quite obvious very early that the survey would find an enormous over-fishing of the fishery. In fact, I am informed that should the open fishing that has been going on be continued, in two or three years there will not be a viable fishery at all. The Government is now faced with the difficult decision which it will have to make to designate it a limited entry fishery.

I wish to publicly state that I shall support the Government in every move it makes to make a fair decision on this fishery. I am well aware that the Minister for Fisheries and the Director of Fisheries will come in for some criticism from various sections of the fishing industry which will be affected by their inability to gain access to the limited entry fishery.

I have not seen the proposed legislation because it has yet to be studied by Cabinet; however, I have been kept aware of some of the proposals through the auspices of the various fishermen in Carnarvon, who have explained that a committee set up to inquire into this matter has been studying the possibility of a limited entry fishery. I am reliably informed that the intention is to split the fishery into two areas and to close it down totally during the month of July each year, which means that no professional fisherman would be able to venture into the area during that month. This proposition follows technical and scientific advice given to the Fisheries Department indicating very clearly that the month of July is the most important breeding time for snapper and that leaving the fishery alone during that month would considerably extend its life.

I am also reliably informed that area A will cover the most productive snapper fishery and will be open to 12 boats only. Area B will have different rules applying and will be open to 20 boats only. I understand also that the restrictions on traps will make it impossible to transfer or sell trap licences.

The Minister for Fisheries, the Director of Fisheries and no doubt local members will come under considerable pressure from affected groups, especially from people who fail to get licences. I do not know what the criteria will be for the licensing of these boats, although I understand it will have something to do with the number of years the fishermen have been involved in the industry. I understand also that the Minister is considering safeguards by way of appeal provisions. I make a plea to the in-

dustry to support the proposals, because they represent a desperate measure when desperation is needed to save the fishery.

It is becoming apparent that more sophisticated fish traps are being used and their use is being extended further north. Yesterday I received a telegram from a Mr George King, a very well-known charter fisherman at Exmouth, who expressed his great concern that while on a charter trip with some interstate clients he recently came across eight traps set in the water. They were unattended and he did not know how long they had been there. He was concerned that they might be doing damage.

I contacted the Fisheries Department and spoke to an officer there who advised me that there was no law to prevent this occurring. I might add that the officer is a very responsible person, and he informed me that urgent steps were being taken to find a solution to this problem that would suit both the charter fishermen and the professional fishermen who operated from Onslow. He indicated that the people who operated from Onslow were good fishermen who produced a very high quality product.

However, I register my great concern for the fishing and tourism industries, both tremendously important to places like Exmouth. The use of traps is very much a problem. Consideration should be given to restricting their use. I do not like having to use the word "restrict" too often but in this case a restriction is necessary to safeguard the industry. I urge people to support what I see as a necessary restriction on their use.

I take this opportunity to mention that the poor old Fisheries Department is terribly understaffed when we talk of fishery inspectors. I have recently learnt that only two inspectors operate in the Carnarvon area to monitor and protect the local fishery; they go out in boats and try to catch the people who consistently break fishery laws. I know the Minister is aware of the problem and I hope his Government gives sympathetic consideration to increasing the number of inspectors. The fishing industry is an important primary industry in this State, and the Carnarvon fishery alone is worth \$19 million so far this year.

My predecessor, Hon. George Berry, never let an opportunity pass to bring to the attention of the House the lack of a reliable water supply for the Gascoyne area. Mr President, I regret to inform you that little headway has been made since George Berry's departure from the House. The Gascoyne area still has no reliable

water scheme, even though massive amounts on money have been expended, particularly by the last Liberal Government and to a lesser extent by this Government, on the maintenance of a water supply to the irrigation areas. The problem is that if the Gascoyne River does not flow, the fruit and vegetable growers suffer because they are unable to plan properly. All this is not to say that some sound suggestions have not been put forward to the Public Works Department—now the Building Management Authority—on a scheme for a water supply.

The only total answer to the problem is to dam the Gascoyne River. Of course, this would cost perhaps \$100 million and obviously no-one in the short term is prepared to say the expenditure of that amount is warranted. I put it to members that the dam on the Ord River is located at the wrong spot; perhaps it should have been placed on the Gascoyne River. History shows it was not placed there so perhaps the Water Authority will be prepared to look at other schemes available.

A scheme proposed by a Carnarvon resident, Mr Neville Brandstater, was to dam the Yandoo Creek. Water could be stored there and then leached back into the Gascoyne River when needed. I understand this proposal is to be considered by the State Cabinet when it meets in Carnarvon on the 25th of this month. I hope the proposal is given the green light because \$10 000 was raised by a radio appeal in the town to enable a study to be made of the proposal. I hope the Government looks at the proposal sympathetically because something needs to be done, otherwise the fruit and vegetable industry in the area, which is worth millions of dollars to this State each year, will suffer further because of its most unreliable water supply, a supply more unreliable than that experienced by any other similar industry in Australia.

I am informed by some members who represent the southern part of this great State that when proposals were made for dams in the Harvey area, they were greeted with much opposition and scepticism. It is now obvious that those dams have been the answer. I wonder what people would be saying now had those dams not been built.

Another good proposal brought to the attention of the Water Authority has come from Mr Roger Veen, a Carnarvon man who has proposed a scheme in conjunction with a new bridge proposed for the Gascoyne River and to be constructed by the Main Roads Department.

Mr Veen proposed that the construction of the bridge should include adjustable floodgates which could be raised and lowered to hold back the flow of the water when it got down to a flow that was possible to be held back in engineering terms. I do not know whether that proposal has received the consideration that in my view it deserves. It is a very simple proposal and although I am not an engineer, I am yet to be convinced that it will not work. I hope that in due course this proposal is given more serious consideration than it has been in the past.

The number of kangaroos that is able to be taken in this State has been set, as it normally is every so often, for the next 12 months at 180 000 red kangaroos for pet consumption. I have brought this matter to the attention of the House before. It relates to a proposal to colour this pet meat. We have stopped this proposal once before. I was able to persuade the Minister for Agriculture in the previous Administration, Mr Old, that it was better to strip-brand a carcass than to colour it with a purple dye, as used in other States. There are various reasons for this. Although it is likely that this colouring will not affect pets, there is some evidence that there will be a reaction against it by consumers who buy the meat for their pets. They do not like this sort of thing. In the town of Carnarvon there are two or three pet food outlets which sell kangaroo meat and I assure the House that a large percentage of the population would limit their acquisition of roo meat, almost overnight, if dyes were applied to it.

I have brought this matter to the attention of the House before. It caused some mirth then but I would like honourable members to consider it seriously because I can assure them that a large proportion of the Carnarvon population, particularly the Aborigines, buy kangaroo meat. They do so not because they cannot afford other meat, but because they like it and it is traditional food for them. The pet food operators are aware of this and they do a first-class job in running their pet shops like butcher shops. They probably contravene a number of health regulations but notwithstanding that it does have a very important purpose. More than one doctor in Carnarvon has made it clear to me that the provision of kangaroo meat to Aborigines is enormously beneficial to their diet. Intake of kangaroo meat is not merely limited to Aborigines; quite a number of people of European extraction take advantage of this situation as well. I, too, am partial to kangaroo meat, particularly kangaroo tail

which, as members who have tasted it will know, is a very pleasant way of eating some of our marsupial friends.

Hon. J. M. Berinson: I thought you were a vegetarian.

Hon. P. H. LOCKYER: No; but talking of vegetarians, it is my view that they seem to be on the increase in the community. It is my view that those people are sending our meat industry nosediving down the tube. My wife has a health food shop and it is apparent that people are changing their intake of meat. If I asked honourable members whether they considered they ate as much red meat now as they did 10 years ago, I am sure that not very many of them would raise their hands. It is not that people are less wealthy or that they are not looking after their diet, but because there is a world-wide trend away from red meats to leaner meats. Certainly there is no evidence to indicate that consumption of a lot of meat is not terribly good for one. I do not want to incur the wrath of my farming and pastoralist friends, but it is a simple fact. It is why, for example, the Meat Commission is now running a campaign to promote lamb products. The pork industry did the same thing some years ago when it attempted to bring "new fashioned pork" to the attention of people, because quite frankly the consumption of that meat was decreasing to the extent that something needed to be done.

