



WESTERN AUSTRALIA

# **Parliamentary Debates**

**(HANSARD)**

THIRTY-FIFTH PARLIAMENT  
FIRST SESSION  
1997

LEGISLATIVE ASSEMBLY

Thursday, 6 March 1997

# Legislative Assembly

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## MEETING OF THE ASSEMBLY

The Legislative Assembly met at 11.00 am.

### PROCLAMATION

The Clerk of the Assembly (Mr P.J. McHugh) read the Proclamation of His Excellency the Governor (Major General Philip Michael Jeffery, AC, MC) summoning the first session of the Thirty-fifth Parliament.

### MEMBERS OF PARLIAMENT

#### *Swearing-in*

The Honourable Mr Justice Kennedy, AO, of the Supreme Court of Western Australia, having been commissioned by His Excellency the Governor, entered the Chamber to administer to members the Oath of Allegiance to Her Majesty, or the affirmation required by law, and was conducted to the Chair. The Commission to swear in members having been read, the Clerk produced the writs for the general election, held on 14 December 1996, showing the names of the members returned. These members took and subscribed the Oath of Allegiance, or made and subscribed the affirmation required by law, and signed the Roll.

The Commissioner then retired from the Chamber.

### SPEAKER - ELECTION

**MR COURT** (Nedlands - Premier) [11.43 am]: The House being duly constituted I move -

That the member for Innaloo do take the Chair of this House as Speaker.

**MR BARNETT** (Cottesloe - Leader of the House) [11.44 am]: I second the motion.

**MR STRICKLAND** (Scarborough) [11.45 am]: I submit myself to the will of the House.

[Mr Strickland was declared by the Clerk to have been elected, and he was conducted to the Chair.]

**THE SPEAKER** (Mr Strickland): I thank honourable members for the signal honour they have conferred upon me, and I now assume the Chair as Speaker of this Legislative Assembly.

**MR COURT** (Nedlands - Premier) [11.46 am]: Mr Speaker, on behalf of the Government, I take this opportunity to congratulate you on your election and appointment as Speaker. It is a very onerous job. I give a commitment that members of the coalition will do everything they can to cooperate in the cut and thrust of the Parliament. We wish you every success with this difficult position and the responsibility that you have taken on.

**MR COWAN** (Merredin - Deputy Premier) [11.47 am]: Mr Speaker, on behalf of the National Party and the coalition I also extend congratulations of all members to you. As the Premier said, it is a very onerous responsibility to maintain order in this place; however, I have every confidence that is exactly what will occur over the next four years under your authority.

For some unknown reason it seems that I have had conferred upon me a particular honour. I will give you one assurance: As the longest serving member of this House, I will not be the person who constantly reminds you of standing orders. Congratulations.

**DR GALLOP** (Victoria Park - Leader of the Opposition) [11.48 am]: On behalf of the Opposition and the Labor Party, I congratulate you on your election to the position of Speaker. During your time in this Parliament you have built up a reputation as one who supports our Parliament and who has taken a great deal of interest in the conduct and functioning of the Parliament and improvements in the parliamentary systems. Mr Speaker, for that reason among others, we congratulate you on your appointment.

The role of Speaker is important in our system of government. We have an adversarial structure in the Parliament. From time to time that encourages the passions to take over. We hope you will enjoy, as the Deputy Premier said, the authority that is most important in your office. It is one thing to have power; it is another to have authority. Your experience thus far indicates to me that you will be able to get the support of the members because you will exercise your power with great distinction and, therefore, will gain the authority of the House. We congratulate you and wish you well in this position.

**THE SPEAKER** (Mr Strickland): I feel very proud and humble at this moment. To be elected as the Speaker of this House is a great honour. This Parliament will see in the next century and I will dedicate myself to act for the betterment of the Parliament, the procedures, the services and the facilities for members, the staff and the public.

My challenge is to ensure a fair go for all members so that they are entitled to be and can be heard - within the rules, of course.

