

Legislative Assembly

Wednesday, 4 April 1984

The SPEAKER (Mr Harman) took the Chair at 2.15 p.m., and read prayers.

EDUCATION: PRIMARY SCHOOL

Swan View: Petition

MR GORDON HILL (Helena) [2.16 p.m.]: I have a petition addressed to the Speaker and members of the Legislative Assembly from 311 constituents of the Helena electorate asking that immediate steps be taken to plan and construct an additional primary school at Swan View to ease the pressure on the Swan View Primary School, and to meet the needs of a rapidly growing community in Swan View. The petition conforms to the Standing Orders of the Legislative Assembly, and I have certified accordingly.

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

(See petition No. 72.)

PORNOGRAPHY AND VIOLENCE

Video Films: Petition

MR COYNE (Murchison-Eyre) [2.18 p.m.]: I have a petition from a number of residents of the western suburbs, which reads as follows—

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

We, the undersigned plead that because it will cause serious harm to the community the Parliament will not legalise the sale, hire or supply of any video tape, video disc, slide or any other recording from a visual image which can be produced, which portrays scenes of explicit sexual relations showing genitalia detail; acts of violence and sex; sexual perversion such as sodomy; mutilation; child pornography; coprophilia; bestiality or the use and effect of illicit drug taking.

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

The petition has been signed by 714 people, 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. 73.)

HOMOSEXUAL ACTIVITIES

Legislation: Petition

MR SPRIGGS (Darling Range) [2.20 p.m.]: I have a petition which reads as follows—

To the Honourable The Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament Assembled, We, the undersigned wish to voice our total objection to the proposed Legislation to legalize homosexuality for the following reasons:—

It is expressly condemned by God in Holy Scripture (Romans Ch. 1 v's 16-32 *inter alia*) and is also an unnatural act leading to the lowering of moral standards.

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

This petition bears the signatures of 66 people, 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. 74.)

HOMOSEXUAL ACTIVITIES

Legislation: Petition

MR COURT (Nedlands) [2.21 p.m.]: I present a petition which reads as follows—

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

We, the undersigned residents of Western Australia and students of the University of Western Australia, wish to express our will concerning the Bill for the Decriminalization of Homosexuality.

We are totally opposed to the Bill in question.

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

This petition bears 135 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. 75.)

SHOPPING: RETAIL

Floor Space: Petition

MR READ (Mandurah) [2.22 p.m.]: I have a petition which reads as follows—

The honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament Assembled.

We, the undersigned small business people of Mandurah wish to register our objection to any further allowances of Retail Floor space within the Mandurah Shire Boundaries until the ratio of 135 Square Metres of floor space per 100 permanent residents is reached.

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

The petition bears 175 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. 76.*)

SHOPPING: RETAIL

Trading Hours: Petition

MR READ (Mandurah) [2.23 p.m.]: I have to present a petition which reads as follows—

TO

The honourable the Speaker and Members of the Legislative assembly of the Parliament of Western Australia in Parliament Assembled.

We, the undersigned small business people of Mandurah, wish to register our objection to any further extension of retail trading hours for Mandurah and request that such extensions be denied.

The petition bears 160 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. 77.*)

RURAL SECTOR HARDSHIP

Select Committee: Extension of Time

On motion by Mr I. F. Taylor, the time for submitting the report of the Select Committee was extended to 1 May 1984.

SUPPLY BILL 1984

Second Reading

Debate resumed from 3 April.

MR BRIAN BURKE (Balga—Treasurer) [2.27 p.m.]: I listened to the Leader of the Opposition, and leaving aside all those things I do not think he would expect me to answer because they were largely references to the Federal Government's proposed taxes, or to his state of mind about some tax or other that had been mooted with credibility or not from time to time, there is one particular area in which the attention of the House should be drawn to the fairly shoddy and inaccurate method the Leader of the Opposition attempted to use to score political points.

Mr Thompson interjected.

Mr BRIAN BURKE: When I have gone through this point, I will take interjections from everyone, but at the moment all I would like to do is take members of Parliament step by step through some of the calculations used by the Leader of the Opposition so that we can see how much veracity we can attach to his calculations.

Even the most cursory examination of the claims made by the Leader of the Opposition shows they were simplistic and misleading. Without pretending to try to work out how he arrived at the figure of 40 per cent as a global increase imposed on people in this State, let us take the departmental fees and charges as one of the components of the 40 per cent, because in that area the Leader of the Opposition explained to us how he had arrived at his conclusion.

I am pleased to see that the Leader of the Opposition is here today and can therefore correct me if I do not use the same methodology as he used. What he did, according to his speech, was to take the printed estimates for departmental revenue in 1983-84 and, after comparing those printed estimates with actual collections in 1982-83, to arrive at the conclusion that the level of fees and charges had increased by 31 per cent. That is what he did, and if he did not, he now has the opportunity to contradict that report of what he had to say. Mr Speaker, as you were here yesterday and heard what he said, I presume you agree with what I have said. Let me say it once more so that we all understand. The Leader of the Opposition took the printed estimates for depart-

mental revenue in 1983-84 and then compared them with actual collections in 1982-83 and, in the comparison, drew the conclusion that there had been an increase of 31 per cent.

It is as simple as that. On the face of it, it would appear to be a correct calculation of a certain situation. However, the Leader of the Opposition did not realise that in the revenue estimates, for example, was \$50 million in advanced royalties paid to the State in respect of its arrangement with the joint venturers and the Ashton Joint Venturers. So, there is \$50 million, but the Leader of the Opposition told us yesterday that average families were paying the \$50 million.

The truth is that the Leader of the Opposition was so obtuse as to not realise that if we leave the \$50 million payment in the revenue for 1982-83, no-one can say that average families are being forced to pay the \$50 million, simply because it was paid by the joint venturers as advanced royalties.

Mr Clarko interjected.

Several members interjected.

The SPEAKER: Order! The member for Karrinyup was here yesterday and he knows that the Leader of the Opposition was heard almost in silence. I ask him to respect the Treasurer as he replies to the debate on the Bill.

Mr BRIAN BURKE: I notice the Leader of the Opposition has now left the Chamber. I suppose that is a convenient thing.

Several members interjected.

Mr BRIAN BURKE: I wish to redirect the attention of members to a serious matter. The Leader of the Opposition said there was a 31 per cent increase—

Mr MacKinnon: Were you here to hear the Leader of the Opposition's speech yesterday?

Mr BRIAN BURKE: Let us leave that aside and centre on the substance, because there is more to come. Everyone used to laugh at the last Leader of the Opposition, but at least he could add up.

Several members interjected.

Mr BRIAN BURKE: Members used to sit behind him and smirk all the time, but at least he could add up!

Several members interjected.

Mr BRIAN BURKE: What is the matter with these people, Mr Speaker? They can hand it out, but they cannot take it back.

For the benefit of members opposite, I will go through the simple mathematical exercise again.

Mr Clarko interjected.

Mr BRIAN BURKE: The Leader of the Opposition said that there was a 31 per cent increase in departmental fees and charges and that this 31 per cent increase contributed to the 40 per cent increase he said was imposed on average Western Australian families. That is what he said, and in order to arrive at the 31 per cent, he took the printed estimates of revenue that the State was to receive and compared them with the actual collections of last year. However, included in those printed estimates of revenue was \$50 million paid for by Ashton Joint Venturers.

Mr Clarko interjected.

Mr BRIAN BURKE: Departmental fees and charges do not include a \$50 million royalty payment by the Ashton Joint Venturers. I do not know how the Leader of the Opposition can claim that average families paid that \$50 million advance royalties, because the cheque I saw was signed in one instance by CRA, in another instance by Ashton Mining, and in another instance by Northern Mining. None of those organisations is an average family in the State of Western Australia.

The Leader of the Opposition has deliberately misled the Parliament by saying, "Here is a good story: A 31 per cent increase in departmental fees and charges".

Mr Clarko: That is what you did over education. You took it out, and it was not right to take it out. It has never been done before.

Mr BRIAN BURKE: The member for Karrinyup is not even as smart as the Leader of the Opposition. The member for Karrinyup does not seem to know that we are comparing actual collections last year with the predicted revenue raising this year.

We can leave it in if the member likes. Let us leave the \$50 million in.

Mr Clarko interjected.

Mr MacKinnon: Why?

Mr BRIAN BURKE: If it will shut the member up, let us leave it in.

Mr Clarko: Just answer my one point!

Several members interjected.

The SPEAKER: Order!

Mr BRIAN BURKE: Let us leave the revenue in, and we might stop the interminable interjections!

Mr Clarko: You took it out of education.

Mr BRIAN BURKE: Let us leave half in, and half out, and perhaps he will shut up.

Mr Clarko interjected.

The SPEAKER: Order! Order!

Mr BRIAN BURKE: Half in, half bright!

The SPEAKER: Order! This is the second time I have called to the attention of the member for Karrinyup the fact that interjections are highly disorderly. His performance this afternoon is bringing me to my feet on a second occasion.

Mr BRIAN BURKE: Let us leave the revenue collected from the advance royalties payment in, but then if we do that, let us not say that that is an impost on the average families in this State. That is the point I am trying to make.

The Leader of the Opposition made his calculations badly. What he did was to take the revenue and not consider what comprised the revenue. He included in his revenue total that \$50 million. Whether we take it out, leave it in, or swallow it, members of the Opposition cannot understand that that \$50 million does not represent an increase in departmental fees and charges. No departmental increase of any sort was included in that \$50 million raised.

While looking at that component of the Leader of the Opposition's 40 per cent, and knowing that component was 31 per cent of the reflected total, let me tell members the Treasury calculation. Treasury says that the 31 per cent it has adjusted for the \$50 million falls to 13.7 per cent. The member for Nedlands should understand this, surely.

Mr Court: I am having trouble hearing.

Mr BRIAN BURKE: The member should shift his seat and sit next to someone who is quieter.

Mr Clarko: I gave you the opportunity to speak. Why don't you leave the \$50 million out?

Mr BRIAN BURKE: The \$50 million which was an advance royalties payment was not raised by an increase in departmental fees and charges!

Mr Court: Why pick on me?

Several members interjected.

Mr BRIAN BURKE: We know the 31 per cent falls to 13.7 per cent, but there is more than that because the Leader of the Opposition tilted at windmills in Don Quixote style and failed to realise what the former Minister for Transport—the member for Dale—was always quick to seize on. This never got past him.

It clean bowled the Leader of the Opposition, wherever he might be at the moment.

Several members interjected.

Mr MacKinnon: What about you? You are too busy being on TV.

Several members interjected.

The SPEAKER: Order!

Mr BRIAN BURKE: Included in the revenue-raising example the Leader of the Opposition uses are short-term investments, because they fall into the category of departmental revenue. So, whack, here is another increase in charges and departmental raising! Somehow, the Leader of the Opposition, who accused me of being less than honest, said that was an increase in departmental charges.

Several members interjected.

Mr BRIAN BURKE: Let members stop interjecting for a while and think seriously about it. It really is an abominable exposition of mathematical inability, or alternatively the Leader of the Opposition thought the Government would not be aware of what comprised departmental revenue. The Opposition cannot have it both ways. I suggest the Leader of the Opposition knew he was deliberately including in the revenue collection \$50 million that came as an advance royalty payment and an extra number of millions that came as a result of investments that had earned interest on the short-term money market. If we take that out, the 31 per cent increase used by the Leader of the Opposition in his calculations falls to about 13 per cent. He is not even half right, and he had the gall to stand up yesterday and pluck from the air these calculations that were not anchored in any truth at all.

As far as the Government is concerned, if we accept the figure of 13 per cent, the next step is to calculate the normal growth in revenue that does not result from any increase in charges at all. For example, payroll tax was estimated to increase by \$18.6 million despite the concessions we have made. Payroll tax concessions cost the public purse a certain amount of money. If we leave those in the calculations, the normal growth in payroll tax—not from any increase—resulted in an estimate in the figures used by the Leader of the Opposition of \$18.6 million more. If we take that figure off the revenue-raising figure used by the Leader of the Opposition, the calculation falls below the 13 per cent.

When we take into account all the normal growth factors, and do not take into account any increase in charges at all, the best estimate we can get is that the lift in revenue collections in 1983-84 due to Government increases is only five per cent, rather than 31 per cent. I say to members opposite: Do not believe us when we say that. Let us leave that aside and go to the readily and easily identifiable mistakes made by the Leader of the Opposition.

Firstly, he included \$50 million that was a prepayment of royalties. I think he did it deliberately, but he may not have. If he did, he is stupid, and if he did not, he is still stupid. So that \$50 million comes out. In addition, let us take out the money earned on the short-term money market. Where is the Leader of the Opposition?

Mr MacKinnon: Where were you yesterday?

Mr BRIAN BURKE: Where is the Leader of the Opposition for this important rebuttal of the nonsense he cast our way?

Mr MacKinnon: You were too busy appearing on TV.

Mr BRIAN BURKE: There are more Opposition members listening to me than there were listening to the Leader of the Opposition yesterday.

So we take out those two clearly identifiable parts of the revenue. Is there someone on the Opposition benches who thinks we should leave them in? There is no-one. I wish Opposition members would tell their leader. The 31 per cent the Leader of the Opposition talked about becomes 13 per cent.

Mr Thompson interjected.

Mr BRIAN BURKE: How is it that the member for Kalamunda is interjecting? He interjected a moment ago to tell us he could not interject.

I do not understand the mathematics or the demeanor of the Opposition. The figure of 31 per cent falls to 13 per cent. Then taking into account normal growth such as that in payroll tax, without any increase in the rate of tax, the figure of 13 per cent falls to five per cent.

Mr Court: What do you call a normal rate of growth in payroll tax?

Mr BRIAN BURKE: Let us say there is no such thing as normal growth because it does not matter for this exercise. We are using the Leader of the Opposition's figures. He took this year's revenue-raising estimates.

Mr Court: Are you going to answer the question?

Mr BRIAN BURKE: I will answer the question in a moment by relating it to the growth in employment. The Leader of the Opposition took the revenue-raising estimates for this year and compared them with actual collections last year. He left in the estimates revenue that was not raised as a result of increased taxes and charges. Does the member for Nedlands follow that?

Mr Court: I simply asked a question about payroll tax and you refused to answer it.

Mr BRIAN BURKE: I did not refuse to answer it.

Mr Court: I asked what was the normal rate of growth.

Mr BRIAN BURKE: The normal rate of growth would be that which would accrue to the very significant increase in employment I was about to outline to the member.

Mr Court: Ten per cent or what?

Mr BRIAN BURKE: If payroll tax last year netted about \$350 million, and if the Budget Estimates were for an extra \$18.6 million without any change in the rate, I suppose we are looking at around five per cent as the normal growth rate on the Treasury Estimates. There is no relevance to the slipshod mathematics of the Leader of the Opposition. Can the member see what his leader has done?

Mr Court: Your people have obviously gone through these figures.

Mr BRIAN BURKE: Leave them aside. Does the member for Nedlands understand what the Leader of the Opposition has done?

Mr MacKinnon: We will analyse your speech after you have given it, just as you have analysed the Leader of the Opposition's speech after he gave it.

Mr Court: You are the mathematical whiz. You said we were all stupid.

Mr BRIAN BURKE: I did not say the member for Nedlands was stupid.

Mr Bryce: You are the young apprentice with great promise. We think you should be the next Leader of the Opposition.

Mr Court: This is getting dangerous.

Mr BRIAN BURKE: The member for Nedlands should realise that sometimes greatness is thrust upon one. I did not mean to be flippant; I ask the member whether he understood.

Mr Court: I cannot follow your argument.

Mr BRIAN BURKE: The leadership chances of the member for Nedlands have dimmed suddenly, although in view of the mathematical prowess of the present leader, the member for Nedlands may surpass the Leader of the Opposition and assume the mantle.

I will repeat the calculation for the member's benefit. The Leader of the Opposition took the estimated revenue raising from the Budget papers. Does the member follow that?

Mr Court: Finish your speech.

Mr BRIAN BURKE: I presume he does. The Leader of the Opposition compared with the esti-

mated revenue raising the actual collections last year. Does the member follow that?

Mr Blaikie: You sound as though you are going back to school again.

Mr BRIAN BURKE: I am indicating that someone should. The member for Vasse, the shadow Minister for Forests, obviously follows my argument.

The Leader of the Opposition took the actual collections from last year and the expected revenue from this year and said the difference was as a result of taxes and charges. But when we look at the actual revenue from this year, we should not include any prepayment of royalties or the earnings from the investment of cash balances on the short-term money market, because there was no tax or charge which gave rise to them. We then look at normal growth in revenue from taxes and charges because there is no need to increase the rate of tax collected for normal growth to occur. If one adds those relatively simple figures, one is left with a figure of about five per cent as the increase that should be substituted for the 31 per cent given by the Leader of the Opposition. That is as simple as I can make it. The member for South Perth understands it. There is no problem there; it is simple and straightforward. The member for South Perth has not objected to the calculations or pointed to a flaw in the methodology.

The Leader of the Opposition is absent and the Deputy Leader of the Opposition, who previously complained about my absence in defending his own leader's absence, is absent himself.

Mr Bryce: Leadership by absence.

Mr Old: You ought to know; you are never here. Where are you going tonight?

Mr Court: How did the pornography meeting go last night?

Mr BRIAN BURKE: Not bad, actually.

We got to the stage where a five per cent increase is the most likely figure, contrary to what the Leader of the Opposition said.

I want to outline some of the economic factors that gave rise to the normal growth about which the member for Nedlands asked. That is why, when he asked about normal growth in payroll tax, I said I would touch upon the answer to the problem in due course, but we will touch upon it now.

Employment growth in Western Australia has strengthened considerably over the last 12 months. Does anyone deny that?

The unemployment rate has risen from 10.5 per cent to 10.8 per cent over the 12 months ended February 1984. Let us first touch on that aspect.

The Leader of the Opposition spoke about this spiralling and massive increase in unemployment. The increase was from 10.5 per cent to 10.8 per cent.

Mr Court: Is that good or bad?

Mr BRIAN BURKE: That is bad, but it is not as the Leader of the Opposition described it in all sorts of funny figures representative of a slump in employment.

This is the truth about unemployment: Over the 12 months ended February 1984, the number of employed persons increased by 3.3 per cent. That means an additional 18 800 people gained employment in the State's economy. We are not boasting about it; we are not saying it is ideal; we are not saying it is what we aim to achieve; we are saying that the unemployment rate is something which represents the most pressing problem that we face. But members of the Opposition heard their leader yesterday saying all sorts of wrong things about the rate of unemployment and about the slump in employment. The truth is that 18 800 new jobs have been created within the economy.

Let us talk about the next factors which contribute to normal growth; take the housing sector in Western Australia, which has experienced a turnaround from its previously depressed state. Does anyone want to deny that? Let us not say it is any credit, but let us acknowledge the truth about the housing sector, which has experienced a turnaround. The increase of new dwellings in the first six months of the current financial year was 31 per cent, or 2 165 more than in the corresponding period of 1982-83. That has given rise to increasing collections and an increase in revenue which the Leader of the Opposition tried to say was simply an increase in taxes and charges.

Leave aside the fact that into his own revenue calculations he put prepayments of royalties, and interest on short-term investments on the money market. Leave aside that sort of calculation and bring the 31 per cent back to 13 per cent. Then look at the way we have started to turn the economy around. One must still acknowledge that we should decrease from 13 per cent to some lower figure about which the Leader of the Opposition spoke.

Let us talk about consumer demand, because everybody knows that when consumer demand is buoyant, all sorts of taxes, without any change in the rate, raise more revenue. If the member for Nedlands sells more boats, there will be more stamp duty, and more hire-purchase contracts will be entered into, but one does not have to increase the rates.

Mr Court: More taxes, new taxes.

Mr BRIAN BURKE: But there are taxes which apply without any increases, without any new rates or taxes. It is simply a reflection of the level of business.

Mr Court: All except the payroll tax.

Mr BRIAN BURKE: There are more than the payroll tax. There are some taxes which, when business increases in momentum, cause more revenue to be collected without any adjustment.

Mr MacKinnon: Like FID.

Mr BRIAN BURKE: The Leader of the Opposition did not know this because he lumped all those increases together. Spending has been picking up strongly, with retail sales in Western Australia over the first seven months of 1983-84 being 9.1 per cent higher than they were in the previous financial year.

Mr Court: What happens to your normal growth rate now? You use your argument on only one side.

Mr BRIAN BURKE: I am using it on both sides. These are the normal factors which lead to it. Without any increase in the tax rate, if there is a constant tax, with 20 transactions instead of two, more revenue will be collected; but the Leader of the Opposition refuses to acknowledge that fact.

Everybody knows what he was doing. He was trying to pluck a headline out about 40 per cent or 100 per cent or 200 per cent. The only problem is that he did not fulfil his mathematical obligations. He included in his revenue-raising estimates things which could be so easily highlighted as being wrongfully included.

A closer analysis of the Budget Estimates suggests an increase of 21 per cent is due to changes in the rates or conditions of State taxes. On this basis, the estimated increase in collections in 1983-84 over 1982-83 due to Government initiatives is only some seven per cent and not 21 per cent as claimed by the Opposition.

Two components are involved. On the one hand, we have successfully demonstrated that the 31 per cent component should have been about five per cent and that the 21 per cent component should have been about seven per cent.

There are two problems in this matter. As far as I can see, the first problem is the inability of the Leader of the Opposition to calculate properly in an honest and straightforward fashion the increases that took place. He had the opportunity. He simply took revenue from the printed estimates of anticipated revenue, compared it with actual collections, and forgot or deliberately

overlooked the fact that included in those revenue estimates were amounts of money not related to taxes and charges. What has the Leader of the Opposition to say to that?

Mr Hassell: I am listening to your speech very carefully.

Mr BRIAN BURKE: That is not a very obtuse remark.

Mr MacKinnon: It was very easy for him to get a response from you yesterday because you were not here. He is paying you the same courtesy.

Mr BRIAN BURKE: If there is a black mark on the scoreboard for my not being here yesterday, regardless of what other obligations I might have had, we will put that on one side and ask the Leader of the Opposition why he included those things in revenue raising.

Mr Hassell: You just make your speech as I made mine.

Mr BRIAN BURKE: I can remember questions being asked of the Deputy Leader of the Opposition.

Mr Hassell: The Treasurer did not interject on me and I am not interjecting on him. I am listening to what he is saying.

Mr BRIAN BURKE: The Leader of the Opposition declines to answer that very fundamental and quite primitive point about revenue raising.

Mr Hassell: You make your speech.

Mr BRIAN BURKE: We really have to get down to the stage where the Leader of the Opposition squarely confronts his mistake. He must explain it. He must explain why he included prepayment of royalties in the revenue raising and the increase in taxes and charges. Can the Leader of the Opposition explain why he included interest gained on the investment of money on the short-term money market, and then said that those factors were due to increased taxes and charges? Can he answer that? This is a pretty pass. This is what Parliament is about.

Mr Old: You were not here to debate it.

Mr BRIAN BURKE: I am here today.

An Opposition member: Gone tomorrow.

Mr BRIAN BURKE: This does not seem to be an involved point. Perhaps I have missed something. Perhaps it is more complicated and detailed than I think it is. I will put the question in another way and hope to elicit some response in that way from the Leader of the Opposition.

I will not ask him why he included prepayment of royalties, and I will not ask him why he included interest on the short-term investments on the money market. I will ask him what tax and

charge was imposed or increased to raise that \$50 million in the prepayment of royalties. That is a different question and perhaps the Leader of the Opposition can answer it. It is a pretty pass! I can presume only that the Leader of the Opposition does not have an answer.

Mr Hassell: You can't presume that at all.

Mr BRIAN BURKE: I can only presume it, and now that the Leader of the Opposition has found his tongue, I shall ask him again.

Mr Hassell: You can ask as many times as you like. I have made it clear to you that I do not intend to debate the issue across the Chamber with you now. I know the games you play in these kinds of debates. I shall deal with the issue as I see fit, when I see fit. You can go on playing these games as long as you like.

Mr BRIAN BURKE: The Leader of the Opposition will leave unanswered this very major challenge to his speech. I have never heard of that previously. This challenge destroys all his calculations; does he not realise that? Will the Leader of the Opposition then issue an apology and retraction for claiming the increase was 31 per cent when the figure should have been five per cent or that it was 21 per cent when it should have been seven per cent? Do I understand from the Leader of the Opposition's demeanour, sultry though it may be, that he intends to apologise or retract?

Mr Hassell: When are you going to deal with the question of misrepresentation of the former Government's deficit?

Mr BRIAN BURKE: Is the Leader of the Opposition asking me a question?

Mr Hassell: Are you going to debate that across the Chamber and ask all sorts of questions?

Mr BRIAN BURKE: Is the Leader of the Opposition asking me a question?

Mr Hassell: You make your speech.

Mr BRIAN BURKE: I understood the Leader of the Opposition did not intend to debate the matter. What it amounts to is that he will ask questions and elicit answers when it suits him, because members have just heard him ask a question, but he will not answer questions put to him when it does not suit him.

Mr Peter Jones: I can see that you are getting a bit annoyed.

Mr BRIAN BURKE: In conclusion, let me point out that all the comments I have made need necessarily to be considered against the background of an increase of only 10.8 per cent in budgeted expenditure. Everybody should have realised that the Leader of the Opposition could not possibly have been right, because we have a

budgeted increase of 10.8 per cent which is relatively modest. I suppose it is still possible to calculate some mathematical model which would see that the absurd claims made by the Leader of the Opposition relate back to such a modest increase in expenditure, but it is very difficult to determine what that model would look like. As far as the Government is concerned, the increase in expenditure budgeted for was 10.8 per cent and, without being exclusive of the possibility, I would say it is very difficult to imagine how the Leader of the Opposition could have been right yesterday in the light of that increased expenditure.

Of course, that is how we knew he had made a mistake in his calculations. One cannot in the same way as one might draw an analogy between someone depositing money in a bank, deposit \$10 and withdraw \$50, or deposit \$50 and withdraw \$20, without either getting an overdraft or having a positive balance, and everybody knows we are aiming for a balanced Budget.

The Leader of the Opposition spoke for approximately three hours. He canvassed many issues which were not relevant. He did it in a rather dull fashion and in a way which did not excite many members who were present. In combination or in total, it was really a package which appealed to the sixties Liberal Party supporter and that was very ably pointed out by the Deputy Premier.

We have reached the situation where someone in the Opposition parties should be saying to the Leader of the Opposition, "Don't make speeches unless you are sure of your calculations. Don't make claims unless you are sure of the ground on which you stand". I suppose we have to face the fact that, in Government, one does have resources not available to the Opposition—apart from sometimes having abilities not available to the Opposition—and within the space of about a day, the Leader of the Opposition has been proved to be grievously wrong in an elementary calculation which Matthew Burke, aged 13, would have gone red in the face about had he been responsible for making one of similar dimensions. That is what has happened.

I understand the Leader of the Opposition's wanting to make a major economic statement on the Supply Bill. I understand that everybody was told for two or three days prior to the statement being made that a major statement was coming. It is just a pity that the major statement had so many of the sums wrong.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Brian Burke (Treasurer), and transmitted to the Council.

RESERVES BILL AND RESERVES AMENDMENT BILL 1984

Second Reading

Debate resumed from 23 November 1983.

MR BLAIKIE (Vasse) [3.10 p.m.]: The Reserves Bill contains a number of amendments which were introduced into Parliament on 23 November. As the Minister said in his second reading speech and introductory notes, the reason many reserves have been introduced in this amendment Bill is that previously a number of actions were able to be approved simply by the Executive Council. That is no longer the case and reserves of the nature of Class "A" reserves, reserves needing to have a different type of vesting order, now require the approval of Parliament. This is very important. Parliament should decide whether reserves should be included or deleted from the Government list of reserves as it presently stands.

Mr Speaker, I beg your indulgence for a moment, but will we be proceeding into Committee to discuss individual items, or can we discuss individual items and by way of a Committee debate obtain the information from the Minister at this stage?

The SPEAKER: You can do it now or in Committee.

MR BLAIKIE: It is not my intention to debate at length the reasons for the Bill, apart from saying that I agree generally with the changes proposed. I give notice to the House that members of the Opposition certainly will be seeking further clarification from the Minister on a number of items contained in the Bill. Having made those remarks, I indicate that I support the second reading.

MR McIVER (Avon—Minister for Lands and Surveys) [3.12 p.m.]: I thank the member for Vasse for his general support of the Bill. He has indicated he wishes to raise several matters in the Committee stage, and so, without delaying the

House, I genuinely thank him and members of the Opposition for their support of the second reading.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr McIver (Minister for Lands and Surveys) in charge of the Bill.

The CHAIRMAN: I point out to members that it is necessary to make a minor amendment to clause 1 in that "1983" should read "1984".

Clauses 1 and 2 put and passed.

Clause 3: Reserve No. 8606 at Busselton—

MR BLAIKIE: Clause 3 relates to Reserve No. 8606 which is classified as Class "A" and which comprises 1,802.8 hectares. This land is set aside for recreation and is vested in the Shire of Busselton. My understanding is that the reserve is adjacent to Geographe Bay Road. The land has been used in part for recreation and although it has been indicated in the Minister's second reading speech notes that the shire has agreed to the cancellation and revesting of the land, because of the very sensitive nature of the area, I would appreciate the Minister's giving an explanation of the requirements and indicating whether his department has received advice from the Shire of Busselton and what that advice is.

MR McIVER: I seek the indulgence of the Committee. As members would appreciate, this is the largest Reserves Bill and Reserves Amendment Bill presented to Parliament and I ask the member for Vasse to be patient so I can pinpoint the exact location to which he is referring. I assure the member for Vasse that the Shire of Busselton is in full support of the recommendations contained in the Bill. I have had some discussions with the member for the area in relation to this. A car parking area was required, and as the member already has said, the area was vested in the Shire of Busselton for that purpose. Class "A" Reserves Nos. 8606 and 9719 at Busselton were set apart in 1934 for the purpose of recreation and vested in the then Municipality of Busselton in trust for that purpose.

Because of the proximity of those reserves to the ocean foreshore, both reserves are used extensively for car parking. The Shire of Busselton has experienced problems with traffic control and parking in the area and as a result it now seeks to rationalise the situation by widening Geographe Bay Road to provide permanent parking areas. As a result Reserves Nos. 8606 and 9719, which are

located west of Geographe Bay Road, will be cancelled and will be vested in the Shire of Busselton.

Difficulties were experienced in defining the boundaries of the two reserves, particularly the remaining portion to be included in the foreshore reserve. As I have already indicated to the member, it is now proposed to cancel Reserves Nos. 8606 and 9719 and to consolidate the subject land located east of Geographe Bay Road into one Class "A" reserve for "recreation" which reserve will be vested in the Shire of Busselton. The remaining portions of the two reserves located west of Geographe Bay Road will be vested in the shire for road widening and a proposed foreshore and "recreation and parklands" reserve, also vested in the shire.

The Shire of Busselton has agreed to the amended proposal in order that the proposal might be presented to Parliament.

To answer the member's question I indicate that the proposal put forward by the Government has been approved by the Shire of Busselton.

Clause put and passed.

Clauses 4 to 13 put and passed.

Clause 14: Reserve Nos. 36912 and 36915 in the Dampier Archipelago—

Mr LAURANCE: Because of my close association with the Dampier Archipelago when I was in charge of not only the lands portfolio, but also the conservation portfolio, I ask the Minister what he has in mind in regard to this clause and whether the area includes Rosemary Island.

Mr McIVER: In December 1982, the former Government approved a number of recommendations designated to rationalise the purpose of the vesting and management of several islands in the Dampier Archipelago. All but one of the recommendations can be effected under normal Executive Council procedures. However, the proposal to include Reserve No. 36912 which is located at Rosemary Island for "conservation of flora and fauna" and Reserve No. 36915 will require parliamentary approval.