I return to my original point. It is absolutely out of the question to colour kangaroo meat for a variety of different reasons, not the least of which is the effect it would have on human consumption. I do not want to have to go and catch kangaroos myself in order to have my kangaroo tail. Kangaroos are wonderful animals, although their numbers need to be contained. Although I do not want to incur the displeasure of the conservationists by my comments—which has happened before—many of these people believe, whether rightly or wrongly, that we should not hunt kangaroos. I suggest that the only people who would get rich from this suggestion would be the panelbeaters.

I hold great fears for the nickel industry in Western Australia. There are two or three major mines in my area. One is the Agnew operation at Leinster. This operation is one of the most efficient in the State and the town of Leinster is very pretty and beautifully planned. It is carved out of mulga bushland and great care was taken to preserve the trees around the town. People who have been there will know

precisely what I mean. Householders were only allowed to clear one metre around their block, all other trees had to be left.

The price of nickel at the moment is around one-third less than it costs to take it out of the ground. One does not need to be a mathematical genius to know that this cannot go on forever. I do not know what the solution to the problem is but my economically-minded friends point to the fact that companies must wait for the market price to increase if they are to get their money's worth.

I sound a note of warning that there are some problems in the nickel industry and companies have tightened their belts as much as possible, but I fear that some time in the future, unless things improve, some of those operations will close up. Already we have seen the Agnew company's Teutonic Bore operation close down because it was no longer economical to take the product out of an open-cut. I commend the company at Leinster because it has consistently sought ways to market its products more economically; but if it comes to the possibility of a closing-up stage, it will be quite disastrous for this State.

I warn the House that while the goldmining industry—and I will talk about this at some length shortly, particularly the taxing of it—is still surviving, all is not rosy in the mining industry in total, and particularly in the nickel mining industry.

There are just a couple of minor points that I would like to mention because I know that my colleague, Hon. Tom Knight, has some important matters he wishes to bring to the attention of the House. A couple of times in the past concern has been expressed about the declining funds available to this State for the upgrading and maintenance of roads.

I am referring to the human factor. The day labour force at Carnarvon has run out of work and the Main Roads Department has sent some of its workers to Halls Creek to keep them in employment. I ask the Government to give close consideration to matters like this. While I support the principle of free enterprise and believe that private contractors should be used to undertake road work, the fact remains that the people concerned are loyal employees who have served the Main Roads Department, mainly in the Gascoyne area, for many years. Some have been employed for over 20 years. I dread to think what will happen if the road

funds are exhausted and work is not available, because the families of the men involved will suffer.

I wrote to the Treasurer and asked him to give consideration to making funds available for the upgrading and the eventual sealing of the road between Carnarvon and Meekatharra. One may ask what is the importance of that road. It has great importance, particularly as far as tourism is concerned.

The Monolith, which is a rock at Mt Augustus, is twice as large as Ayers Rock and, like the dolphins at Monkey Mia, it is becoming a world-wide attraction.

An Opposition member interjected.

Hon. P. H. LOCKYER: There would be much comment if consideration was given to giving it away.

The people who run Mt Augustus Station told me that in a two-month period 10 000 people visited the rock. They travelled by bus, four-wheel drive, or motor vehicle and took advantage of the site which is magnificent.

The Government should give consideration to providing funds to upgrade this road because it will assist in attracting tourists to this State. As members are well aware, tourism is the world's biggest business.

I am concerned about the plight of the day labour force who are loyal employees. I know the same can be said about people involved in other areas of the State. However, these people are renowned all over the world for their dedication and expertise and we do not want to lose them. A considerable amount of work would be provided if the road to which I have referred was upgraded. I ask the Government, when it is considering this matter, to take into account the human element.

While opening a mine in Kalgoorlie last weekend, the Premier got stuck into the Federal Government's proposal to look at the goldmining industry with a view to bringing in a gold tax. I do not want to be a prophet of doom, but it is inevitable that there will be such a tax. It is my view that the goldmining industry is booming and has done a tremendous amount of good to towns like Leonora and Kalgoorlie, and these towns are going ahead again.

On a visit to Western Australia the Federal Liberal Leader, Mr Howard, gave an undertaking that a Liberal Government would not tax gold. I ask the Treasurer to advise his colleague, Mr Keating, that there is no place in

this State for a goldmining tax. Although it may be alluring to him to implement such a tax I know that some of my colleagues who sit on the Government side of this House would agree with me that it would result in a disastrous situation in Western Australia.

Most of the major mining areas in this State have been found by prospectors, many of whom have lived on the smell of an oily rag for many years but are now reaping benefits like improved extraction methods, the increased price of gold, and most importantly the non-taxing of gold. If this tax is introduced prospecting, which is operated on a small basis, will become non-existent overnight. I know the feeling of the small prospectors in my electorate; it is precisely the same as mine. I will join with Mr Burke in his party's and my own party's endeavours to ensure that there is no gold tax.

Hon. N. F. Moore: Burke does not want a gold tax until after the election.

Hon. P. H. LOCKYER: That is one of the worries I have. The Federal Government is shillyshallying around and only history will prove that. If a gold tax is introduced the Labor Party will be damned forever. When one looks at the Federal Government seats there is only one that would be susceptible if this tax were introduced; that is, the seat of Kalgoorlie. I would not want the Federal Government to bring in a gold tax on the proviso that it would lose only one seat. It will not get one vote from the mining industry if it introduces this tax. I do not want to get into the politicking side of this subject. Only history will tell. If the Federal Government brings in this tax it will look forward to a massive decrease in support from the industry.

I support the motion.

HON. TOM KNIGHT (South) [4.48 p.m.]: This debate gives me and other members the opportunity of making the Government and this House aware of the problems which face the electors in this State. I certainly look forward to the opportunity to make this House aware of the problems which face my electors and obviously other members feel the same about their electors.

I am concerned at the level of expenditure that has been provided for the South Province this year. Again, it seems to be behind the eight ball as far as opportunities for development within that area are concerned.

Over the many years that I have represented the South Province in this House, I have been proud to stand up and point out the amount of expenditure that the Government has made available to benefit the people of my province. However, for the last few years I have had to indicate to this House that the expenditure has been diminishing each year. I draw members' attention to the amount of money that has been spent on the promotion of Bunbury. I believe that it is mainly for political purposes and it is to the detriment of electorates which are held by Opposition members. It is a bad move on the part of any Government to provide funds for any electorate in order to safeguard a seat for ever and a day. This Government's aim is to win as many seats as possible throughout this great State of Western Australia.

In spite of that, Albany seems to have suffered all the way through. As I said before, it was with great pride that I went through the Budget document and read out to the House the areas in which money had been spent over recent years. This year the amounts have been minimal. The amounts spent have been minimal because the Legislative Assembly seats for that area are held predominantly by the Liberal Party and the National Party. I hold the South Province for the Liberal Party. Any Government should as its main thrust show an interest in any area, regardless of which political party holds the seats in that area. However, over the last three years exorbitant amounts of money have been spent in the Bunbury region for the "Bunbury 2000" project.

The Government has proposed future development for the Albany region. I am deeply disturbed by certain advertisements showing what the endorsed Labor Party candidate for Albany would achieve as the member for Albany. I do not believe that any Government can afford to discredit a member of an Opposition party representing an area; certainly, it cannot afford to suggest that such member is not working within that area. Any Government which pushes projects of finance into an area with the object of benefiting an endorsed candidate of its political party should be severely censured.

Hon. S. M. Piantadosi: Mrs Lynch is a very good candidate.