I take this opportunity to congratulate all members on their election or re-election to this place, particularly the new members who, rightly, should be proud of their achievements so far. I often reflect on my purpose in this place, and I want to share with members a short, but treasured, letter received from a constituent during the most recent election period. In part, it states -

To Mr Strickland,

I am writing this letter to convey my gratitude to you for your services when we needed assistance . . . Your help during this distressful time was greatly appreciated. Although this occurred some 2 years ago, I decided to pen this and tell you that you have my family's support in the upcoming election. I have also told many of our friends and neighbours of your commitment and accessibility.

I do not have a strong liking of the liberal party in WA but support you and all the work you do for our area.

Once again thankyou for your assistance and goodluck in the December 14 election.

That letter is a powerful reminder that we are in this place because people put us here to act on their behalf. It is a trust that I hold dear.

I thank the Premier, the Deputy Premier, and the Leader of the Opposition for their very kind words. I note the gesture made by the Opposition in the process of electing a Speaker, and I wish all the members in this place well in their endeavours.

[Applause.]

#### **SPEAKER - PRESENTATION TO GOVERNOR**

**MR COURT** (Nedlands - Premier) [11.52 am]: I desire to announce that His Excellency the Governor will be pleased to receive the Speaker and such members as desire to accompany him at 12.45 pm.

*Sitting suspended from 11.53 am to 2.30 pm*

#### **STATEMENT - SPEAKER**

*Election of Speaker - Governor's Congratulations*

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

Mr Speaker,

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

I congratulate you upon your election and I recognise and I shall respect your understood rights and privileges and I have every confidence you will fill the office in a worthy and dignified manner.

Michael Jeffery  
Governor

#### **SPEAKER'S COMMISSION**

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

The Commission was read.

#### **SUMMONS FROM THE GOVERNOR**

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

*Sitting suspended from 2.35 to 3.10 pm*

### MEMBERS OF PARLIAMENT - ELECTIONS

**MR COURT** (Nedlands - Premier) [3.10 pm]: Consequent to the election held on 14 December 1996 I was sworn in as Premier together with all Ministers and Parliamentary Secretaries, with effect from 9 January 1997. I table a list of the Ministry and office holders and a list of the administrative arrangements for representation of Ministers between the Houses. The member for Geraldton has been appointed Government Whip.

[See papers Nos 12 and 13.]

**DR GALLOP** (Victoria Park - Leader of the Opposition) [3.12 pm]: Following the recent election, I was elected Leader of the State Parliamentary Labor Party; the member for Belmont was elected Deputy Leader of the Opposition; the member for Midland was elected to be the manager of opposition business in the House; the member for Girrawheen will be the Opposition Whip.

### BILLS (17) - ASSENT

Messages from the Governor received and read notifying assent to the following Bills -

1. Bank of South Australia (Merger with Advance Bank) Bill.
2. Appropriation (Consolidated Fund) Bill (No 3).
3. Criminal Injuries Compensation Amendment Bill.
4. Home Building Contracts Amendment Bill.
5. National Environment Protection Council (Western Australia) Bill.
6. Sandalwood Amendment Bill.
7. Legal Practitioners Amendment Bill.
8. Mental Health Bill.
9. Mental Health (Consequential Provisions) Bill.
10. Criminal Law (Mentally Impaired Defendants) Bill.
11. Road Traffic Amendment Bill.
12. Valuation of Land Amendment Bill.
13. Parliamentary Commissioner Amendment Bill.
14. Licensed Surveyors Amendment Bill.
15. Civil Aviation (Carriers' Liability) Amendment Bill.
16. Transfer of Land Amendment Bill.
17. East Perth Redevelopment Amendment Bill.

### STATEMENT - SPEAKER

#### *Parliamentary Secretaries - Appointment*

**THE SPEAKER** (Mr Strickland): I have a letter from the Premier advising that His Excellency the Governor has appointed the member for Murray-Wellington as Parliamentary Secretary to the Minister for Mines; Tourism; Sport and Recreation; the member for Dawesville as Parliamentary Secretary to the Minister for Mines; Tourism; Sport and Recreation; the member for Roleystone as Parliamentary Secretary to the Minister for Resources Development; Energy; Education; and the member for Swan Hills as Parliamentary Secretary to the Attorney General; Minister for Justice; the Arts - all with effect from January 1997.