Mr LAURANCE: I thank the Minister for his explanation because that particular reserve is a longstanding recreation reserve. Last year, the second 10-year lease expired. The lease was held from the Government by the north-west game fishing club which received its first lease of the area 20 years ago. The first lease was issued in 1963, and in 1973 it was renewed for a further 10 years. Some argument has arisen as to what should happen with the recreational aspects of the islands on the Dampier Archipelago. It has been suggested that the north-west game fishing club

should not be entitled to hold a lease on that reserve for its operations.

While this club is not a local club, it does involve local people and it also involves game fishermen from Perth and the rest of the State. These people have been going to the area for at least 20 years—I believe they were in the area prior to 1963. Since the club first applied for the lease, it has established facilities on the island. I have visited the island and have seen the facilities, which are well maintained. The club has done an excellent job in looking after the local environment which, is the case on most of the islands in the area, is fairly fragile. On the island, the club has established a house as the base for its operations and only a small number of people visit the island at any one time. Generally, a charter boat transports people to the island from all over the State. Between six and 10 people visit the island in the charter boat to engage in game fishing.

During my term as Minister for Conservation and the Environment, I was told it would not be appropriate for the lease to be renewed. I did not take that view and I gave an indication on behalf of the then State Government that the lease would be renewed, and it is my understanding that the present State Government has honoured that undertaking and is now seeking the approval of Parliament.

Mr McIVER: This is so.

Mr LAURANCE: I believe that is the right thing to do, because when an organisation has taken up a lease of an area for 20 years, has looked after the area, and has been there longer than most of the people in the local communities, it should be entitled to claim that it is part of the environment. This club has every right to continue its activities on the island.

Obviously, the Minister has indicated that the Government does intend to allow the north-west game fishing club to continue its lease of the area.

In relation to the other islands on the Dampier Archipelago, I inform the Minister that when I was Minister for Lands and Surveys, I gave an undertaking that the leases would be given to people who have shacks on islands which are close to Rosemary Island. I believe it would be appropriate for leases to be given to these people even though it might be on an annual basis.

I understand the Government has stated it is prepared to proceed along those lines and that indicates that one or two decisions I made when I was the Minister responsible for these matters made some sense. We cannot get a perfect solution. I know some environmentalists would say that there is a perfect solution. However, the

shacks are on the islands and all we can do is stop their proliferation.

The existing shack-owners say they do not want any more shacks built on the islands. When I spoke to them, I asked them whether they wanted more shacks on the island and they said, "No, they would be unhygienic and they would crowd the beach". I can understand their views—it is human nature. It is a magnificent place, although there are not many accessible parts as the member for Pilbara would know. Some beaches can be protected from the offshore winds, and this is important particularly in cyclonic weather. They do not represent the major part of the coastline of those islands. Therefore, they are fairly exclusive beaches and, as such, are unique.

If the existing shack-holders were given a lease for a reasonable fee, some policing of this arrangement would be necessary and the Government would need to get some return in the way of revenue. This would give the Government the opportunity to ensure that the shacks were being maintained in a reasonable condition.

It would also give the Government some control over the taking of animals onto the islands. This practice results in a problem from an environmental point of view. I do not hate cats as much as does Harry Butler, but they are taken to the island by people who subsequently forget to take them away with them.

I think the proposal will at least contain the present problem and prevent more and more shacks being erected. The longer the situation is allowed to continue, the more difficult it will be to resolve the problem in the future. It would be a reasonable compromise if the Government allowed the shackholders to enter into leases, but did not allow any more shacks to be constructed except under very special circumstances. It would give security of tenure to those shack-holders already in the area and prevent the proliferation of other shacks. It would also keep areas aside for possible future tourist development. It may be that there will be good reasons in the future for tourist development in that area and such development would be very difficult if it were necessary to bulldoze any buildings.

Mr McIVER: I am aware of the member's knowledge of this region and his participation in these matters as a former Minister for Lands and Surveys. Is the member aware that the Government is looking at the question of illegal squatters' rights from Kununurra to Esperance? It will not be dealing with these illegal squatters in a piecemeal fashion. A policy will be formulated for the whole State. An in-house committee and two

other committees which are carry-overs from the previous Government, are examining this situation.

Mr Peter Jones: How much longer must we wait?

Mr McIVER: It must be appreciated that this will involve a large expenditure and the local authorities concerned do not want to participate in that expenditure.

Mr LAURANCE: I thank the Minister for that explanation and I accept what he is saying. However, in this case, some commitments have been made by the Minister for the Environment, and the local member would know that some commitments have been made by the Government. It is to be hoped that those commitments work in with the overall plan. Although it is always good policy to have an overall plan, some special consideration must be given to the Dampier Archipelago.

Mr McIVER: The member's point is well made and well taken, and it will be examined.

Mr LAURANCE: Some tourist development would be ideal in this area; I do not know by whom and at what stage, but we should keep some of these islands available. They should not be locked up but be available for development as has happened on parts of the Queensland coast. There is a danger that the islands will be locked up and there will be no opportunity for commercial developments.

The shacks in existence at the moment are quite substantial and it amazes me how people managed to get the material in place. Many of them have generating plants and the buildings have concrete floors.

My main concerns are that orderly development take place with regard to the shacks already there, that areas are available for future tourist development, and that the north-west game fishing club has continued access to Rosemary Island.

Clause put and passed.

Clause 15: Reserve Nos. 38421 and 3293 at East Perth—

Mr LAURANCE: This clause deals with the Perth Mint and many members on this side of the Chamber have taken a close interest in what happens to the Perth Mint and what comes out of it. It has been a very successful institution and much of its success is due to its present director. It has been a very commercially-oriented business for the State and has carried out a number of jobs for other States and other countries at a profit. We can be proud of that fact.

Because of its success in recent years, the Perth Mint desired to expand and the Liberal Party when in Government was making arrangements for that expansion. It is contiguous with a Class "A" reserve and I assume that in order to amalgamate with that site it is necessary to change the Class "A" reserve situation.

Mr McIVER: That is correct.

Mr LAURANCE: The land occupied by the Perth Mint will be considerably expanded and the mint will have the opportunity to enlarge its premises in the future. It will then become an even better organisation than it is today. However, even at this stage, it is worthy of commendation.

Clause put and passed.

Clauses 16 to 18 put and passed.

Clause 19: Reserve No. 10922 south of Yallingup—

Mr BLAIKIE: The second reading speech notes provided by the Minister did not include details of what this amendment would achieve. I ask the Minister to give a further explanation of the reasons for parliamentary approval being sought.

Mr McIVER: The area to which the member referred is vested in the National Parks Authority for the purpose of a national park. An area of vacant Crown land which is used for camping and recreation adjoins this reserve and that is identified as Sussex Location 4783. In the absence of any other management authority, the National Parks Authority has continuously maintained the area and provided fire control measures. To rationalise this situation and provide proper management, the authority has requested that the land be included in the "A"-class reserve. Of course, such action requires parliamentary approval.

Clause put and passed.

Clause 20 put and passed.

Clause 21: Reserve No. 24306 at Coogee Beach—

Mr MacKINNON: I would like an explanation of the purpose of this clause. I represent part of the City of Cockburn although not this particular area.

Mr McIVER: This reserve is vested in the City of Cockburn for recreational purposes. Pursuant to an agreement with Cockburn Cement Ltd., the Government undertook to provide access across Reserve No. 24306, linking the company's land with a proposed jetty on the foreshore. A one-chain strip was subsequently surveyed and excised from the reserve, but it was never dedicated as a public road. Today, it is vacant Crown land.

The agreement and the access way were superseded by an Act of Parliament in 1971. As the access way, now identified as Clarence Location 144, is of no further use to the company, it is proposed to reinstate that land in Reserve No. 24306. Once again, we require the approval of the Parliament to do that.

Clause put and passed.

Clause 22 put and passed.

Clause 23: Reserve No. 26808 in the Pilbara—

Mr BLAIKIE: This reserve is classified as Class "A", and contains more than 104 000 hectares. The vesting is to be amended to include a further 137 hectares. While this is controlled for the conservation of flora and fauna and is vested in the Western Australian Wildlife Authority, I ask the Minister to indicate whether this has the support of the shire.

Mr McIVER: The reason for this clause is that in 1977 the lessees of Maroonah Station in the Pilbara surrendered to the Crown a narrow strip of land containing 137 hectares which was of no further use to the lessees. The now vacant Crown land is identified as Hardey Location 3, and contains Class "A" Reserve No. 26808 which is vested in the Western Australian Wildlife Authority for the conservation of flora and fauna. The Department of Fisheries and Wildlife has agreed to a proposal to include Hardey Location 3 in Reserve No. 26808.

As the reserve is of Class "A", parliamentary approval must be obtained. The shire is in full agreement.

Clause put and passed.

Clause 24 put and passed.

Clause 25: Reserve No. 31737 north of Bremer Bay—

Mr BLAIKIE: This area is a Class "A" reserve comprising 234 314.968 hectares—in other words, more than 500 000 acres, using the old description. This amendment proposes to add to the reserve, a further 64 hectares which comprise Kent Location 2090.

The Parks and Reserves Act is very important, as is the process we are now going through. It requires parliamentary approval for these changes to take place, and it is very important that the Minister is able to give the Parliament the reasons for the exclusions or additions that are sought.

As I said, the area comprises more than 500 000 acres, and a further 100 acres are to be added. While the addition is minuscule, the principle is very important, and I trust the Minister has adequate reasons for adding to a national park of the magnitude of this one.

Mr McIVER: This reserve is just north of Bremer Bay, and it is set apart for national park purposes. If any members have not been in that part of Western Australia, I thoroughly recommend it to them. It is a magnificent part of our State, and contains some of the rarest flora anywhere in the world. For that reason, the National Parks Authority wants to expand the area of the reserve.

Mr Blaikie: This would be Fitzgerald?

Mr McIVER: It is north of Bremer Bay. I will give the exact location in a moment.

This is part of an ongoing programme to purchase suitably sized areas of freehold land as additions to national parks. The Environmental Protection Authority recommended the purchase of what was then Location 249, comprising an abandoned farm on the western side of Reserve No. 31737. This move will add a further 3 172.58 metres of Gairdner River foreshore to the boundary of the national park.

The member referred to the Transfer of Land Act. Following purchase, the land was transferred to the Crown and removed from the operation of the Transfer of Land Act. It has since been renumbered as Kent Location 2090.

As I stated earlier, as this is an "A"-class reserve, this move requires the approval of the Parliament. The shire is in full agreement.

Clause put and passed.

Clauses 26 and 27 put and passed.

Clause 28: Reserve No. 36128 between the Shires of Lake Grace and Kulin—

Mr COWAN: I direct the Minister's attention to his information on this reserve. It is a very large reserve within the Shires of Lake Grace and Kulin, and it is in the midst of an agricultural area. The three locations which will be incorporated in the reserve are very small in area. Can the Minister inform the Chamber what the locations are, and whether the local authorities have approved of this transfer?

Mr McIVER: This reserve is now set apart for the conservation of flora and fauna, and is vested in the Western Australian Wildlife Authority. The change is being made at the request of the Department of Fisheries and Wildlife, and the approval of the adjoining shires has been gained. Portions of Tonkin Road and Hyden Road left within the reserve were closed to improve fire control. By including the subject land, it is now proposed to give the closed portion of the Pingaring-Varley Road access north into Reserve No. 36128.

Of course, as this is an "A"-class reserve, the approval of the Parliament is required.

Clause put and passed.

Clauses 29 to 32 put and passed.

Clause 33: Reserve No. 25886 in the Shire of Serpentine-Jarrahdale—

Mr BLAIKIE: This reserve is classified as of Class "A" and contains 153.570 3 hectares. It has been set aside for the conservation of flora and fauna, and has been vested in the Western Australian Wildlife Authority.

This is a minuscule amendment and it appears that approximately two hectares will be added to the area which is part of a closed road. I have always held the very strong view that roads should never be closed and that they should be used.

Mr McIVER: It is an unused section of road.

Mr BLAIKIE: It may be unused now, but in 10, 20, 50, or 100 years that section may be required. Does this move have the support of the local authorities concerned, despite the fact that the road is unused?

Mr McIVER: I understand this Class "A" reserve is called Modong. It is located in the Shire of Serpentine-Jarrahdale and it is set apart for the "conservation of flora and fauna". The shire requested that it be vested in the WA Wildlife Authority. The unused section of road extending into the reserve has been closed. It is now proposed to include that land in Reserve No. 25886. Naturally an "A"-class reserve requires parliamentary approval.

Clause put and passed.

Clause 34 put and passed.

Clause 35: Reserve No. 15556 at Jandakot—

Mr MacKINNON: Quite a deal of Jandakot is in my electorate. I am not aware of the reserve referred to in the Bill. Could the Minister give me an explanation of the area to which this clause applies?

Mr McIVER: Class "A" Reserve No. 15556 at Jandakot is set apart for "fauna conservation and research and drainage" and it is vested in the WA Wildlife Authority. In an effort to control public access, particularly by horses and vehicles, the Department of Fisheries and Wildlife requested closure of part of Haring Road which protrudes into the reserve, so that a boundary fence could be erected round the perimeter. In order to include the now closed road and rectify certain boundary discrepancies, it is proposed to redescribe reserve No. 15556 as comprising Cockburn Sound Location 2726 as shown on the Department of Lands and Surveys Plan No. 15761. Once again it is an

"A"-class reserve, and to achieve what is intended, approval of Parliament must be obtained.

Mr MacKinnon: Does it have the endorsement of the local authority concerned?

Mr McIVER: It has been approved by the shire.

Clause put and passed.

Clause 36 put and passed.

Clause 37: Reserve No. 8176 at Broome—

Mr LAURANCE: The reserve relates to an area containing 1.4164 hectares and is set apart for "recreation". It is intended that the reserve be included in other land. I do not have the detail available to the Minister, but I wonder what the purpose of the amalgamation will be. What will be the purpose of the total area of land once this piece of land is amalgamated with the other area?

I have an idea its purpose may be related to the establishment of an arboretum, which is a very desirable project for Broome. I am not sure of the location of the project, but I believe it is proceeding. I was responsible previously for the then Conservator of Forests going to Broome and discussing with the local authority the setting apart of an area where an arboretum could be established. That arboretum would demonstrate the flora and fauna which exist in the Kimberleys. It seemed to be a desirable recreational and social development, not only for Broome, but also for the whole Kimberley region. Could the Minister indicate whether I am talking about the correct project and whether this land will be incorporated in the overall site for that purpose?

Mr McIVER: I am delighted to answer the member. The land is required by the Shire of Broome because it wants to develop our wonderful game of Australian rules football. It wants to do so by using the unvested Class "A" Reserve No. 8176 which is set apart for recreation. The reserve contains 1.4164 hectares and is not large enough for a full-size oval to be established. Accordingly, the council has requested the addition of adjoining vacant Crown land to increase the reserve size. The Department of Lands and Surveys has no objection to the proposal, and a survey has been completed. In order to formalise the addition to the Class "A" reserve, parliamentary approval must be obtained.

Clause put and passed.

Clauses 38 to 40 put and passed.

Clause 41: Reserve No. 8431 at Prevelly—

Mr BLAIKIE: This clause relates to Reserve No. 8431. As the Minister's second reading

speech indicates, this reserve, surrounding Prevelly townsite, is set apart for "protection and preservation of caves and flora and for health and pleasure resort" and is unvested. It is certainly a pleasurable area to visit. Parliamentary approval has been sought previously for land to be excised and vested in the Greek Orthodox Church. Approximately five or six years ago, the then Minister for Lands (the Hon. June Craig) introduced a reserves Bill to vest an area of land in the Greek Orthodox Church. Although the land was vested in the church the local authority would not agree to the construction of the church on the site approved by the Parliament at the time. This occurred as a result of a series of planning problems. The action taken by the shire was correct and, as a result of a sad set of circumstances, notwithstanding the goodwill of the Minister and her officers, a lack of consultation occurred.

It is interesting that this matter is before the Parliament again. In order that an explanation be recorded in *Hansard*, I would appreciate the Minister's providing the ministerial reasons for the excision and indicating whether the Shire of Augusta-Margaret River approves of what the Government is seeking to do.

Mr McIVER: The information supplied by the member for Vasse is correct. For the information of all members I indicate that in 1978, portion of the reserve was excised for a church site. However, the Shire of Augusta-Margaret River refused to issue a building permit for a proposed Greek Orthodox Memorial Chapel and so a chapel was subsequently built on freehold land in Prevelly. The church trustees now wish to extend the amenities adjacent to the chapel, but they have insufficient land. Accordingly they have requested excision of a small area of Reserve No. 8431, which adjoins the chapel; and as portion of Reserve No. 8431 has previously been made available to the church but not used, both the Department of Conservation and Environment and the Shire of Augusta-Margaret River support the proposal. They must have become more religious since they made their first proposal! Once again, as we are dealing with a Class "A" reserve, the approval of Parliament is required.

Mr BLAIKIE: I thank the Minister for his explanation. The relationship that exists with the Greek Orthodox Church and the shire at Prevelly are excellent, although unfortunately a misunderstanding occurred in the initial stages about where the church was to be built. However, I believe the Greek people can now see the wisdom of the shire's guidance in first of all refusing permission for the church to be built where they originally wished to locate it.

The church is widely used by the people in the community and indeed it is a feature of the district. The building was carried out as part of a grant by Mr Geoff Edwards, who was a prisoner of war held on the island of Prevelly, from which the church gets its name, so it has an important historical significance.

The church is well regarded by the local community and is well attended by the Greek community. It was dedicated to the people who assisted Australian servicemen during World War II. I thank the Minister for the speedy way in which this Bill has been handled and I ask all members to support this particular clause.

Clause put and passed.

Clauses 42 to 47 put and passed.

Clause 48: Reserve No. 13375 and 17827 at East Perth—

Mr THOMPSON: From as far back as the early 1950s when as an apprentice I worked on the construction of the Causeway Bridge, I developed a keen interest in the foreshore on the eastern side of our city. I believed then that the area had the potential to be one of the most beautiful parts of the Perth region. Soon after I entered Parliament I therefore started asking questions on the subject in an endeavour to see whether something could be done to beautify the area.

In 1972 I asked the then Minister for Lands, who is now the Minister for Agriculture, whether it was intended to beautify the river foreshore, and he advised me that it was the Government's intention to do something about the matter.

It took many years before anything was done and in fact it was not until the sesquicentennial celebrations of 1979 that something of substance was done to beautify the eastern foreshore; so when this Bill came before the Parliament I took a keen interest in this clause because of its impact on that part of our river system.

It transpires that in the early 1950s, when the new Causeway was being built, it was necessary to dredge new channels in the river, and this significantly changed the course of the river. In so doing some land was created that was once part of Burswood Island but which in fact is a new part of Langley Park. On that part of the park a car park was built and this Bill seeks to incorporate the area of land that was reclaimed from the river and to have it as part of the Langley Park system.

I hurried to establish that fact because I was keen to ensure that it was not the intention of the Government to build a car park on Burswood Island. Certainly on reading the clause it appears that a car park is to be built there.

The people of Perth have come to regard that part of the river system, the eastern foreshore, as highly as they do Kings Park. So it was with horror that tonight I read in the *Daily News* of a proposal to build a casino in that general vicinity. I hope that it is just speculation on the part of the newspaper reporter and that it is not in fact a substantive proposal of the Government. There could be only one worse place to establish a casino in the Perth metropolitan region, and that would be Kings Park itself.

This part of the eastern foreshore is a very beautiful area and it should be preserved as open space for the community of today and for that of tomorrow. How many of us have heard people who visit Perth saying what a beautiful city it is? It is a beautiful city because people like Forrest had the foresight to set aside Kings Park and areas like Langley Park, that great green strip along the apron of the city, to keep the river for the benefit of the whole community and not to clutter it up with buildings designed to cater for public utilities.

I certainly hope the story in the *Daily News* tonight is not accurate. I believe the area is sacrosanct. If it were to be used for a casino, I am sure there would be a very angry reaction from the people of this State.

Mr RUSHTON: This clause is of tremendous interest to anyone who has been involved in the work that has taken place in this general area. As the then Minister for Local Government, I was fully involved in most of the work done in the area and I realise that the Treasury and the Perth City Council were very much involved in providing money for the work. This area is of great interest to the City of Perth and its people. When I took responsibility for the portfolio in 1974 I felt this was one area that could readily be lifted and given greater attention, and I ensured that work took place. Preliminary work had been done in planning and I promoted the area as one where limited funds could gain maximum results.

We need a clearer explanation from the Minister about what is to take place in this area. We on this side are very keen to get the Government's clear intention because we do not want to lose what we have. We want the general aspects of the area enhanced and not degraded.

Mr McIVER: The clause requires parliamentary approval to join two "A"-class reserves. That is what the Parks and Reserves Act is all about. When we have parliamentary approval to do that, what is to be placed on Burswood Island is up to the Government, and the Opposition will have ample opportunity to debate the matter.

Mr Thompson: Are you indicating there will be a casino there?

Mr McIVER: I am not indicating that. I do not know what will go there.

Mr Thompson: Can you say there won't be one there?

Mr McIVER: I am just a small cog in the Cabinet wheel.

Mr Thompson: That is not right then.

Mr McIVER: I have not seen tonight's *Daily News*. I do not know whether the casino is going there, or anywhere else.

Mr Thompson: Are you saying that the Cabinet has not made a decision to site it anywhere?

Mr McIVER: One of these days the member might get to Cabinet and learn what goes on, because it appears he does not know.

Mr Williams: You are the Minister representing that area.

Mr McIVER: I agree with the comments of the two previous speakers that Burswood Island is a magnificent part of Perth. The previous Minister for Transport, when he was the Minister for Local Government, had a lot to do with that area, and I commend him on his actions.

The reason for clause 48 is to rationalise the reserves boundaries. The Perth City Council has requested the inclusion of several small portions of Crown land into the existing reserve. Those portions comprise the remaining areas of the former Public Works "improvement of Swan River" Reserve No. 7728; the reclaimed channel between former Reserve No. 7728 and the mainland; and the remnant portion of unvested Class "A" Reserve No. 17827 for "park and gardens".

In addition the Perth City Council has requested that the purpose of Reserve No. 13375 be changed to "park, public recreation and vehicle parking". The Perth Water and Burswood Island foreshores advisory committee supports this proposal; however, as it comprises two "A"-class reserves, the approval of Parliament is sought.

Mr BLAIE: I thank the Minister for the explanation he has given, but he may have missed the point raised by my colleagues, the member for Kalamunda and the member for Dale.

What is proposed in Clause 48 is the tidying up of a series of small reserves, as well as a change in the designation of an area for the purpose of vehicle parking.

The member for Kalamunda has referred to Burswood Island and the member for Dale has indicated his involvement in the development of this area when he was a Minister. Coincidentally, the

front page of this evening's edition of the *Daily News* indicates that a decision has been made for Burswood Island to be the site of the new casino. I do not intend to get involved in a debate on whether a casino should be built, because the purpose of this Committee is to determine whether Parliamentary approval should be given for the inclusion of certain reserves in national parks and whether the designations of those reserves ought to be changed. This proposed change so that the reserves can be reserved for public recreation and vehicle parking may be to enable people to use the river near that area, but it could also permit the use of the area for casino parking.

Whatever the advisory committee may have advised the Minister, it is only a few years since advice was received suggesting that Riverside Drive ought to be a major traffic highway. The community of Western Australia had its input on that question, and of course, a highway was not built there.

I ask the Minister to take a further look at the question of the designation of these reserves, because the change to allow vehicle parking could mean that the area could become one big riverside car park, and that is something I question strongly. I look forward to the Minister's further explanation.

Mr McIVER: Now the Opposition has tonight's edition of the *Daily News* and has gone casino happy, I draw the attention of members to the fact that this Bill did not go through the Parliament in 1983; it was deferred to this session. I would say that the Perth City Council and the advisory committee have considered this matter carefully. I repeat: The purpose of this clause is to rationalise the boundaries and that involves two "A"-class reserves and therefore requires Parliamentary approval. It is as simple as that. Let us not have any more humbug on casinos; let us get on with the job.

Mr THOMPSON: It is 34 years since the construction of the new Causeway, and in those 34 years the Department of Lands and Surveys has not found it necessary to look at boundaries, but it has found it necessary to look at boundaries now.

Mr McIVER: At the request of the Perth City Council.

Mr THOMPSON: That is the Minister's proposition. Mine is that the department has been looking at it because of a proposal for a major development there. That is the reason I believe that 34 years after the physical work was done—

Mr Bryce: How long is it since you had a headline?

Mr THOMPSON: I do not know. To continue, after 34 years of no action in relation to planning we suddenly have a Bill before us that results from an investigation of the boundaries. The Minister has gone to some lengths to suggest no Cabinet decision has been taken with respect to the casino.

Mr McIver: I did not say that. I said I am not aware of any decision. Do not put words in my mouth.

Mr Clarko: Were you at the Cabinet meeting?

Mr THOMPSON: It would appear that the Minister most directly involved in the control of the land does not know a casino is to be built there.

Point of Order

Mr McIVER: I draw to your attention, Mr Chairman, clause 48 which sets out the boundaries in relation to two Class "A" reserves. Nowhere in the Bill is there mention of casinos. The member is out of order.

The CHAIRMAN: Members who have so far debated this clause have been speaking to the matters in the clause. They have been relating their remarks directly to the car park and the various reasons for the clause in the Bill. I rule they should be allowed to continue.

Committee Resumed

Mr THOMPSON: It is not my intention to stray from the rules of debate. I do not want to cause the Minister to get testy; I want to highlight the fact that it is 30-odd years since the physical work was done on the dredging. It seems strange to me, in the light of the headline in today's *Daily News* and the speculation in recent times, that the work would have been undertaken at this stage without some proposal for the land to be developed. To that extent I believe I am in order in raising this issue.

That part of the river system is extremely attractive, and that has been recognised by members on both sides of this Chamber. As I said earlier, in response to a question I asked in 1972 the now Minister for Agriculture, who was then Minister for Lands, said a committee under the Government's responsibility was looking at the upgrading of that area. Many Western Australians have wanted to improve the beauty of the eastern approaches to the City of Perth. Those who can remember the days of the old wooden Causeway Bridge will recall seeing sign after sign on the land parts of the bridge system, and how ugly it was. In the last few years a transformation has taken place that has been welcomed by many

people in the community. From my sense of wanting to preserve that area as a beautiful approach to a beautiful city, I will take every opportunity to ensure that something is not done to detract from the area. I am concerned about this matter and it appears to me that someone in this Parliament can tell us whether a casino will be built there. Perhaps at question time we will be able to pursue the matter with the Premier. My concern is genuine and one I have demonstrated—

Mr Brian Burke: You can pursue the matter with me now.

Mr THOMPSON: Is a casino to be built adjacent to the approaches to the Causeway?

Mr Brian Burke: As I indicated in answer to a similar question last night, a series of decisions is presently being made and in the fullness of time your question will be answered.

Mr THOMPSON: The Premier indulges in his favourite pastime of appearing to be frank and open and at the same time not answering the question.

Mr Brian Burke: Am I obliged to answer every question you ask?

Mr THOMPSON: It is that duplicity and falseness that the community will not accept, and the Premier's shining star will start to wane.

Mr RUSHTON: I do not have a map before me, but no doubt the Minister has and I ask him to look at it. There have been plans for a roundabout and a variation of the road system near the Causeway on the western side of the Swan River. Can he explain what effect this proposal will have and whether it will intrude on any provisions for an upgrading of the western end of the Causeway? How does the proposal before us fit in with the road scheme? It may be in his knowledge that this fits in with what is intended in the longer term. I am aware that a car park will provide parking for Heirisson Island for people who wish to walk across and view the area.

Concern exists about rationalisation that might take place as a result of a big development. The Minister said we will have an opportunity of another say should a big development in this area be brought forward in a short time. What opportunity will we have to do something about it if this Bill is passed and the options are lost to us? I am not suggesting that he is intriguing in this matter, but I raise the question of others knowing of this development.

Mr McIVER: I want to place this in perspective. First we are looking at Class "A" Reserve No. 13375, situated on the south-western side of the Causeway, East Perth. Currently it is set

apart for "roads, parks and public recreation", and it is already vested in the City of Perth.

Mr Blaikie: For those purposes?

Mr McIVER: Yes.

Mr Blaikie: It cannot be used for any other reason?

Mr McIVER: No. The Perth City Council has requested us to rationalise the reserve boundary and has requested inclusions into the reserve of several small portions of Crown land.

Mr Rushton: Did Main Roads approve this proposal?

Mr McIVER: Yes, it has been approved. To continue, the small portions of Crown land comprise the remaining portion of former Public Works "improvement of the Swan River" Reserve No. 7728; the reclaimed channel between former Reserve No. 7728 and the mainland, now vacant Crown land—and I think members would agree a casino could not be built there—and the remnant portion of unvested Class "A" Reserve No. 17827 for "parks and gardens." Parliamentary approval is required in order to rationalise the boundaries and to proceed with that, because two "A"-class reserves are involved. That is all this clause proposes to do.

In reply to the question from the member for Dale about whether this or that can be built, and what equipment is envisaged, I do not know. Perhaps if the Minister for Planning were in this House, he might be able to assist me, but I do not know what equipment is in there. All I am doing, as Minister for Lands, is seeking parliamentary approval for those two "A"-class reserves. I am sure I have clarified all the points; I do not think we should go over them again and again.

Mr BLAIKIE: I thank the Minister for his explanation, and I appreciate his sincerity. Let me make one point very clear. When this matter was being discussed, various points were raised, and the Prime Minister was asked particularly what his attitude was. He said he would give his attitude in the fullness of time.

Mr Brian Burke: I was not asked what my attitude was; I was asked whether there would be a casino on Burswood Island.

Mr BLAIKIE: The Premier said that in the fullness of time he would give a full explanation.

Mr Brian Burke: I would answer the question.

Leave to Continue Speech

Mr BLAIKIE: Because the time is 4.30 p.m., I seek leave to continue my remarks at a later stage of the sitting.

Leave granted.

Progress

Progress reported and leave given to sit again at a later stage of the sitting, on motion by Mr McIver (Minister for Lands and Surveys).

TRAFFIC: ACCIDENT

Minors: Grievance

MR WILLIAMS (Clontarf) [4.32 p.m.]: I have a grievance which I direct to the Minister for Youth and Community Services. Perhaps I might mention that it has something to do with the Minister for Police and Emergency Services.

Towards the end of September last year, three minors absconded from Longmore Detention Centre in Bentley. Soon after absconding, they stole a vehicle which subsequently was noticed by the police, who gave chase. Because the drivers were minors and not particularly experienced in driving, that vehicle finished up a wreck in the brick front fence of Mr and Mrs Kaptein of 5 McKay Street, Bentley.

That vehicle caused \$766 worth of damage to the brick fence, and also damaged three vehicles parked in the driveway. The vehicles damaged were a Commodore owned by Mrs Kaptein, the insurance claim being \$390; a Commodore owned by the son Peter, the claim being \$2 966; and a Gemini, owned by the daughter, and the damage claim for that vehicle was \$70.80.

That is quite a sum of money. Mrs Kaptein, in her wisdom, phoned the people at Longmore seeking compensation for the damage. According to her, she was rather rudely told that it was nothing to do with them, and that Longmore took no responsibility whatsoever. She was asked whether she was insured. Her answer was "Yes", and she was told, "That is what you have insurance for; you claim on your insurance company". If the Minister wants to know who said that, I will supply the name at a later stage.

Mrs Kaptein also sought the assistance of the Police Department, and she was told in turn that the police would not accept responsibility.

On 17 October, she came to my office and asked for me to help. In duty bound, I responded to her request on that day or the following one, and sent letters to both the Minister for Youth and Community Services and the Minister for Police and Emergency Services asking for their assistance. My request was that they investigate Mrs Kaptein's claim for compensation for damage to her property.

Soon after receiving acknowledgements from both Ministers, statements were received that the requests were receiving attention.