Hon. TOM KNIGHT: Letters have been sent out and full page advertisements have been put in the *Albany Advertiser*, quite blatantly asking people to look at what Mrs X has achieved, as an endorsed Labor Party candidate, for

Albany. The placing of such advertisements is a total repudiation of members of Parliament who have been elected by the people. The Government of the day has said that it does not care who is elected by the people; it will still say that a person who is not a member of the Government party is achieving nothing worthwhile. The Government is prepared to say that an endorsed candidate, one who was defeated at the last election, is achieving certain successes in a particular region.

Hon. S. M. Piantadosi: Are you reflecting on Mrs Lynch's character?

Hon. TOM KNIGHT: It is totally unparliamentary and disgraceful for a Premier and a Government to use for political gain the stratagem of promoting a person in the community who happens to be an endorsed party candidate as someone who has achieved a number of successes in an area. It must be remembered, incidentally, that nothing great has been achieved in the last three years. We have seen more industries go broke and higher levels of unemployment than we have ever seen in Albany. Nevertheless, the Labor Party is advocating very strongly an "Albany Tomorrow" policy in the same way as it promoted a "Bunbury 2000" policy, for the purpose of winning a seat.

I do not think it is fooling anyone, but I had to bring forward this point because I feel so strongly about a Government's supporting an endorsed candidate and ridiculing a sitting member who was elected by the people. The Government slaps such sitting members in the face by saying to the people that it does not care who is elected; unless it is a person from its party it will do nothing for the area. That is the way it is seen by the people of the Albany region. If at any time the party of which I am a member acts in such a way, I will dissociate myself from that party. The sort of advertising used over the last 12 months shows a complete disregard for the person elected by the people, whether by a majority of one vote or 10 000 votes.

Hon. S. M. Piantadosi: Mrs Lynch would be a good representative for Albany.

Hon. TOM KNIGHT: Has Mr Piantadosi spoken in this debate? He has not the right to speak now.

The DEPUTY PRESIDENT (Hon. John Williams): Order! Hon. Tom Knight will disregard the unruly interjections. I will deal with

the person making them. The honourable member will continue with his remarks and address the Chair.

Hon. TOM KNIGHT: Thank you, Mr Deputy President. I have complete and utter faith in you, and I am sure you will do that admirably.

I refer honourable members to the summary of expenditure for the capital works programme set out on page 7 of the document, "General Loan Fund, Estimates of Expenditure". The first item I comment on is that of port authorities. In 1984-85 actual expenditure for the Albany Port Authority was \$46 304; the estimate this year is \$100 000. That is the only example in this entire document of where the actual expenditure for last year was less than that proposed for the 1985-86 year. That is a degrading situation for a Government, especially in view of the fact the great southern region is recognised in our history as being the first point of settlement. Frederickstown was the first settlement in Western Australia. That area has been disadvantaged because of the fact that it did not return a member of the Government at the last election. As the area is so important to the future growth and prosperity of this State, it should be given some consideration, regardless of which party holds the seat.

Hon. S. M. Piantadosi: You don't believe that yourself, Mr Knight.

Hon. TOM KNIGHT: If I did not believe it, I would not be saying it. That is one way in which I am different from the honourable member.

Hon. S. M. Piantadosi: It is just another stunt.

The DEPUTY PRESIDENT: Earlier this afternoon, the President warned about constant interjections and said that were interjections to continue he would name the next person who interjected. I propose to follow the same procedure. I warn members I will name the next person to interject.

Hon. TOM KNIGHT: Under the "Miscellaneous Departments" heading and Item 4, Marine and Harbours, I note that a new boatshed was allocated an amount of \$27 753 in 1984-85. No amount for such a facility is proposed for 1985-86. In 1984-85, \$23 612 was spent on town jetty improvements at the Princess Royal Harbour in Albany. No allocation has been made for 1985-86. In 1984-85, \$26 565 was spent for a fishing boat landing at Hopetoun. The amount allocated for this year

is \$10 000. Last year, \$54 752 was spent for navigation aids for port facilities at Albany. This year \$30 000 has been allocated.

With respect to recreational boating facilities, boat launching ramps are to be constructed in several areas in our State. For many years approaches have been made by fishermen, local government authorities, and local members about the need for boat launching ramps along the south coast in the interests of fishing, safety, and sea rescue. To date, we have only a limited number of boat launching ramps. There is one at Albany and one at Hopetoun; the next one is at Esperance. I have pushed, as have other members in the area, for boat launching facilities to help safeguard people who are moving in increasing numbers to those recreational areas along the south coast.

I mentioned in the Chamber at an earlier stage that the Minister for Transport, Hon. Julian Grill, had indicated that some 20 boat launching ramps would be established on the west coast and in the immediate metropolitan area. I suggested at that time that the Government should perhaps look outside the metropolitan area and give some consideration to areas like the south coast of Western Australia which runs from Cape Leeuwin to the South Australian border. That is a very dangerous coastline and boat launching facilities should be made available in the area to safeguard the people indulging in recreational pursuits.

Many fishing boats operate in that area, although unfortunately, due to the problems experienced by the tuna fishermen and the lack of support from the present Government to ensure that the tuna quota of some 5 800 tonnes in the previous year was maintained, it has dropped back by more than 50 per cent. Because the Government did not come forward with the finance in the time required to safeguard the balance of that industry for Western Australia, we have a situation where less than one-third of the tuna catch for the 1983-84 period is now available to Western Australian tuna fishermen—and indeed the Western Australian canneries.

I shall not go into that, but I believe the Government moved too slowly. It saw the problem after it had been pointed out many times. The indication was given that it would not happen. It did happen; it has happened. Now we have an industry one-third the size it was three years ago.

If the Government is strong enough in its belief in maintaining industries and commercial enterprises it should demand the original quota back for Western Australian fishermen. The quota should not be sold outside this State, because when the CSIRO and the Australian Fishing Industry Council allocated the quota it was allocated as a Western Australian quota. Now two-thirds of that quota has been sold to South Australia. It is out of keeping with the meaning of a Western Australian quota. This is something which was allocated to the State of WA and it should never have been allowed to be sold to any other State in Australia.

I press the Government to look very strongly at the installation of boat launching ramps, mainly for safety, along the south coast. At this stage there are only three points in that terribly long coastline with boat launching ramps.

Public works buildings and associated works include provision for the development of stages 1 and 2 of hospitals and associated facilities at Albany. I thank the Government for the opportunity taken to upgrade our regional hospital, which serves a very big region in the great southern. People are saved from having to come to the metropolitan area for their services. The Government has seen fit to redevelop the hospital, and stages 1 and 2 should be commencing very shortly.

We have the additional stages at the North Albany High School, which was set up as a three-year high school but has now been made into a five-year high school. With the increasing population and the need for educational facilities in the area, together with the need to maintain people at school longer because of the unemployment problem facing them, I appreciate the fact that the Government has seen fit to move into the second stage of development at the North Albany High School.

The Albany High School itself last year had \$352 862 spent on it. That project is finished. This year there is no allocation at all, but the Government must look at further facilities and further upgrading for the Albany High School which, as all members will recall, was turned down several years ago. This involved the Government reinstating that high school to its original format. Since then facilities have been increased and it is a major part of the education system of the great southern.

In Katanning public buildings are being upgraded, and also improvements are to be made to the primary school. Last year we were able to build a catering and computing system

at the regional technical annexe. This has become virtually a major source of technical education in the great southern. When one looks at the facilities made available to metropolitan based people, the Government must look very strongly at ensuring these types of facilities are made available in the regional centres of Albany, Esperance, Bunbury, Geraldton and Kalgoorlie to ensure that people wanting to learn trades and wanting to study particular facets of our education system today have those points available in their immediate vicinity rather than having to move into the metropolitan area, as they have had to do in the past.