In particular, under section 44A(3) of the Constitution Acts Amendment Act the specified functions of the member for Murray-Wellington as a Parliamentary Secretary are as follows: To have the carriage of government Bills; to assist with the parliamentary business of the Minister with respect to tourism and to assist with other parliamentary business as required by the Leader of the House in the Legislative Assembly; to assist in the performance of official duties with respect to tourism, as required by the Minister or the Premier, and to do things that are incidental to those functions.

Under section 44A(3) of the Constitution Acts Amendment Act the specified functions of the member for Dawesville as a Parliamentary Secretary are as follows: To have the carriage of government Bills; to assist with the parliamentary business of the Minister with respect to sport and recreation and to assist with other parliamentary business as

required by the Leader of the House in the Legislative Assembly; to assist in the performance of official duties with respect to sport and recreation, as required by the Minister or the Premier, and to do things that are incidental to those functions.

Under section 44A(3) of the Constitution Acts Amendment Act the specified functions of the member for Roleystone as a Parliamentary Secretary are as follows: To have the carriage of government Bills; to assist with the parliamentary business of the Minister with respect to education and to assist with other parliamentary business as required by the Leader of the House in the Legislative Assembly; to assist in the performance of official duties with respect to education, as required by the Minister or the Premier, and to do things that are incidental to those functions.

Under section 44A(3) of the Constitution Acts Amendment Act the specified functions of the member for Swan Hills as a Parliamentary Secretary are as follows: To have the carriage of government Bills; to assist with the parliamentary business of the Minister with respect to justice and to assist with other parliamentary business as required by the Leader of the House in the Legislative Assembly; to assist in the performance of official duties with respect to justice as required by the Minister or the Premier, and to do things incidental to those functions.

I table these documents.

[See papers Nos 12 and 13.]

### **PETITION - GUILDERTON REGIONAL PARK**

**DR EDWARDS** (Maylands) [3.13 pm]: I present the following petition -

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

We the undersigned respectfully request that the Government establish a Regional Park immediately to the south of Guilderton in order to protect the mouth and lower reaches of the Moore River and the significant dunes and coastal heathland south of the mouth of the Moore River.

We request that the Government take urgent action to acquire this land before it is further rezoned or developed,

and your petitioners, as in duty bound, will ever pray.

The petition bears 209 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 1.]

### **STATE TRADING CONCERNS AMENDMENT BILL**

#### *Leave to Introduce*

**MR COURT** (Nedlands - Premier) [3.15 pm]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move -

That leave be given to introduce a Bill for an Act to amend the State Trading Concerns Act 1916.

Question put and passed; leave granted.

#### *Introduction and First Reading*

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

### **GOVERNOR'S SPEECH**

#### *Distribution of Copies*

**THE SPEAKER** (Mr Strickland): Accompanied by the honourable members of this Chamber, I attended His Excellency the Governor (Major General Philip Michael Jeffery, AC, MC) in the Legislative Council Chamber to hear the speech which His Excellency was pleased to deliver to members of both Houses of Parliament. For the sake of greater accuracy, I have caused printed copies of the speech to be distributed among members of this Chamber.

### **ADDRESS-IN-REPLY**

#### *Motion*

**MR SWEETMAN** (Ningaloo) [3.19 pm]: I move -

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

May it please Your Excellency -

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

Mr Speaker, in moving the Address-in-Reply and delivering my inaugural speech to this Parliament, may I congratulate you on your election as Speaker and immediately add that I have appreciated the courtesy you have extended to me in the short time I have been involved in Parliament. I also congratulate the new members elected with me at the December election.

To begin my address, I take the traditional and proper course in acknowledging the many loyal supporters and volunteers who gave of their time and effort to bring about this result that the Liberal Party so richly deserves. I pay particular thanks to Steve O'Halloran, a good friend and a good Liberal, who chaired my campaign committee, and to my wife and family, without whose help and support a difficult task would have been made more difficult and less worthwhile.