On 22 November, one month later, I found it necessary to write to both these Ministers asking them to make an early decision because the Kapteins were awaiting the outcome of their decisions before having their vehicles and fence fixed. A letter from the Minister for Youth and Community Services crossed one of mine. I received his reply which we will discuss in a few moments.

I was not prepared to raise this matter last session, because at that stage I had still not received an answer from the Minister for Police and Emergency Services, and I thought, in fairness to all concerned, it would be just to wait until I received a communication from him.

On 10 January, I found it necessary to contact his office and ask when I could expect an answer. I was told that the matter would be investigated and I would be advised in due course. So on 18 January, I again phoned the office of the Minister for Police and Emergency Services, to be told to get in touch with a certain person, and I will give him that name. He then told me that the Police Department would not take responsibility and a letter would follow in due course explaining why.

On 10 February, I received a letter from the Minister for Police and Emergency Services stating that the police would not take responsibility. In the meantime, the Kapteins could not wait any longer. It was pretty shocking that both Ministers and their departments waited from 19 October to 10 February before letting me have a final answer.

I heard a Minister yesterday say that he had more to do than answer frivolous letters, but these are people who had damage done to their house and to their vehicles, which damage was well beyond their control, and here we have been waiting two or three months for answers.

I might add that the claim of \$4 090 in total was not the finish of the matter. Because both Ministers denied liability, the Kapteins also had to pay an excess claim of \$50 on the fence, and more than \$200 excess on the son's car—in fact, more than \$268 in total excesses on their insurance policies.

Added to that is the fact that RAC Insurance Pty. Ltd. was intending to claim on the fellow who owned the vehicle which was stolen and which had smashed into the fence and was written off. I might add that the RAC was one of the insurers. However, it decided against that because the owner did not have an insurance policy. So

members will see that the Kapteins were well and truly let down. Had they not used their own initiative by having their own insurance policy, they would not have received any acknowledgment from the Government on their claim.

I deplore Longmore's attitude, because, as parents, we all know that we have the responsibility for our minors until they turn 18. If Longmore has minors in its charge, it must be responsible for them. It is no good the people at Longmore saying they will not take responsibility if the people in their care abscond. Longmore is totally responsible. It needs to face up to its responsibilities, because the people in charge there are answerable to the public.

Of course, 10 minutes is not sufficient time in which to explain this problem in its entirety, but I will take this opportunity to quote from letters I received from the two Ministers. A letter from the Minister for Police and Emergency Services indicated that he felt very strongly for the Kapteins, and I appreciate that. He said—

I have considered whether I should recommend that an ex gratia payment be extended to her. However, it is with some personal regret that I find myself unable to assist.

I cannot understand that. Why did he not extend himself to give these people some relief?

The other letter came from the Minister for Youth and Community Services, who felt the same way. He said—

Whilst I sympathise with Mrs Captain's predicament and regret the expense which this occurrence has caused her, the Department is not liable to compensate for damage done by children under its control unless it can be shown that the damage occurred through negligence. After enquiring into the circumstances I do not consider the Department to have been negligent.

I ask members: Is this not negligence when minors who are held in detention at Longmore are allowed to escape from that centre because of a lack of supervision? These kids went out and did more than \$4 000 worth of damage and then the Minister hides behind his department. I do not believe he wrote the letter; I believe it was written by the department. The departmental officers are the people who say that they do not care about what happens to the public and that they will cover up for their department.

This is not good enough. Both Ministers should have taken a more responsive approach and should certainly have seen to it that the Kapteins were recompensed for the damage done to their

property. I can assure members that many people in the area are very disgruntled with what has happened. The Minister should take another look at this to see what can be done to overcome it. Above all, the people at Longmore must be taken to task for their lack of supervision and initiative, and their arrogance towards the public.

MR WILSON (Nollamara—Minister for Youth and Community Services) [4.44 p.m.]: I am sorry to say that a letter I signed in November last year is not fresh in my mind, nor are the supporting facts which would have come to me with that letter to explain the reason for the attitude taken in the comments made in it. In the first place, I can only say that I would have to accept that the information conveyed to the people aggrieved was conveyed rudely. It is not always easy to determine for certain whether information conveyed to people is conveyed rudely or otherwise, because quite often people are understandably upset about what has happened. If they get a straight answer to their problem, they will quite often accept it; however, if the answer is one which cannot address their need, they often feel they have been dealt with rudely. I am not saying they were not dealt with rudely, but I think quite often that sort of intimation can be perceived by people without that having been the intention.

However, to get to the substance of the matter, let me say that, without referring back to the details of the case, I cannot state whether any discretion is available to the people at Longmore or in the department to allow for a compensation payment in such cases. It well may be that there are legal impediments to that being done, and I will have to check that out. In the letter the member read to refresh my memory, there was nothing to give me a lead as to whether discretion was available.

Mr Williams: You said in the letter that it would depend on proving that damage was done through negligence. I maintain that Longmore was negligent in allowing these people to escape.

Mr WILSON: That can be argued and ultimately that may be the case, but I do not know the legalities of the situation. It may be there are legalities behind that statement, and I will follow up that aspect.

Mr Williams: What has annoyed many people, and particularly me, is that they are hiding behind an Act, instead of displaying a bit of fairness.

Mr WILSON: It is easy to say they are hiding behind an Act, but in many respects public servants and others are bound by Acts and do not

have a discretion they can exercise in these circumstances.

Mr Williams: You have.

Mr WILSON: Ministers do not always have a discretion. Ministers are bound by the law as much as anyone else, I would hope. Nevertheless, I am prepared to have a second look at the matter to see whether some discretion is available. If there is, I will give the matter further consideration.

I recall that when I was an Opposition backbencher, I took up a similar matter with the then Minister and received a reply similar to the one the member has just read out. I am not saying that makes it right then and wrong now or the other way around, but I am saying that quite often that is the way peoples' inquiries are dealt with. Perhaps it is only when members of Parliament raise these matters in these settings, as the member has done today, that we get to the bottom of these problems. I am sure the Minister for Police and Emergency Services feels as I do in respect of the reply the member received from him, but I can assure the member I will have the matter re-examined and will get in touch with him again to let him know the outcome.

SEWERAGE

Backlog: Grievance

MR JAMIESON (Welshpool) [4.48 p.m.]: My grievance deals with the matter of catching up with the sewerage backlog in the Perth metropolitan suburbs. This matter has necessitated a fair input of funds, both State and Commonwealth, over a number of years. We are all well aware that something like only 50 per cent of the Perth metropolitan area is sewered. The pity of it all is that Perth sits on a magnificent aquifer. As a result of the region not being sewered, the pollution of the aquifer goes on. This means that little use can be made of the water except for the purpose of watering gardens and so on, whereas it could be used eventually for public purposes, and more efficiently than at present, if it were purified of the drained wastes.

My grievance is that Commonwealth Governments, of different political ilk, have chopped and changed about with the funding of the catch-up procedure and I think this has been done mainly because they have been looking for political support. It was of concern to me to read recently that certain funds were to be made available. In answer to a question I asked of the Minister a few days ago I discovered that he had seen the article in *The West Australian* of 9 March and that contact had been made with the

Department of Territories and Local Government in Canberra. It was ascertained that the Commonwealth Government was considering a national coastal pollution and sewerage rectification programme. The extent of the scheme and any conditions applying to it have not been determined.

In this lies my grievance. In this State, despite the fact that we have not been able to catch up with the back-log of sewerage the metropolitan area, at least because of earlier experience with the Burswood Island filter beds many years ago where the principal outlet of the suburban sewerage scheme was located, we learned that we could not put raw sewage into waterways without experiencing some natural repercussions. Perth experienced excessive algae, the beds had to be closed down, and other means of getting rid of waste water had to be found.

From that arose the fact that much State money has been spent by various Governments on primary and secondary treatment works, so that when sewage effluent is put out to sea it is not much more than a stain. Other than the suggestion that the Hawke Labor Government fell when the pipe broke and stained a few beaches, we have managed our sewerage treatment plants very well, even though they have been very costly.

The latest one is down at Point Peron; the Beenyup works and Woodman Point are the others. At various times members may have been able to view these works, to know that they are very efficiently conducted.

It now seems the Eastern States are to be propped up by Commonwealth funding. The practice of just throwing the raw sewage out to sea and hoping for the best is adopted in other States. This practice has now become environmentally unacceptable, and to overcome the problem Commonwealth moneys will need to be ploughed into this scheme to enable a more acceptable type of residue to be pumped into the ocean than is presently done. I do not say that that is not needed, but my complaint is that where other States have spent money in sewerage their localities and not worrying about the waste treatment works, we have spent the money the other way around, and it seems we now will be penalised.

I appeal to the Minister to put forward the best case in this regard to ensure that we will not be penalised. Although this scheme might be designed for the purpose of catching up with the problem of coastal pollution, because of our previous efforts and what we have done to prevent coastal pollution, we should not be denied funds to catch up on the scheme.

Members will remember that the Whitlam Government came out with a scheme to assist in this regard and we went ahead a fair way. It helped the Metropolitan Water Board to push ahead with its projects and indeed it achieved some improvement in the backlog. However, when the funds dried up and the Government changed, we found a different scheme came forward. It does not seem that the desired effect will be achieved, but it must be achieved at the earliest possible date. Many areas on the eastern periphery of the city could be heavily populated and subdivided with the aid of sewerage. Presently this cannot be done because of the problem of septic surface water in wet winters. Consequently, we are not getting the best value out of available land which is reasonably close to the city. That is only one problem.

The major problem is to catch up in all the suburbs, and every member who has a suburban electorate will have experienced instances where a section of his area needs to be sewerage so that the problems caused by the multitude of septic systems that now prevail can be overcome.

Surely, under the community employment programmes and others proposed by the Commonwealth, together with the fact that we have done our best to avoid any environmental despoilation of the ocean, we should not be penalised. We should look forward to being treated at least as equal to those cities in the east which will now be accorded some financial assistance to overcome their problems. Our problem is a bit different, but, nevertheless, it is associated with the finality of sewerage the metropolitan area. We must achieve this as soon as practicable. Without special funding this will not be possible because of the vast developing areas which are often more attractive to the water boards and so on for the purpose of using their money to match the money provided by the developers. Of course, the catch up in the areas that are already populated is not occurring.

Every member of this Chamber should be behind my suggestion that the Minister should bring this very clearly to the notice of the Federal Minister. We need this very vital and urgent assistance to try to overcome the backlog of sewerage problems in Perth and its surrounding suburbs.

MR TONKIN (Morley-Swan—Minister for Water Resources) [4.57 p.m.]: I thank the member for Welshpool for his constructive comments. It is certainly of concern to the Government that funds may be made available to other States which have not developed the sophisticated sewerage treatment works which Western Australia has developed. In saying that, I pay tribute to pre-

vicious Governments which have seen to it that the effluent which we discharge is of such a nature, after its primary and secondary treatment, that it is far superior to, say, the raw sewage which is discharged into the ocean in New South Wales.

When many people talk about sewerage, they base our standards on those elsewhere. Members would be rather shocked to see the kind of sewage that is discharged in some Australian States and many countries of the world.

Anyone who has inspected the Woodman Point treatment plant would be aware of the very high standard of effluent that is discharged from it because of the primary and secondary treatment. I understand members of Parliament will be visiting that works soon.

It is not acceptable to the Government that the State should be penalised because of its high standard when other States which have not spent their money on this kind of development will be subsidised unduly. It is of concern to the Government that anomalies exist in the financial relationships between the States and the Commonwealth from which this State suffers at times.

I have taken a great deal of interest in what the member for Welshpool has said both in the House and informally, and I assure him and all members of the House that we will make every effort to ensure that the State is not disadvantaged unduly.

One of the problems is that because of our very high standards in sewage treatment it has been claimed that we spend too much money on it—to use the often used colloquial term, we have a “gold plated system”. We are asked why the taxpayers in Australia should subsidise Western Australia? What are considered in more primitive parts of the country to be excessive standards in sewage treatment are quite unacceptable to us. We should not be penalised as we have needed more dollars per service than some other States because of our better system.

I will certainly make every effort to see to it that we are not disadvantaged in any way. There have been discussions at an officer level and also at ministerial level on the subject, and they will continue because it is important that we do what we can to ensure that our high standards are maintained without a concomitant penalty being placed on Western Australian ratepayers and taxpayers.

WASTE DISPOSAL: LIQUID

Canning Vale: Grievance

MR MacKINNON (Murdoch—Deputy Leader of the Opposition) [5.02 p.m.]: I raise my griev-

ance with the Minister for Health and it concerns the problem of the liquid waste disposal site in Canning Vale. Since my election in 1977 it has been a continuing problem.

Initially the site was located in Bannister Road, and the people who lived close to the area raised with me the problem they experienced in the summer months with the odours emanating from the area. Consequently, in 1982, an agreement was reached between the Government and the Canning City Council to relocate the site. It was relocated half a kilometre down the road though it is still within one to 1½ kilometres of heavily built up areas.

Mr Davies: Within sniffing distance, was it?

Mr MacKINNON: Yes, within sniffing distance. Late last year, when we experienced warm weather, I received complaints from a group of my constituents who asked me to approach the Government and the Minister for Health to have the site closed immediately. I requested the group not to pursue that course of action immediately, but to seek information about the disposal site so that an alternative could be put to the Government. I wanted to make sure that the residents would go to the Government in a constructive way.

On behalf of the residents I approached the City of Canning. Its response only added to our concern because in answer to a question posed by me it said—

As previously mentioned, Council's Health Department has dealt with the odour produced from the movement of sludge and presently is experimenting with methods of controlling odour originating from the liquid waste ponds.

If the City of Canning was experimenting in December 1983 my constituents did have just cause for concern. In fact, if it was still experimenting my constituents could only look forward to a long, hot, uncomfortable summer. The answer to the second point I raised with the City of Canning was as follows—

The future of the existing site is unknown and is dependent upon other acceptable sites being established in the Metropolitan area.

Therefore, we were told that the council was still experimenting to overcome the problem concerning the future of the site. The next approach was directly to the Public Health Department. I received a reply from Dr McNulty—an officer of high standard, the Minister would agree. He said—

As you might be aware the Canning Vale site caters for a major part of biodegradable waste in Perth, 70-80 per cent of this being septic tank pump-outs and its central position and cheapness of operation ensures the minimum cost to septic tank owners.

Apparently the Canning Vale site is being used for septic tank wastes. Forty-five per cent of the metropolitan area is not currently sewered and is not likely to be sewered in the immediate or even distant future. The Public Health Department has said that the Canning Vale site or another site will be used for septic tank wastes for a long time. Therefore, my constituents did not receive any information from the Public Health Department to allay their fears.

In answer to a further question in which I asked whether other sites were being considered, Dr McNulty replied—

Only three sites exist in the metropolitan area for disposal of biodegradable liquid waste: Canning Vale, Belmont and Kwinana.

Another answer which created cause for concern and caused alarm bells to ring in the ears of my constituents was as follows—

Several sites and alternative processes are currently being investigated, economy and local resistance—

I emphasise the words "local resistance". The answer continues—

—being the main obstacles for their construction.

Therefore, several sites have been investigated, but none has been found suitable, and the Canning Vale site looks as though it will handle the majority of sewage disposal in the metropolitan area. Secondly, the Public Health Department says that economy and local resistance appear to be the main obstacles for having an alternative site.

I can assure the Minister that the residents of Leeming, Bullcreek, Parkwood, and Lynwood are paying the price for being the dumping site for sewage for the rest of Perth. While other areas have local resistance to such sites it seems that the residents in my electorate are finding that their resistance is going unheeded.

Mr Gordon Hill: Is it not true that the Canning Vale liquid waste disposal site was approved during your term in Government?

Mr MacKINNON: It was thought at that time that it would solve the problem, but it has not.

I turn to the petition I presented to this House on 22 March, the opening day of Parliament. It was a lengthy petition and contained 1155

signatures. If the Minister cares to look at the petition he will find that the signatures were of people who live in the area. I assure the Minister that the people responsible for the petition did not travel far and wide to obtain signatures. I have a vested interest in this matter because I live in the area and my family is subject to the odours which emanate from the disposal site.

I wish to draw the following point which was canvassed in the petition to the Minister's attention. It reads as follows—

We call upon the State Government of Western Australia to take up the responsibility of the disposal of liquid waste and to use its expertise and financial resources to provide a proper and technologically advanced disposal method.

That is the key. If the Canning Vale disposal site, or any other site, is to be used in the metropolitan area without causing discomfort and concern to local residents, obviously a proper and technologically advanced disposal measure is required. I, and the residents in my electorate, would not object to the Canning Vale disposal site being continued as a waste disposal site, provided a proper process was put in place.

Of course, that is not the responsibility of the City of Canning, which is merely the local authority which happened to make an agreement with the Government at the time. Liquid waste comes from all parts of the metropolitan area, so the responsibility quite clearly rests with the Government of the day. I repeat my concern that no solution appears to be in sight. Dr McNulty has indicated that land will be used for that purpose for the short to medium term. In my recent letter to the Minister, I asked for a definition of "short to medium term". We would like an immediate solution. It does not appear that any effective action has been taken and Canning Vale is carrying the liquid disposal burden for the metropolitan area.

In my letter of 14 March, I outlined the problems and I want this question dealt with at the earliest possible opportunity. The matters raised demonstrate the widespread feeling of concern in my electorate, the strength of which feeling is supported by the petition presented. I ask the Minister to give those points every consideration and in due course, if not today, to provide some definitive answer as to how the solution to this problem will be arrived at in the not-too-distant future.

MR HODGE (Melville—Minister for Health) [5.11 p.m.]: I can assure the Deputy Leader of the Opposition that the Government shares his concern and the concern of his constituents about

the odour emanating from the Canning Vale liquid disposal site. The member gave a brief history of the creation of the site so I do not need to cover that. The member also gave a resume of his approaches to the City of Canning and the Commissioner of Public Health.

The points he raised boil down to three major issues: Firstly, that the concern of the people in his electorate about the odour was going unheeded; secondly, that effective action to counteract the odour was not being put in place; and, thirdly, that apparently no action for finding proper and technologically advanced methods of disposing of the liquid waste was in hand.

I can assure the Deputy Leader of the Opposition that the concern of his constituents is not going unheeded. I have had considerable correspondence from his constituents on this matter and I noted the large number of signatures on the petition. I have had a number of conversations with the Commissioner of Public Health and his officers about the matter. I have read the files involved and I am very much aware of the problem, as is the Commissioner of Public Health and his department.

We have attempted to put effective action into place to try to reduce the offensive odour which apparently became more offensive than usual around December. Some people have suggested there was a dramatic increase in the amount of waste dumped at that time, but I am told that this was not so. There has been no dramatic increase in recent months, but liquid waste has been dumped which contains quite obnoxious material which is not suitable for dumping on that site.

A senior officer of the Public Health Department, the waste disposal engineer, got in touch with officers of the City of Canning and advised them how this problem could be overcome. Regrettably, the officers of the City of Canning were slow to implement the advice given by the department and it took three months for them to put that advice in place. The PHD officer had suggested that they take a sample of each load of liquid waste as it came in, and that following the results of the analysis of the samples they should issue further instructions about separating the waste and, if necessary, re-direct that waste to another more suitable disposal site. That separation process commenced in March, but regrettably it had taken the City of Canning, according to my advice, some three months to follow up the department's advice.

The Public Health Department is actively seeking other suitable sites. The Deputy Leader of the Opposition commented that the Commissioner

of Public Health had said two matters had to be looked at when choosing a site—economy and local resistance. That is commonsense and it is a fact of life. It would make no sense for the Public Health Department to find a site which was too far away and uneconomic, and one which would impose a burden on ratepayers who have their liquid waste carted to that disposal site. When the commissioner referred to local resistance, he was talking about potential local resistance; there would be no sense in transferring the problem from the City of Canning to another location further up the road where another group of ratepayers would encounter the same problems.

Mr MacKinnon: Some of my constituents would think that was fair enough.

Mr HODGE: I have encountered a similar situation with traffic noise problems when people suggest we reroute the trucks along someone else's street.

Action is being taken; the waste disposal engineer is currently making strenuous efforts to find more technologically advanced methods of dealing with the waste. At the moment, action is being taken by the department to refer analysis of the waste to the Government Chemical Laboratories.

Success in treating liquid waste has been achieved in other parts in Australia. My department is examining those methods and is making strenuous efforts to find more suitable sites on which to dump the liquid waste. The site at Canning Vale is very important and at present approximately 70 per cent of all septic tank waste in the metropolitan area is deposited there. I have not yet inspected the site, although some months ago I went to the liquid waste disposal site at Belmont. I am, therefore, aware of the very offensive odour emitted from those sites if they are not correctly managed and if the advice of the Public Health Department is not implemented.

I can assure the Deputy Leader of the Opposition that both the Government and the Public Health Department are most concerned about the proper management of that site. We are doing all in our power to make sure the offensive odour is kept to a minimum. We are trying to find other sites and two are currently under investigation. I cannot put a time scale on that question for the member, but we are aware of the urgency of the problem. Research is being conducted through the Public Health Department to find a more technologically advanced method of treating the waste to try to minimise the odour. I cannot give the member all the assurances for which he asks, but I am aware of the problem. In my view, we are

doing all that is reasonable to try to rectify the problem.

The SPEAKER: Grievances noted.

MINISTER FOR LOCAL GOVERNMENT

Lack of Confidence of the House and Public: Motion

MR LAURANCE (Gascoyne) [5.19 p.m.]: I move—

That, in the opinion of this House, the Minister for Local Government has lost the confidence of this House and the people of Western Australia due to his mishandling of the local government portfolio and specifically because—

- (1) he wrongfully dismissed the Carnarvon Shire Council and has threatened other Councils with similar action;
- (2) he has caused citizens of Carnarvon to be wrongfully maligned and defamed in the Parliament;
- (3) he has abrogated negotiated arrangements between the Carnarvon Shire Council and the former Gascoyne/Minilya Road Board which guaranteed minimum representation for pastoral ratepayers in return for a merger of the two bodies;
- (4) as a result of (3) (above) he has effectively disenfranchised the pastoral ratepayers of the Shire of Carnarvon;
- (5) his actions in respect of the Carnarvon Shire Council and his proposals for local government elsewhere in the State are undermining the whole structure of local government in Western Australia, and
- (6) his handling of the pecuniary interest question in local government has caused severe dislocation and disruption to the work of local authorities throughout the State.

It is true that local authorities in Western Australia are seething under the administration of the Minister. We have only to recall last Friday's unprecedented act by local government in this State when a ward conference of the Country Shire Councils Association carried a vote of no confidence in the Minister. If this motion is carried today, it will mean a vote of no confidence by the House.

Government members interjected.

The SPEAKER: Order!

Mr LAURANCE: It is not only a question of what the Minister has done to local government

all around the State; but I have evidence to prove that what he has done at Carnarvon also is a scandal—nothing less than a scandal.

No doubt this motion will be dealt with on party lines; but I warn the Minister that the matter will not stop there. He has broken his solemn oath of office, and he will be pursued and the issue will be pursued no matter what the Government does with the motion in this Chamber.

Mr Bryce: The Liberal Party is hard at work inside local government, doing its darndest to sink the ship of local government.

Mr LAURANCE: Government members are worried, and they have every right to be worried. The Deputy Premier is covering for the Minister, who is the one in trouble. He should be the one doing the shouting.

Government members interjected.

The SPEAKER: Order! The member has been speaking for little more than a couple of minutes. I ask the House to give him a chance.

Mr LAURANCE: Thank you, Mr Speaker.

I remind the House and the Minister for Local Government of the solemn oath of office that he swore when he took up his position. In addition to the oath of allegiance, he swore the oath of office which says, in part—

I will do right to all manner of people after the laws and usages of this State without fear or favour, affection or ill-will.

He has broken that oath. In the case of the Carnarvon Shire Council, the Minister wrongfully dismissed the council. We have clear evidence of that. He did it for political reasons, at the request of two people—the president of the Carnarvon branch of the Australian Labor Party, a Mr Len Paggi—

Government members interjected.

Mr LAURANCE: —the very man who flew the commissioner to Carnarvon. I raised that point in this Parliament on 20 December. The Minister has defamed ordinary citizens of this State without privilege.

It is interesting, Sir, that today you sent me and all other members of the Legislative Assembly a paper which points out that privilege does not necessarily extend to documents which are tabled in the House. This is a very serious issue. I have received that advice legally. There is grave doubt about privilege extending to the documents tabled by the Minister for Health and the Minister for Local Government.

Mr Hodge: You will have to take legal action.

Mr LAURANCE: I think the Minister for Health should.

Government members interjected.

Mr LAURANCE: The Minister will hear about that, too. The last person who dealt with that in written form found that it cost him about \$500. It might cost the member the same.

Mr I. F. Taylor: What about your block of land? Are you going to build on it?

Mr LAURANCE: It cost him \$500.

Mr I. F. Taylor: The sum of \$500 is nonsense.

Mr LAURANCE: Not as far as I know.

Mr I. F. Taylor: It cost him \$500?

Mr LAURANCE: I am told it could have been \$5 000 or \$10 000.

Mr I. F. Taylor: The council looked after you, didn't they?

Mr Bryce: Did you have personal friends on that council that was sacked?

Mr LAURANCE: No. The commissioner was appointed by the Labor Government.

Mr Bryce: I am talking about the council that was sacked. Are you up here today using this place to look after your mates in your little backyard?

Mr LAURANCE: It is a very important point. I remind the Minister of his oath to do right to all manner of people after the laws and usages of this State without fear or favour, affection or ill-will.

Mr Bryce: What a grubby exercise!

Mr Hodge: Tell us which law he has broken.

Mr LAURANCE: The Minister has defamed people in this Parliament. He has defamed them by a report tabled in the Parliament, which I claim does not have the privilege of the Parliament. Legal action should follow. When this is sheeted home to the Minister, will he or the Government meet the legal costs of the people who have been defamed so that they can seek legal redress?

The Minister tabled the report of an inquiry which was held in private. The evidence was not taken under oath. These people did not have the opportunity to answer the allegations made against them.

Mr Hodge: They did not even know the provisions of the public health laws.

Mr LAURANCE: In fact, the Minister for Health said in the Parliament that he had a doubt about the legality of the document and the privilege extending to it. When I have more time, I will remind him of that.

Mr Hodge: You are criticising the inquiry.

Mr LAURANCE: I intend to criticise the inquiry. The report was defamatory, and it was a private document. It did not allow legal redress to anybody, yet people have been defamed. People have been called "corrupt", and it has been said that they exerted undue influence on the council. That is criminal! What this Government has done to private citizens is criminal, and it has come to this Parliament to seek privilege. I am saying that it has failed, and it does not have that privilege. It only remains to be seen who will prove that point—whether the Government will provide the funds to prove the point or whether, by raising loans privately in the community, I will be able to do so. I am sure people in the community will be able to prove this point. If Mr Wilsmore can prove points, surely other people are able to prove this point. The point deserves to be proved, on behalf of the private citizens who have been defamed. They have been called "corrupt"; they have been accused of having undue influence over a local government body.

To date, no-one has been able to defend these people until I have come to defend them in this Parliament. I can prove that this Minister has broken his oath of office. His sacking of the Carnarvon Shire Council was a political scandal, and his removal of the legal rights of citizens is a direct breach of his ministerial oath of office. He will pay the penalty for that.

The only way that the Government can come clean on this matter is to support this motion of no confidence. The Government should go further; it should say that it will provide the means for the people who have been wronged to seek legal redress. If that means that the people must sue the Minister for Local Government, I will endeavour to make sure that that can be done. Some of these people have lost considerably already; they have lost a great deal of money.

The shire clerk in Carnarvon is resigning this week. He is leaving local government because of what the Minister for Local Government has done. The business of the private citizen defamed by the Minister has been put into voluntary liquidation since these events happened. These people are not in a position to fight this matter, in an endeavour to clear their names; but if any justice is left in this State and in this Government, the Government will give them the opportunity to have redress because they deserve it.

The Minister swore an oath that he would give people their rights, but he came to this Parliament with a document that was not legal and that has no parliamentary privilege. The document is defamatory of private citizens.

Carnarvon has been used as the guinea pig for what the Minister and the Government want to do with local government everywhere. Had they had the opportunity, they would have moved in before now. They can use Carnarvon as a guinea pig only because they have sacked the council and they can have their way.

Since the council was sacked, an amazing and astonishing number of things have occurred. I have been able to obtain documentary evidence to show that this was a political move—politically inspired and motivated. I can also bring to the House information that will indicate that the Government was quite wrong in what it did; and it must redress the situation.

While the Government had the opportunity, it decimated the pastoral representation on the Carnarvon Shire Council.

Mr Bryce: Here is the great stalwart of democracy speaking! Someone should remind him it is 1984.

Mr LAURANCE: This Minister broke an agreement which brought them together 20 years ago. He broke that agreement when he came in with his heavy boots and jumped on top of them. The people up there do not call him "Carr"; they have a different name for him which is spelt in a similar way. The pastoralists say he is the worst thing that has happened since the drought and when one looks at what the Minister has done to them, one would have to agree.

Leave to Continue Speech

I seek leave of the House to continue my speech at a later stage of the sitting.

Leave granted.

Debate thus adjourned.

[Continued on page 6709.]

QUESTIONS

Questions were taken at this stage.

Sitting suspended from 6.00 to 7.15 p.m.

JUSTICES AMENDMENT BILL 1984

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Tonkin (Leader of the House), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR TONKIN (Morley-Swan—Leader of the House) [7.17 p.m.]: I move—

That the Bill be now read a second time.

Upon conviction of an appropriate offence under the Road Traffic Act, a person may be disqualified from holding a motor driver's licence. Where a person is so convicted in a Court of Petty Sessions, and his licence suspended, the Justices Act provides that he may appeal to the Supreme Court by way of order *nisi* to review.

Section 201(2) of the Justices Act provides that where an order for review is granted, execution of the summary court's sentence shall be stayed until the order to review is disposed of, or the Supreme Court or a judge otherwise orders.

Doubt has arisen as to whether section 201(2) has the effect of allowing a person's driving licence to be reinstated until the order is finally disposed of. The Attorney General has been advised by the Minister for Police that the present Police Department practice is to return the licence to the person concerned upon proof of the granting of the order *nisi*.

Where the appeal is ultimately dismissed, the balance of the unserved disqualification period originally imposed by the court is applied. Although this practice is fair, doubt has arisen as to whether the provisions of the Justices Act allow for it. This Bill is intended to resolve that doubt.

It provides that where an order *nisi* to review is granted, the stay of execution under section 201 of the Justices Act includes the reinstatement of a disqualified person's driver's licence until the appeal is disposed of. Any disqualification from holding or obtaining a licence to drive a vehicle in respect of such a conviction is suspended until the order to review is disposed of. Any period during which the disqualification is suspended shall not be taken into account in determining the period of disqualification.

I commend the Bill to the House.

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

WAR RELIEF FUNDS REPEAL BILL 1984

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Tonkin (Leader of the House), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR TONKIN (Morley-Swan—Leader of the House) [7.21 p.m.]: I move—

That the Bill be now read a second time.

The War Relief Funds Act provides for the administration of funds which were collected during the World Wars for the purpose of assisting servicemen and their dependants. A council was appointed, with numerous powers in regard to the collection, amalgamation, and application of funds.

In October 1981 the council considered winding up and the distribution of the remaining funds. The Air Force Association agreed to administer the McIntosh Memorial Scholarship fund, and the balance of the remaining funds was divided between the eligible recipients applying during 1982. The arrangements were finalised in May 1983.

As the Council of War Relief Funds was the only remaining organisation registered under the War Relief Funds Act, there is no further need for this legislation. The Bill before the House will repeal the Act.

I commend the Bill to the House.

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

PAROLE ORDERS (TRANSFER) BILL 1984

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Tonkin (Leader of the House), read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR TONKIN (Morley-Swan—Leader of the House) [7.23 p.m.]: I move—

That the Bill be now read a second time.