The Government should also look closely at the requirements to facilitate classrooms to ensure a minimum number is available before a particular course is started. In many cases private citizens wanting to study a particular subject have themselves had to go around to ensure that the numbers are there to guarantee the commencement of that class. In some cases, because numbers have dropped off, the class has been closed.

With one million people in the metropolitan area and some 424 000 living in the country areas of this State, some concessions must be made to ensure the people living in country centres are able to gain the same benefit and the same educational standards as those who choose to live in the metropolitan area. Unfortunately "decentralisation" is a word which is very simply said but not so easily implemented. Governments will have to tread on toes and knock heads together to make sure that decentralisation happens and is not just left to chance; if it happens, well and good; if it does not, too bad for the country people.

We have a new police station in Cranbrook. You, Mr President, will remember that year after year I have risen in this House and requested a new police station to be established in Cranbrook. For many years the policeman in Cranbrook lived in a timber frame asbestos and corrugated iron house with the police station situated in a closed-in end of the verandah, which was formerly a sleep-out. Now we have a beautiful brick complex including a courthouse and a nice brick residence for the police officer. I congratulate the Government for continuing with the policy that we put forward at the time we went out of office of establishing this police station.

The same thing has happened at Denmark. Recently we saw the opening of the new Denmark police station. The old one was a jarrah weatherboard building which had been

there since the turn of the century. Fortunately we now have better facilities. Better working conditions make a lot of difference to the people and the situations in which they work.

At Katanning additions and improvements have been made to the building housing the Department of Conservation and Land Management. In Albany, under the Department of Sport and Recreation, we have a dining hall at the Quararup Hostel for youth. These improvements have been badly needed to ensure that young people in Albany are catered for, as with Amity hostel which was on the verge of closure. Due to the appointment of a new board of management and the enthusiasm of those people under their chairman, Len Smith, whom I hold in high regard, that hostel is now fully accommodated and the Government has seen fit to install recreation hall facilities to give added benefits to those people.

At the same time, through the Department of Sport and Recreation, dining hall facilities have been opened at Quararup, Albany's old quarantine station. At the turn of the century this quarantine station was established in the State of Western Australia. It was taken over by the Department of Sport and Recreation and the local shire and has now become a holiday centre and the new dining facilities will be opened by the Minister.

Last year \$763 028 was spent on the Albany water supply while this year we see a substantially reduced allocation of \$499 000. Nonetheless, I hope this amount will be sufficient to maintain the standard of that supply.

Albany has a major sewerage scheme in progress and this year \$704 000 has been allocated to continue this work. It is pleasing to be able to say that Albany possibly leads the rest of the State in regard to standard sewerage extensions.

The Wilson drainage system was virtually installed for the potato growers of the region and it is there basically to drain the swamps on which the potatoes are grown. Last year \$215 154 was spent while the allocation for this year is down to \$132 000.

I draw members' attention now to the Homeswest allocations in this year's Budget where we find that the allocation to its crisis accommodation programme has increased from an expenditure of \$67 418 last year to \$1.781 million for this year. This disturbs me to some degree because I regularly have people coming to my office complaining that too many people are exploiting our welfare system. We

have rental subsidies and rental assistance programmes and so on and all these take away from people the pride of doing things for themselves.

One gentleman who came to see me explained that he had been living out of town and had a daughter entering senior high school and a son about to start junior high school. He decided to shift into Albany because he had been offered a job in the town and his children would be closer to school. As it happened the job fell through but because of his children's education he decided to stay in Albany. He explained that he was better off living in Albany without a job because he was able to receive from the numerous welfare agencies established in the State and throughout Australia sufficient assistance to be better off than when he had lived elsewhere and had a job. This is one reason why yesterday I voted against allowing local government to move into the area of providing welfare services. I have found that some 13 agencies in the State provide welfare and do so without any accountability for the handouts they provide. This gentleman explained to me that he was \$15 a week better off living in Albany without a job than he had been when he had a job in the town he left.

This is a devastating situation for our country. The taxpayers are picking up this welfare tab but somewhere along the way we have to start making people responsible for their own lives. We need to allow them to retain some pride in themselves. We must allow them to show some form of initiative to do things for themselves. Unfortunately we really are a welfare handout State. Something must be done when we consider Australia's Budget shortfall of \$7 000 million. If we were to begin to look at our welfare system in order to overcome the exploitation involved in it, we might be able to halve our national debt or even wipe it off completely.

In the General Loan Account, the State Housing Commission section of the Budget under "Housing Authority" we find a reference to aged persons. The expenditure last year was \$2.850 million and the allocation for this year is \$3.101 million. When we consider the CPI, the rise in the cost of living, the rise in wages and so on we realise that more and more people are coming into the aged persons sector of our community. Therefore, I do not believe this increase is sufficient to cover the needs of these people. Day by day I get complaints from people indicating they need additional accommodation or housing assistance.

Under Albany Port Authority we find allocations for shore mooring at No. 3 wharf of \$50 000 and another \$50 000 for minor works.

In previous years, before this State Government was in power, I could proudly stand and speak strongly for 15 or 20 minutes pointing to money to be spent in my region. On this occasion, although I have digressed from the actual statements of those particular amounts covered by this debate, I have been speaking for something like 15 minutes and have been unable to point to allocations of any substance, which shows that the amount to be spent in my region by this Government is minimal. The amount each year has decreased since this Government came to office.

The Amity House recreation shed, covered by the Country High School Hostels Authority, is to be completed this year. Last year \$74 812 was spent and this year \$68 000 has been allocated to finish the work. The \$341 000 provided this year to upgrade the Amity House hostel is appreciated because four years ago it was in obvious danger of being closed.

I refer now to the Albany cottage scheme which is now known as Boronia Court. It is a scheme which allows pensioners in the Albany area to take up accommodation there without any ingoings and only minimum rental. It is the only place in Albany where pensioners can find cottage-style accommodation where their pensions cover the total living costs in the hostel while still being enough to leave them with a little money each week so that they can maintain their pride. At the end of the week they have enough to buy a packet of cigarettes, a box of chocolates or whatever or perhaps to do the most important thing to them which is to be able to buy a little present for their grandchildren without having to go begging to their own children for money to buy those little necessities we have all become accustomed to.

The Boronia Court complex applied to Homeswest for funding to build additional units. As members would be aware, Homeswest has advertised widely to the effect that it is prepared to be a joint partner in cottage housing schemes for pensioners in WA. The Minister has told me that the Albany cottage scheme is not included in this year's allocation but that following my representation on its behalf to him for it to be included, he wants me to ensure that the Boronia Court people reapply next year because he thinks they could be considered.

So many other schemes have been funded in Albany which are, unfortunately, either commercially-run or institutionally-run group housing which costs pensioners, in particular, more than they gain from their income. I think this is a matter at which we must look extremely closely in order to ensure that the money is spent in pensioner and aged persons' homes as it should be spent; that is, on homes in which people have the dignity to be able to pay their costs and have something left over for themselves at the end of each week. The pensioner cottage scheme in Albany does just that, yet the Government has seen fit to knock it back on funding for this financial year.

I will now refer to an organisation to which I believe the Government has been avoiding giving assistance: The Marriage Guidance Council of Western Australia. I have done some homework on this matter and I have been in touch with Mr Crawley, the director of that organisation, who informs me that it has been proved beyond doubt that marital breakdowns cost the Australian Government in excess of \$1 200 million per annum. The council states quite categorically that 40 per cent of first marriages will end in divorce and up to 40 per cent of second marriages will also fail. The Government's funding to assist in marriage guidance and counselling covers only 3.4 per cent of the council's clients. The Western Australian Government has completely opted out of funding for the Marriage Guidance Council of Western Australia. The Federal Government is still subsidising it but members will notice from what I am about to say that its funding is totally inadequate in regard to what it is costing the taxpayer in comparison with what could be saved for the taxpayer if a little forethought and finance were given to ensuring the best deal is available to help people who are genuinely concerned about stopping the breakdown of marriages in this country and assisting those people affected by breakdowns.