The electorate of Ningaloo came about as a consequence of the recent redistribution. It was the seat of Northern Rivers, but a subtle massaging of the boundaries saw Wiluna drop out and to the north the bulk of Ashburton come in. The population did not vary a great deal; the electoral roll did not vary by more than one elector. It is no secret that we had a difficult time immediately I was endorsed to run for Parliament, but it did not interfere with our program. We worked diligently and stuck to the game plan for the entirety of the campaign. We needed a 1.2 per cent swing to take the seat from the Labor Party at the election. We campaigned, and I doorknocked almost every door in every town in my electorate, missing only a few houses in my home town. We suffered a modest swing against us on the coast, while winning most of those boxes. The success story of our campaign was what we were able to achieve in the inland areas - the towns on and adjacent to Great Northern Highway - where we got swings of between 15 and 25 per cent, with an average swing of almost 20 per cent. The final result was that my party and I as the member now hold that seat by 1.2 per cent.

An interesting statistic is that the Greens and Democrats vote on a two party preferred basis after the third distribution of preferences went our way at almost 40 per cent. An interesting aside is that while the public was directed through how-to-vote cards to put a particular member last, the people who cast votes made up their own minds.

Before I proceed to the major items in my address, I pay particular recognition to the member whom I replaced in this Parliament, Mr Kevin Leahy. He served the seat of Northern Rivers and represented me and my fellow electors in this Parliament for eight years. I am aware of the sacrifice that he made and that his family had to make with him, and I record that recognition and thanks.

My address will not be long, and in the short time available to me now I will give a basic description of the electorate of Ningaloo and of the issues that affect my electorate, and a brief profile of the member whom the people have elected to represent them. My electorate includes the towns of Denham, Carnarvon, Exmouth, Onslow, Newman, Meekatharra, Cue, Mr Magnet, Yalgoo, Sandstone and Gascoyne Junction, and all or part of 12 different shires. Most people associate Ningaloo with Ningaloo Reef and North West Cape, an area of international significance because of its unique beauty. Shark Bay, a World Heritage area, is also well known internationally. In fact, little of the coastline that borders my electorate does not have a distinct and innate beauty.

The next area of significance that visitors will clamour to see is the Cape Farquhar region, which is located approximately 140 kilometres north of Carnarvon and is still a genuine wilderness area with an abundance of coral, fish and weed varieties. That area has, until now, been a well guarded secret, but at a recent council meeting the Shire of Carnarvon elected to reopen an old access road through the adjacent pastoral property, and I expect it will not be long before that area comes under pressure from ever increasing visitor numbers.

The Town of Exmouth is about to realise its true potential with the completion of the outer harbour. There is considerable interest in the inner harbour resort and residential developments. Developers are expected to spend between \$120m and \$200m over the next three to four years to develop the marina to complement this development. Plans are well advanced for the upgrading of the airstrip to international standards, at an approximate cost of \$8m. This will benefit the region and bring tourists to the area. It will also allow direct access into the Asian region for seafood and horticultural produce from the Gascoyne.

Newman, in the north east corner of my electorate, is a thriving and prosperous community. The future of the town is secure. The expected life of the town at this stage is between 50 and 90 years, with the Whaleback iron ore deposits and adjacent satellite ore bodies. I expect that access to Karijini National Park in future will be primarily via Newman for people travelling north up Great Northern Highway. Karijini National Park has its own distinct beauty and is certainly worth looking at.

When travelling down to the gold producing region, one sees that all towns exist as a paradox, because despite the abundance of wealth that has been produced, Meekatharra, Mt Magnet, Cue, Yalgoo and Sandstone, once proud, thriving towns steeped in history, are mostly now in abject poverty.

The pastoral country, which covers the entire electorate of Ningaloo, approximately 440 000 square kilometres, is still enduring the worse crisis that the pastoral industry has ever faced. I met people during my campaign who were basically prisoners to their properties and hanging on for grim death, hoping for better times. Some properties were down to as few as a thousand sheep. The Gascoyne-Murchison Rangeland Strategy, which has now been completed, contains some major initiatives for that industry, including restructuring and diversification. The latter will be facilitated to some extent by the new Land Administration Bill.

My electorate has a diverse and broad economic base, and in dollar and per capita terms it produces more wealth than any other electorate. Industries include gold; iron ore; oil and gas; wool; sheep, cattle and goats; and salt at centres like Useless Loop in the Shark Bay region, and Lake McLeod and Carnarvon. I understand that Onslow will soon come on line with a salt works producing around 1.5 million to 2 million tonnes per annum. Salt at Lake McLeod is about to be supplemented by a gypsum development, which required expenditure by CRA Ltd of approximately \$40m. The first shipment is still scheduled to leave the Port of Cape Cuvier in July-August of this year.