This Bill is for an Act to permit the interstate transfer of parole orders.

The object of the Bill is to provide a system which enables supervision of a person on parole who normally resides in a State or Territory other than the one in which he or she was released on parole. This will be achieved by the formal transfer of responsibility for parole supervision between transferring and receiving States.

The possibility of such legislation has been the subject of discussion within the Standing Committee of Attorneys General for a number of years. That discussion led to the adoption of a model Bill upon which this Bill is based. It is complementary to the Prisoners (Interstate

Transfer) Act 1983 passed by this Parliament last year.

Legislation following the model Bill has already been enacted in the Australian Capital Territory, the Northern Territory, South Australia, Victoria, New South Wales, and Tasmania. Queensland is expected to introduce legislation in its first session of Parliament this year.

The Bill provides for the registration of an interstate order at the request of the responsible Minister. Transfer will take place only where it will be in the best interests of the parolee. Registration is by consent of the receiving State.

Once the administrative arrangements have been completed, the parole order becomes an order of the receiving State. As a result, the sentence of imprisonment relating to the parolee will also cease to have effect in the sending State. It becomes effective instead in the receiving State.

The parolee becomes subject to all the laws of the receiving State, as if he had been imprisoned and paroled in that State. He is subject to the jurisdiction of the receiving State's Parole Board, and to the supervision of its parole service.

The Bill is part of a uniform national system, and will replace a previously unsatisfactory and informal set of arrangements.

I commend the Bill to the House.

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

MINISTER FOR LOCAL GOVERNMENT

Lack of Confidence of the House and Public: Motion

Debate resumed from an earlier stage of the sitting.

MR LAURANCE (Gascoyne) [7.25 p.m.]: Prior to the tea suspension I indicated that two people were the chief architects of what I call this scandal. I have already mentioned a Carnarvon person and the other person was George Bray, a ministerial adviser. They are the two people who can be most to blame for leading the Minister into the situation in which he now finds himself in regard to the Carnarvon incident.

On 20 December the Minister for Local Government and the Minister for Health brought the report of the inquiry into public health in the Shire of Carnarvon into this House. Both Ministers made a ministerial statement at that time and the report was tabled. I wish to refer in part to both those ministerial statements.

The ministerial statement made by the Minister for Local Government, when referring to the report, was as follows—

... the committee of inquiry made the most serious recommendation available to it under the Health Act; namely, that the council be divested of its health function for a period of two years.

That statement is very important because it was the major recommendation of that report—it was the most serious recommendation contained in it. However, it was not the action that the Government took and the Minister for Local Government continued as follows—

The report was referred to Cabinet and to the Minister for Local Government because of the broader implications for municipal administration in the shire.

As a consequence, at a meeting of the Executive Council held today, the Lieutenant-Governor and Administrator authorised the issue of an order for the dismissal of the Council of the Shire of Carnarvon.

Therefore, the Minister decided to go further than the action suggested by the committee of inquiry, which was to remove the health function from the Shire of Carnarvon for a period of two years. Apparently as far as this Government was concerned the recommendation did not go far enough and it took a further step and sacked the shire council. That is an important point because the Government chose that avenue of action instead of removing the health function from the Shire of Carnarvon. As a result of that action it was the clear understanding of myself and the community I represent that the new council, which was to be elected on 5 May 1984, after an interim period in which a local government commissioner would be appointed, would have full responsibility for all local government functions, including health, in the same way as every other local governing authority in the State. I believe that was the understanding of this Parliament when those announcements were made—it was certainly my understanding and the understanding of the community I represent. It is the clear understanding of the local government commissioner, and that has been put on public record.

The new council when elected on 5 May 1984 will not have control of health. The Commissioner of Public Health will retain control of the administration of public health within the Shire of Carnarvon for a period of 18 months following the election of the new council. That is the first point I make in regard to this censure motion. The dismissal of the Shire of Carnarvon was

wrongful. Despite the fact that the Government wanted to go further than the recommendation and sack the council, and despite the fact that it did not adopt the decision of the committee of inquiry in the Public Health Department, the Shire of Carnarvon will now lose control over its health functions for two years.

The Commissioner of Public Health has clearly pointed out the farce of this action because he will still have control of public health in Carnarvon for 18 months after 5 May. In other words, he will have control for two years from the time the report was introduced into Parliament in December 1983. Therefore, the Commissioner of Public Health has laid open for all the world to see that the Government took the action it did purely for political reasons. It was not because of anything to do with health at all. The Minister said in his statement to the Parliament—

Complaints relating to other aspects of the council's administration and evidence from the health inquiry strongly support the conclusion that the council's malaise is not confined to the administration of its health function. However, I wish to emphasise that the decision the Government has taken is based solely on the maladministration established by the health inquiry.

The Government did not remove the council's health function; it sacked the council. That gives the lie to what this Government was about on 20 December when it sacked the council. It did so for political reasons, and its cover has been blown by two of its own officers. I will relate how they have done that.

It has been blown by a public disagreement between the Shire Commissioner, Mr Stan Parks, who was appointed by this Government, and the Commissioner of Public Health, Dr. McNulty. In the interim period that the shire commissioner has been in Carnarvon after the sacking of the council—I believe he is a fine officer and has carried out his duties in an exemplary fashion—he has tried to make up for the lack of a monthly shire council meeting. He has called a monthly meeting of ratepayers and compiled a report to be read at each meeting. I have attended those meetings when able to do so and I have with me each of the monthly reports he has produced and distributed to ratepayers.

It is interesting that in his January report to the Carnarvon ratepayers, Commissioner Parks said this—

During that discussion, it was pointed out by Mr Sweetman—

He is the officer from the Public Health Department. To continue—

—that it was the Commissioner of Public Health's view that as one of the recommendations suggested that there was a necessity warranting his exercise within the Shire of Carnarvon of all the powers and duties vested in or imposed upon the Shire under the Health Act, that the Public Health Department would be exercising that role.

He went on to indicate that the department should exercise the role of public health in the town. Commissioner Parks said something different. His report goes on as follows—

On the other hand, you indicated that the Minister for Local Government has implied or suggested that as Council's role had been taken over by a Commissioner that there was no need for the Commissioner for Public Health to take over the role of the Shire of Carnarvon in terms of health functions. As this matter required further consideration at a Ministerial level, it was agreed to leave the matter at rest until further clarification could be obtained.

The Public Health Department said, "Never mind what the Government has done, our report said we should take over health in the town for two years". The commissioner said, "No you don't; the Minister has said we are not going to take any notice of that and the council will be sacked". The commissioner said he would go to the Minister and seek a direction from him that he was the commissioner in charge of health and that when the council was elected on 5 May it would have responsibility for health, as it would for all other functions of local government. That was intended by all parties—the Minister, the Government, and the shire commissioner appointed to look after Carnarvon in the interim period.

I attended the next monthly meeting in February at which the report to ratepayers was made. Now we find further discussion on this matter. I will read this part of Commissioner Parks' report in full. It states—

On 16th January, 1984, the Commissioner of Public Health, Dr. J. C. McNulty, advised Shire Commissioner Parks "that at the end of your tenure of office as (Shire) Commissioner, the administration of the Health Act should not pass to the new Council, but should be taken over by me for a longer period of time which might be eighteen months, subject to review after a period of twelve months, as recommended by the Inquiry".

The Commissioner of Public Health went on to say that this course of action—

This is important for the public of Carnarvon. To continue—

—should be made public well before the elections in May, so that the new Council could not be held responsible in any way for my decision to intervene.

Not only did he want to take over the function, contrary to what the Government said in this House, but also he wanted to make sure that the people of Carnarvon knew what he was doing so there would be no misunderstanding, despite what the Government had said. Commissioner Parks was horrified. He said this publicly; and we can imagine what he said privately to the Commissioner for Public Health—

Mr Bryce: What does Phil Lockyer say?

Mr LAURANCE: I do not know. What does he say?

Mr Bryce: He disowns you and your stance on this. What is the stance of your upper House colleagues?

Mr LAURANCE: I think after this the Government will get another drubbing up there.

The ACTING SPEAKER (Mr Burkett): Order! The Deputy Premier is not sitting in his own chair.

Mr LAURANCE: Thank you, Mr Acting Speaker. I was addressing you before that unseemly interjection.

Commissioner Parks' report goes on as follows—

Commissioner Parks reports having taken this matter up with the Commissioner of Public Health on the basis that he believed "that the new Council should be extended the opportunity to show that it is capable and willing to attend to its responsibilities in a manner which satisfies your (the Commissioner of Public Health) requirements". Commissioner Parks went on to say that it appeared "from my observations in the limited time I have been in Carnarvon, that the community will demand that its Shire Council act in such a way as to restore pride in the district. The fact that there is the threat of your (the Commissioner of Public Health) future intervention will surely have considerable influence on the new Council".

Commissioner Parks knew it was wrong and he told the public of Western Australia and the ratepayers of Carnarvon that it was wrong and should not happen. If that was to happen there was no need to sack the council, as the Government did

for political reasons, and its own man has pointed it out. That is the truth of the matter.

Let us go on to the next part of his report which states—

Advice is now to hand that the commissioner of Public Health is not prepared to alter the decision he has already taken . . .

Mr Gordon Hill: Have you read the report yet?

Mr LAURANCE: I have read the report. I will give the member a transcript of what went before the report, and it will be to his embarrassment. The Commissioner's report goes on as follows—

The opportunity is now taken by Commissioner Parks to publicly announce—

- (a) that it is the intention of the Commissioner of Public Health, in accordance with Section 15 of the Health Act, to take over the administration of the Health Act in Carnarvon when a new Council is elected in May;

What a disgrace. Part (b) continues—

that his intervention may be for a period as long as eighteen months but will be subject to review after the new Council has been in office for twelve months;

Isn't he wonderful? Part (c) states—

that this announcement is made to ensure that the Commissioner of Public Health's decision is known and recognised by the community of Carnarvon prior to the municipal election on May 5, and that the decision shall not in any circumstance be construed to reflect on the newly elected President and Councillors of Carnarvon.

Now that is a scandal. A Government that took all the advice and looked at this very closely decided how it could hit out at the Shire of Carnarvon. It rejected the recommendation from the Public Health Department because it decided to go further. We find it is now the Commissioner of Public Health setting the Government decision aside for the farce it was and continuing to control health in that town for the next two years. I was flabbergasted. I could not believe my eyes when I saw the report produced for the people of Carnarvon after the actions of the Government in this House on 20 December. The members of the Government should be ashamed, and I refer not only to the Minister for Local Government, who perpetrated this rort, but also to the whole Government. December 20 was a black day for justice and democracy in this State.

Several members interjected.

Mr LAURANCE: Members opposite can tell me what I have said is wrong, or that I have quoted incorrectly from those documents, or that these things were not said.

Several members interjected.

Mr LAURANCE: The Minister for Local Government is on the run and he knows it. This no confidence motion should be passed, or the matter will be taken further.

Several members interjected.

Mr LAURANCE: The members opposite can laugh but I recall that Nixon said he would not be impeached and Gough Whitlam said that he would not have his commission revoked. The Minister has broken his oath of office and the Government has gone back on its word. This is a political move only.

Several members interjected.

Mr LAURANCE: It is not a question of what I am going to do about it, it is a question of what the Minister will do about it.

The ACTING SPEAKER (Mr Burkett): Order!

Mr LAURANCE: It is a question of what other people will do about it—those who do not like his defamatory practices.

Several members interjected.

Mr LAURANCE: The Minister for Local Government suggested that this matter went beyond the question of health. He said that the problems went further and there was a malaise in the administration. He referred to the involvement of the Ombudsman and, in fact, he said that some of those complaints were being investigated by the Ombudsman whose report was understood to be imminent. He gave the impression that this report would bring out further problems. I have now seen these reports. It is not true that the complaints are trivial, but they are almost so. Nothing of any substance is levelled against the Shire of Carnarvon in any of those reports. The Ombudsman made some suggestions for local government but there was no suggestion of any malpractice or any wrongdoing in the actions taken by the council. The Minister may have thought at the time that a great deal more would come from the report of the Ombudsman. It is now apparent that nothing further came from that report which would not have happened in any other shire. The matters raised were not trivial but were of no significance—I think that is the appropriate way to put it.

It is interesting to note that most of the complaints against the shire—I am aware of three or

four—were taken to the Ombudsman by two or three people. One name comes up every time in the complaints I have seen: Mr Len Paggi. Mr Paggi is the man who flew the commissioner from Perth to Carnarvon last year when it just so happened that he was in Perth on the day the commissioner wanted to go to Carnarvon. Mr Paggi happened to be standing by on 20 December with motors warming and props ticking over, waiting to take the appointed commissioner from Perth to Carnarvon. He is the same man who has made many public statements since and who has taken complaints about the Shire of Carnarvon to the Ombudsman, all of which have proved to be of no substance.

Mr I. F. Taylor: He is 10 times the man you will ever be.

Several members interjected.

Mr LAURANCE: He is the man who holds the annual general meeting of the Labor Party in a telephone booth. He holds meetings in the telephone booth at the airport with all this friends.

Several members interjected.

Mr LAURANCE: A few days prior to 20 December the Shire of Carnarvon received its latest audit report for 1982-83. As I told the Parliament on 20 December, it was an excellent report signed by the Acting Auditor General who commended the shire on its financial management. Yet a few days later that shire council was sacked. What did the President of the Country Shire Councils Association have to say about this sacking? I quote—

I have read volumes of material of this politically motivated travesty of justice and can see no excuse for the kangaroo-court measures which led to the sacking.

I query whether this sort of action in sacking councils is part of ALP policy. It is interesting to read the ALP's public statement on local government policy in the *Local Government Journal of Western Australia* of December 1982, prior to the last State election. It read as follows—

We are concerned at the possibility the present system of dismissing Councils provides for the capricious use of ministerial power.

That had a prophetic ring about it. It continued—

We will be examining the establishment of a judicial process which operates on an agreed set of criteria.

It appears I am not the only person who considers there should be some judicial process before a council is sacked. The member was the Opposition spokesman on local government at that time

and he gave the Local Government Association of this State a policy document which stated that he believed in a judicial process. I ask that the Minister put that judicial process to work now and go back on this travesty of justice to try to right the wrong.

The people of Carnarvon deserve a system where their representatives have some legal redress in this matter. The only way to correct the situation is to give them the judicial process. The inquiry conducted was a private matter and no evidence was given on oath. The Minister stands condemned for taking the judicial process away from the citizens and the council.

In a letter dated 14 March 1984 the Country Shire Councils Association wrote to the Minister in the following terms—

The Association is concerned that a Council "on trial" is informed of the charges, by whom these are made and accorded the opportunities to examine and cross examine witnesses according to normal judicial process.

That is the very thing which did not happen in Carnarvon.

That proves conclusively that this Government decided to ignore the advice of the Public Health Department and to go further and sack that council, quite wrongly, quite unfairly. The matter should not rest there. This Minister should give a commitment to do something about it; to apologise to that council, to reopen the issue and to give the sacked council access to the judicial process so that it can clear its name as a council. He has a clear responsibility to do that.

I move to item (2) in this censure motion dealing with the rights of individuals. Former councillors, council staff, and private citizens have been defamed by the Minister for Local Government and the State Government. The Government should give these people an unconditional apology, and after assessing their damages make an *ex gratia* payment in compensation for this defamation. Damages should be assessed and compensation should be paid for the defamation which has been carried out against them. That is what justice would demand. It will be interesting to see what this Minister and this Government intend to do about it. The whole inquiry was suspect because it was held in private.

Mr Hodge: According to law.

Mr LAURANCE: Evidence was not given under oath.

An Opposition member: Which law?

Mr Hodge: The Health Act.

Mr LAURANCE: The shortcomings of the inquiry were clearly spelt out when the Minister for Health tabled the report on 20 December. He had this to say—

A formal inquiry under the Health Act has extensive powers.

True; quite true. He went on—

I pointed out at the time that this inquiry would be able to summon witnesses and require the production of documents and would have power to enter premises. However, its proceedings are not privileged.

Mr Hodge: Correct.

Mr LAURANCE: To continue—

The Act affords no protection from legal action to witnesses who give evidence to it.

Mr Hodge: This is the most accurate part of your speech.

Mr LAURANCE: The Minister said—

This is a weakness in the Act to which I will give further consideration.

Mr Hodge: Correct.

Mr LAURANCE: This inquiry which was conducted in private resulted in a council being sacked. The persons who conducted the inquiry did not even know who made the allegation.

Mr Hodge: They did not sack the council, the Government did.

Mr LAURANCE: And quite wrongly. The Minister is damned out of his own mouth. If the Minister says much more he will be breaching his ministerial oath as well.

Mr Hodge: You are pathetic.

Mr LAURANCE: The Minister should tell that to the court when Mr Leeds takes him there.

Several members interjected.

Mr LAURANCE: My advice was that legal action would have taken too long, it was better to go for an apology, and the newspaper paid. I invite the Minister to go ahead and make more public statements, whether to the *Sunday Independent* or any other newspapers. I invite the Minister to make any other public statements about my private affairs and he will go the same way as the *Sunday Independent*. It will cost the Minister.

Several members interjected.

Mr LAURANCE: If the Minister decides to take action, I will not go for an apology, I will go for a Supreme Court action.

Several members interjected.

Mr LAURANCE: My solicitors gave me a choice. They said, "You can go for an apology at

their expense immediately, or for cash down the line. We suggest you go for an apology as a public person", and that is what I did. The newspaper printed an apology on the same page as the original article and paid all my costs.

Mr I. F. Taylor: Did the Shire Council of Carnarvon not do it?

Mr LAURANCE: Not at all.

Mr I. F. Taylor: You absolutely deny that?

Mr LAURANCE: Yes.

Mr I. F. Taylor: Thank you.

Several members interjected.

The SPEAKER: Order! I think the member should get back to the motion.

Mr LAURANCE: If you do not want me to answer the interjections I certainly will not, Mr Speaker.

The Minister for Health made it quite plain that this document did not have privilege and that it was a weakness in the Act that it had to be handled in this way. The inquiry was conducted in private, all statements were confidential, and that is what makes it such a travesty of justice. The Minister has indicated his attitude tonight, and I have quoted him already in this House.

As a result of his action, honest citizens have been defamed, and I will clearly demonstrate this.

Several members interjected.

Mr LAURANCE: There is one difference. I am pleased the member raised this, because that is an important point. The Government has had advice—and it was answered by way of question today—that there is severe doubt as to whether this document enjoys parliamentary privilege. In fact the Speaker has written to us today concerning the difficulty surrounding this parliamentary privilege relating to documents to and from Parliament.

Several members interjected.

Mr LAURANCE: Am I being denied parliamentary privilege here? Is that the sort of Government to which members opposite belong?

Mr Gordon Hill: Go outside and say again what you said tonight.

Mr LAURANCE: The member is inviting me outside, is he? Is this how the Government will respond to a serious legal allegation?

The SPEAKER: Order! I suggest the honourable member get on with his motion.

Mr LAURANCE: It is my strong belief, and I have had legal advice on this matter, that the report does not enjoy parliamentary privilege; therefore to prove this point I call on the Government

to meet the legal costs of those people who wish to challenge the findings of that inquiry. This is the only decent, fair thing that this Government can do.

Mr Hodge: You are a real comedian.

Mr LAURANCE: Let me give the examples of some people who have been defamed. I will not use the councillors, the shire clerk, or any other officers. The best example is a private citizen, a man running a business employing 16 people. Employment is something we heard about prior to this election, but we have heard nothing since; this year 10 000 more people have gone out of work. It could have been 16 more, and it probably will be, because this business has gone into liquidation since that council was sacked.

The Government defamed the manager quite unfairly. Allegations were made, not under oath, with no legal redress, that he was a crook or a cheat. The Minister came into Parliament and said the council, in its dealings with Mr Leeds, was corrupt, and he exerted undue influence on that council. This was a private citizen, and he was given no legal rights at all—no right of reply.

Several members interjected.

Mr LAURANCE: The Minister for Local Government should not stand up and walk out of here when this is finished; he should crawl out from underneath his seat.

Several members interjected.

Mr LAURANCE: It was a defamatory action, and I am telling the Minister that not only was the shire council defamed, but the shire staff were also defamed. I am talking about a private citizen.

Several members interjected.

Mr LAURANCE: He has been defamed, and that has been proved by an officer of the Minister's department. I shall give the Minister the facts in a moment.

Several members interjected.

Mr LAURANCE: Let us take the position of Mr Leeds. Members can bring up evidence of the previous Government taking undue action against a private citizen. This is the only chance I have to defend that man and I will defend him for as long as members opposite want to listen.

Several members interjected.

Mr LAURANCE: Mr Leeds runs a business which employs 16 people. It is a good business. It provides a service to the Town of Carnarvon and to the pastoral industry. The business exports from our area to other parts of Western Australia and to other States of Australia.

In the report, Mr Leeds is accused of corruption and of exerting undue influence on the Shire of Carnarvon. The following statement is made on page 28 of the report—

The Inquiry finds that again Mr Leeds has unduly influenced the Shire in this matter.

That comment referred to water supply. On page 29 the following comment appears—

... that in relation to this and a number of other matters Mr Leeds appears to have been able to exert undue influence on the decision of council.

That remark refers to the health surveyor's report.

Mr Hodge: Do you think the report is wrong?

Mr LAURANCE: I will prove to members that it is wrong.

Mr Hodge: You are alleging that the inquiry is wrong.

Mr LAURANCE: On page 31 of the report—

Mr Clarko: Shut up! You have been interjecting on him all night.

Mr Hodge: I will continue interjecting.

Mr I. F. Taylor: You are the worst offender.

Several members interjected.

Mr Carr: When did you say that firm went into liquidation?

Mr LAURANCE: In December.

Mr Carr: Wasn't it in September?

Mr LAURANCE: No, it went into liquidation in December.

Mr Carr: You had better check your facts.

Mr LAURANCE: I was with the company's solicitors in Perth on the day it occurred. I will give an indication of the position, bearing in mind that the Minister has raised the matter, to underline the struggle that was going on with the Shire of Carnarvon, the regional manager, and myself as the local member in an endeavour to save the firm from bankruptcy. On two occasions in 1983 I went with the manager of the firm to the commissioners of the R & I Bank to try to keep the business solvent and to prop it up. I did not do that because this person is a friend of mine, but rather because he employs 16 people and I did not want to see those people put out of work.

Mr Carr: I think you will find 30 September was the day that firm went into receivership.

Mr LAURANCE: I am talking about December when the company went into liquidation. However, presumably all the instances of undue influence and corruption of which the Minister was accusing this man had gone on for some

months prior to that. The report continues on page 31—

The inquiry finds that again it could be said that Mr Leeds' opposition has unduly influenced the Shire in this matter.

So once again Mr Leeds is defamed.

On 20 December the Minister said to the Parliament—

The Committee also found that the Shire has no procedures for preventing or detecting corruption or undue influence in the administration of the Health Act and cites examples of what is considered to be undue influence.

I want it clearly on the record of the Parliament that the two accusations of corruption and undue influence were used several times in the Minister's report to the Parliament.

At page 32 the report of the inquiry goes on to say—

The Inquiry finds that the Shire has no procedures for preventing or detecting corruption or undue influence in the administration of the Act and Regulations, despite a policy of deliberate non-implementation in certain situations. This administrative arrangement is loose, unacceptable and invites the very dangers of which the Council has been accused.

So the council and Mr Leeds have been accused of corruption. I am not talking about a minor offence; I am talking about a public figure—a manager of a company—being told by this inquiry that he is corrupt and had exerted undue influence on that council. Why was he accused of all this? He was accused of this because a health surveyor inspected his premises and filed a report.

That health surveyor is well known to me; his name is Mr Nicholas. I have associated with him in the town. His wife was employed in my office in Carnarvon for a month as a temporary secretary, so I know this man well. He made the report on Gascoyne Abattoirs. The report of the inquiry says this about him—

Mr Nicholas was professionally very competent. He paid particular attention to detail during inspections and gave every indication of requiring strict compliance with the relevant regulations.

It goes on to say—

The report (Mr. Nicholas') was comprehensive running to ten pages and documenting a large amount of work required to bring the abattoir into compliance with all requirements.

Page 29 of the report says this—

... the manager Mr A. G. Leeds objected to Mr Nicholas accompanying Councillors on the inspection.

When this row blew up between Mr Leeds, the manager, and Mr Nicholas, the health surveyor, the shire councillors went out to see who was right. An altercation occurred outside the building and the manager said, "I am not going to allow that man onto my premises". The report refers to it in the following terms—

After some heated exchanges it is understood that the Councillors were shown over the establishment by Mr Leeds while the staff members waited outside.

It was not only that Mr Leeds got angry at Mr Nicholas; he went further than that. The report states—

On 1 March 1983, the manager of Gascoyne Abattoirs, Mr Leeds, lodged a written complaint against Mr Nicholas and requested that he be reprimanded and removed from abattoir inspections.

So he made a formal complaint against this health surveyor as well. On page 38 the report says—

The matter about which Mr Nicholas was accused was shown by evidence to have been of a trivial nature...

In other words, it indicates Mr Nicholas was not guilty; he had done his job and the complaint was "trivial". I have to tell members that is not the case. That means Mr Leeds has been defamed by this Minister of the Government. Since the shire has been sacked, the Commissioner of Public Health, who quite wrongly has taken over the administration of health in that town, despite the fact that the Government said here that it did not intend him to do that, has sent a regular stream of health surveyors to Carnarvon. They have gone through this town with a fine tooth comb.

Several members interjected.

Mr LAURANCE: I do not intend to take part in the debate between those members, Sir, and I seek your indulgence.

The Town of Carnarvon has been visited by an expert on eating houses and restaurants; it has had a visit from an expert on caravan parks.

Mr Hodge: And I hope you appreciate it, too.

Mr LAURANCE: Yes; two or three businesses have closed down as a result and more people have been put out of work.

Mr Hodge: Don't you care about the public health of the people in Carnarvon? Obviously you don't.

Mr Clarko: Be quiet!

Mr LAURANCE: Among this list of experts not employed by the shire council but sent to Carnarvon by the Commissioner of Public Health—

Mr Hodge: Why don't you have a brain transplant?

Mr Clarko: Shut up!

Mr LAURANCE: —was a meat inspector. He was sent to Carnarvon specially to go through the abattoir again—the abattoir about which the dispute occurred and from which the defamation resulted. That meat inspector was sent to tell Mr Leeds that his premises would be gone through with a fine tooth comb. The health surveyor who did that was Mr J. R. Maloney. He is a senior meat inspector who was sent from Perth to go through this abattoir, which was the subject of the dispute which helped to lead to the sacking of the council.

Mr Maloney did a thorough inspection and reported to the council. His report is quite damning. I happened to hear it was very damning, but it was not available to me. However, very fortunately for the sake of justice in this State, Mr Leeds could demand a copy of this second report on the abattoir. He did not take too long to give me a copy.

I want to tell the Parliament what that report said. It refers specifically to Mr Nicholas' report. Remember, this is Mr Maloney, the health surveyor sent from Perth, reporting on the prior inspection by Mr Nicholas. He said—

It must be noted that over half the items mentioned in the report relate to be Departmental Code of Practice and the Factories Regulations.

Though it would be desirable for the provisions of the Code of Practice to be implemented fully, there is currently no legislation under which they can be enforced.

What a sham. If any member, even one on the other side of the House, were running a meatworks and received a health report like that without complaining, there would be something wrong with him. Of course Mr Leeds complained; he had every right to complain. He did what any other person would do, and for that he has been called corrupt and accused of using undue influence. Let the Minister smile about that. The Minister might as well have put him in jail, because he called him a criminal and said he was corrupt

and had used undue influence. Let us hear more from Mr Maloney's illuminating report. He said—

Similarly, the Factories Regulations cannot be enforced under the provisions of the Health Act of Western Australia, 1911—as amended.

So even the Minister for Health could not go to Carnarvon and make Mr Leeds do what the council was trying to make him do. To continue—

Additionally, the Factories Regulations are not applicable north of the 20th parallel.

There are areas of the State in which these regulations do not apply even if they were wanted to be used. How ridiculous. We go on. Mr Maloney comments further on some of the items in Mr Nicholas' report. I quote—

Some sections of regulations mentioned in the report are somewhat open to interpretation, i.e. Country Slaughterhouse Regulations.

They are open to interpretation. Why did the Minister say that Mr Nicholas' interpretation was right and that Mr Leeds' interpretation was wrong? The Minister did not give the man any chance to seek legal redress. The Government conducted this inquiry in private. What is this, the Spanish Inquisition?

Mr Bryce: You would know plenty about the Spanish Inquisition.

Mr LAURANCE: Shame.

Mr Bryce: It is your *modus operandi*.

Mr LAURANCE: Mr Nicholas complained about interior linings for chillers and freezers. Mr Maloney said—

The arrangement was completely acceptable.

Mr Nicholas complained about the hanging room rail space. Mr Maloney said—

Departmental inspectors had experienced no problem.

Mr Nicholas said that the lightweight construction walls were a problem. Mr Maloney said—

To comply would mean dismantling all internal walls in the abattoir.

Mr Davies: That doesn't make it legal.

Mr LAURANCE: Should they all have been pulled down? Mr Maloney said—

A similar situation exists in other country abattoirs with this type of construction.

It is the same everywhere. What exists in the Gascoyne Abattoir exists in every other country abattoir in this State. What a disgrace. Mr

Nicholas had said that window sills should be at a 45 degree angle. Mr Maloney said—

It is difficult to see how a 45 degree splayed sill could be fitted.

So Mr Leeds could not do what he was being asked to do.

Because he got angry with the health surveyor and because he wrote to the council and demanded that the man be taken off health inspections, this Minister came to the Parliament and said, "This man is corrupt; he is corrupting the Carnarvon Shire Council and exerting undue influence on that council". What a condemnation. What a disgrace.

I do not know whether what the Minister has done is a criminal action, but I believe it could be. I believe that Mr Leeds in his own defence should have the right to determine whether I am correct. This Minister should be brought to trial for his defamation of this person.

Mr Bryce: What an imagination. Perry Mason!

Mr McIver: We can't hang him.

Mr Bryce: You don't even understand the British system of Parliament.

Mr LAURANCE: Is what happened to this man fair? Should he have some legal redress?

Mr Hodge: You are a real fake.

Mr LAURANCE: I have the right and the time to represent this man's interest in this place. The Minister for Health did not represent his interests very well. This Minister took a solemn oath that he would look after the people of this State in a fair way.

Mr Bryce: Is it not strange that your upper House colleagues have distanced themselves from you on this issue? Where is the public statement showing that your two upper House colleagues share your concern, or don't they have the same reason for wanting to be so fired up?

Mr LAURANCE: Before I move on, I ask the Minister: How does he intend to redress the wrong done to Mr Leeds? The Minister probably will not accept this motion, although he should; but he should give Mr Leeds the funds to proceed legally against the Government and the Minister.

Mr D. L. Smith: What does he say about the underpayment of meat inspection fees?

Mr LAURANCE: I will come to that; I do not think it is my responsibility here to go through every point, although the member might want me to do that. I intend to speak to the points I wish to.

I want now to take up the case of another person who has also suffered unfairly at the hands of

this Government. I refer now to the shire clerk. On 20 December last year the Minister for Local Government said in this House—

The shire clerk interfered with the professional judgments of the health surveyors.

He went on to say that he—

... strongly supports the conclusion that the council's malaise is not confined to the administration of its health function.

The Minister attacked the shire clerk's professionalism and accused him of interfering with the professional judgments of other senior officers on the staff of that council—the health surveyors. On page 39 of the Minister's report we find the following—

The shire clerk acted improperly in this respect.

On page 40 we find—

The Inquiry finds that the Health Act need not give rise to any divided control and does not prevent health officers taking their place as members of the Shire's staff under a general policy of "one ship, one captain."

The report says that the Government acknowledges there is one ship in that shire and there is one captain—the shire clerk.