The Marriage Guidance Council of WA was established 32 years ago and it has been indicated to me that 1 700 cases are seen each year by the council in this State alone. These are cases of people requiring guidance to hopefully save a breakdown of their marriage. That involves some 10 000 interviews per annum. These people were initially there as a self-help group, and finding that it got beyond their control as such they had to expand to a degree where Government funding was available. That funding has not been increased. On a breakdown of the marriage figures, *per capita*

spending by Government is down to \$83 per person—that is, every man, woman and child in this country—while on counselling, it is only 27c *per capita*, and marriage education amounts to 0.01 per cent *per capita*. When it is considered that a single supporting mother and two children cost the Government \$6 500 a year, the Marriage Guidance Council receives \$376 000 for the same period for 1 700 people. If 57 of those people—that is, 3.4 per cent—had their marriages saved, that would pay for the total funding of the council over that period of time. I believe that the Government should look seriously at this particular facet of our way of life and the fact that someone has set up an institution which could save the taxpayer a lot of money. However, because we so often talk of the retention of the family unit, which is foremost in our thinking, the State Government has not seen fit to put forward any subsidy whatsoever to assist these people. I suggest that the Government look at this very closely.

I refer now to the Kendenup school, which has been very much to the fore over the years in this place due to my contributions regarding water supply, schooling, staff room, housing and so on. In an earlier debate I raised the matter of the principal's home because he was travelling from Mt Barker to Kendenup each day to work. I am happy to say that he now has a new home in Kendenup. I take the opportunity to raise the matter of the school staff room because teachers and children were having to share an open back verandah of that school for their morning, lunch, and afternoon breaks and for their staff breaks, which meant that the children were not getting away from the teachers and vice versa. I brought that matter before the House in a debate recently. I am pleased to say that at the Albany Show on Saturday the principal of the Kendenup school assured me that through the minor works programme the Government has allocated some \$18 000 for the establishment of a staff room at Kendenup school. As an Opposition we oppose and knock the Government, as quite rightly the Government did to us when it was the Opposition. However, this is a situation in which I have to say yet again, "Thank you" because the people—the staff and the children—of the Kendenup school are very grateful for the fact that the Government has seen the need to do something and has done it.

I have often raised the issue of water supplies in rural areas because these are of great concern to everyone in this State. In a drought year

water supplies affect everyone in the State because ultimately there is less income, fewer jobs, less revenue and the entire State suffers. I again bring to the attention of the Government and the Minister the problems with the Denmark water supply. As I have said before, the Denmark water supply is putrid. The salinity build up in the supply has given the water a terrible stench, and it is almost unbearable to drink if one decides to breathe while drinking the water. It has been suggested that one way to overcome this situation would be to sluice out the bottom of the water supply reservoir where the salinity build up is such that the water is turning putrid. This has been done at the Wellington Dam and I believe that this dam has a sluice gate at the bottom for the express purpose of flushing out the saline build-up and therefore to a degree purifying that water supply.

I have also raised at different times the issue of the water supplies to Jerramungup, Newdegate and Ravensthorpe. Nothing has been done to the Jerramungup water supply and with the winter period now past, the chance of getting rain before next winter is minimal. I believe that there is every likelihood that the Government of the day, whatever it might be after the next election, will have to face the wrath of the people in Jerramungup because there is insufficient catchment area in that dam to service the people in that area. As I have mentioned before that town is now the centre of the latest local government area in Western Australia. I ask the Minister to ensure that if it is possible to do any work it should be done because there is a minor likelihood of flash storms or thunderstorms during the summer period that could supplement that water supply. I believe that the sooner the work is done, the more chance we have of freeing these people from water restrictions during the coming summer.

As I have said before, Newdegate has had its water catchment area enlarged. However, the Government has indicated that it needs a double enlargement of that particular area to catch sufficient water under normal annual rainfall conditions in order to ensure that sufficient supplies are there for the people of Newdegate. In fact the people, through fund-raising activities, have raised an amount of money to put in a swimming pool at the school to save the costs, and to save their children having to travel 40 miles each way each day to go to swimming lessons in Lake Grace. The Minister has refused to allow these people

to use water from the inadequate Newdegate water supply in order to fill that swimming pool. I believe that swimming pools are one of the things that people in the metropolitan area and major provincial towns have come to expect as normal. People who choose to live in areas away from those major centres and to live where obviously their work, initiative and drive create work, turnover and finance for the economy of Western Australia, should not be subjected to the degrading situation of being told they cannot have a swimming pool because they cannot afford to supply the water for it.

A poor job was done on the surfacing of the catchment for the water supply of Ravensthorpe. The previous Government and this Government have spent money upgrading that catchment area. The Ravensthorpe football club raised money to spread lawn seed and topdress the football oval for the benefit of sport in the area. It then approached the Government for water during the extremely hot months of the year to ensure that the money it had spent was not wasted. The Government refused it the use of the water because there is insufficient water to service the people of Ravensthorpe.

The inadequacies of the engineers involved in the design of the dam is ridiculous in this day and age. Money is being thrown around. Why should these towns have to suffer the embarrassment of having to ask for water and having the Government say, "We cannot help you"? Governments know that these small towns will not have any real effect on who governs this State. Most of them only have about 200 or 300 people living in them. I want the Government to consider this matter again.

I now raise again the issue of live sheep exports. Again I remind the Government that the America's Cup will be held off the coast in 1987 and live sheep are still being carried through the streets of Fremantle. Apparently tourist ships will be berthing at Fremantle alongside these foul-smelling ships.

Hon. D. K. Dans: That will not happen.

Hon. TOM KNIGHT: The Minister for Transport has said that would be the case because he did not believe it was a problem. He said that, on monitoring the situation, he did not expect tourist ships to come into contact with these live sheep ships.

I received a call from a person two weeks ago when a sheep ship was loading asking me to come and look at Cliff Street in Fremantle.

Sheep droppings were spread along that street into Fremantle and by the second or third day the stench was unbearable. The Minister said that there is no record of sheep droppings through the streets of Fremantle. The Fremantle City Council has said that the area should be cleaned up. It has pushed for, and the Government has carried out research on, the possibility of establishing sheep-loading facilities south of Fremantle at a cost of \$80 million. Why are we even considering that to the detriment of sheep growing areas like Esperance, Albany, and Geraldton? We should be using our regional resources. People will be coming here from all over the world for the America's Cup. They will be subjected to this stench and unsightly situation of sheep trucks going through the streets of Fremantle. Fremantle is a beautiful place with great historical value. It is a fantastic place to be used as a tourist venue, now for the America's Cup, and in the future.

I am concerned that the Government is propping up the Fremantle Port Authority which relies so much on revenue derived from the shipping of live sheep through that port to the detriment of regional ports. It is prepared to sacrifice this beautiful, historical City of Fremantle to prop up that authority. I have argued with the Minister in reams of correspondence and he has agreed with all I have said. However, he has indicated that the Government is not prepared to do anything about it because he believes the infrastructure of Fremantle is such that this industry cannot be moved elsewhere.

A businessman from the Eastern States is prepared to spend \$2 million on portable sheepyards to be placed on the wharf at Albany. To be shipped from Fremantle the sheep have to be brought straight from farms and loaded onto the ships. There are many holding yards surrounding Albany which could be used for that purpose if Albany was chosen as a sheep-loading facility. A lot of sheep are lost because they have not been conditioned to pellet feeding. They are moved from a pad-dock-fed situation to a pellet-fed situation and many are lost. If they were conditioned to pellet feeding the number lost would be cut by 50 per cent. That could only occur if regional shiploading facilities were used.