Fishing, prawning and scallops are still significant industries to coastal communities in my electorate, as well as the horticultural industry, which is based primarily in Carnarvon. Tourism is an ever increasing industry in my region, and that industry can flourish only with careful management. In addition, we have the fledgling industries of pearling and aquaculture.

I deal with the issues in my electorate not necessarily in order of priority, but the people in Ashburton desperately need our help. The damage bills from the flooding in that area in recent times have now passed \$14m or \$15m. Those people are attempting to mop up in the best way they can, in harsh and Spartan conditions, with temperatures averaging 45 to 46 degrees nearly every day. Reports have been compiled for the various Ministers. I am aware of a report compiled for the Primary Industry portfolio, and that Agriculture Western Australia, the Pastoralists and Graziers Association of Western Australia Inc, the shires and Main Roads WA, are compiling figures for the Department of Transport. I have received expressions of concern that this is taking what seems to those people to be an inordinate time, but it is important that they know they are not forgotten and that at the end of the day the Government is there for them and is doing more than just sympathising with their plight.

In reading through inaugural speeches and speeches to this House over many years, the ongoing and constant concern is that not enough of the wealth that is produced in my electorate remains there. We criticise the Federal Government for being wickedly centralist, but we as a State Government must guard ourselves against adopting the same mentality. People out in the bush are suffering, and, to quote Ernie Bridge, the bush is not a pretty place in most areas at the moment. Some recognition and benefit from the wealth that is produced must flow back to regions such as my electorate. Probably 40 or 50 per cent of my region could do with a massive cash injection. The mooted state royalty on gold production is one example, and it causes enormous concern to the people in the gold producing areas of my electorate. The gold producing industry has had to bear much over many years. The mining industry generally has had to work with the down side of the fringe benefits tax - the income tax which has been levied against it from 1990 - and a raft of other small and indirect taxes. The gold miners in my region are concerned that they may be hit with an additional impost.

Law and order continues to be an issue in places like Carnarvon and in smaller communities. The demographics of our area are changing constantly. Various Acts must be streamlined so that they apply more speedily, and harshly if the need demands. The provision of health facilities continues to be an issue. People know vast pools of revenue are not available to accommodate their every wish or whim. However, these facilities need to be more accessible.

Incentives must be provided initially to encourage teachers to go to the country, and then to induce them to stay so that stability is retained, and in some cases reintroduced, in our schools in the country. Those in the pastoral industry are still deeply concerned about the implications of native title legislation and cannot wait for the new land administration Bill to be passed, thus giving them some security through land tenure.

My electorate has inherited a legacy of a previous Federal Government; that is, power tariffs. Seven towns in my electorate are still in limbo, waiting to see what is to be proposed under the new uniform power tariffs which will result from the diesel fuel consumed by power stations of the Western Power Corporation being subjected to excise. These are just some of the issues that I will pursue vigorously over the next four years.

As the member the people of this electorate have charged with the responsibility of representing them for the next four years, I say this: Mr Speaker, I am a carpenter by trade and not overly academically qualified. Over the years I have been fortunate to work with many people more intelligent than I. As Solomon once said: As iron sharpens iron, so too does one man learn from another. I have picked up many of life's skills which will equip me well to serve my electorate. I was the beneficiary of a good upbringing; my mother had good Christian values and observed godly absolutes, and I carry those same values and absolutes with me into this Parliament. For as long as I am fortunate

to serve here I will remember this caption of the Scriptures that sums up my position in this Parliament: I stand here today knowing, as Nebuchadnezzar was made to understand 3 000 years ago, that the most high rules in the kingdom of men, and gives it to whomsoever he will and sets over it the basest of men.

Finally, I have lived in Carnarvon for most of my life, and was educated and learned my trade there. I married a Corrigin girl and raised a family in the bush. I understand the needs and aspirations of the people in my electorate. I am confident that the many life experiences I have enjoyed, and on occasions have had to endure, will equip me for the task ahead. I have a reputation of being hardworking and resourceful, and I look forward to participating in the challenges of the high office of a member of Parliament. Mr Speaker, with your guidance and that of my colleagues, I look forward to working in a cooperative manner with all members of Parliament to maintain integrity and to govern wisely and justly.