I want to refer briefly to three particular items or charges brought against the shire clerk. One relates to Dampier Salt (Operations) Pty. Ltd. The report says—

He had directed that further samples which apparently were to be taken from tanks which had been missed on the first visit, should not be taken.

The second point relates to the Carnarvon Bakery. I quote as follows—

He is said to have made a number of comments supportive of the proprietors' views and critical of recommendations in the report.

The Minister said that the shire clerk had wrongfully intervened.

The next item relates to the Shell trucking terminal. I quote as follows—

The Inquiry finds that in the three above instances the Shire Clerk interfered with the professional judgements of the Health Surveyors.

Because the shire clerk had some direct involvement in those three areas—Dampier Salt (Operations) Pty. Ltd., the Carnarvon Bakery and the Shell trucking terminal—he was quite unfairly treated in the Parliament. He was also defamed as a shire clerk and has since resigned from

that position because of what the Government did to him. He leaves Carnarvon in a few days' time.

He has served the Carnarvon area for 10 years. He is a qualified man who went there with a good reputation and who has worked very hard for the area ever since. He has put in a report of his own which he has distributed to all shire clerks in this State to make them wary of actions that could be taken against them by a Government like this one.

In respect of Dampier Salt, the first of the three to which I referred, the shire clerk in his own defence had this to say in his report—members can challenge it if they wish—

The other queries that arise is that the Inquiry did not bother to travel to Dampier Salt to investigate the matter for itself nor did it bother to question the management at the site over the method and the way the samples were taken.

Did the health inquiry listen to this? It did not go to Dampier Salt; it did not contact the management to see what had happened about those water samples and to ascertain why the shire clerk was involved. It just said that what the shire clerk did was wrong. Where did it get that evidence? I do not know. Members will recall that I told them earlier that this inquiry was conducted in private. No-one knows the answer. I think they got that information from the previous health surveyor, Mr Nicholas, about whom we have heard in relation to Mr Leeds. We have thoroughly discredited most of what he has done.

Mr D. L. Smith: What were the results of the water samples?

Mr Bryce: Are you going to defame Mr Nicholas now under parliamentary privilege?

Mr LAURANCE: Let us go back. The inquiry said that the shire clerk intervened quite wrongly and that he should be defamed for that. The shire clerk says the inquiry did not travel to Dampier Salt. It did not consult the management of that company.

Mr D. L. Smith: Who took the water samples and were they accurate? Didn't the shire clerk know that they had been taken?

Mr LAURANCE: The next point was in relation to the Carnarvon Bakery. In his report, the shire clerk says—

The management were not interviewed by the Inquiry, nor did the Inquiry bother to view the Bakery itself.

The bakery is about 150 yards from where the inquiry was held, yet it did not go to the bakery, nor contact its management. That is two out of three.

Let us consider the Shell trucking terminal. What does the shire clerk say about that? This is a plumbing matter. The owners of the Shell trucking terminal together with some plumbers were involved. The shire clerk said—

The other interesting part is that the Inquiry did not bother to interview the plumbers, nor did it bother to interview the Shell Company concerning this matter.

On three occasions, the shire clerk was accused of interfering with the professional judgment of the health surveyors in that town by an inquiry which made no contact whatsoever with any of the companies involved. Would not members think they would speak to one out of the three companies? They did not speak to any of them.

This Government brings in a report which accuses people of corruption and of using undue influence on people as if they were criminals. This report followed a private inquiry at which no evidence was given under oath and no way was provided to enable people to give evidence of their own.

Mr D. L. Smith: Why does the shire clerk say he signed a certificate for construction of septic tanks? Why did they collapse? Why was septic effluent on the surface? Why did the drivers on some trucks get sick? Just answer those questions.

Mr LAURANCE: I will read them all out for the member.

Mr D. L. Smith: Just answer the questions.

Mr LAURANCE: I need only demonstrate that what was done was wrong, and I have already told the House that.

Mr D. L. Smith: Pick out one or two examples. You were going to tell us about meat inspection fees.

Mr LAURANCE: Those questions have been answered.

Point of Order

Mr CLARKO: I am surprised, Mr Speaker, that an interjector should have a microphone which is louder than the speaker's and everyone elses. Surely this is ridiculous.

Mr I. F. Taylor: He is speaking into it, and that is exactly what he should be doing.

Mr CLARKO: To have a microphone louder than that used by the speaker? He usually speaks without a microphone.

Debate (on motion) Resumed

Mr LAURANCE: I could give any number of examples. I have given ample evidence to show

that these people have been treated wrongly and that the shire clerk was unfairly treated. He had no legal redress and he still has no legal redress. He refutes the allegations made against him and has now resigned.

I want to take up another important point on behalf of all shire clerks. The inquiry stated that the Health Act should not reverse the principle of there being one ship and one captain; in other words, somebody has to be the boss and, in a shire, the boss is the shire clerk.

Mr D. L. Smith: In a shire, the boss is the council.

Mr LAURANCE: In the transcript of the inquiry, the shire clerk raised a matter which was also raised by one of the members of the inquiry, Mr Harding, the Deputy Secretary of the Department of Local Government. Mention was made about a legal view held by Mr Kenneth Gifford LL.B., who stated in the "Town Planning and Local Government Guide" when reviewing the Western Australian local government legislation—the Act as we now know it—that—

... an interesting feature of the Bill is its express recognition of the position of the Town Clerk as the Chief Executive Officer of the Council. However important and specialised the duties of any other municipal officer proper administration depends—as in the business world—upon having one person responsible for it and the legislative recognition of that principle can hardly fail to be beneficial.

So it spells out in the local government guide that the shire clerk should be the chief executive officer. The shire clerk referred to it when he spoke before the inquiry, and one of the inquiry members previously spoke about it.

Mr D. L. Smith: No-one disputes that.

Mr LAURANCE: When the shire clerk executed the commission that he was given—that of control over his health surveyors—he was called corrupt by this Government.

Mr D. L. Smith: If the chief executive officer does not extend the same certificate of instruction—

Mr Old: Be quiet.

Mr LAURANCE: That is what happened. It throws the whole inquiry into doubt. Because so much hinges on this inquiry, I want to refer very briefly to some things that were said in its report. I do not have a transcript of the proceedings of the inquiry, because it was held in private, but when all the evidence was taken, the chairman of the inquiry said to the shire, "We will come and

meet with you and we will discuss in full all the allegations made against you. We will give you the opportunity for the shire to respond". There was a transcript—I want to explain this—of the meeting between the inquiry members and the council. Copies of the transcript were made available to the council and some of the councillors made the transcript available to me. I do not know what allegations were made on the evidence against the councillors, but I do know what the inquiry members said to the council and what the councillors said to the inquiry. In his opening remarks, the chairman of the inquiry said—

... I want to make this clear—we will not be reporting deficiencies or drawing conclusions until we have digested everything that you have had to say to us and we have given you an opportunity for a full and a fair hearing.

One can understand the chairman of an inquiry saying that. He said to the council, "We will give you an opportunity to have a full and fair hearing of the allegations that are made against you". He opened discussion with the council with those words.

I have no particular axe to grind against the members of the committee. They are all senior officers of the Government and I know they do a good job, but as a result of the Government giving them this job they have caused great hardship to people in the area I represent. If I have to go out against these people in defence of my own people, I certainly intend to do that.

Mr D. L. Smith: How can you criticise a report but say you do not criticise the officers who wrote it?

Mr LAURANCE: It is the way the members of the Government used the report.

Mr D. L. Smith: The report speaks for itself.

Mr LAURANCE: Unfortunately! The chairman said that he would provide the officers with a full and fair hearing, but at the end of the second day he said—

I am afraid we will have to rise now because we are going to catch a plane. I thank you all for your participation. Unfortunately we did not get to discuss all the questions which have been put to the Council.

On day one he said that serious allegations had been made but a full and fair hearing as well as a chance to discuss these allegations would be given to the officers concerned. He did not realise that it would take a lot longer than he thought. The committee members bailed out on the second day because they had to catch a plane. How fair was that?

I think it was Mr Harding, who was the Local Government Department man in this inquiry, who said the following about the shire clerk—

... there was a complaint of that from one or two sources, as far as I am concerned what you did as the chief executive was perfectly proper.

He is not the shire clerk today; he was when that comment was made. However, he has resigned. In the report Mr Harding referred to Mr Nicholas, the health surveyor who caused some of these problems. He said—

His problems were two. One, his personality which could be abrasive and, two, the fact that he really was a stickler for the book.

So the committee members criticised Mr Nicholas and praised the shire clerk, but that is not the way it came out in the report.

Mr D. L. Smith: They took those factors into account in the report.

Mr LAURANCE: To quote further—

I might point out that none of us on this table volunteered for this inquiry; we were all told to do it . . .

I think it would be fair to say that we would be aware that some of the problems that we have been discussing here probably could be seen in many other places . . .

In other words, all these things occur in other shires.

Mr D. L. Smith: "Some" was the expression they used.

Mr LAURANCE: But no, it was the Carnarvon Shire which was to get the sack. It suited the Government to act that way.

I have covered Mr Leeds, the shire clerk, and others who were unfairly treated. Of course, the shire president was treated in a similar manner. I believe the defamation of that man was as serious as the situation with Mr Leeds and the shire clerk. He, like the others, should be given some legal redress by this Minister, when he does something to put right what he has done.

Mr I. F. Taylor interjected.

Mr Bateman: This did not happen six months ago; it has been going on for years. The rumblings have been there for years and it was about time the matter was cleaned up.

Mr LAURANCE: There are rumblings in most councils. What about the council in Canning?

The Carnarvon Shire Council was wrongfully dismissed and the citizens of Carnarvon have been wrongfully maligned and defamed in the Parliament.

To move on to item (3) of the motion: This Minister has completely changed the whole plan and weighting of the representation on the Carnarvon Shire Council, because there is now no council to prevent him from carrying out this sort of deed. This is where other councils come in, because this is what he and his Government intends for other councils. His action will probably affect councils in the country, and they know it.

The Carnarvon Shire is a huge rural and pastoral shire with an area of 53 000 square kilometres. In 1964-65 most of that 53 000 square kilometres was covered by the Town of Carnarvon and the Gascoyne-Minilya Road Board. The Government of the day got these two local authorities to discuss amalgamation, and amalgamation did occur in 1964, on a negotiated basis. The Gascoyne-Minilya Road Board went out of existence on the clear arrangement negotiated with the Government that it would have four councillors on the new shire, and that has been the case for 20 years. The pastoral areas were divided into two wards with two members representing each ward. Therefore, four members were on the council and this then gave them four out of a total of 11 councillors. This system has been criticised by the Minister.

I say to the Minister that over the 20 years since the amalgamation the pastoral representation has gone from a majority to a minority position. As the town has grown the pastoralists have retained four members on the council. The four out of seven has changed to four out of eleven only recently. This Minister has used the sackings for political motives. He has jumped in and ordered that the boundaries be changed and he has amalgamated those two pastoral wards.

Several members interjected.

Mr LAURANCE: He has given them one representative for 53 000 square kilometres—one representative out of the new council of 13. So, their representation has gone from four out of 11 to one out of 13. What sort of Minister for Local Government is that? No negotiation! He sacked the council; he did not want to negotiate. The actions of the Minister were "While my foot is on your throat, you will cop this. I will tell other local authorities about it. I will tell them they have to do that. I am going to do it. I am going to destroy what is left of your council".

What have they done? They have taken it like men, on the chin, and said that they would fix this dingo.

Withdrawal of Remark

The SPEAKER: Order! There are some expressions I will not allow in this Parliament and one is that expression. I ask the member to withdraw.

Mr LAURANCE: I withdraw unreservedly, without a bark.

Debate (on motion) Resumed

Mr LAURANCE: The pastoral people took it on the chin. They said "Don't be such an animal as to do that to us after we agreed with the Government of the day and negotiated to amalgamate our road board with the Town of Carnarvon. We are back to where we were before 1964. We have been forced into this unfair situation. We want equal votes for equal value. Let us go back to the road board".

We will have four wards in the Gascoyne-Minilya pastoral area with two members from each ward and a council of eight members. What is wrong with that? They were perfectly fair and reasonable in their request. They have a huge area to administer and they bring in enormous amounts of money in rates to the Shire of Carnarvon. Those two pastoral wards bring in \$80 000 to \$90 000 and they will have one vote, while everybody else will have two or three votes. Therefore, every \$80 000 in the town area will receive three votes while in the pastoral area they will have only one vote. That is what the Minister calls fair!

In addition, 45 per cent of the statutory road grants that come to the shire are because of that area. The pastoral area does not represent many people, but it represents a large area which is costly to administer—and somebody has to do that. The State Government recognises that, as does the Federal Government, because it gives more funds to those areas. Nearly half of the statutory road grants go to the pastoral areas of the shire and 90 per cent—nearly \$200 000—of the specific road grants go to the rural area for roads, etc.

Mr I. F. Taylor: That has already been recognised. Why should they have more say on a council?

Mr LAURANCE: The Government does not want to give them any say in how the money is to be spent. The Government wants to give money to the shire and it does not want to give the people who live in that area—

Several members interjected.

Mr LAURANCE: Even since the days of the American Revolution people have said, "No

taxation without representation". The Government has given the people in the pastoral area no representation, but it still wants the money to go to the shire. It is not fair.

Mr I. F. Taylor: Of course they will be represented.

Several members interjected.

Mr LAURANCE: The shire also receives a proportion of the income tax grant, which could be something like \$130 000 to \$140 000 for the pastoral area. The shire receives that in addition to its other funds because it is responsible for the outback areas. That figure is based on the surrounding pastoral shires of the same size and accounts for the isolation factor. Those funds go to the shire of Carnarvon but do the people in the pastoral area have a say in how those funds will be administered? No, not under this Government or this Minister. What did they do? They said, "We will petition the Governor because it is our right under the Local Government Act".

Mr I. F. Taylor: Seventy-nine voters and four councillors.

Mr LAURANCE: They sent the petition to the Governor.

Mr Carr: Actually, they sent it to me.

Mr LAURANCE: As the Minister knows, under the Act the petition must go to the Governor.

Mr I. F. Taylor: He wants them to have eight.

Mr LAURANCE: That did not have to happen. It was negotiated fairly at the time with the people who are responsible. Both the town and pastoral wards agreed to it and it has worked effectively since. That is what has happened and the Government wants to take it away. If the Government wants to take it away, I agree. Do not give them any representation for the town of Carnarvon, or have one representative out of 13 members. However, if the Government does that it must say to them that the town does not want them and if they want one-vote-one-value the Government will have to give it to them. The Government can only do what it is trying to do if it gives them community of interest. The Government must make a pastoral shire, or give them back the reasonable representation they had before.

The Government could have squared up the town wards because they are out of kilter. The town wards could have been evened up; the number of councillors could have been increased; and the pastoral representation could have been watered down further, but still have left the country people with four votes. The fair alterna-

tives are clear. The Government could give the council four pastoral members out of a possible 13, which would give a better balance of the town wards, and then negotiate the amount they received 20 years ago. If the Government did not want to give them that, it must give them the other fair alternative and let them break away from the Shire of Carnarvon and form their own local authority. They would still receive the statutory road grants and specific road grants, and they would not have to worry about the Shire of Carnarvon. They would be able to grade their own roads and have equal weighting within their own pastoral wards. That is the only fair thing to do. Did this Minister do it? No.

Mr I. F. Taylor: What you have is your own administrative set-up with all the costs that go with it.

Mr LAURANCE: Yes, but the Government should be fair.

Several members interjected.

Mr I. F. Taylor: Is that why you are being fair to Len Paggi tonight?

Mr LAURANCE: I will deal with that point. One would think that a Minister of the Crown would be reasonable and fair to all citizens, as he swore under oath to be. He might be doing this because the people of Carnarvon want it. Perhaps that is why he is doing it; he thinks the people of Carnarvon want it.

On 16 January this year a large public meeting of ratepayers was held in Carnarvon and about 300 people were in attendance. Mr Paggi moved two motions at that meeting in respect of changing the ward representation and cutting the number of pastoralists down, as the Minister has now done.

Mr Carr: If you are going to be fair, tell us what the motions were.

Mr LAURANCE: They were overwhelmingly defeated.

Mr Carr: What did they say?

Mr LAURANCE: There were two motions in respect of this, and both of them were overwhelmingly defeated.

Mr Carr: What did they say?

Mr LAURANCE: The representation should be changed to achieve what the Minister has done now.

Mr Carr: The defeating of the motion to abolish wards does not mean there was a strong feeling towards changing the wards.

Mr LAURANCE: Two motions were moved in regard to changing the wards and to cut down the

pastoral vote. The voting was something like 250 to 10.

Several members interjected.

Mr Jamieson: What motion did Paggi move?

Mr LAURANCE: When Mr Paggi says "Jump", this Minister says, "How high?"

Several members interjected.

Mr LAURANCE: The people of Carnarvon demonstrated very clearly that they did not want this to happen, but the Minister went ahead and did it. The pastoralists petitioned the Governor and said, "Come on and be fair". They said the Government was not fair in the sacking of the Carnarvon Shire Council, and was not fair in the defamation of the citizens of Carnarvon; but they requested the Government to be fair in regard to this matter and let them form their own shire.

On 26 March—only a few days ago—the following article appeared in *The West Australian*—

Carnarvon secession move fails

A move by Carnarvon pastoralists to create a new municipality excised from the Carnarvon Shire Council has failed.

Once again it is totally unfair—the Minister stands condemned. I do not know whether he cannot do his job, but it appears that he cannot. Look what he has done to local government. Local government in this State is in disarray and uproar. Local government organisations are moving motions of no confidence against him at their meetings and people have been treated more unfairly than anybody I have heard of before.

Mr Bateman: You will be making a lot of friends in local government if you keep up that nonsense.

Mr Burkett: Like Wilson Tuckey when he was the president of the country shires and said, "June Craig, you are not the Minister for Local Government; you are obviously the Minister against local government". That was your mate Wilson!

Several members interjected.

Mr LAURANCE: This Minister has made June Craig look like Joan of Arc.

Mr Carr: She was unhappy about the ward boundaries up there also.

Mr LAURANCE: What has happened in Carnarvon with the shire council being wrongfully dismissed, with these people being defamed in Parliament quite unfairly, and with the ward representations being rearranged quite unfairly, should be a lesson to other local authorities around the State. They are in grave danger. This Government will do to them what it has done to Carnarvon. It is quite clear, and anybody who

works in local government should take notice also because it will sack them, force them to resign, call them corrupt, and give them no legal redress at all. That is the sort of thing this Government will do. It has done it in Carnarvon and will do it elsewhere.

The pecuniary interest question will be handled by some of my colleagues who will be speaking on this motion.

The Minister has a lot to answer for. He may be able to defeat this no confidence motion but he cannot get away from the problem; it hangs around his neck like an albatross. This matter will be pursued because the Government's action is wrong and unfair. The Minister may not be able to reinstate the council, although I believe he should set up a judicial inquiry into the sacking because of all that has been brought forward in this Parliament. Whatever happened to the council, the individuals who have been wronged are the people about whom the Minister should be first concerned. The Minister must look at his position. What does he plan to do about this? He has broken his oath of office and he can redress it or take the only honourable action open to him. He has two choices as Minister; he is in breach of his oath and he can redress it.

Mr Bryce: What a pompous ass you are!

Mr LAURANCE: The Minister can redress the wrongs done to those people or take the only action open to a person who has breached his oath of office.

MR TRETHOWAN (East Melville) [8.52 p.m.]: I second the motion. The Opposition does not lightly bring forward a motion couched in these terms—

That, in the opinion of this House, the Minister for Local Government has lost the confidence of this House and the people of Western Australia due to his mishandling of the local government portfolio—

The motion then goes on to specify the areas which my colleague, the member for Gascoyne, has covered in his speech. This charge is not made lightly; it is made only when it can be clearly demonstrated that this is the situation. I believe the member for Gascoyne has more than adequately established the fact that the handling by the Minister of the sacking of the Carnarvon Shire Council was unjust and uncalled for and done in a manner which was presumably to suit his own political objectives.

Mr Bryce: What were they? I have been waiting for three hours to hear them unfold and the member for Gascoyne stopped just short of doing it and making a big political play.

Mr TRETHOWAN: The political objective appears to be to change the face of local government in this State so that it will not be recognisable as a form of government closely identified with the needs of the area that it serves. At present the structure of local government is such that it represents very adequately the specific needs of the areas that it serves.

Mr Bryce: There is not another State in Australia with a local government system that resembles ours in any way.

Mr TRETHOWAN: It is not just this House and the people of Western Australia who have lost confidence in the Minister, but also local government itself. The Minister has attacked local government in so many areas that he has reached the stage where he is facing considerable opposition wherever he goes. He has resorted not to establishing the logic of his case but purely to vitriolic attacks on both organisations and persons.

Mr Carr: Is this me making the vitriolic attacks?

Mr Bryce: He is the nice guy in politics in this State. The rednecks in some of the organisations have been attacking him.

Mr TRETHOWAN: Let the Minister deny he made a Press release that gave rise to an item repeated on a number of ABC news bulletins, particularly on 6WN at 7.15 a.m. last Friday, 30 March. The news bulletin reported the Minister in the following terms—

The Western Australian Government has described as hysterical nonsense the majority of criticism over its package of local government reforms. The Government says it is particularly disappointed by the attitude of the Country Shire Councils' President, Cr Ward.

The Minister for Local Government, Mr Carr, said Cr Ward had made irrational claims about the impact of the reforms. Mr Carr disputed a claim that transient residents would take over local government and leave big debt burdens on a municipality's long term population. He said this seemed to reflect alarm at the possibility of local government becoming properly democratic with adult franchise. Mr Carr said Western Australia was the only State without local government voting rights for all residents.

Mr Carr: Does that last line concern you at all?

Mr TRETHOWAN: It concerns me that the Minister has put forward a package which attacks the right of ratepayers in this State and the equitable representation of interests—

Mr Bryce: Vested interests!

Mr TRETHOWAN:—of the various areas in this State. Because the Minister's argument has no logic he has to resort to abuse when replying to specific examples where his proposals will attack the interests of the majority—the people who pay rates and fund the local municipalities that represent their closest contact with government and with community organisations.

Mr Bryce: Queensland jettisoned that system in 1920.

Mr TRETHOWAN: Such an attack is basically not acceptable in a democratic community.

Mr Bryce: That word should cause you convulsions as it leaves your lips.

Mr TRETHOWAN: This illustrates how thin the Government's veneer of consensus has become because the Minister faces overwhelming opposition from local government organisations to most of the proposals he has put forward. He has to resort to attacking them. He does not listen to them; he does not believe they know what the people of this State want in local government. He does not believe they represent the interests—

Mr Jamieson: Why is local government in this State better than in other States?

Mr TRETHOWAN: The local government system in this State is better and represents more accurately the interests of the local communities.

Mr Bryce: Your great grandfather and his conservative colleagues used this argument against giving women the right to vote. They said in this place, "It is a better system; it is the one we know".

The SPEAKER: Order! The member for East Melville is making the speech.

Mr TRETHOWAN: The Minister appears to have mounted continual attacks on the local government system in this State. It is not because of vested interests that local government is up in arms about the Minister's proposals. One of the proposals we are discussing—the package in relation to adult franchise—was put forward in a form that was unacceptable even to some people who may have thought that some of the proposals had some interest. It was put forward essentially as a statement of blackmail in these terms: "You do this and what I want in relation to changing the electoral system or you will not get the needed reforms relating to differential rating". That is unacceptable.

If the Minister recognises that local government is hostile towards him, he should realise that one reason for the hostility is that he put forward the package in the form that he did to get his own way. It is typical of the way he has handled the

local government portfolio since becoming Minister. It is typified by the example given earlier by the member for Gascoyne of the way the Minister approaches changing the face of local government; walking in where he can, and using any excuses to get his way to achieve the ends he believes should be achieved; not listening to or understanding the needs of the local community; and not listening to the elected representatives of the local community.

It can be clearly demonstrated that the Minister has lost the confidence of local government, and I cite the example of the radio news bulletin last Friday. I understand that on that day the central ward conference of the Country Shire Councils Association was held. Representatives of 13 shires attended the ward conference, which passed two unanimous resolutions—there was not one dissenting voice. The first resolution expressed confidence in the position of the Country Shire Councils Association of WA in relation to the Minister's package for the adult franchise, and confidence in the president of the association, Cr Ward, the person attacked by the Minister on the radio. Secondly, that conference expressed its lack of confidence in the Minister for his handling of the portfolio, particularly in relation to the adult franchise. If that is not a clear statement of the attitude towards the Minister of a large section of local government within this State, I do not know what is. The elected representatives of those communities at the conference demonstrated their attitude democratically and unanimously. That, if the member for Gascoyne's speech did not, justifies a motion being brought to this House by the Opposition in which it expresses the fact that both the House and the people of Western Australia have lost confidence in the Minister.

In addition to the sacking of the Carnarvon Shire Council and the Minister's blackmail package causing concern uniformly throughout local government in Western Australia, another area of concern relates to the provisions of the current Act with regard to pecuniary interests. It is not only the provisions of the Act which cause concern but also the way those provisions appear to be applied at the present time. No-one would argue against the Local Government Act having provisions concerning pecuniary interests. Section 174 should, and I guess it probably was designed to, prohibit a councillor from voting or participating in a debate if he has a pecuniary interest in any matter the subject of the debate of such a nature that it would be difficult for him not to be influenced by it and thus prevent him from exercising objectivity. I do not think anyone

would argue with that; it is a principle we regard as very important in our democratic system at all levels of Government, and quite rightly so. The first subsection of section 174 states—

For the purposes of this section, a person shall be regarded as having an interest in a matter if he has a direct or indirect pecuniary interest in that matter other than an interest shared in common with the public or the ratepayers of the municipality or the inhabitants of the district of the municipality.

Obviously the intent of that subsection was to cover the point I outlined. The problem is that it goes far beyond that.

Mr D. L. Smith: You are not suggesting the present Minister put that in the Act?

Mr TRETHOWAN: No, I am not. I am suggesting the concern felt by local government about that provision of the Act has arisen only since the present Minister has been in his portfolio. The fact remains that although it covers the requirement, I think everyone agrees it goes too far. It is so indefinite that it can touch almost any relationship a councillor can have with a decision of the shire.

It was not necessary to change the law because it was being equitably enforced. The concern among local authorities about this section has only arisen since the Minister has been in the portfolio. I believe it is an important principle of democratic Government that elected people should be prevented from voting on matters only when absolutely necessary because their primary function and right is to participate in the decision-making process. The problem with the Act is that it inhibits that right because it is insufficiently defined. The only defence available is that a matter is so remote and trivial that it would not influence a councillor in exercising a vote or in the discussions leading up to that vote. The problem is that the words "so remote and trivial" are very difficult to define and are subject to wide interpretation. They can be used to differentiate between similar cases. It is very difficult to attack any decision on a marginal case, either citing that section as exempting it or saying it is not relevant because it is so undefined. It gives scope for selectivity in the prosecution of that section. I believe it is fundamentally important—

A Government member interjected.

Mr TRETHOWAN: The discretion is in the initiative of the prosecution as well as in the decision of the court. If the court is not asked to decide, it has not the opportunity to express its decision in regard to the law in that case. The fact remains that the wording is loose and it has

caused extreme doubt and uncertainty throughout local government in this State in recent times. The Act should be changed and a fundamental principle should be introduced into that section.

It is essential to create an offence of voting or participating in a debate with the intent of obtaining a benefit or advantage for oneself. That would solve the majority of problems being experienced. It is the description of intent which is applicable in a number of areas of the criminal law. It would tighten up this section while preserving the necessity to ensure that no benefit is obtained from public office. It would prevent the kind of harassment of councils and councillors which has gone on selectively in this State in recent times. It would be possible further to limit the extent to which a councillor should be prevented from voting only to those issues in which he has a direct financial involvement peculiar to himself rather than in common with others. In other words, if he represents a group of ratepayers of which he may also be a part, where matters may affect him in that position, he should not be prevented from voicing their point of view at the council. The provisions of the first part of the Act indicate that is the possibility, but it is so imprecisely worded that it does not constitute a defence.

Mr D. L. Smith: You must have had very slack Ministers to have left it for so long.

Mr TRETHOWAN: Because of the way in which this section of the Act has been used recently, a major change should be introduced to prevent its selective use.

Several members interjected.

Mr TRETHOWAN: I have been disturbed at the way many of the cases brought forward recently, or not brought forward, have occurred.

Mr Jamieson: Ban the councils themselves.

Mr TRETHOWAN: Is it my belief that that section of the Act is being used as part of the overall attack on the local government system, and that it represents an unjust, selective attack on various councillors throughout this State. Other councillors have contravened the Act in even more serious ways but no action appears to have been taken against them, or action is postponed.

Mr D. L. Smith: Are you going to name them?

Mr TRETHOWAN: If action is not taken I will. This is part of a number of actions being taken to change the face of local government within this State—a local government system in which the people of the State and the ratepayers of the municipalities have a strong belief.

Several members interjected.

Mr Bryce: They do not even understand it.

Mr TRETHOWAN: The Minister is wrong not to pay heed to the suggestions which come from elected representatives and their associations of local government in this State and to try to ride roughshod over them.

Mr Bryce: Most of your constituents would never be able to understand the Local Government Act if they tried to read it.

Mr TRETHOWAN: It would certainly take considerable skill to understand the Local Government Act, but that applies to almost every Act of Parliament on the Statute book.

Mr I. F. Taylor: That is an indictment of Parliament.

Mr D. L. Smith: That is why this Government has initiated amendments to the Interpretation Act and other Acts to make them easier to understand.

Mr TRETHOWAN: The actions of this Government towards local government are designed to change the system in a direction that it sees to be to the benefit of the Government. That system is not just an objective of the Labor Party within this State; it is an obsession of the Labor Party nationally that has lasted for at least 15 years; it relates to its policy and to the programme of regionalisation which the Whitlam Government attempted to introduce from Canberra.

I understand at a recent conference of mayors of capital cities the Lord Mayor of Sydney underlined the point that this was still the objective. As is known, in many of the Eastern States, local government is highly politicised. It is also generally known that the Lord Mayor of Sydney is a senior Labor man.

Mr Bryce: It is not politicised here.

Several members interjected.

Mr TRETHOWAN: The fact remains that we have a system of local government where the decisions of the councillors are fundamentally about the needs of the people they represent in their local communities, not based on party lines and caucuses. We have an honorary system of local government in this State where people give their time freely, and that has produced councils which are highly responsive to the needs of their local communities.

Several members interjected.

Mr TRETHOWAN: This Government and this Minister are instituting a major attack on this system. The Minister is declaring an attack on the

whole of local government in this State, and it is not surprising that local government in this State is fighting back. Local government is antagonistic to the proposals of the Minister.

Because of that, we are justified in bringing this motion forward in the terms that we have; and the Minister for Local Government has lost the confidence of this House and the people of Western Australia due to his mishandling of the Local Government portfolio.

MR CARR (Geraldton—Minister for Local Government) [9.19 p.m.]: First of all the Government completely rejects the motion put to the House tonight. It would be most accurate to describe what we have seen here tonight from the member for Gascoyne as a sad performance; a performance which I thought was really quite pathetic. We saw him attempt to turn this House into a farce and a situation where he went onto the stage as an actor and caused the conduct of the House to be brought into disrepute.

He was guilty of a very serious error of judgment which not only reflects upon him as a member of Parliament, but also upon all of us who happen to be here to see the sort of performance put up by the member for Gascoyne tonight.

What happened was that the member for Gascoyne allowed his emotional involvement in the issue of the Carnarvon Shire Council to overrule any rational perception of what really did happen and why that council was dismissed in the way that it was and why the other actions have been taken. He simply has not been able to accept that a reasonable and proper decision was made last December on the basis of the detailed evidence that was put before the Government at that time.

The case made out by the member for Gascoyne was unreasonable, inaccurate, unfair, and illogical.