The person appointed to train the string orchestra in Albany will finish that job at the end of this year. The Education Department uses the argument that the original 88 students have dwindled to 56 students. Many concerned parents have contacted me requesting that this

person's contract be renewed. What will happen to the young people who have gone so far in their musical careers? I want an assurance from the Government that this man will continue in his position. He is held in very high standing by the parents and students who want to ensure that there is no way that they will lose the experience they have received to date and that they will retain some form of instruction in their musical careers. In February 1984, 88 students were doing the course. The number has now dwindled to 56. This course, though, is no different from any technical course. All technical courses lose people as they progress. People drop out. On so many occasions courses have had to be dropped because numbers drop below the required figure. Who knows, by February 1986, with a new intake, the figure will probably be back at 88 students. I think the Government should consider this matter urgently because it is most important that country children do not receive any less an education than their city colleagues. It is important to maintain high educational facilities in country areas.

Last week I went to Lake Grace with my lower House colleague, Hon. Richard Old. Figures were produced at a meeting which proved that there is now a necessity for the construction of a high school four-day residential hostel. Projections for students in that area for the next 15 years show that years 11 and 12 also need to be attached to the high school. I urge the Government to insist that the Education Department approve these matters. We attempted to have these matters approved six years ago, but there were not sufficient numbers. Now they add up. They support the feeling in the community, a community which is prepared to raise money for the construction of these facilities. People in Perth expect their children to attend school. At least these children may not be able to get home again at night, but they will be away only for four nights and will be close enough to their homes for their parents to be able to visit them.

I raise a further matter briefly. Members may recall that a month or so ago I referred to a situation in which a constituent of mine was charged by the police in Albany for flashing the headlights of his car. It was stated it was illegal to drive with headlights on high beam. The magistrate was not prepared to convict the man but he was required to pay court costs. He believed that it was normal practice and had been accustomed when driving at night to flashing his headlights on full beam if the oncoming

vehicle appeared to have its lights on full beam. Generally the driver in the oncoming vehicle would drop his lights. The oncoming vehicle in this case was a police vehicle and that resulted in the charge being laid.

After some investigations I discovered that the suppliers of vehicles for the Police Department are required to issue globes for their headlights of a higher wattage than those used in normal vehicles.

The PRESIDENT: Order! Honourable members must stop their audible conversations so that the member can conclude the speech he is making to enable the House to proceed with the important business it has.

Hon. TOM KNIGHT: I discovered that police vehicles have 100 watt bulbs in their headlights while ordinary vehicles have 46 watt globes. To my way of thinking that is illegal because in effect those vehicles are driving on high beam. I checked with the local supplier who showed me an order form which confirmed that police vehicles have these higher wattage globes. Why is there one standard for the police and another for the public?

My main reason for raising this issue, and I can see that you are terribly interested in what I am saying, Mr President, is the article which appeared in the *Daily News* on Friday, 25 October. The article concerns a woman who has been awarded a safety driver sticker. The article contained the following advice which had been given to the reporter by Sgt Woodland of the Perth Traffic Branch—

Signal the other driver by flicking your lights. But if his don't change, keep your own lights on low beam and if completely dazzled, stop.

In Albany a policeman decided to apprehend one of my constituents and to take him to court because he flicked his lights. Yet a police sergeant is subsequently reported to have told the *Daily News* to do the very things which my constituent was charged for. Let us make a consistent rule in this regard. This practice of flicking the vehicle's headlights has been accepted in this State for many years.

I have been driving for some time and for as long as I can remember it has been common practice. If an oncoming vehicle appears to have its headlights on full beam it is accepted that the driver flicks his headlights and usually the immediate response is that the oncoming driver will dip his lights. Occasionally, and particularly if a police vehicle is involved, the headlights may already be dipped in which case

the driver of the oncoming vehicle will flick them to full beam to indicate that he had already dipped his lights.

The PRESIDENT: Order! I have already asked honourable members to stop their audible conversations.

Hon. TOM KNIGHT: I have gone as far as I can at present and I shall be able to continue my comments on some other occasion. In view of the outstanding business to be dealt with by the House, I will conclude my comments.

Debate adjourned, on motion by Hon. V. J. Ferry.

ABORIGINAL AFFAIRS: LAND RIGHTS INQUIRY

Tabling of Documents by Leader of the House: Ministerial Statement

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.45 p.m.]—by leave: I am now in a position to table the audited papers requested by Hon. N. F. Moore. However, I must advise the member that the documents are not collated. I have been assured that a collated and indexed copy will be available in the library tomorrow. In addition, I advise that the uncollated papers contain three copies of the documents and I seek permission to separate these and leave one copy only in the House.

I note the motions on the Notice Paper and I regret that we have arrived at this situation. I am quite prepared to ensure that Mr Moore's motions are at the top of the Notice Paper on Tuesday and will be debated immediately the House sits.

I regret that the copies available have not yet been collated. I understand that the Auditor General is going through the accounts again and I am assured that the copy that has been delivered to me by the department, as distinct from what the Auditor General is doing in view of Mr Moore's motion, is correct.

I have been chasing these documents in order to provide them to Mr Moore and I regret that they are not collated. However, I am assured that all papers required are there.

I have given an assurance that we will debate Mr Moore's motions on Tuesday afternoon. If the House does not agree with that proposal, the other option is to continue the debate after the dinner recess tonight. I am prepared to do either of those things.

(See paper No. 318.)

HON. N. F. MOORE (Lower North) [5.47 p.m.]—by leave: I am quite happy to accept the assurance of the Leader of the House that the two motions I have moved today will be made Orders of the Day Nos. 1 and 2 on Tuesday which will obviate the necessity to debate this tonight after a dinner break. I can understand why members would like to finish this sitting at 6 o'clock. I look forward to debating these matters on Tuesday.

BARROW ISLAND ROYALTY VARIATION AGREEMENT BILL

Receipt and First Reading

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

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.48 p.m.]: I move—

That the Bill be now read a second time.

The Bill ratifies an agreement between the State of Western Australia and West Australian Petroleum Pty. Limited, or WAPET, to introduce a resource rent royalty to replace the *ad valorem* royalty provisions presently applying to the Barrow Island oil field under the petroleum lease. The Bill also makes enabling amendments to the royalty provisions of relevant petroleum legislation. Other legislative and lease provisions relating to Barrow Island are left intact.

A complementary agreement has been reached with the Commonwealth which secures an exemption from the Commonwealth crude oil excise for petroleum produced on Barrow Island. The resource rent royalty will thus replace both the Commonwealth excise and State royalty for the Barrow Island petroleum lease. Revenues and administration costs will be shared between the two Governments in the manner prescribed in the complementary agreement. This arrangement represents a significant milestone in intergovernmental fiscal relations. It is the first time that a State, the Commonwealth and industry have willingly collaborated on a major reform of taxation or royalties.

More importantly, it represents a unique instance of a Commonwealth levy being withdrawn in favour of a State royalty, thereby returning to a State effective royalty power over a major resource project. It demonstrates

what can be achieved through the constructive approach to Federal relations adopted by this Government.

The initial impetus for this reform was the decision by this Government to rectify a misjudgment made under previous Governments, which allowed the Commonwealth crude oil excise to be deducted when calculating payments under the existing *ad valorem* royalty regime. This error allowed the Commonwealth to expand its rate of excise, reducing the State's royalty receipts in absolute as well as relative terms.

The most obvious option open to the State was to withdraw the deductibility of excise payments. This action, however, would have had a disastrous effect on the operation of the field, forcing WAPET to shut in about 30 per cent of its production and abandon some new investments and exploration activity. Rather than following such a shortsighted policy, the State and the other parties agreed in principle to alternative arrangements that would provide gains to all parties.

The source of mutual gain and the driving force of the new arrangement is the elimination of economic waste arising from the excise and *ad valorem* royalty and the implementation of a resource rent royalty regime that avoids further economic waste by not distorting exploration, investment, and operating decisions. This resource rent royalty system is defined by the Barrow Island Royalty Agreement.

The existing royalty and excise duty to be replaced by the RRR are based on gross value of production. Therefore, they are insensitive to the high costs of incremental production and thereby bring about premature termination of production from existing wells and discourage costly investments to recover further oil.