[Applause.]

**MRS HOLMES** (Southern River) [3.34 pm]: I formally second the motion.

Debate adjourned, on motion by Mrs Roberts.

### **CHAIRMAN OF COMMITTEES**

#### *Appointment*

On motion by Mr Court (Premier), resolved -

That the member for Hillarys be appointed Chairman of Committees.

### **DEPUTY CHAIRMEN OF COMMITTEES**

#### *Appointment*

**THE SPEAKER** (Mr Strickland): I wish to advise members of the appointment of the following members as Deputy Chairmen of Committees: The member for Bunbury (Mr Osborne), the member for Joondalup (Mr Baker), the member for Roe (Mr Ainsworth) and the member for Thornlie (Ms McHale).

### **[Questions without notice taken.]**

### **PARLIAMENT - FILMING**

**THE SPEAKER** (Mr Strickland): I advise members that I have given permission for filming of file footage of the new ministry, the opposition front bench and members to take place in the Chamber next Tuesday, 11 March, from 2.00 pm for approximately 15 minutes.

### **ADJOURNMENT OF THE HOUSE - SPECIAL**

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

That the House at its rising adjourn until Tuesday, 11 March 1997 at 2.00 pm.

*House adjourned at 3.55 pm*

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## QUESTIONS WITHOUT NOTICE

### SHARK BAY - EXPLORATION LICENCE

#### 1. **Dr GALLOP to the Premier:**

- (1) When did the Premier become aware that an application had been made for an exploration licence covering part of the Shark Bay World Heritage area?
- (2) When did the Premier become aware that the former Minister for Mines had granted an exploration licence?
- (3) Was this application ever discussed by Cabinet, and who decided to keep it secret?
- (4) Were any of the Premier's staff members consulted prior to or after the issuing of the exploration licence?
- (5) Does the Premier consider that the actions of the former Minister for Mines breached caretaker conventions because they were taken after the election had been called?

#### **Mr COURT replied:**

- (1)-(5) I thank the Leader of the Opposition for the question. Before I answer it, I seek the indulgence of the House briefly to say that this is the first opportunity I have had to welcome all of the new members on both sides of the House to the Parliament, and I wish them all the best during their time in this place.

I was aware of the permit when I read about it in the newspaper this week. Members would not expect me or any other member to know about all of the permits that are granted.

Mr Ripper: Did Richard Elliott know?

Mr COURT: I ask the Deputy Leader of the Opposition to allow me to answer the question, and I think he will be satisfied. I have been given information that the exploration permit was granted under the Petroleum Act 1967. Under that Act, when an application for a permit is made the Minister can advise the applicant that he or she is prepared to grant the permit or the Minister can refuse to grant it. When the Minister is prepared to grant a permit, the procedure under the Act is that the Minister advises the applicant to that effect. The Department of Minerals and Energy refers to this advice from the Minister as the offer to the applicant. The applicant then has one month from the date of service of the offer to request the Minister to grant the permit. When the applicant accepts the offer the Minister is obliged to grant the exploration permit.

The Minister signed the offer on 16 October 1996 and it was served on the applicant on 31 October 1996. The applicant requested the permit on 29 November 1996 and the department issued the permit on the same day. This was a standard permit which was subject to the condition that no drilling or exploration activity would be carried out without further approval. When the applicant seeks approval to carry out any exploration work, the important environmental attributes of the Shark Bay World Heritage area will be taken into account and all relevant state and federal -

Dr Gallop: You are not ruling out mining, are you, Premier? We will have oil rigs in that wonderful park just described by the member for Ningaloo.

Mr COURT: Mr Speaker, I ask the member to let me complete the answer because I think it comprehensively answers the question. Those matters will be taken into account and all relevant state and federal environmental agencies will be consulted.

The last part of the question referred to the caretaker conventions. No policy decision or commitment was made by the Minister or the department during the caretaker period, between 14 November and the election on 14 December. Once the offer served on 31 October was accepted, the Act required that the permit be granted. The Minister had no discretion to intervene and refuse the permit at that time; to have done so would have been wrong.