Mr Laurance: Tell that to the people who were defamed.

Mr CARR: On the day in December last year when the decision was announced in this Parliament, the member for Gascoyne responded to the ministerial statement in a vein similar to that which he displayed when he spoke tonight. At that time in December it did not seem surprising or unreasonable to me that the member for the electorate concerned should be caused to make some rather emotional responses to serious matters which were happening within his electorate. On 20 December, I simply accepted that the member for Gascoyne would go away and read the report concerning the health situation in the

Shire of Carnarvon and would appreciate the decisions that were made and why they were made.

It appears that the passage of time since then has not enabled the member for Gascoyne to look in a cooler and more dispassionate way at the evidence which was mounted so heavily before the Government and the Parliament on that occasion in the form of the report which was tabled by the Minister for Health.

Mr Laurance: More damning evidence has come forward in the meantime.

Mr CARR: I do not know why the member decided to carry on in the way he has tonight and why he chose to reintroduce the matter. I really do not know whether he has done so because he is so emotionally involved in the position in the Shire of Carnarvon that he is unable to put the matter into better perspective or whether he is operating on the basis of some shallow, political motive.

Mr Laurance: This won't do, you know.

Mr CARR: I suspect the member chose to do this because he is politicking for the coming council elections. I do not suppose we should be too concerned about that, because I guess most of us in this House have been here long enough to know that is simply politics anyway; it is politics we are talking about and politics which is being engaged in tonight. The actions taken by the Government were proper in every way.

Mr Laurance: When they take it to their lawyers, it won't look good.

Mr CARR: The inquiry which was conducted by the health surveyor was undertaken quite legally and in accordance with the Health Act. The action taken in this Parliament was taken completely legally and in accordance with the Local Government Act.

The action the Government took in December followed exactly the precedent set for this Parliament a short time earlier by the dismissal of the Bayswater Shire Council. The Government looked very closely at the precedent of the Bayswater dismissal to ensure it was acting in an appropriate and responsible manner. The similarities between the Bayswater and Carnarvon dismissals were quite strong.

Mr Tonkin: We supported the Government in that dismissal, because it was the proper thing to do.

Mr CARR: We in the then Opposition accepted that the evidence at that time was simply so strong that it needed to be acted upon and, as the Leader of the House has said, we supported

the action of the previous Minister in dismissing the previous Bayswater Shire Council.

The report which was detailed in the House set out very considerable shortcomings in the administration of public health within the Shire of Carnarvon.

Mr Laurance: No-one was defamed in the Parliament on that occasion.

Mr CARR: The report referred to gross neglect of responsibility on the part of the shire. It referred also to gross incompetence by the officers of the shire and improper influences on the shire at the time of the tabling of the report.

It has been suggested that the comments made in the report are not the subject of parliamentary privilege. I have it on authority that the situation is that the report was not to be considered as an ordinary tabled document about which some doubt exists as to privilege cover. It was in fact a report of the Parliament printed by order of the Parliament. Some members may recall that, when the Minister for Health tabled that report, he moved that the report be printed. Consequently that report is seen as a report of the Parliament and the doubts that the member for Gascoyne attempted to cast on that report are in fact not valid criticisms.

Mr Laurance: That is not the legal advice I have.

Mr CARR: We can argue about different legal advices, but that is what we understand to be the case and the Minister for Health has assured me that the matter was checked at the time to ensure that that was the correct legal position.

Mr Laurance: Would you have liked to be treated as Mr Leeds was? Do you think that is fair?

Mr CARR: The member for Gascoyne has tried to create the impression tonight that we on the Government side have enjoyed the action we have taken. I make it very clear that the action taken on 20 December to dismiss the Carnarvon Shire Council—

Mr Laurance: Was criminal.

Mr CARR: —was taken with a very heavy heart, because it was definitely an unwanted step in terms of my perception of local government.

Mr Laurance: How do you think Mr Leeds feels?

Mr CARR: Earlier the member for Gascoyne made comments about the policy of the Labor Party to the effect that it was opposed to arbitrary dismissal of a council. He is quite right to quote that as being the view of the Government. He is quite right to quote the fact that that was in

policy documents at election time. I know that, because, while I was not shadow Minister immediately preceding the election, I was shadow Minister at the time that item was inserted in our policy. It is my strong view that there should not be an arbitrary dismissal of a council and that there should in fact be some form of appropriate, formalised procedure which is to be followed in each case. That is something that we are happy to move towards. It is something that is not in existence at the moment and was not in existence on the occasion in December when that dismissal took place.

Mr Tonkin: It is something members opposite did nothing about.

Mr CARR: However, I make the comment that the power which exists to dismiss councils is a power that has been used only rarely in this State and only after very considerable consideration and in the most serious circumstances. The Bayswater and Carnarvon dismissals both fall within that province.

Mr Laurance: You called them "criminals" and you said that they were corrupt. It is a disgrace and you know it.

Mr CARR: Even though a formalised procedure which had to be followed to lead to the dismissal of the council was not in place, a very detailed inquiry indeed was undertaken.

I know the member for Gascoyne does not like the results of that inquiry, and he spent an extremely large portion of his speech tonight dealing with its report. The member for Gascoyne has moved a general no confidence motion in my administration of the Local Government portfolio, but he spent probably three-quarters of his speech referring only to the Carnarvon dismissal and principally to the contents of the report. He attributed the contents of the report to my personal view, whereas in fact all the comments I made with regard to the Carnarvon situation were quotes from the report of the health inquiry at Carnarvon. That inquiry was conducted with great seriousness and care by senior, capable, and competent people.

While I am able to say I know only one of those three people in a close sense—I refer to the officer of my department who was involved—the other two officers are people of considerable standing in the Public Service of this State. I have full and complete confidence in my departmental officer and I have no reason to doubt the fullest competence, concern, and fairness of the two other officers involved in the compilation of that report.

I am not quite sure of the extent to which the member for Gascoyne's colleagues support his

comments, but his remarks showed that he was out of touch with the reality of the situation and the responses to the action which has been taken.

In particular, the member is out of touch with the feeling in his own electorate of Carnarvon. I have had a very strong response from people in Carnarvon, people of different political persuasions, expressing strong support for the action taken and expressing strong appreciation of the fact that, given the evidence available to it, the Government did not have any alternative but to take the action it did. Those people have expressed strong confidence that the elections to be held on 5 May will enable a very healthy local government climate to be developed in Carnarvon.

I might emphasise the point about people of different political persuasions, because I know there will be people standing at the elections who will be of various political persuasions all running together on the basis of putting the town of Carnarvon back on a sound municipal footing. I make no secret of the fact that I welcome the idea that people of different political persuasions are able to co-operate in this way.

Mr Tubby: Is that fair? We say it is fair to have a council with members representing different political backgrounds, but without being promoted by a political party.

Mr CARR: The interjection rather lost me and I was unable to follow its impact.

Mr Laurance: Why are you saying that the council should not have the health function?

Mr CARR: The situation is quite clear. The Commissioner of Health has taken over the health function simply because of the enormous mess that had been created there, which is clearly taking quite a time to get into proper order. It is my expectation that the health function will be returned to the council as soon as it is able to be done, and that is on the basis that it will be done as soon as the commissioner is satisfied that a situation has been reached where some sort of reasonableness has been returned to health matters in the town and a capable administration is in effect. I would anticipate that at some time following the elections a review will take place to establish whether the health situation in Carnarvon has recovered.

Mr Laurance: Why didn't you tell us that on 20 December?

Mr CARR: It is true that the health function will remain with the Commissioner of Health for a time after 5 May, but, as I said, I would strongly anticipate that the function would be returned to the council on a reasonably early occasion.

Mr Laurance: There will be a review after 12 months.

Mr Davies: Is the member concerned about the council or the people?

Mr CARR: I do not believe he is concerned about either. If he were concerned about either he would be much closer to the feeling that exists in the town. It is very significant to look at the member for Gascoyne's stance on this matter and compare it with that of the upper House members who represent the area. We have not heard any public comment on this matter from either of the member's upper House colleagues, but it is common knowledge around the corridors of Parliament that at least one of them has deliberately distanced himself from the stand taken by the member for Gascoyne. That upper House member, Mr Lockyer, has been able to make the judgment that the Government has acted responsibly in this matter. I believe that the member for Gascoyne is far too emotionally involved, as is evidenced by his irrational behaviour.

I might say that I have rather mixed feelings to be in this place and listen to a speech such as that made tonight by the member for Gascoyne. I felt somewhat sad to see a member of Parliament so overcome by his emotional involvement in the issue. I find it really is pleasing however to see an Opposition member acting in such a way that is so contrary to the feelings of the people in that community. I think his seat perhaps is at greater risk than it was earlier.

Item (1) of the motion, as well as referring to the dismissal of the Carnarvon Shire Council, refers to some alleged threats of similar action to be taken against other councils. I know of absolutely no foundation whatever for that assertion.

Mr Laurance: That is a lie.

Mr CARR: I know of no assertion with any foundation that the Government or I have threatened any council with dismissal.

Mr Laurance: Do you deny you have had recommendations to that effect?

Mr CARR: I have not received any recommendation to dismiss any other council. If the member means recommendations in terms of Government recommendations for the Government to take action, the answer is "No". If the member means recommendations from individuals who have written letters to the Minister for Local Government—

Mr Laurance: From your staff or from within your department.

Mr CARR: No recommendation has been made to me from within my department or from

my staff, to the best of my knowledge—no recommendation for the dismissal of a council.

Several members interjected.

Mr CARR: I want to make a couple of things clear. A number of approaches have been made to me from individuals and from councillors saying things like, "Our council is terrible; please move in and dismiss it". I could give a list of councils the subject of such comment, but I am sure all members, especially those who have been Ministers, will realise that a lot of such letters are received without there being any basis for action to be taken. Certainly none of those suggestions of dismissal sent in by individuals has led me to have any inclination whatever to dismiss any council around the place.

I know a couple of members associated with the Liberal Party are keen to promote the impression that the Government is threatening councils with dismissal. I know certain Press statements were issued in the north a couple of months back by the then shadow Minister (the member for Karrinyup) who referred to rumours that the Government was about to sack the Broome Shire Council and asking me to dispel the rumour. I issued a statement straightaway saying that I knew of no proposals to dismiss that council. I did attempt to dispel that rumour.

Mr Clarko: The rumour was there.

Mr CARR: Perhaps, but that is different from accusing me of threatening to dismiss the council.

Another example occurred in the last few days when a newspaper in the northern suburbs carried a story attributed to the Deputy President of the Shire of Wanneroo (Councillor Bradshaw) indicating that he had made some reference to a threat by the Government to dismiss the Shire of Wanneroo. That article led the member for Whitford, I think, to reply by saying there was no Government threat to dismiss the shire. So I think item (1) really is based on a few rumours or a few things the member might like to attribute to the Government which are simply not part of the Government's position at all.

Mr Rushton: It is part of your platform, that's all. You only need to read your platform.

Mr CARR: We have just been through a fairly long speech in which the member for Gascoyne, among all the nonsense he went on with, did do one good thing, which was to quote accurately our policy, which is that we are opposed to arbitrarily dismissing councils. I do find it difficult to comprehend the member for Dale.

Point (2) of the motion concerns my allegedly wrongfully maligning or defaming someone. How-

ever, the tabling of the report was a perfectly proper use of parliamentary privilege. Parliamentary privilege is a device available to assist the members of Parliament to find and to state the truth. The purpose of the inquiry into the Carnarvon Shire Council was simply to find the truth of the situation in Carnarvon and to state that truth in Parliament. The practice of tabling such documents in the Parliament and requiring them to be printed are perfectly appropriate uses of parliamentary privilege in order to acquaint the community with the truth of the situation.

Mr Laurance: What about the no evidence taken under oath?

Mr CARR: Items (3) and (4) of the motion refer to the situation of the ward boundaries. This really is the most remarkable part of this motion. It is quite astonishing that in 1984 in the highest Government body in this State we should hear defence of the situation that previously existed in the Shire of Carnarvon. I should perhaps outline some of the ward enrolments in that council to let members know the sort of outrageous gerrymandering that members of the Opposition are standing up to defend.

Mr Cowan: Could you do that? How about telling the House the formula on which ward representation is based?

Mr CARR: I will come to that.

Mr Cowan: Put the whole lot; don't just talk about population.

Mr CARR: I will come to the change of formula.

Mr Cowan: Don't talk about the change of formula; talk about the formula as it currently exists.

Mr CARR: The formula as it currently exists is that the number of people enrolled in any ward should be as close as possible to the same number of electors per councillor.

Mr Rushton: What are you coming at?

Mr CARR: It is.

Mr Rushton: What do you think the formula is, relating to population and area?

Mr CARR: The two members are obviously referring to a formula which was previously in existence in the Local Government Department—

Mr Rushton: Which you imposed.

Mr CARR: —a formula which had no statutory basis—

Mr Rushton: It had common sense.

Mr CARR: —and which was used for the benefit of particular vested interests in the community to advance a particular gerrymandered situation.

Mr Rushton: What a rotten-minded person you are!

Mr Bryce: What a sick old man!

Mr CARR: It was a formula which took into account all sorts of things like distances of roads, area, rateable population, number of sheep, number of trees, how many people, and all sorts of other things which really have very little to do with the question.

Several members interjected.

Mr Old: What rot! Be serious. You are a Minister of the Crown.

Mr CARR: I am talking about representation.

Mr Old: Be serious and say what it was.

Mr CARR: That formula had no statutory base.

Mr Old: You are making a mockery of it.

Mr CARR: It was used as a basis of convenience by the former Minister for Local Government, and when the Government changed, that formula was brought to my attention and the change was made to the present formula so that the number of electors per councillor should be as near as possible to equal.

Mr Old: One-vote-one-value.

Mr Tonkin: That is called democracy.

Mr Bryce: Tell us about Gascoyne's backyard.

Mr CARR: I want to explain the situation that existed in Carnarvon.

Mr Bryce: Let us hear about democracy in Gascoyne.

Mr CARR: Prior to the dismissal of that council, four representatives in the pastoral wards represented 79 electors. The other seven councillors in the urban part of the council represented 2 105 electors.

Mr Tonkin: An absolute disgrace!

Mr CARR: So seven councillors each represented 300 electors and four councillors each represented 20 electors.

Mr Old: Were the wards in Carnarvon?

Mr Tonkin: Disgrace!

Mr CARR: The biggest ward or the smallest?

Mr Old: How many wards in the town?

Mr CARR: A ward containing 540 electors was represented by one councillor—540 for one—and another ward had 37 people on the roll represented by two councillors.

Mr Tonkin: Crooks!

Mr CARR: I ask the House and the people of Western Australia what they think about a politi-

cal party or a member of Parliament who defends that sort of ridiculous imbalance.

Mr Rushton: You be fair and let them go on their own if you do not like it.

Mr CARR: I want to make a comment to the credit of the previous Minister for Local Government. For all her failings in my eyes to advance local government, she tried to do something about that situation in Carnarvon. The situation was so bad that even the Liberal Minister for Local Government attempted to do something about it, but she ran into nothing but continued obstruction. I simply cannot understand how the Liberal Party could possibly try to justify the sort of situation that occurred there.

Mr Rushton: Let them break away and go back to the previous situation.

Mr CARR: It is suggested in part (4) of the motion that those pastoral ward ratepayers have been disenfranchised. My understanding of the word "disenfranchised" means that they do not have a vote. I presume the member is talking about the size or significance of their vote.

Let us look at the situation we have created there. The solution that members will see is that in fact I deliberately compromised the policy that the Labor Party believes to be appropriate. I did not create a situation in which every councillor represented the same number of electors, because I gave a deliberate concession to the pastoral wards.

Mr Old: What a joke! You can't be serious.

Mr CARR: In the pastoral ward one councillor will represent 80 electors.

Mr Old: Give them their own pastoral ward in their own shire; that is what you have to do.

Mr CARR: The average of the remaining councillors will represent approximately 180 to 190 electors.

Mr Old: No they won't.

Mr CARR: I will repeat those figures because of the interjection. In the pastoral ward one councillor will represent 80 electors, and in the other wards councillors will each represent about 180 to 190 electors.

Mr Laurance: That is an enormous area, half the size of Victoria.

Mr CARR: We have compromised in order to be as reasonable and consensus-seeking as it is possible for us to be.

Mr Old: You have to be joking. You don't know the meaning of the word.

Mr CARR: I will now take up the question of the ward situation generally because it has been

raised and it is being related to other councils throughout the State. Recently, at my request the Secretary for Local Government issued a circular to councils throughout the State advising them of that change of formula to which I referred earlier and advising them of the formula which now applies. In that circular the councils were advised that the Government and I would appreciate their examining their ward boundary situation and their enrolments in each ward to see whether they could come close to the policy of the Government. I suggested to those councils that they might consider, if their ward boundaries were out of kilter, submitting a proposal to me which at least moved towards the sort of policy which had been outlined by the Government. Many councils have responded to that request and they have done so in different ways. Some councils, both metropolitan and country, have written and said, "We submit this proposal in accordance with the policy", and some proposals have been remarkably close to the equal electorate situation. Some councils have written and some have come in to see me with deputations, by the way, saying things like, "We appreciate that our boundaries are way out of balance and we are prepared to move towards a more reasonable proposal, but we don't believe that your policy adequately deals with the situation in our particular council". In these situations I have sat down with a number of councils and considered proposals. I have actually approved changes of ward boundaries sought by councils which fall somewhat short of what I believe to be ideal. That has been deliberately done with the agreement of councils in order to bring a closer move towards the democratic situation that we seek. Of course, some councils have written back and said that they do not want anything to do with the proposals we have put to them.

Mr Rushton: They told you to get lost and they were correct in doing so.

Mr CARR: Some councils expressed their views in fairly strong terms and, as I mentioned earlier, others have agreed, subject to sensible arrangements.

Mr Rushton: One?

Mr CARR: There have been more than one; in fact, there have been a few. The next question that I should quickly deal with is that of electoral matters generally, because this matter was touched upon by other members of Parliament. Reference has been made to the package of reforms which we propose to introduce fairly soon into Parliament to modernise local government in Western Australia, to give greater autonomy to local government to provide greater rating flexibility for councils and—

Mr Rushton: Greater flexibility? That is a joke.

Mr CARR: —a reform of the electoral system. The member for East Melville made reference to my attacking other people who disagreed with me. Either he only heard one statement, or else he was deliberately being quite gratuitous with those comments, because in fact there has been a very strong, orchestrated campaign of recent weeks to accuse the Labor Party's electoral reform proposals of doing just about all things terrible—up to, but not including, wife-beating. Some of the claims directed at our policy have been quite remarkable.

Mr Old: So is your policy quite remarkable.

Mr CARR: We have been accused of creating situations where transients take over councils, build up huge debts, then leave. We have been told wild things such as about the students of Muresk Agricultural College taking over the Northam council. We have heard of surfers at Broome taking over the Broome Shire Council and hippies in the south-west taking over shire councils there. We have also heard that Aborigines will take over councils wherever they may be. These accusations have been quite wild and irrational.

Quite frankly, while Councillor Ray Ward and I have had many amenable discussions over a period, it has been a matter of considerable disappointment that his association has seen fit to embark on an orchestrated campaign of criticism and attack of me, and the policies the Government has promoted. I think my comment was very much of the response nature, rather than anything that could be termed an attack.

Mr Old: It was political assassination.

Mr CARR: With electoral reform, Western Australia lags behind every other State in Australia.

Several members interjected.

Mr CARR: Every other State has granted the right to vote to all town residents over the age of 18 years. Even Queensland, of all those places, has provided the vote for all Australian residents since 1920.

Mr Old: That was before they were enlightened.

Mr CARR: The electoral reform we are proposing now has been the Queensland situation since 1920, and it seems to have worked well there.

Mr Old: Does that make it right?

Mr CARR: Most people with an inkling of interest in democratic principles would be of the

view that all people are entitled to a say in how they are governed.

Several members interjected.

Mr CARR: Some people are not on the roll, and some people are not able to get onto the roll.

Mr Old: That is not true.

Mr CARR: Can the member tell me of instances to prove it is not?

Mr Old: Give me some examples.

Mr CARR: The member for Katanning-Roe wants some examples of people who are not able to be put on the roll. I will give him some. The vote he talks about for occupiers of rateable premises applies in connection with one up to two voters per rateable premises. Mum and dad, the grandparents, and the 18, 19, and 20 year-old children in the house have only two votes between them for the premises. What about the situation in the single men's quarters in the north-west? Because they have a communal dining-room and each bedroom is not a separate part of rateable premises, two votes only are allowed for the whole single men's quarters.

What about the situation of a town like Useless Loop where the whole town is on a pastoral lease, and two votes only are allowed for the whole town?

Several members interjected.

Mr Old: Is that a normalised town?

Mr CARR: Another comment should be made about the package of electoral reform measures. We have made a number of concessions already. While the Government believes that it should be a compulsory vote, it will not proceed with that in the Bill. The Government has said that while it believes it is only right for residents to vote, we will give a vote to the owner of a rateable property in a council in which he does not live. We have also agreed to reconsider the situation of a person who leases a business premise in a town in which he does not live. We have made considerable concessions in our attempts to be reasonable in this situation.

Mr Tonkin: To get out of the Middle Ages.

Mr CARR: I received a telexed Press release from the Chamber of Commerce today in which the chamber stated it was opposed to the Government's electoral reform package. However, the Press release proceeded to detail its objections and its point of view, which point of view was almost exactly what is in the Bill.

The chamber expressed the view that there should be adult franchise and that owners as well as occupiers of business premises should have a

vote. The chamber put forward strongly the view that there should not be more than one vote for one Government body and that nobody should have two votes in State Government or Commonwealth Government. It also said that there should not be two votes in one council. We would not go so far as to give two votes in any one council to anybody.

In part (5) of the motion, a comment was made, perhaps for political purposes, or perhaps it indicates a fundamental misunderstanding of what the Government is seeking to do. After years of local government neglect in this State, this Government is seeking to upgrade local government.

Local government has been the poor relation in our three-tiered system of government. We are seeking to give it the power to achieve its true potential in that three-tiered system of government.

While a strong body of opinion opposes some of the measures in our electoral reform package, a number of complimentary comments have been made concerning the Government's relationship with local government. Not the least of these has been Government members' frankness in discussions on areas of councils.

Comment has been made about the ability of this Government to make decisions. I am sure many members would have heard that councils are getting answers now on matters which were before the previous Government for some time.

The rating issue has been in the "too-hard" basket for nine years. It was put there by the previous Government, but is being addressed now. That subject will take its place in the modernisation package which will be before the Parliament soon. I will be interested to see whether those people who have obstructed the development of local government over the last nine years will continue to obstruct some of the reforms on differential rating.

We will be looking also at the question of delegation of power to council officers so that they many carry out their responsibilities more effectively and efficiently.

Whatever points the Opposition might trot out, the structure of local government in this State is secure. I emphasise that this Government is totally committed to local government in this State.

While some people would like to use whatever political trick is possible to show that local government is at risk, I can assure people in local government in this State that the institution and structure of local government is not at risk at all.

The last matter with which I wish to deal is that of pecuniary interest. Some difficulties exist with an interpretation of the Act. Clearly, the Government has no control over the words in the Act, because they have been in it during the whole nine years of the previous Government, without any attempt having been made to change them.

Mr Clarko: And the Tonkin Government, too?

Mr CARR: It may well be. It has been in force since 1959.

Mr Clarko: You could have changed it last year.

Mr CARR: I do not think this Government can be blamed for the words in the Act which words have been in it for many years. I do not think we can be blamed for the interpretation, because quite obviously it is a matter for the courts, and it is not for me to comment on interpretations.

Some comments have been made about the enforcement of the Local Government Act. There are differences between what happened under the previous Government and what is happening under this Government. One difference is that I, as Minister for Local Government, accept the responsibility to enforce the provisions of the Local Government Act. I do not enjoy being involved in complaints relating to pecuniary interests, and I do not enjoy initiating action against people who breach the Act. However, it is the responsibility of the Minister for Local Government to see that the Act is enforced, and I accept that responsibility. Under the previous Government the Act was not enforced.

Mr Rushton: That is not true.

Mr CARR: When I came into office in February last year and when the first complaint came to me about a breach of pecuniary interest—a lot of complaints were made to me about the conduct of various councillors—I asked the then Secretary for Local Government what the procedure was to deal with complaints of this nature. He said there was no real procedure and that he could not remember when the last prosecution took place.

Therefore, we have a situation where the previous Government had a blind eye policy and let things happen without taking any action. I have accepted the responsibility to act upon those complaints.

It is true to say a mistake was made early in the piece. The first complaint that came before me related to the City of Canning councillors and at that time there were no procedures in place to deal with the complaint. At the same time, the

same councillors were subject to investigation by the police for electoral matters.

Mr Clarko: I am interested to hear that a mistake was made and I am more interested to hear where it was made.

Mr CARR: I will come back to that in a moment. The complaints against the Canning councillors were referred by me to the Police Department, which conducted an investigation and undertook the prosecutions. Subsequent to that, officers from my department and officers from the Police Department worked out a procedure to handle these complaints. It was agreed that complaints of this nature concerning the Local Government Act should be investigated by local government officers, with the exception that in remote areas where police were available and local government officers were not available, the police would be called upon. This has happened on some occasions.

I wish I had had local government inspectors investigate the allegations concerning the Canning councillors. I do not know whether they would have come back with different conclusions or would have made recommendations. I suspect they would have made the same recommendations on the basis of the wording of the Act and the same result would have ensued. There certainly was an apparent difference in that different allegations were dealt with in different ways.

Mr Clarko: I note your point, but a conviction was made against the councillors. They would have to raise money for an appeal. They were not eligible for legal aid and did not have the money for the appeal. They did not get that justice because of their lack of money.

Mr CARR: It is not my position to question what the courts decide. I accept the judgment of the court. We have established a set of guidelines within the department by which we attempt to evaluate which cases should be the subject of a prosecution and others which should be considered technical breaches, but not warrant prosecution. I do not enjoy having that responsibility and I am not happy with the Act. These cases come to me for my decision. Whatever decision is made on each one, there is always someone who will criticise it and say that the wrong decision was made. I am happy to acknowledge that something should be done about the wording of section 174 of the Act in order that a better situation may exist.

There is a working party in place that includes representatives from the various sections of local government and representatives from the Local Government Department. I am keen that that

working party should report as soon as possible. I suspect it would be difficult to have that report in time to take action upon it in the current session of Parliament. My expectation is that it will come before the Parliament during the spring session.

The member for East Melville mentioned the difficulties of drawing a line between different sets of situations. I was concerned when he referred to writing in an offence of intent to profit wrongly by council action. If anything is difficult to determine it is whether someone had an intent to do anything or not. We would be better to create a situation where circumstances warrant prosecution and then decide whether intent is involved.

Mr Clarko: When can you bring a report of the working party before Parliament?

Mr CARR: I said that it will not be ready for the autumn session of Parliament but hopefully it will be available for the spring session.

One avenue which I think offers a possible solution is to look at a different approach to pecuniary interest in regard to local government. It need not involve the declaration of interest regarding individual items being placed before the council, but a declaration of a schedule of interests in much the same way as members of Parliament were asked to declare their pecuniary interests last year. Councillors could be provided with two alternatives. They could continue with the normal provisions, with some anomalies removed to make it clearer, or they could choose to make a general declaration of all their interests which they would lodge with the clerk and which would be available for scrutiny by the public and would need to be updated from time to time. If this were implemented it would enable local government to get away from the situation of individual declarations.

My final word on pecuniary interest is that I do not enjoy enforcing the Act, but I accept that it is my responsibility.

In conclusion I am perfectly happy to defend myself as Minister for Local Government and defend the actions I have taken. I believe there is strong support in the community at large for the direction in which the Government is taking local government in this State. I believe also that there is strong support in Carnarvon for that particular action taken and there is strong support in the wider community for the Government to upgrade and modernise local government in this State.

I reject the motion.

MR RUSHTON (Dale) [10.08 p.m.]: Before members opposite get too carried away with the Minister not answering the charges against him I

would like to mention the points he has raised and then address myself to the motion before the House. The Minister has suggested there is no threat against local government in this State. The Government will need to convince local government of that. If local government people were to read the Labor Party policy on local government they would feel threatened.

The Minister thought that he covered the point relating to the people in Carnarvon. He said it was a proper use of parliamentary privilege. That has yet to be decided and the fact that it was politically motivated makes it unacceptable. Another point taken up by members on this side of the House concerns the relationship of the new formula for distributing councillors in a shire. The Minister shows that he does not understand that local authorities must be considered on their own merits and the factors that make up proper representation in those communities. If the Minister thinks that he can provide for equal representation in each council, he has another think coming if he is to do it on a just basis. The old formula has been proved and has worked.

I could give the Minister some documents concerning the Esperance Shire Council when the previous Labor Government moved in. The place was in a state of turmoil until I, as Minister for Local Government, rectified the situation and put its representation in balance. History tells us that story. Members opposite should talk to the people of Esperance about it.

The next point related to the pastoral wards being disfranchised and the Minister made a case for his action being just. The member for Gascoyne has rightly said that if the Minister wants those people to lose their status and to destroy the agreements they have for amalgamation there are two options: Let them run their own Council, or perhaps they can go to Gascoyne Junction where they would have a community of interest. It is totally unacceptable to destroy them in this way and I can imagine the reaction of people in that area.

The Minister then referred to the ward position generally and the circular sent to councils. He asked them and said "please", but they know he intends to direct them to change the boundaries to meet this Government's policy.

Mr Thompson: Greybeard used to say "please".

Mr RUSHTON: This Government told local government it was going to listen and have regard for its views. It has not done that since it won the election. It went softly softly for a while and now it is telling local government what to do. I have been telling councils which have expressed con-

cern to me that they should react to this Government and this Minister by exercising some public or civil disobedience within the law and let the Minister force them to do what he wants. They should then let the newspapers, the public and the ratepayers know what the Government is imposing on them.

Mr I. F. Taylor: How do you exercise civil disobedience within the law?

Mr RUSHTON: When the Minister tells a council to change boundaries which it knows are just it should not do it and force the Minister to impose his will. Then the council should let the people in the district and the State know what the Government is doing. Sometimes when one is being opposed by a dictator one has to do something like that.

We have never heard so much rubbish about autonomy as we have from this Government when it claims it will remove more than 200 sections relating to the need to refer matters to the Minister. Everyone on this side of the House knows that local government had the opportunity, through a liaison committee, of putting forward to Liberal Party Ministers any change it wanted at any time. These so called 200 changes to get autonomy are described by most councils as being mostly sections that do not mean anything. A few only are sections that they need. Basically it is paper talk.

I refer now to the rating system. It will be interesting to see what the Government can bring forward. Governments before this have struggled with changes in this area.

I turn now to electoral reforms which will be based on the Labor Party platform. Its effect on local government will be quite hideous. This goes back to the time of Whitlam when he was seeking regional control. That proposal is supported by Hawke and it will not be long before this Government moves in that direction. We will be debating representation shortly when the Government brings its package forward. We have had a clear message from local government that it does not want the government's package. The main point in that package comprises adult franchise and directions relating to boundaries and ward representation.

If ever a false proposition was put forward by a Minister it has been advanced by this Minister on the question of pecuniary interest. He said he found nothing in place to deal with this problem. How does he think these issues were dealt with in the past? He finally got the local government inspectors to look at this matter. That is the age-old process for dealing with these issues. A complaint of pecuniary interest would be put before a Minis-

ter, and it would be looked at by the department. In most cases their auditor would report to the department and a legal opinion would be obtained if necessary before a decision was made. Now there is an expectation that this Minister will take out this council or that council, and some of the matters that have been put forward have been totally trivial. This is damaging local government. To misinform the House about there being no method for dealing with pecuniary interests is a deliberate untruth and misrepresentation. We have to get used to dealing with a Minister of this kind.