The RRR, because it is based on realised profit in cash terms and provides for a satisfactory rate of return on investment before any royalty is payable, does not have these serious side effects. The RRR will, in stark contrast to the existing arrangement, result in more investment, greater annual production, and an extension of the life of the field. Accordingly, increased benefits will be available to all parties.

As well as benefiting from the additional economic activity associated with Barrow Island, the State will benefit greatly in financial terms. It will collect additional royalty from Barrow Island of around \$9 million in 1985-86 and in the following years the exact level will

depend on oil prices and field performance. In addition, as part of the agreement with the Commonwealth, the State has already received very substantial compensation from the Commonwealth for royalties lost since our discovery of our predecessors' misjudgment in allowing excise payments as a deduction in the royalty calculation.

The benefits to WAPET are significant. The marginal rate of excise tax plus royalty on oil production from Barrow Island under the old arrangement was over 90 per cent of gross value at the wellhead compared with the marginal RRR rate of only 40 per cent of net value after all costs. WAPET will now receive 60 per cent of the gains from incremental production which should assist the commercial viability of tertiary recovery and deep drilling activity.

The Commonwealth, along with the other parties, will share in the economic efficiency gains flowing from the new arrangement, but these will be long term gains. In the short term, some Commonwealth revenues have been redistributed to the State in the interests of promoting sensible tax reform. A central part of the Hawke Government's resource policy has been the reform of resource taxation arrangements along rational economic lines. The Barrow Island RRR will be the first such reform implemented. Accordingly, the Commonwealth has been most co-operative.

The RRR is simple in concept and structure and provides WAPET with certain, stable rules of the game upon which to base future investment decisions. It eliminates the need under the previous regime to make frequent, *ad hoc*, complex adjustments in an attempt to ensure that the excise tax and *ad valorem* royalty do not knock out production and new investments as circumstances facing the oil field change.

The RRR has been based on the principles of the Commonwealth resource rent tax applicable to Offshore Greenfields Petroleum projects. However, it improves on that regime in a number of respects and establishes points of detail that will guide the Commonwealth in drafting its resource rent tax legislation. The fairness and efficiency of the Barrow Island resource rent royalty systems is illustrated by the fact that the principles and details have been scrutinised and agreed to in total by WAPET, participants of which include three of the largest oil companies in the world, and two Governments.

The main features of the resource rent royalty are as follows—

- (1) It will apply from 1 July 1985.
- (2) The RRR will replace the Commonwealth crude oil levy and the State *ad valorem* royalty on petroleum from Barrow Island.
- (3) The rate of resource rent royalty will be 40 per cent.
- (4) All bona fide costs after 1 July 1985 will be written off immediately in the year in which they are paid, with any excess of receipts over expenditures being subject to royalty and any excess of costs over receipts at the end of the year being compounded forward at the accumulation rate to be deductible in the next year.
- (5) The only pre-1 July 1985 costs allowed as a deduction relate to the 1984-85 drilling programme to locate more oil. This was allowed because the revenues from oil discovered by this programme will be produced almost entirely under this new royalty regime.
- (6) The accumulation rate is an allowance designed to allow an appropriate rate of return on all capital, including equity as well as debt capital, invested in exploration and recovery of petroleum on Barrow Island.
- (7) Strong checks and balances are provided to prevent royalty avoidance and to ensure that WAPET is fairly treated when royalty is assessed.

In summary, the new royalty arrangements enabled by the Bill represent a major achievement of this Government. The State's revenue has been significantly increased in a manner which substantially improves rather than diminishes incentives to explore, invest, and recover petroleum. At the same time, State control over its resources has been enhanced in contrast to the persistent erosion of State powers in respect of resources which occurred under our predecessors. The new arrangements demonstrate that the State, the industry, and the Commonwealth can all benefit from a co-operative approach to the rational reform of royalty and taxation of resources.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

BARROW ISLAND ROYALTY TRUST ACCOUNT BILL

Receipt and First Reading

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

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.56 p.m.]: I move—

That the Bill be now read a second time.

This Bill provides for the establishment of a trust fund into which all royalty revenue received by the State from the new resource rent royalty to be levied on Barrow Island is to be paid. The new resource rent royalty will replace the existing State *ad valorem* royalty and the Commonwealth excise, with revenue from the new royalty to be shared between the Commonwealth and the State on a 75 per cent : 25 per cent basis.

This Bill should be read in conjunction with the Barrow Island Royalty Variation Agreement Bill 1985 which details the new royalty arrangements.

Under the new arrangements there will be substantial financial benefits to the State, both immediately and over the remaining life of the field. For example, in 1985-86 the State expects to receive \$9 million over and above what is estimated to be received if the previous arrangements continue. This is in addition to the \$20.3 million received in 1984-85 as compensation for royalties forgone in the past.

In terms of the State's share of total Government mineral revenues collected from Barrow Island, the 25 per cent share of the resource rent royalty to be retained by the State compares very favourably with the State's share of total Government revenues—that is, Commonwealth excise plus State royalties—derived from the field in the past. This share has not exceeded 10 per cent in any year since the Commonwealth excise was introduced in 1975.

While revenues from existing mineral and petroleum royalties are paid directly into the State's Consolidated Revenue Fund, the nature of the new royalty arrangements for Barrow Island and the requirement for payment to the Commonwealth of its agreed share of the revenue necessitate special arrangements. Because the new royalty is imposed as a consequence of an agreement with the Commonwealth with the

major part of the revenue collections to be passed on to the Commonwealth, a trust fund is to be established to allow payment to the Commonwealth without requiring annual appropriations.

The Bill proposes that all royalty receipts received by the State from the new royalty be paid into the trust fund and, within 21 days, be distributed 75 per cent to the Commonwealth and 25 per cent to the State's Consolidated Revenue Fund.

The Bill also enables refunds to be paid from the trust fund if appropriate in the event that refunds are required because of an overpayment of royalty by the lessee. Consistent with the agreed revenue sharing arrangements, the Commonwealth will be responsible for meeting 75 per cent of any refunds payable by the State.

A deed of agreement to be signed by the Commonwealth and the State relating to the revenue sharing arrangements will detail the specific administrative and revenue sharing details agreed between the Commonwealth and the State.

The new royalty arrangements to apply to Barrow Island represent a prime example of what can be achieved with the Commonwealth and State Governments working together rather than in competition with one another. The new resource royalty represents a reasonable balance between satisfying the community interest in sharing in the benefits of a profitable petroleum project and at the same time providing private companies with adequate rewards and incentives. Increased production from Barrow Island, encouraged by the new arrangements, is expected to increase revenues to all parties and in this respect the State Government's share of revenues from the project has been considerably enhanced by the arrangements.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

BILLS (2): ASSEMBLY'S MESSAGES

Messages from the Assembly received and read notifying that it had agreed to the amendments made by the Council to the following Bills—

1. Financial Administration and Audit Bill.

2. Acts Amendment (Financial
Administration and Audit) Bill.

That the House at its rising adjourn until
2.30 p.m. Tuesday, 19 November 1985.

ADJOURNMENT OF THE HOUSE:

SPECIAL

Question put and passed.

HON. J. M. BERINSON (North Central
Metropolitan—Attorney General) [6.00 p.m.]:
I move—

House adjourned at 6.01 p.m.

QUESTIONS ON NOTICE

337, 342, 350, 353 to 355. *Postponed.*

TRAFFIC

Right Hand Turns: Canning Highway

356. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Transport:

(1) Has a recent decision been made to decline a City of South Perth request for a right-hand turn facility at the corners of Albany Highway and:—

- (a) Douglas Avenue;
- (b) South Terrace;
- (c) Thelma Street?

(2) If so, what are the reasons for these refusals?

(3) Would he be prepared to ask his department for a review of the decision in each case?

Hon. PETER DOWDING replied:

It is presumed that the member refers to intersections on Canning Highway and not on Albany Highway. The answers have been framed on this basis.