Dr Gallop: It could have influenced the outcome of the election in Ningaloo, and it was kept secret from the people of Western Australia.

Mr COURT: It certainly was not. I repeat: The Minister was required to grant the permit and he had no discretion to intervene. If the Leader of the Opposition reads my answer afterwards, he will see the process that is laid down in law. When the Labor Party was in government it issued many permits over similar areas of waters.

Mr McGinty: What a load of rubbish.

Mr COURT: I can give the member a list if he wants one. Under the former Government's marine parks policy, which was outlined in May 1992, the then Premier states -

The Marine Parks Policy, outlined in this paper, clarifies the Government's position and will ensure a responsible balance between the need for off-shore petroleum and mineral exploration and development and the conservation of our precious environment.

#### LEADERS' FORUM - TOPICS FOR DISCUSSION

### 2. Mr OSBORNE to the Premier:

- (1) Which key issues will be discussed at tomorrow's Leaders' Forum, which will be attended by Premiers and Chief Ministers?
- (2) Will the forum include discussions on possible changes to the Federal Government's Native Title Act?

#### Mr COURT replied:

- (1)-(2) Tomorrow's Leaders' Forum, two weeks prior to the financial Premiers' Conference, will be a good opportunity for Premiers and Chief Ministers to discuss a number of issues. At the Premiers' Conference later this month the Federal Government will advise on its proposed financial payments to the State for the next financial year. There is a great deal of concern about what will happen to the State's finances. It is no secret that we face a tight budgetary situation. The States agreed last year to provide additional support to the Federal Government so that it could get its financial position back into surplus. We are concerned that it has not been doing things as hard as it should to bring those finances back into order. Tomorrow we will address the impact of a deteriorating federal budget position on the States' finances. That will be one of the main items on the agenda.

Mr Ripper: Do you stand by the forward estimates you released during the election campaign?

Mr COURT: Yes, we do. With regard to native title, since the election a meeting of all Premiers and Chief Ministers and the Prime Minister was held to discuss what has now become an urgent issue as a result of the Wik ruling that was brought down prior to Christmas. All States, regardless of their political background, have worked in a cooperative way to put forward constructive options to the Prime Minister. The Prime Minister has indicated that he wants to bring forward a proposal to try to solve these matters prior to Easter. Tomorrow we will discuss a number of further options that have been put forward by the States and the Federal Government.

Another issue that will be discussed is how the state laws will affect privatised airports. There is concern about recent rulings and whether States will be able to impose taxes and the like on those airports once they have been privatised.

Mr Ripper: And local government rates?

Mr COURT: This State will seek commitments because we do not want the airports to be sold without the State's having the ability to raise revenue and also to control issues such as planning, about which I am sure the member would be concerned.

The final matter on the agenda for discussion is the operation of the treaties council. It is a major breakthrough for the States to be involved in the treaties before they are signed. However, we are not happy with the processes, and we want the States' involvement brought forward so that we can have a say in those matters before the Federal Government commits itself to an international treaty.

#### GOLD ROYALTY - NATIONAL PARTY POLICY

### 3. Dr GALLOP to the Deputy Premier:

In the Deputy Premier's capacity as Leader of the National Party, in relation to National Party policy -

- (1) Does he stand by his promise in the *Kalgoorlie Miner* of 7 December ruling out any gold royalty during his current term of office?
- (2) Did he tell a journalist in Kalgoorlie during the same interview that, having made that promise, he would not remain a part of any Government that broke that promise?
- (3) If so, will he resign from the coalition if a gold royalty is introduced?

#### Mr COWAN replied:

- (1)-(3) I am on record as saying that a gold royalty was not on the agenda during the last election campaign. The Leader of the Opposition would acknowledge the fact that had it remained a case for Western Australia alone, it still would not be on the agenda. However, given that it has been made clear to us by the Commonwealth that there is a need for the State to look at its revenue raising capacity, the issue of a royalty on gold has been put back on the agenda. That is something I regret. I acknowledge that I made it clear that

the issue was not on the agenda. It has been put back on the agenda. I do not like it, but I am prepared to cop it.