He said the Government supported local government, but local government will need a lot of convincing on that point. He has not satisfied me about the actions of his government in relation to Carnarvon which I consider have been totally improper. The Opposition is right behind the member for Gascoyne in the case he made today. He put it lucidly and factually and without undue emotion, having regard to the circumstances. He has proved beyond doubt that the Government was politically motivated in taking the action it did. The Government's case has been proved to be false. It acted on the basis that there was a need to do something about health. The department made no recommendation and there was nothing in the report to say that the council should be removed. The Minister's decision was made purely on political grounds and he must answer for it. It is disturbing local government in this State.

The Labor Party has total contempt for local government. Its objective is to politicise local government and to destroy it. Carnarvon has been the victim of a political move. If a Government removes a council there is a chance that people of that Government's political view will win favour. Despite the Government's intrusion into Carnarvon on a political basis it has not been able to achieve that end.

This is how it is done. The Government is asked to take out the council and restructure it and its supporters expect to win a number of seats. Their actions are based on political motives, not community interest. I hope the people of Carnarvon have regard for that and do not appoint one person who wants to enter local government with the wrong party political intentions. I hope the people who are elected are fully committed to the wellbeing of Carnarvon and the community of interests, not to political advantage. I am waiting with great interest to see the results of the election there.

Generally speaking, the people are discerning. They understand and will take appropriate action. I think the people of Carnarvon will consider that

their councillors have been unjustly treated. I look forward to seeing the result of the election on the first Saturday in May which will indicate that the people have seen through the Government's ploy. I indicate the difference between the actions of this Government and what has taken place under previous Governments.

Mr Burkett: Would you like to refer to the case of Rino Marchesi of the City of Canning? When he approached me he said that the only member on your side who gave him any assistance in your Government over the Hamilton Street issue was the member for Karrinyup, and he does not have any votes in Hamilton Street. Remember the name of Rino Marchesi and check on it. You have a holier-than-thou approach and yet these things happened in your time.

Mr RUSHTON: It is appropriate, Mr Speaker, that the member for Scarborough has just lost his control, because I now wish to speak on the subject of the City of Stirling, what was going on there, and how I dealt with it.

Mr Brian Burke interjected.

Mr RUSHTON: The Premier need not say too much because when he was the member for Balga he was the main trouble in promoting the political intrigue in the City of Stirling.

Mr Brian Burke: You have turned on me like a mad dog.

Several members interjected.

Mr RUSHTON: No, I am telling the member the facts of life and pointing out the contrast. I received a report and recommendation that the Council of the City of Stirling should be removed but I believe that councils elected by the people should be retained unless a solution cannot be found. The member for Scarborough knows that I attended a council meeting at which he was present, and I discussed the position with him and other councillors. The member knows that if he had taken the step of appointing a political person to run the council, the council would have been removed because it would have been done with the wrong intention. Some of the councillors in the City of Stirling were even receiving comments from their children such as, "Surely, Dad, you could not do a thing like that". That council had the sense to appoint a person experienced and qualified in local government, who did a good job, and the City of Stirling settled down without it being necessary to take the drastic step of removing the council. I believe that was the right path to take.

Mr Burkett: Hear, hear!

Mr Brian Burke: He is very fair; he is agreeing with you.

Mr RUSHTON: He cannot do anything else. It was the best action to take and he has previously said that it was the right thing to do. That is in contrast to what has taken place in Carnarvon and it shows the different attitudes of the Liberal Government and the Labor Government.

I refer to another example of what took place in Esperance when I took over the Local Government portfolio. It was not long before I became aware of the turmoil being experienced in Esperance because of the political maladjustment of councillors on that shire by the previous Tonkin Government. We had to examine and adjust the situation, and then the place settled down.

Mr Brian Burke: What about Rino Marchesi?

Mr RUSHTON: I am not aware of the case.

Several members interjected.

Mr RUSHTON: I am aware of the interference of the Premier in the City of Stirling, and the constant turmoil he created.

Several members interjected.

Mr RUSHTON: It should be remembered that the Labor Party is not acting very differently from Labor Governments of the past. I refer to 1971 to 1974 when it was responsible for the creation of the Royal Commission into municipal district boundaries.

Mr Brian Burke: John Tonkin was a great politician.

Mr RUSHTON: I am not talking about John Tonkin; I am talking about the intrigue of the Labor Government in local government. It is always trying to rationalise boundaries; and it would have destroyed the efficiency of local government and politicised local government. That was followed by the Whitlam Government which set out to regionalise local government, and it lost out again. We have had the same commitment by the Hawke Government, and now this Government is setting out on the same path.

Several members interjected.

Mr RUSHTON: I am suggesting that local government in this State stands firm and resists these political actions which the Government is trying to take into its administration. I feel confident that it will.

Several members interjected.

Mr RUSHTON: I address myself to another issue which is very important to local government, even though the subject is apparently humorous to members on the other side who do not understand the soul and structure of local government. In re-

cent times the Government has set about what I would call a very sinister move to undermine local government completely. It has appointed a member who has been supportive of the Government's coming into action. That person is Dr Michael Wood, whose family is known to my family. My family has a high regard for Dr Wood's family and the point I raise is not a personal matter. A principle is at stake. The principle involved is that this Government appointed Michael Wood to the Department of the Premier and Cabinet, following which he was appointed as Chairman of the Western Australian Local Government Grants Commission which deals with the distribution of funds to local government.

Incidentally, this Government changed the formula on how the distribution of funds should be effected. This was against the wishes of local government. It changed the distribution from 70:30 on a rights basis to a needs basis, which is typical of the socialist intent of this Government. Dr Michael Wood has now been appointed as Secretary to the Local Government Department. I can imagine the comments of the media if it actively tried to work out what is taking place with this appointment. Bearing in mind that the appointment is for five years, it would appear that this person has been appointed to the Public Service. The answer to a question asked today referred to a five-year term. I do not know what will happen in five years' time if this person is within the Public Service, or what will happen in three years' time when there will be a change in Government. How does one move him from that position? Is he bought out at that stage?

Several members interjected.

Mr RUSHTON: What does the Civil Service Association think of this sort of issue?

Several members interjected.

Mr RUSHTON: It is time the association addressed itself to this type of situation. This intrusion of a politicised person into the local government scene to administer local government is quite diabolical. One might as well bring in the American system and take out all public servants every time there is a change of Government. If that is what we should do, let us do it, but not by stealth and underhanded methods.

The latest concern expressed to me in recent times is the appointment of Mr Vaughan in the office of the Minister for Transport. The expectation is that the next move for him is into another of these Public Service jobs.

Mr Gordon Hill: Are you saying you would sack Michael Wood?

Mr RUSHTON: I would say on a political basis, yes. The Government should not be appointing political people into the Public Service on a five-year basis.

Several members interjected.

Mr RUSHTON: There is no way that it is acceptable in the Public Service to appoint a person on a permanent basis who has a political affiliation.

Mr Gordon Hill: He is recognised as the best person for the job, and you would sack him on the basis of his politics.

Several members interjected.

Mr RUSHTON: If the member will close his mouth for a while we shall be able to hear better. If in a little while there is an opening for Mr Vaughan, who is now with the Minister for Transport, is it reasonable for Mr Vaughan to top a department over all the other people in the Public Service for a five-year period? What are the terms of his employment? It is not clear from the answer I received from the Minister today. Is he there on a contract? It appears he is not; he is there for five years on a Public Service appointment. Whatever the future is, if there was an expectation of change in Government in three years, the incoming Government would not want a political appointee to head a department, and nor should it.

Mr Gordon Hill: He is the best person for the job.

Mr RUSHTON: That is a lot of rubbish. I do not deny he is a good person in that regard but he is a political person. Justice should not only be done, it also should be seen to be done.

Mr Thompson: As a political appointment, like the rest of the puppets, he will go. Anyone who gets there by traditional methods will have no trouble. Those who are demonstrably political appointments will go.

Several members interjected.

Mr RUSHTON: I would like to finish on this issue of the Minister's relationship with respect of local government. Since gaining office the Minister has met with dedicated Labor councillors from time to time. If anything is set to destroy the faith in good local government, it is that action. If people are brought from different areas, people who are totally Labor Party committed, and the Minister intrudes his own policies and strategies into local government through that group of people, the Labor Party associations are being put ahead of community interests, and that should be exposed and condemned. So should the Minister associated with that sort of move. This sort of

thing has been reported to me, and I would be happy for the Minister to deny it; it is up to him. This has been put to me on good authority. If anybody is doing that in my area I shall certainly expose him. The interests of local government should be in the community, not in a political party.

Mr I. F. Taylor: You should finish on that note because you have done a much better job than the member for Gascoyne.

Mr RUSHTON: The member for Gascoyne has put a very good case for some action to be taken. I am just hoping that people take legal action against the Ministers involved. I hope they are jointly and severally liable, and I hope they are taken to the wall, if they are guilty. Two of them are directly involved, the Minister for Health and the Minister for Local Government. I hope action is taken against them because they have defamed people—they have done it without any regret. They have no thought of reconsideration of their actions.

Mr Tonkin: It is called humility.

Mr RUSHTON: There is no humility in your lot. I urge members to support the motion moved by the member for Gascoyne.

MR CLARKO (Karrinyup) [10.34 p.m.]: This motion in part says that the Minister for Local Government has lost the confidence of this House. This House has lost the Minister. He has gone. I do not know where he has gone. Perhaps he has lost his confidence as a result of hearing some of the brilliant oratory of my colleagues.

Several members interjected.

Mr CLARKO: He should have left during the best speech, that of the member for Gascoyne who so brilliantly exposed how the Minister has in fact mishandled this portfolio of Local Government. The time is late, so regretfully I shall have to be brief.

A member: Hear, hear!

Mr CLARKO: I shall begin by referring to the continually repeated element which has been mentioned time and time again by this Minister, and which is also part of the Government's platform; that is, that the Labor Government will give more autonomy to local government. It has been said repeatedly, but in fact and in practice the opposite has prevailed.

It began, of course, with the letter relating to ward boundaries and representation. This was written on 27 January 1984. Councils were in effect told, "Change the ward boundaries as I want or else I will force you to do so". That is an approach of threat, an approach of intimidation, and

an approach of bludgeon. It is certainly not an approach of saying to local government, "We, the Labor Government, will give you more and more powers to run your own affairs unfettered by the State Government".

The wards previously were arranged on the basis of rates and valuation of area, length of road, population and number of electors. Now the proposition is to move to this particular grid system which would be based on every elector, and everyone would be an elector, irrespective of whether he was one of the people who did or one of the people who did not pay.

Several members interjected.

Mr CLARKO: One may pay \$1 000 in council rates and pay heavy taxes, or one may pay no rates and perhaps no taxes. In both cases, one may vote. I say that system is not just. One group of voters will have no financial responsibility, and another group will have the financial responsibility to pay the rates and the repayment of the loans and the debts of the council. All who have a responsibility to pay should have a vote. Conversely, all who can vote should have the responsibility to pay. That has always been the case in local government in Western Australia.

The next point I want to mention is an example which also rejects the argument that more autonomy will be given to local government, and that is the Minister's most peculiar attitude in grouping together three items: adult franchise, differential rating, and what I will call a devolution of more power to local government. He has put these three things into a package and he has said there will be no negotiation on this. He has threatened the councils that if they do not accept adult franchise they will not get differential rating, which he knows they want.

I remind members here that the Government voted against an amendment moved by the member for Floreat last August which tried to amend a Bill introduced by the Minister to enable differential voting to be more widely available. That was rejected because the Government wanted to proceed with this very unusual committee chaired by the member for Mundaring. To date nothing has come out of that committee.

I do not intend to reflect on the member for Mundaring. I regard him as a competent member and a member who knows something about local government. This was a stunt. Differential rating was available in the Act already. We proposed to expand that.

From the way it was originally set up, I gather it is proposed that only some councils will be given an opportunity to use the new system. That

is absolute nonsense. If the Government comes out with a scheme which is good for one council, every other council should be given an opportunity to use it. They should not have to use it, but every council should be given the opportunity. If something is considered worth having, it should not be limited to only a few councils.

I said about eight or nine months ago that what the Government is doing could be done by a good computer. I understand one of the councils has been brought in because it has considerable computer facilities. What was proposed at the beginning was a game of monopoly; it could have been done by putting in a machine without ratepayers paying out a particular amount due to some formula. That is the second package—differential rating, which councils have indicated they would like. The Minister says they cannot have that, nor can they have devolution of powers unless they take the whole package. That is a disgraceful approach. If they are worth doing singly and if the Minister, through his own committee, recommends they are worthwhile implementing, it is disgraceful that he should then say, "You can't have two of these items unless you take this intolerable pill as well".

Mr Laurance: It is blackmail.

Mr CLARKO: It is disgraceful. Comments were made to that effect in various newspapers after the Minister came out with that proposition. In *The West Australian* of 12 March 1984, the Minister is reported as saying in respect of the items in the package, "They can't and should not be separated". There might be an argument for keeping them together if they are related, but there is no really tangible relationship between the items I have just mentioned.

Mr Troy: I can see why they took your job off you.

Mr CLARKO: My job was not taken off me. When I was given the responsibility for education and local government, I said to the previous Leader of the Opposition that it would be better if those matters were handled by two people. I indicated that also to the present Leader of the Opposition when the matter was discussed, and members opposite might agree with that.

Bearing in mind the limited time available, I shall give members some examples of the feeling in the community in respect of the Minister. In the Minister's own area, *The Geraldton Guardian* of Tuesday, 21 February last contained the headline, "Councils, Carr on collision course". An article in *The West Australian* of 14 March says, "Shires seek curb against sackings". It indicates that the Country Shire Councils Association of

WA wants the Local Government Act amended to provide for a judicial inquiry before any local government authority is dismissed. That point has been made very ably by my colleague, the member for Gascoyne.

In *The West Australian* of 7 March 1984 an article appears headed, "PCC fears the effects of change to franchise". In the 20 years I have been interested in local government I have never seen such a package of headlines which are almost universally against the Minister.

Several members interjected.

Mr Spriggs: What about the Belmont situation and the position at Kalamunda?

Mr CLARKO: They rejected the proposition. That is another example of how far out of step this Minister is.

I have a letter dated 15 July 1983 from the Country Shire Councils Association. That letter, signed by the acting secretary of the association, refers to—

...this Association's very strong opposition to the introduction of full adult franchise to Local Government Elections.

It goes on to say—

At the December 1982 Executive meeting it was resolved: "That the Executive vigorously oppose the Labor Party's proposal to introduce adult franchise in Local Government Elections".

That view is supported throughout the State. One could put the presidents of the councils who are against such a proposition in the member for Gascoyne's proverbial telephone box.

In *The West Australian* of 8 February 1984, we see the headline, "Shires urged: Snub the vote call".

The President of the Country Shire Councils Association is reported as saying—

Personally I cannot accept that people who do not contribute to council rates should have the right to be elected to a council and impose rates on others. Nor do I see why rate-payers in vast wards that contribute most in council rates should not have extra representation.

Let us look also at the position in respect of the two biggest councils in Western Australia in terms of population; they are the Wanneroo Shire Council which has about 100 000 people in its area and the City of Stirling which has about 170 000 people; that is 270 000 people out of a total population of 1.3 million in this State. Both of those councils have come out against the propo-

sition. The heading of the relevant article is, "Revolt on vote policy growing". If members prefer, I shall quote from material written by the ALP. The relevant article appears in the *Local Government Journal of Western Australia* for the December quarter of 1982. There the political parties were asked prior to the election to comment in terms of their local government policies. The ALP—

Mr Read: What does your party say?

Mr CLARKO: I do not intend to quote that. I could look up the member's telephone number, but I do not intend to do that either. The ALP is reported as saying—

No major restructuring of local government boundaries is planned. We see no major objections to the present means of dealing with proposed minor changes, but would be happy to receive any submissions local government wishes to make.

The State platform of the ALP in respect of local government makes it clear the Labor Party wants to reduce the number of councils in this State and rationalise their boundaries. However, that is completely the opposite of what was said by the ALP prior to the election. Of course, that is part of the reason it won the election—it made so many promises that it has now broken.

The platform of the ALP indicates that greater autonomy will be given to local government. However, the Government intends to force night meetings on councils regardless of whether they want them. It intends to enforce day labour instead of the contract system. The Government does not care that such a system will cost the rate-payers more, because the people who support it, if the Government has its way—it will not have its way, because the measure to get adult franchise will be defeated and will never become the law of the State—are mainly those who are having a free ride.

The ALP platform says also that councillors who are employees will be given time off from their places of work if they need it. The Government does not care about businessmen, or whether a councillor may be involved in a two-man business, because that is what it says in its policy. The ALP platform says also that the employer will be compensated fully. I ask members: Who will pay? The ratepayer who is the second-class citizen will be paying for that! All the freeloaders who support the Government, who do not pay any rates and possibly do not pay any taxes, do not mind the employer giving time off to a person who may be a very vital and central part of his

business. He will be allowed to take as much time off as he likes.

The ALP includes even minor matters in its platform. It indicates that council will provide adequate roadside shelters. That is a very fundamental matter!

In the last 24 hours the Premier has announced he will introduce changes to the FID Bill so that councils will no longer have to pay FID. A few months ago this Government was so thick that it imposed the FID tax burden on local government. However, within a few months, it has decided to remove that burden. Perhaps that is part of the Premier's latest gimmick for the Press which is to say, "I made a mistake." There is nothing wrong with making mistakes if one keeps acknowledging them. However, the Premier is making them at such an alarming rate that he is trying to make making mistakes into a virtue.

We turn then to pecuniary interests. I listened with great interest to the Minister when he said it is not his fault that words appear in the Act in respect of this matter. That is not the fault of the Opposition either. The Minister has held his portfolio for over a year now. He amended the Local Government Act last year and he could have changed this aspect of it had he wanted to. The Minister says that he does not enjoy taking action over pecuniary breaches, but bearing in mind that he professes not to enjoy it, he does it rather a lot.

I commend the Minister for saying that he made a mistake when he prosecuted the Canning councillors. A big mistake was made in that respect, because those people were treated very unfairly.

The situation was rather complex, because local government inspectors looked at one set of problems, then, unfortunately, the police investigated the Canning councillors. When further allegations were made, it was decided the police would not deal with them, but rather that the local government inspectors would do so.

In addition there were some grand anomalies, as I have pointed out before, where a councillor voted on a roundabout in his road—in Hamilton Street—which would merely slow down the traffic, and this was considered to involve a pecuniary interest. However, a councillor voting in the Shire of Wanneroo for what was in effect the equivalent of the closure of his road found that his action was ruled by the same Minister, who happens to have the same political philosophy as he does, to be trivial. If closing a road is trivial, how can a vote for a roundabout, which merely slows down traffic, be considered serious enough to have councillors convicted in the

courts? What is more unfortunate and regrettable is that these people do not have the finance to appeal against that particular conviction.

I have seen a solicitor's letter in which he says that he does not believe this matter involves a pecuniary interest. He thought it was an interest in common, but the magistrate found otherwise. These councillors have a conviction recorded against their names for voting on the placement of a roundabout in their street. For the life of me, I cannot understand that.

I do not like the Minister's suggestion that one of the ways we could possibly improve the pecuniary interests section in the Act is to have councillors declare all their interests. This Parliament has shown that it will not have that for parliamentarians, so I do not see that we should have it for ordinary councillors.

As I was saying earlier, we have seen all these horrendous headlines coming up on a regular basis over the last 12 months. One is headed "Probe ordered of 3 councillors: Minister moves in". That related to the Broome Shire Council, and there is, if we like, a very carefully planned approach to this attack on councillors which was so ably dealt with this evening by the member for Gascoyne when he talked about Carnarvon—the letter "C". Here we have the people from Broome under attack, and the councillors from Albany are in the same position. So we have "A", "B", and "C". I hope the people in Zanthus appreciate that it will be some time before the Government gets to them.

Councils, particularly those which are not seen to be Labor dominated councils, live in fear of the next announcement. We get headlines such as the ones in *The West Australian* of 10 and 13 December last year which read "Convictions shock local government officials" and "Pecuniary interests: Questions over Act".

The local government associations have all been extremely concerned about this. I have said before that virtually every councillor in Western Australia is uncertain of his voting powers and rights.

Mr Bertram: Why is that?

Mr CLARKO: Because there have been convictions of people voting on roundabouts yet another person has been able to get off scott free when voting on the closure of his street. Even the member for Balcatta, in his smoke fog, should realise that this is a very inconsistent approach. We have had the case of the Deputy Mayor of Albany writing a letter which was printed in the *Sunday Independent* of 4 March 1984. The letter read—

SIR: Replying to your article on Brian Burke's Form Busters (SI, 19/2), and

specifically your assessment of Minister Jeff Carr, I wish to differ very strongly from your assessment of Mr Carr's performance. I would rate him a low three quarters.

Take his investigation of the deputy-mayor of Albany.

As the deputy-mayor concerned I would ask that, before giving Mr Carr relatively high marks, you should inquire into the facts.

To me his attitude has been one of little courage, vision or of a commonsense attitude to justice. He appears to me to be an extremely practised person at the art of hair-splitting encased in a straightjacket of red tape.

In June 1982 an application for a renewal of approval of a subdivision (previously approved in 1979) went before the Albany Town Council. It appeared on the planning and health committee agenda, delineated quite clearly in the names of J. R. and L. S. Redshaw (my wife and me). Before the meeting I spoke to the planning officer, advising him that due to the item concerning myself, I would not attend. Nor did I.

The notice again appeared on the minutes of the planning committee minutes of the full council meeting to be held on June 28, 1982. The names of my wife and myself appeared in capital letters. A copy of this agenda was given to everyone present. No discussion took place on the above item. I did not speak or vote: but nor did I formally stand and say so. I simply made a semi-jocular remark about my interest, as I did (and still do) believe that a written notice of my interest was there for all to see.

For this I have been advised, and so has most of the lower part of the State through Press, radio and TV, that I will be prosecuted for not declaring my interest. The media were advised some 27 hours before I received any notification from Mr Carr of pending action.

I ask what would your assessment of Mr Carr be, given the above circumstances? To the average person it seems incredible that any legal action could be considered at all.

This man's name was printed in the particular item although he had not appeared at the planning committee meeting that dealt with the matter, yet someone is saying these things about him.

Mr Troy: Did he offend against the Act?

Mr CLARKO: Did he offend against the Tonkin Government Act? The member's party did not change it when in Government. The member's party has been in power again for 13 or 14 months and has already changed the Act once, so it could have amended this matter on that occasion. We have a second amendment to the Act before us now, and this matter could have been dealt with in this amendment, but it has not been.

This is part of the Government's assassination of local government councillors. The reason the Government assassinates the councillors is that it sees them as being politically opposed to the ALP; so the Government is out to get these people, and at the present time it has got a couple of very simple little people.

But let me quote now from *The Western Mail* of 25 February—

The Local Government Department is investigating a complaint that a Bayswater councillor did not declare an interest in a \$22,000 upgrading of his street. Cr. Alan Hill,—

I am told he is a Labor activist.

Mr Bertram: Who told you that?

Mr CLARKO: To continue—

—who lives on the corner of Oroya and Hannans Streets in Morley, was a member of the council's works, parks and reserves committee which proposed the upgrading program last year.

He did not declare an interest in the project and also signed a petition by street residents calling for the project to go ahead.

I see nothing wrong with signing a petition; but I believe in this case that the pavement of the street is no longer bitumen but, rather, brick paving. It wanders in a snake-like fashion as we find in large home unit centres which are very expensive. I understand that where the road was previously straight it is now curved and lavishly planted with trees and shrubs. This active member of the Labor Party is now living in this grand street which is quite dissimilar to the standard of streets elsewhere in the Bayswater Shire. At the present time this matter is being investigated by the Minister and I look with keen interest to see an impartial and even-handed approach being taken by the Minister in this matter. We will see how the Government acts in regard to one of its own.

I conclude on this note: The Carnarvon example is a most unsavoury matter and shows a very unfair and brutal manner of dealing with a council and, more importantly, individual people

who reside in Carnarvon. It portends trouble for virtually every other council in this State.

This portfolio has been badly mishandled. The Minister, quite contrary to his normal persona, is behaving in a big bully fashion when dealing with councils and councillors. As a result he has lost the confidence of virtually every councillor and every council in Western Australia.

Mr Bertram: Not true.

Mr CLARKO: It would be interesting to see what sort of vote he would get if the 1 400 councillors or the 139 shires were given the opportunity to vote on his behaviour this coming Saturday when we decide on daylight saving.

Mr Bertram: He would get overwhelming support.

Mr CLARKO: I want to give one specific piece of advice to the Minister, who has said that pecuniary interests are a very serious matter and that he is dealing with them almost on a daily basis. Instead of introducing legislation in regard to this matter in spring, around next October, he should do it in the next few weeks. He should do it this session. He owes it to the 1 400 councillors, but, more importantly, if he wants local authorities to act efficiently, he should do it so that when they come to make decisions on particular matters relating to their local communities they have quite clear feelings as to their position in regard to voting.

We have the ridiculous situation now where not only can one have a positive pecuniary advantage, but also one knows that heaps of papers have been written on the subject lately. Mr Gifford, the expert on local government, has said that even in making a rezoning or something of that sort

which will affect one's property unfavourably, one is still at fault, and this suggestion of mine will return to councillors the right to be decisive.

I strongly support this motion.

Question put and a division taken with the following result—

Ayes 17

Mr Bradshaw
Mr Clarko
Mr Court
Mr Cowan
Mr Crane
Mr Hassell
Mr Peter Jones
Mr Laurance
Mr MacKinnon

Mr McNee
Mr Mensaros
Mr Old
Mr Rushton
Mr Spriggs
Mr Trethowan
Mr Tubby
Mr Williams

(Teller)

Noes 26

Mr Bateman
Mrs Beggs
Mr Bertram
Mr Bradshaw
Mr Bridge
Mr Bryce
Mrs Buchanan
Mr Brian Burke
Mr Burkett
Mr Carr
Mr Davies
Mr Evans
Mr Hodge

Mr Jamieson
Mr Tom Jones
Mr McIver
Mr Read
Mr D. L. Smith
Mr P. J. Smith
Mr A. D. Taylor
Mr I. F. Taylor
Mr Tonkin
Mr Troy
Mrs Watkins
Mr Wilson
Mr Gordon Hill

(Teller)

Pairs

Ayes

Mr Watt
Mr O'Connor
Mr Thompson
Mr Blaikie
Mr Grayden
Mr Coyne

Noes

Mr Grill
Mr Parker
Mr Pearce
Mrs Henderson
Mr Barnett
Mr Terry Burke

Question thus negatived.

Motion defeated.

House adjourned at 11.06 p.m.

QUESTIONS ON NOTICE

EMPLOYMENT AND UNEMPLOYMENT

Government Departments and Instrumentalities: Statistics

2626. Mr HASSELL, to the Premier:

Would he supply me with the latest statistics of departmental employment available to him, listing separately—

- (a) those employed against the Consolidated Revenue Fund;
- (b) those employed under the General Loan Fund?

Mr BRIAN BURKE replied:

The information sought cannot be provided as the statistics collated by the Public Service Board do not distinguish between staff employed under the Consolidated Revenue Fund and those employed under the General Loan Fund.

Due to the inherent difficulties in distinguishing between staff employed under these two funds, the statistics have always been collected on the present basis. This approach was apparently acceptable to the previous Government.

REFERENDUMS ACT

Responsibility

2651. Mr MENSAROS, to the Premier:

- (1) Could he please state which of his Ministers is responsible to Parliament for the Referendums Act 1983?
- (2) Is the Minister responsible for the Referendums Act 1983 also responsible for regulations issued and printed in the *Government Gazette* and tabled in the Legislative Assembly on 22 March 1984, headed "Referendums Act 1983" and sub-headed "Referendums Regulations 1984"?

Mr BRIAN BURKE replied:

- (1) Responsibility for the Referendums Act 1983 has been undertaken by the Minister for Parliamentary and Electoral Reform. However, the administration of the Act has not yet been formally committed to the Minister by the Governor, in accordance with the Interpretation Act 1918.

- (2) Yes.

2680 and 2681. *These questions were further postponed.*

LIQUOR

Licences: New

2694. Mr OLD, to the Minister representing the Minister for Administrative Services:

- (1) Since the Liquor Licensing (Moratorium) Act was proclaimed how many new liquor licences have been issued?
- (2) What type of liquor licences were issued?
- (3) To whom were they issued?

Mr PARKER replied:

- (1) to (3) Since the proclamation of the moratorium on 1 December 1983, the Licensing Court has granted the following licences—

1 provisional certificate for a vigneron's licence to M.D. Lange, Alkoomi Wines, Albany.

6 licences being—

1 club licence to the Riverview Country Club Inc, Albany

1 packet licence to Boat Torque Cruisers Pty. Ltd. for the vessel *Sea Raider*.

4 canteen licences to Corporate Catering Services Pty. Ltd. for canteens along the gas pipeline.

TRAFFIC: MOTOR VEHICLES

Glass: Surface Tinting

2695. Mr CLARKO, to the Minister for Police and Emergency Services:

Are there any current attempts at the national level to introduce a uniform Australian standard for the surface tinting of motor vehicle glass which would alter the existing situation as now applies under the Road Traffic Act, regulation 1002?

Mr CARR replied:

Yes. The Australian Transport Advisory Council endorsed a change to the national draft regulations concerning window tinting films during 1983, and this change was incorporated into the draft regulations (the national model code for vehicle standards) in February 1983, as amended draft regulation 1002.

Western Australia did not adopt the original draft regulation 1002 introduced in 1978, and the revised draft regulation is, in fact, less stringent than the original one.

The revised draft regulation is currently being examined.

FUEL AND ENERGY: ELECTRICITY

Meters: Bond

2696. Mr BATEMAN, to the Minister for Minerals and Energy:

- (1) Is it a fact that small businesses and companies situated in office blocks have to pay a meter bond of \$600 on each individual business?
- (2) If "Yes", what is the criterion for such an impost and how can it be substantiated?

Mr PARKER replied:

- (1) A security deposit is required from each individual business providing the occupant is a direct customer of the commission. The amount of the security is governed by the usage of energy to the premises and is not a set amount.
- (2) The formula and authority to request a deposit is covered by Section 62 of the State Energy Commission Act.

CHESTNUTS

Imports

2697. Mr RUSHTON, to the Minister for Agriculture:

- (1) Is he aware that a substantial quantity of chestnuts are being imported from Italy?
- (2) If "Yes", will he indicate the quantity of imports from this or other sources coming into Western Australia?
- (3) Is it a fact that chestnuts in other countries are subject to exotic diseases such as codlin moth?
- (4) What steps are being taken to ensure that codlin moth and other exotic diseases are not being imported into Western Australia within the chestnuts coming from overseas?

Mr EVANS replied:

- (1) Yes.
- (2) Ten tonnes of fresh chestnuts, treated with hot water to render them non vi-

able, and two tonnes of blanched dried chestnuts, were imported in the past nine months.

- (3) Chestnuts in some other countries are subject to some diseases exotic to Australia, such as chestnut blight. The chestnut is not a known host of codling moth.
- (4) The importation of raw chestnuts other than from New Zealand is prohibited under Commonwealth quarantine legislation, which eliminates the possibility of importing exotic diseases with chestnuts.

2698 to 2700. *These questions were postponed.*

BANKING

"Offshore" Banking: Establishment

2701. Mr COURT, to the Minister for Industrial Development and Technology:

- (1) Does he support the establishment of an "offshore banking" industry in Western Australia?
- (2) If "Yes", would the Government provide the necessary technological incentives for this to occur?

Mr BRYCE replied:

- (1) and (2) The purport of the question is not understood. If the member would like to provide more information, I will endeavour to provide an answer.

LOCAL GOVERNMENT: ACT

Amendment: Disenfranchisement

2702. Mr COURT, to the Minister for Industrial Development:

Will some small business owners be disenfranchised under the Government's local government amendments?

Mr BRYCE replied:

The small business owners who are owners of rateable property within a council will continue to be entitled to be enrolled and to participate fully in the municipal affairs at that council.