(1) (a) No, no request from council. A response to question 704 of Tuesday, 26 March 1985 from the member indicated that the approach lane numbers precluded provision of right turn green arrow if congestion is to be avoided.

(b) No. Most recent request forwarded via council was March 1983. Request declined due to restricted number of approach lanes and existing congestion.

(c) No, no recent request. However, as a result of other matters, the Main Roads Department modified the site to provide separation in movements from Barker Avenue and Thelma Street on 6 June 1985.

(2) Answered by (1).

(3) Yes.

TRAFFIC: ACCIDENTS

Ley Street-Manning Road Intersection

357. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Transport:

(1) How many accidents have been reported at the Manning Road-Ley Street intersection in each of the past 12 months?

(2) Has any of these been fatal?

(3) Has an approach been made by the City of South Perth for a walk-phase light system at this intersection?

(4) If so, on what basis was the refusal made?

(5) Would he be prepared to ask his department to review the decision in this matter?

Hon. PETER DOWDING replied:

(1) In the past twelve months accidents have occurred in the following months—

November 1984	1
March 1985	1
April 1985	1
June 1985	3
July 1985	1
September 1985	1
October 1985	2
TOTAL	10

(2) Yes. The March 1985 accident involving a pedestrian aged 75.

(3) On 8 July the council requested a larger "Walk" sign be installed at the site to encourage older people and residents to cross at the signalised intersection. Subsequent verbal clarification sought from council indicated the request was for "Walk-Don't Walk" signals.

(4) Vehicular and traffic surveys conducted on 14 and 15 August 1985 indicated that less than 250 pedestrians used the site over the period 7.00 a.m. to 7.00 p.m., of which 13 were elderly and 13 were children. From experience this usage was considered to be insufficient to justify the provision of "Walk-Don't Walk" signals. Council was advised of non-justification on 27 September.

(5) Council raised the issue again on 30 October and this is currently receiving attention.

360. *Postponed.*

TRAFFIC ACCIDENTS

South Perth

361. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Transport:

I refer to his answer to question 18 of Tuesday, 3 September 1985 and ask—

- (1) What is the number of accidents in 1985 to 31 October?
- (2) Of this number, what number involved injury?
- (3) Is he aware of a serious accident at this intersection on 11 November?
- (4) Will he take urgent steps to discuss with the local authority the need for immediate installation of traffic lights at this intersection?

Hon. PETER DOWDING replied:

- (1) Ten in 1985 to 31 October.
- (2) One.
- (3) I have been advised by the Main Roads Department that there was an accident at the intersection on 11 November. The Main Roads Department is following up to ascertain details.
- (4) The Main Roads Department initiated action to provide traffic control signals at the Coode Street-South Terrace intersection some time ago. At the time the council was opposed to the provision of signals. I understand that council has only recently agreed that signals be installed. Action is being taken to install the signals at an early date.

ARTS

Winter Theatre: Allegations

371. Hon. G. E. MASTERS, to the Attorney General representing the Minister for the Arts:

- (1) Is it correct that the Minister is in receipt of a letter dated 26 December 1984 from the new board of the Winter Theatre, which took office on 13 August 1984, informing him that inspection of the company books and other investigations had established that—

- (a) significant quantities of heroin had been actively traded at the theatre, sometimes in the presence of school children on work experience throughout 1984;
 - (b) fraudulent double salary payments had been made to various people from publicly funded grants;
 - (c) the theatre's account books had been fraudulently mismanaged to permit such payments;
 - (d) allegations that public funds had been misappropriated to purchase hard drugs for use and possible resale;
 - (e) these matters had taken place with the full knowledge of the management; and
 - (f) a private trip had been taken to Melbourne by the theatre manager, Mr Boddhan Whetham, paid for out of public funds?
- (2) Will the Minister advise what action has been taken since receiving this letter to investigate these allegations by—
 - (a) staff of his own office;
 - (b) the W.A. Arts Council as funding body; and
 - (c) the Police Department?
 - (3) Will the Minister advise why he did not reply to this letter at any time, or address any of the allegations therein?

Hon. J. M. BERINSON replied:

- (1) to (3) A letter was received from Mr John Aitken as Chairman of the Winter Theatre on 29 December last and forwarded on to the Public Service Commissioner the same day for advice. The request in the letter was for a review into the assessing procedures of the Western Australian Arts Council. The letter must be taken in the context of conditions at that time when the Winter Theatre had not been funded for 1985 following investigation by the Arts Council of its performance in 1984.

Presumably because the theatre was not funded, the new executive wanted the matter reviewed and were trying to

point out how badly the others had performed and how well the new theatre might perform.

My advice was that the allegations about drugs were probably too "stale" for anything to be gained by referring them to the Commissioner of Police.

It was also suggested that some reconstructing of the WA Arts Council might be necessary and this matter was taken up by the Functional Review Committee. I have that committee's report on hand, and it will be acted upon where necessary after discussions with the new director and other concerned people.

The position of the Winter Theatre was also discussed at length in the Arts Council office and with the Chairman of the WA Arts Council. I went as far as referring the matter to the Crown Law Department for advice.

I do not recall the writer of the letter, Mr John Aitken, making any further approaches to me. My most recent contact with him was when he was a member of a deputation from the Hole in The Wall Theatre to discuss funding for that group.

My inquiries regarding assessment procedures convinced me that the five-stage procedure mentioned in reply to question 365 was adequate and probably the most thorough in Australia.

Financial responsibility and accountability have been strengthened and a safeguard has been included in the Financial Administration and Audit Bill which will give the Government the right to audit the books of any organisation receiving Government funds.

The accounting of the Winter Theatre was thoroughly investigated by the Arts Council when their annual returns were presented in accordance with the requirements of their 1984 grant.

372. *Postponed.*

CRIME

Breaking and Entering: Statistics

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

For the past five years what are the recorded figures for breaking and entering in Western Australia?

Hon. J. M. BERINSON replied:

The figures recorded for breaking and entering for Western Australia for the past five years are—

	1981	1982	1983	1984	1985
Reported	19 349	19 223	24 412	23 371	26 777
Cleared	4 107	4 592	4 668	4 888	4 610

The inflated reported figure for 1983 was caused by a change in the collection point of data at the time of computerisation when there was a transition period of three months which incorporated information from the old to the new method of recording this data.

374 and 375. *Postponed.*

HEALTH: HYDROTHERAPY

Pitcher's Healthworld: Lifting Device

376. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Health:

- (1) Is it correct that the Government is to install a lifting device at Pitcher's Healthworld in Bull Creek to aid those patients who have difficulty getting into and out of the pool?
- (2) If so, will he give details of cost and usage?

Hon. D. K. DANS replied:

- (1) No.
- (2) Not applicable.

HEALTH: HOSPITALS

Psychogeriatric Patients: Hydrotherapy

377. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Health:

What is the Government proposing to do with psychogeriatric patients at the Armadale-Kelmscott and Swan District complexes who need hydrotherapy?

Hon. D. K. DANS replied:

The psychogeriatric physiotherapy service at both the Armadale-Kelmscott and Swan District complexes are in the early stages of development.

The provision of hydrotherapy facilities in the future will be given consideration.

QUESTION WITHOUT NOTICE

LIQUOR

Club Licence: Mandurah Fishing Club

343. Hon. I. G. PRATT, to the Minister for Racing and Gaming:

- (1) Can the Minister advise whether he is in receipt of an application from the

Mandurah Fishing Club for the Minister to exercise his discretion in permitting that club's application for a club licence to go before the State Licencing Court?

- (2) If so, when will a decision be given to the club?

Hon. D. K. DANS replied:

- (1) and (2) The letter was received in my office on 11 November and is being examined. I have not seen it yet. As soon as my officers have drawn up some guideline, they will send a recommendation back to me. I will let the member know that recommendation first-hand and will write to the club.