#### GOLD ROYALTY - NATIONAL PARTY POLICY

#### 4. Dr GALLOP to the Deputy Premier:

I refer the Deputy Premier again to his comment in the *Kalgoorlie Miner* of 7 December, and I quote -

The other thing that is very important is that, if on the one hand there is going to be a clear statement as there has been that a gold royalty is not on the agenda, then very clearly I am not going to be part of any government (which) having said that then breaks that commitment.

- (1) Given that that was front page news, one week before the election, did the Deputy Premier at any stage contact the *Kalgoorlie Miner* to demand a correction to the story, if indeed it was not true?
- (2) If not, why not?
- (3) Will the Deputy Premier stand by that commitment and take the National Party out of a coalition that imposes any gold royalty?

#### Mr COWAN replied:

- (1)-(3) I have no intention of taking the National Party out of the coalition unless it is over an issue that is far more serious than a gold royalty. I also make it clear to the Leader of the Opposition that I said that a gold royalty was not on the agenda. After that, I do not know that I can place any great value on the integrity or accuracy of the *Kalgoorlie Miner*.

#### AUSTRALIAN BROADCASTING CORPORATION - TROTting BROADCASTS

#### 5. Mr MARSHALL to the Minister representing the Minister for Racing and Gaming:

When the Racing Radio station was introduced, coverage to Mandurah and the Peel region deteriorated dramatically. Now the Australian Broadcasting Commission proposes to axe the popular John Hunt pacing call on Friday nights.

- (1) Is the Minister aware of the unrest among racing fans in my area that has occurred as a result of this change?
- (2) What can be done about achieving a better reception?

#### Mr COWAN replied:

- (1)-(2) The Minister for Racing and Gaming thanks the member for some notice of this question and has provided the following reply:

The Minister is aware of the importance of radio broadcasts to all country regions. I assure the member that I, too, am aware of the importance of radio services for racing, particularly to a region that boasts some of the best provincial tracks in Australia for all codes of racing. The Totalisator Agency Board has advised that it has purchased a licence from the Australian Broadcasting Authority for a Racing Radio transmitter in Mandurah and is awaiting issue of this licence. The Minister is pleased to advise that the TAB is calling for tenders for transmitting equipment, and radio broadcasts will commence as soon as the ABA issues the licence and the transmitting equipment is installed. The ABC broadcasts the John Hunt racing program on Friday nights to the great southern, south west and goldfields regions of the State. At this stage, the ABC's policy is not to remove this service unless there is something to replace it. The Minister understands that the ABC intends to continue broadcasting Friday night trotting until the services can be taken over by Racing Radio. The ABC and the WA Trotting Association are working together to ensure the continuity of broadcasting of trotting on Friday nights. However, in the long term, the ABC has advised that race broadcasting is not seen as part of its charter.

#### SMALL CLAIMS TRIBUNAL - ABOLITION THREAT

#### 6. Ms MacTIERNAN to the Minister for Fair Trading:

- (1) Is the Minister aware that prominent Young Liberal identity Marc Dale threatened Ministry for Fair Trading officers in 1996 that he would use his Liberal Party connections to have the Small Claims Tribunal abolished?
- (2) Is the Minister aware that at the time Mr Dale was engaged by a company that had been named publicly for unethical conduct by the Commissioner for Fair Trading and against whom the ministry is funding an action in the local court?

- (3) Has Mr Dale influenced the stated coalition policy of collapsing the Small Claims Tribunal into the small debts division of the local court?
- (4) Has Mr Simon Ehrenfeld, who is the brother of the principal of the company referred to and also an active Young Liberal, also made representation concerning the abolition of the Small Claims Tribunal?
- (5) Have the officers of the Ministry of Fair Trading been consulted about the planned abolition of the Small Claims Tribunal?

The SPEAKER: Does that question relate to a matter before the court or a matter that will go before the court?

Ms MacTiernan: No.

**Mr SHAVE replied:**

- (1) No.
  - (2) No.
  - (3) I am not aware of Mr Dale or Mr Ehrenfeld's input into any coalition policy relating to the tribunal. They may have had input, but I am not aware of it.
  - (4) I know nothing about Mr Ehrenfeld's involvement in this issue.
  - (5) Not to my knowledge.
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