The position of the small business owners who are lessees of property is presently being re-examined.

HOSPITALS: AMBULANCE

Failure to Respond to Call

2703. Mr COURT, to the Minister with special responsibility for Aboriginal Affairs:

Will he publish details of his inquiry into the incident last year when a St. John Ambulance Association Officer failed to respond to an urgent call for help involving a dying Aborigine?

Mr WILSON replied:

It is understood by the question that the member for Nedlands is referring to two incidents relating to requests for ambulance transport. The first incident occurred on 10 January 1983 when the association responded to a call from Aborigines to transport a certain Rosie Woods to hospital. The officer concerned attended the call but declined to transport the patient, basing his decision on the medical condition of that patient. The patient, Rosie Woods, subsequently died, and the matter resulted in a full coronial inquiry.

The coroner found the officer to have acted in an appropriate manner, in line with the medical protocols of the association. However, the officer was counselled by the association as a result of certain remarks he made, and his alleged non-caring attitude at the scene of the incident.

The second incident, which happened on 17 October 1983, involved the same officer. He was on duty in the control centre and personally received a request for help in the form of ambulance transport for an Aboriginal person. He did not send an ambulance. The patient, Mr Hart, subsequently died. The association conducted an immediate inquiry because of the serious nature of the incident. It is a fundamental requirement of the association to respond to calls for urgent help to anybody needing urgent medical care. The association regarded the act, based on the evidence before it, as gross neglect of duty, and dismissed the officer in terms of the Ambulance Officers' Award.

The Federated Miscellaneous Workers' Union of Australia, the Hospital, Service & Miscellaneous Workers' Union, W.A. Branch, and the Ambulance Officers' Union regarded the associ-

ation's action as "harsh and unreasonable in the circumstances" and filed for a compulsory conference to be held at the Industrial Commission. Commissioner G. J. Martin heard evidence from both parties and decided that the association should have followed certain laid-down internal procedures on disciplinary matters before making the decision of dismissal. He therefore ordered the association to:

Reinstate the officer;

suspend the officer;

charge the officer and proceed to hear the charge under the code of conduct procedures.

The association obeyed those orders and an internal tribunal hearing was conducted under the chairmanship of a barrister. The tribunal found the officer guilty of neglect of duty, and he was permanently demoted in rank from station officer I to an ambulance officer grade II. The association was legally bound to accept the tribunal's decision and the penalty imposed by it.

The association continues to provide an ambulance service for the welfare of everyone in Western Australia. It also has a responsibility to support its staff, provided they conform to standard medical protocols and laid-down procedures. The association does not condone racist attitudes either by its staff or other members of the community.

TAXATION: TOBACCO

Wholesale Licence Fee

2704. Mr COURT, to the Treasurer:

Are statistics available for revenue collected through the State's wholesale licence fee on tobacco products over the last six months?

Mr BRIAN BURKE replied:

Yes. Over the six months ended March, collections were \$25 million.

MEMBERS OF PARLIAMENT

"De facto" Spouses: Entitlements

2705. Mr COURT, to the Premier:

Does the Government pay any entitlements to *de facto* spouses of members of Parliament?

Mr BRIAN BURKE replied:

Refer to answer to question 2608.

EXPORTS AND IMPORTS

South Africa: Promotion

2706. Mr COURT, to the Minister for Industrial Development:

Does the Government have any plans to promote more trade for Western Australian companies in South Africa?

Mr BRYCE replied:

The WA Government will facilitate attempts by all Western Australian companies which trade internationally within the requirements of Australia's foreign policy.

FISHERIES

"Fins" Magazine: Advertising

2707. Mr COURT, to the Minister for Fisheries and Wildlife:

Will he allow advertising in *Fins* magazine?

Mr EVANS replied:

This suggestion has been examined on a number of occasions, and it has been decided not to include paid advertising in the publication.

LOCAL GOVERNMENT: SECRETARY

Appointment: Terms and Conditions

2708. Mr RUSHTON, to the Minister for Local Government:

- (1) What appointments and positions has the new secretary for local government, Dr Michael Wood, held in the Government or Public Service since the election of the Burke Labor Government?
- (2) Relating to item (1), what positions or appointments does Dr Michael Wood presently hold?
- (3) What terms and conditions and salary apply to Dr Michael Wood's employment in the appointments and positions he has held and presently holds?
- (4) Is he, the Minister, now or shortly to occupy the office in the Superannuation Building which has been specially designed and furnished for previous and present Premiers?

- (5) What staff are now to occupy the 14th floor of the Superannuation Building?
- (6) What staff relating to his own portfolio are occupying or are to occupy places on the 14th floor?
- (7) Who is now to occupy his previous ministerial office?
- (8) Who is now to occupy the office previously used by the past Secretary for Local Government?

Mr CARR replied:

- (1) Dr Wood was on secondment from the University of Western Australia to the Department of the Premier and Cabinet from 7 April 1983 as Assistant Director, Policy Secretariat, classification A-1-5, item 40 0070. He resigned from the department on 31 December 1983. He was appointment Chairman of the Western Australian Local Government Grants Commission on 1 November 1983.
- (2) Chairman of the Western Australian Local Government Grants Commission.
- (3) Normal Public Service conditions and terms while on secondment to the Department of the Premier and Cabinet. The appointment as Chairman of the Local Government Grants Commission is for 5 years, and no fee is paid. He is Secretary for Local Government designate, with the classification of A-1-11. The term is for 5 years.
- (4) I now occupy the office referred to.
- (5) Staff of the Minister for Police plus other officers not yet determined.
- (6) My private Public Service staff of 5 officers, plus my ministerial adviser, ministerial officer, police liaison officer, and the State Emergency Services executive officer, who is on the Public Service staff.
- (7) and (8) Accommodation details relating to the eighth floor of the Oakleigh Building are presently being finalised.

HEALTH: MEDICAL PRACTITIONERS

Specialists: Price Control

2709. Mr BRADSHAW, to the Minister for Health:

- (1) Does the Western Australian Government already have legislation to impose price control on specialists in public hospitals?

- (2) If so, does he intend to use the legislation?
- (3) If not, will the Government pass legislation to control specialist charges in public hospitals?

Mr HODGE replied:

- (1) The Western Australian Government does not have general legislation to impose price control on specialists in public hospitals. However, complimentary State and Commonwealth legislation enacted to accommodate Medicare initiatives limits charges for prescribed services provided in recognised hospitals to no more than the schedule fee. An agreement with specialists along these lines has existed in Western Australian hospitals for some time.
- (2) and (3) See answer to (1).

HEALTH: NURSING HOMES

Patients: Subsidy

2710. Mr BRADSHAW, to the Minister for Health:

- (1) Is he aware of the new condition imposed on frail age homes regarding the subsidy given for handicapped elderly inmates?
- (2) Are the "Long Stay Personal Care Subsidy Assessment Records" a breach of confidentiality?
- (3) Will this new condition add an extra work-load to the "homes"?

Mr HODGE replied:

- (1) I assume the member is referring to the requirements for personal care subsidy for hostel residents recently introduced by the Commonwealth Department of Social Security. This is not a matter which is within my ministerial responsibility.
- (2) and (3) Answered by (1).

ROTTNEST ISLAND

Board: Meetings

2711. Mr MacKINNON, to the Minister for Tourism:

- (1) Will he allow the Opposition to appoint a member of the Opposition to attend meetings of the Rottnest Island Board on similar terms and conditions as the member for Perth and his ministerial

advisor on tourism, (i.e., as an observer and advisor without voting or speaking rights)?

- (2) If not, why not?

Mr BRIAN BURKE replied:

- (1) No, not at the present time.
- (2) It is not necessary for such representation to be facilitated at present as the board already comprises 7 members and is operating extremely effectively and efficiently. I would however, be prepared to discuss the matter with the member in the longer term.

ROTTNEST ISLAND

Board: Meetings

2712. Mr MacKINNON, to the Minister for Tourism:

- (1) How many times has the Rottnest Island Board met since 1 April 1983?
- (2) At how many of those meetings has the board chairman attended?

Mr BRIAN BURKE replied:

- (1) 11 times.
- (2) 8 meetings.

HOUSING

Kununurra: Wait-turn

2713. Mr MacKINNON, to the Minister for Housing:

- (1) How many State Housing Commission homes are currently located in Kununurra?
- (2) How many people are listed on the waiting list for State Housing Commission homes in Kununurra?
- (3) What type of applicant is given priority for the vacant homes as they occur?
- (4) How many other homes does the State Government or its housing authorities own in Kununurra?
- (5) Are any of these houses vacant, and if so, how many?
- (6) How many State Housing Commission homes are to be built in Kununurra in 1983-84 and 1984-85?

Mr WILSON replied:

- | | |
|------------------------|-----------|
| (1) Commonwealth-State | 173 units |
| Aboriginal | 38 units |
| (2) Commonwealth-State | 94 units |
| Aboriginal | 19 units |

- (3) For applicants to be granted priority or emergent assistance, it must be proven that their need for housing is greater than those applicants preceding them on the waiting list. Factors such as overcrowding, low income, and medical conditions are taken into consideration in this assessment.

- (4) and (5) The other housing authorities in Kununurra under my portfolios are the Government Employees' Housing Authority and the Industrial and Commercial Employees' Housing Authority. GEHA has 129 houses in Kununurra, and all houses are allocated to various client departments of the authority. ICEHA has four houses in Kununurra and these are presently occupied.

Information on houses controlled under other portfolios should be obtained from the appropriate Minister.

- (6) The construction programme for the State Housing Commission in Kununurra is—

1983-84—26 units

1984-85—this building programme is not yet decided and depends on demand and the availability of funds.

EMPLOYMENT AND UNEMPLOYMENT

Community Employment Programme: Unit

2714. Mr MacKINNON, to the Minister representing the Minister for Employment:

- (1) When was the community employment initiatives unit established?
- (2) How much money has been allocated to the unit in 1983-84?
- (3) How much will be allocated to the unit in 1984-85?
- (4) How many staff have been employed to staff the unit?
- (5) How many staff positions have yet to be filled?
- (6) What is the estimated staffing cost for the unit in 1983-84 and 1984-85?
- (7) How much did it cost to set up the unit?

Mr PARKER replied:

- (1) The unit was approved by Cabinet on 12 December 1983, and fully staffed on 4 April 1984.
- (2) and (3) The unit has been allocated \$500 000 to be spent in a twelve-month

period. Further funding will be dependent on an independent evaluation.

- (4) There is a total of eleven staff including support staff.
- (5) None.
- (6) The estimated staffing cost for the unit for the twelve-month period is \$272 035.
- (7) As mentioned in (2) and (3), the allocation to the unit for its total operation is \$500 000.

WESTERN AUSTRALIAN MADE GOODS

"Go For It" Campaign: "Birthmark"

2715. Mr MacKINNON, to the Minister for Industrial Development:

- (1) Referring to question 2037 of 16 November 1983, is the review of Local Products Campaign strategy now completed?
- (2) If so, what changes to the campaign have been made as a consequence of that review?
- (3) As a part of that review, has consideration been given to Western Australian service companies or organisations being able to incorporate "the Birthmark" in their promotional literature?
- (4) If so, what was the result of that consideration?

Mr BRYCE replied:

- (1) Yes.
- (2) A shift in emphasis by encouraging Western Australian business to be more achievement orientated and competitive.
- (3) Yes. However the provisions of the Western Australian Products Symbol Act 1972 will still apply.
- (4) See (3).

TRANSPORT: AIR

Perth Airport: International Passenger Terminal

2716. Mr MacKINNON, to the Minister for Tourism:

- (1) Has he taken any steps to ensure that the proposed new International Passenger Terminal at Perth airport will adequately cater for our State's needs in this area?
- (2) If so, what was the nature of the investigation he made?

Mr BRIAN BURKE replied:

- (1) Yes.
- (2) All aspects of the new terminal were considered last year by a parliamentary public works committee which received written and verbal submissions from the Co-ordinator General of Transport, whose office is in regular liaison with the Federal Minister for Aviation to ensure that work proceeds on schedule for a commissioning of the terminal in September 1986.

TOURISM

Interim Tourism Consultative Committee: Report

2717. Mr MacKINNON, to the Minister for Tourism:

- (1) When did the interim tourism consultative committee, appointed to advise the Government on tourist matters and recommend initiatives developed from the tourist industry forum, report to Government?
- (2) To whom was the report made?
- (3) What action has since been taken on the report, and by whom?
- (4) Will the report be made public, and if so, when?
- (5) If not, why not?

Mr BRIAN BURKE replied:

- (1) December 1983.
- (2) To the Minister for Tourism.
- (3) The Government has been appraising the interim tourism consultative committee's report and recommendations.
- (4) The report will be made public prior to 1 May 1984 when the ITCC will present its report to the participants of "Tourism Forum 83", so that they may comment on the findings and recommendations.
- (5) Refer to (4) above.

HOUSING

Costs: Comparative Studies

2718. Mr MacKINNON, to the Minister for Housing:

- (1) Has the State Housing Commission completed any studies, or surveys, to indicate comparative costs of building Commission homes in Western Australia as compared with other States?

- (2) If so, what did the results of these studies, or surveys, indicate?

Mr WILSON replied:

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

An observation is that the commission is generally aware of the comparative costs in other States. Current available information is that Western Australia's residential building costs are generally considerably cheaper than interstate works of a similar nature.

Actual costs depend on methods of construction, labour use, material availability, and location.

HOUSING

Building Societies: Loan Funds

2719. Mr MacKINNON, to the Minister for Housing:

- (1) Since its election, how much has the Government advanced to building societies by way of loan funds to assist with the lowering of home loan interest rates?
- (2) What was the source of these funds?
- (3) What were the terms applicable to the loans?

Mr WILSON replied:

- (1) Since March 1983 the Government has injected \$4 million into "mix of funds" schemes with both permanent and terminating building societies.
- (2) These funds have been advanced from the home purchase assistance account.
- (3) The lending terms and conditions applicable to "mix of funds" loans are —

Families only are to be assisted, and the breadwinner's gross income is to be between \$240 and \$350 per week in the metropolitan area, ranging to between \$320 and \$655 in the Kimberley region;

the maximum loan is an amount equivalent to 90 per cent of the value or cost of house and land, whichever is the lesser;

the value of house and land is not to exceed \$46 000 in the metropolitan area, ranging to \$76 000 in the Kimberley region;

the houses are to be new homes, to be owner occupied, and the family is not to own other residential property;

couples who are engaged to be married within six months are eligible to apply, as are residents who have been in Australia for more than three months;

the loans are not to be confined to first time home buyers;

couples living in a recognised *de facto* relationship may apply.

EMPLOYMENT AND UNEMPLOYMENT

Wages Pause: Jobs Created, and Funding

2720. Mr MacKINNON, to the Minister representing the Minister for Employment and Training:

- (1) How many jobs have been "created" as a result of funds allocated under the wages pause programme?
- (2) How much, in dollar terms, was allocated to this programme?

Mr PARKER replied:

- (1) and (2) The State was allocated \$26.37 million under the wages pause programme. \$8.79 million of this amount was allocated for welfare housing and was spent in January 1983. The remaining \$17.58 million was available to be allocated to various job creation programmes. As a result of the allocation of the \$17.58 million 1 290 jobs were created.

EDUCATION: PRIMARY SCHOOL

Burrendah: Parking Facilities

2721. Mr MacKINNON, to the Minister for Education:

- (1) Has any request been made to him or his department, for improvements in car parking facilities at Burrendah primary School?
- (2) If so, when were these requests first made?
- (3) What is the estimated cost of the improvements?
- (4) Was the request agreed to?
- (5) If not, why not?
- (6) What plans are in hand, if any, to alleviate the problem at the school?

Mr PEARCE replied:

- (1) Yes.
- (2) October 1982.
- (3) to (6) Very limited funds are available for extensions to parking areas, and this project cannot be put in hand at present.

EDUCATION: PRIMARY SCHOOL

Burrendah: Administration Facilities

2722. Mr MacKINNON, to the Minister for Education:

- (1) Have any requests been made of him or his department, for improvements to the staff and administration facilities at Burrendah Primary School?
- (2) If so, when were these requests first made?
- (3) What is the estimated cost of these improvements?
- (4) Was the request agreed to?
- (5) If not, why not?
- (6) If the request has been agreed to, when will the facility be built?

Mr PEARCE replied:

- (1) Yes.
- (2) May 1982.
- (3) \$40 000.
- (4) The request was agreed to recently.
- (5) Not applicable.
- (6) Documentation is being prepared at present, but a tender date has not been set.

BUSINESSES

"Management and Investment" Companies: Licences

2723. Mr COURT, to the Minister for Technology:

How many Western Australian companies have applied to the Federal Government for a licence to establish a "management and investment" company?

Mr BRYCE replied:

Applications for a licence to the Federal Government's management and investment company licensing board (MICLB) are confidential to that board, and the Western Australian Government is not privy to the information sought.

STATE ASSETS

Management

2724. Mr COURT, to the Treasurer:

Would he please identify the major State-owned assets which are to be better managed and put to work?

Mr BRIAN BURKE replied:

The Government intends to manage all State-owned assets so as to maximise the return to the people of Western Australia.

The Government has already been asked to implement its election commitment to sell surplus State Housing Commission land so as to fund an expanded housing construction programme.

Consultants will shortly report on a review of the Superannuation Board's investment policies and will make recommendations on ways to better manage those investments.

The Government has appointed Mr Ray Young to advise it on the Government's accommodation requirements, and this will involve recommendations to better utilise its assets in this area.

Activities in further specific areas will be announced as they occur.

DISTINGUISHED VISITORS

Luncheons

2725. Mr MENSAROS, to the Premier:

(1) Is it a fact that he had discontinued the long tradition of inviting the Leader of the Opposition to luncheons where the Premier and Ministers of the day honour dignitaries, such as Ambassadors, officially visiting the State of Western Australia?

(2) If so, why?

Mr BRIAN BURKE replied:

(1) and (2) The Government has not dispensed with Cabinet luncheons. However, in an effort to contain costs and in line with other budgetary constraints, the number of Cabinet luncheons or dinners is being reduced.

As is the practice in almost all other States, Ambassadors and High Commissioners are afforded the courtesy of a luncheon hosted by a Minister.

On occasions that the Government considers a Cabinet luncheon is warranted, the Leader of the Opposition would be invited, as in the past.

INDUSTRIAL DEVELOPMENT

Western Australian Development Corporation: Equity Purchase

2726. Mr MENSAROS, to the Premier:

(1) Is it the Government's aim that the public should take 49 per cent of equity shareholding in the Western Australian Development Corporation?

(2) If so, has the Government formally or informally invited anyone or any company yet to take equity shareholding in the Western Australian Development Corporation?

(3) What is the result of such invitation as far as firm subscriptions for the shares go?

Mr BRIAN BURKE replied:

(1) As indicated in my introductory comments during the second reading debate on the Western Australian Development Corporation Bill, initially the Government will subscribe \$5 million to the capital of the Western Australian Development Corporation.

While the matter will be ultimately decided by the WADC Board, the introduction of private capital was not envisaged during the formative stages of the corporation's development.

As the member will appreciate, the realities of the capital market are such that any prospective investor, either private individual or corporation, is likely to await the outcome of the corporation's investment performance before committing funds to equity in the WADC.

(2) and (3) There have been no subscriptions for capital in the WADC by private individuals or corporations. This matter could be expected to be considered by the board at the appropriate time.

CONSERVATION AND THE ENVIRONMENT

Environmental Protection (Impact of Proposals) Act: Amendment

2727. Mr MENSAROS, to the Minister for the Environment:

(1) Has he or the Government had discussions with the Commonwealth Government regarding the provisions of the proposed amendment to the Environmental Protection (Impact of Proposals) Act to safeguard the State's interest?

(2) If so, what is the result of such discussions?

(3) If not, why not?

Mr DAVIES replied:

(1) No.

(2) Not applicable.

(3) The Government is not aware of proposals to amend the Environment Protection (Impact of Proposals) Act 1974.

CONSERVATION AND THE ENVIRONMENT

Environmental Review and Management Programmes: Agreement with Commonwealth

2728. Mr MENSAROS, to the Minister for the Environment:

Is the agreement with the Commonwealth Government regarding the automatic acceptance of the State environmental review and management programmes by the Commonwealth Government still in force?

Mr DAVIES replied:

There has never been any such agreement other than in relation to certain State road projects which receive Commonwealth funding. There is however a memorandum of understanding between the respective Ministers that, where a development proposal is subject to both State and Commonwealth assessment procedures, guidelines will be prepared jointly and a single draft EIS-ERMP will be drawn up by the developer to meet the needs of both Governments.

There is also agreement that public submissions will be exchanged. However, the EPA and the Commonwealth Minister are each responsible for their own conclusions and recommendations.

PUBLIC SERVICE: BOARD

Administrative Instruction 203: Discrimination

2729. Mr MENSAROS, to the Minister for Multicultural and Ethnic Affairs:

(1) Is the Public Service Board's Administrative instruction No. 203 prohibiting permanent employment in the State Public Service of non-Australian citizens discriminatory against migrants of non-Australian birth?

(2) If so, in accordance with the often stated aims in administering his portfolio, will he endeavour the repeal of this instruction?

Mr DAVIES replied:

(1) Yes.

(2) The matter was referred to the Premier, as the Minister responsible for the Public Service Board, on 23 March 1984.

When a reply has been received, I will be happy to advise the member of the outcome.

RAILWAYS: FREIGHT

Increased Access

2730. Mr MENSAROS, to the Minister for Transport:

(1) Was he factually reported as stating that his policy is for Westrail to have greater access to other forms of transport, including pipelines, conveyors, and trucks?

(2) If so, could he please explain in detail what the implementation of this policy means *vis-a-vis* the North-West Shelf gas pipeline, the domestic gas reticulation, the major and reticulating water pipelines, sewerage pipes, conveying belts used by private enterprise for loading iron ore and transporting aluminium?

Mr GRILL replied:

(1) Yes.

(2) The intention is, in selective situations, to make Westrail a total transporter, not simply a provider of rail services so that it may compete in the market place on an equal footing with other commercial transport organisations for transport tasks. The powers intended will not allow Westrail to become a gas, water, or sewerage authority.

However, should there be commercial benefits to mining companies and Westrail by Westrail undertaking their total transport tasks and not just the rail movement, Westrail will be able to compete for the business.

STATE FINANCE

General Loan Fund: Details

2731. Mr MENSAROS, to the Minister for Works:

Referring to the General Loan Fund Estimates for the year ending 30 June 1984, item 19, could he please detail (under the heading "public buildings not otherwise provided for")—

- (a) \$1 331 000 against subtitle "Perth Touring and Accommodation";
- (b) \$2 400 000 against subtitle "Land Acquisition"?

Mr McIVER replied:

- (a) The correct heading in the General Loan Fund Estimates is "Partitioning and Accommodation".

This allocation is for general partitioning and accommodation requirements in 1983-84, including a carryover of costs for accommodation requirements committed in 1982-83.

- (b) This allocation has been provided towards the acquisition of the Whitford Nodes.

MINISTER OF THE CROWN

Minister for Works: Responsibility

2732. Mr MENSAROS, to the Minister for Works:

- (1) Referring to his circular to all members of Parliament of 23 February 1984, could he please inform the House whether, in addition to the sections of Public Works Department he has listed, he is also responsible for the property branch?

(2) If not,

- (a) could he say which Minister is responsible for this branch, or alternatively—
- (b) which section of which department and under which Minister has taken over the workload previously done

by the property section, Public Works Department?

Mr McIVER replied:

- (1) Yes.
- (2) Not applicable.

PUBLIC WORKS: DEPARTMENT

Country Areas Water Supplies: Country Water Boards

2733. Mr MENSAROS, to the Minister for Water Resources:

- (1) What are the exact conditions he set for the Bunbury, Harvey and Busselton water boards for these to escape being absorbed into a Government water authority?
- (2) Is he going to introduce legislation to implement these conditions?

Mr TONKIN replied:

- (1) The boards have been advised that the following will apply—

- (a) boards will be charged for work, including investigation and design, done by Government agencies for the benefit of the boards;
- (b) the Government will no longer reimburse the boards for rebates and deferments allowed to pensioners under the Pensioners Rates (Rebates and Deferments) Act;
- (c) the boards will be required to make contributions at the same rate as the water authority of Western Australia under the Public Authorities (Contributions) Act;
- (d) the Bunbury Water Board has been asked to set firm programmes for roofing its service reservoirs and for automatic chlorination;
- (e) the Bunbury Water Board has agreed to the extension of its area to Gelorup when development makes this desirable, and the Busselton Water Board has agreed to the extension of its area to the west; the Government has agreed to give consideration to assisting the boards to finance the extension of services to these areas;
- (f) the price at which water is supplied in bulk to the Harvey Water Board from Harvey Weir will be increased in stages.

- (2) Legislative changes are required for some of these conditions. It will be included in a broader Acts amendment Bill required in connection with the merger of the major authorities. It will be introduced in the 1984 Budget session, but will not take effect until July 1985. In addition to the matters referred to in (1), it will—

give power to the boards to create and operate reserve accounts and require them to make provision for depreciation;

give the boards power to prescribe different classes of water users;

give the Minister power to require a water board to take remedial action if water it supplies is not of satisfactory quality;

provide for the Minister to approve the rates that a water board proposes to charge in an ensuing year and the basis on which those rates are based; and

give the Minister power to require a water board to provide sufficient storage and distribution facilities to ensure a satisfactory volume and pressure of supply to its customers.

WATER RESOURCES

Roebourne

2734. Mr MENSAROS, to the Minister for Water Resources:

Considering the heavy rains in the area is the Roebourne town water supply still provided from Millstream or from the Harding River aquifer?

Mr TONKIN replied:

The town of Roebourne is, on average, currently being supplied with water from the Millstream source for 5 days each week; and for the other 2 days it is supplied from the Harding River aquifer.

LAND

Reserve: Yunderup

2735. Mr MENSAROS, to the Minister for Lands and Surveys:

Can he please give information about the land at the western end of Coolenup Island, Yunderup, where the ruins of Coopers Mill are situated, as to what type of reserve it is and in which authority it is vested?

Mr McIVER replied:

The western portion of Coolenup Island where Coopers Mill is located is the subject of Reserve No. 23015, which is set apart for the purpose of "recreation and camping".

The reserve comprises about 2 hectares and is placed under the control of the Shire of Murray as a board of management by virtue of section 34 of the Land Act.

LAND

Crown: Murray River

2736. Mr MENSAROS, to the Minister for the Environment:

Is the Peel Inlet Management Authority responsible for allowing landscaping and/or building on Crown land situated within approximately 100 yards of the shoreline of the Murray River?

Mr DAVIES replied:

The Peel Inlet Management Authority has responsibility for works on associated lands adjacent to the Murray River in the terms of section 25(2)(j) of the Waterways Conservation Act.

COURTS

Bail: Roebourne

2737. Mr THOMPSON, to the Minister for Police and Emergency Services:

(1) Has there recently been a change in the application of bail provisions in cases involving persons charged in Roebourne with offences related to abuse of alcohol, such that intoxicated persons are being released from police custody earlier than previously?

(2) If so, for what reason?

Mr CARR replied:

(1) There has not been any change in the application of bail provisions in

Roebourne for persons charged with offences related to alcohol abuse.

(2) Not applicable.

FUEL AND ENERGY: ELECTRICITY

Power Lines: Herbicides

2738. Mr THOMPSON, to the Minister for Minerals and Energy:

As I have heard nothing since an interim response was given to question 2370 asked on 1 December 1983 concerning herbicides to control growth along SEC power line routes, is he now in a position to answer the questions?

Mr PARKER replied:

- (1) Yes.
 - (2) All chemicals used are registered with the Public Health Department. Their use is only in accordance with that department's requirements.
 - (3) The trade names of the chemical currently being used are as follows—
 Velpar
 Ustilan granules
 Ustilan powder
 Banvel M
 Roundup.
 - (4) Application levels vary within the maximums allowed.
 - (5) Velpar—20kg
 Ustilan granules—9500kg
 Ustilan powder—10kg
 Banvel M—80 litres
 Roundup—2400 litres of 2 per cent to 10 per cent solution.
- In addition the following chemicals were also previously used, but are not now being used—
 Amitrol Plus—100 litres
 Weedosol—80 litres
 Nuzinole AA—675kg.

POLICE

Roebourne: Alcohol-related Offences

2739. Mr THOMPSON, to the Minister for Police and Emergency Services:

How many arrests for offences related to the behaviour of intoxicated persons have there been in Roebourne in the period 1 October to 15 March in each of the following years:

(a) 1981;

- (b) 1982;
- (c) 1983; and
- (d) 1984?

Mr CARR replied:

The question requires considerable research, and it is requested that the matter be deferred for 24 hours, after which time the figures can be ascertained.

MINISTERS OF THE CROWN: CABINET

Karratha Meeting: Cost

2740. Mr THOMPSON, to the Premier:

- (1) How many advisers and public servants, normally operating in offices in Perth, travelled to the Pilbara as a result of the Cabinet meeting held in Karratha and attended the round of official functions together with himself and his Ministers?
- (2) What was the total cost of the operation?

Mr BRIAN BURKE replied:

- (1) and (2) I am not aware of the exact number of staff that travelled with their Ministers to the Cabinet meeting held in Karratha, or the costs involved. This information could be obtained by the member by addressing questions to the individual Ministers.

Despite the member's question which implies that Cabinet meetings in regional areas are not worth the cost involved, I can point out to him that these arrangements are proving very popular with people in the areas concerned. Rather than reducing the number of Cabinet meetings in regional areas, the Government is considering increasing them.

It should also be pointed out that Ministers took the opportunity to visit other centres in the Pilbara to deal with matters within their portfolio responsibilities.

HEALTH

Laser Beams

2741. Mr THOMPSON, to the Minister for Health:

- (1) Is he aware that concern is held by health authorities in Australia with respect to the use of laser beams and the possible damage to the eyesight of

people who have contact with these beams?

- (2) What steps have been taken in this State to ensure the safety of people who may be placed at risk by the use of laser systems in—
- (a) industry;
 - (b) surveying instruments;
 - (c) entertainment equipment?

Mr HODGE replied:

- (1) Yes.
- (2) Radiation safety (general) regulations, gazetted in 1983, require that lasers above a specified power be registered and that the users be licenced under the Radiation Safety Act. Applications for registration and licensing are currently being received and processed. The regulations require that lasers are used in accordance with the Standards Association of Australia's code of laser safety. Lasers are inspected by officers of the Public Health Department and advice on safety is given.

HEALTH

Mosquitoes: Leco Fogging Machine

2742. Mr LAURANCE, to the Minister for Health:

- (1) How many local authorities in the north of the State (i.e. above the 26th parallel) have a Leco fogging-machine or similar apparatus for the control of mosquitoes?
- (2) Would he name the shires that do have this equipment?

Mr HODGE replied:

- (1) and (2) None, but a number of local authorities in the north of the State have access to a Leco ULV fogging machine owned by the Public Health Department. A 50 per cent subsidy has been offered to the Shires of Broome and Halls Creek if they wish to purchase such a machine.

FUEL AND ENERGY: GAS

Appliances: Installation

2743. Mr COURT, to the Minister for Minerals and Energy:

- (1) Does the State Energy Commission provide a service to install new gas appliances?

- (2) If "Yes", is this service provided at commercial rates?

Mr PARKER replied:

- (1) Yes.
- (2) Yes.

LOCAL GOVERNMENT: CARNARVON SHIRE COUNCIL

Inquiry: Legality

2744. Mr LAURANCE, to the Minister for Health:

- (1) Was the Commissioner of Public Health advised that the Report of the Inquiry into Public Health in the Shire of Carnarvon was "legally suspect" as claimed by the former Shire President, Mr R. Fidock, in his reply to the Public Health Department Report?
- (2) Is it a fact that Mr Fidock's solicitors advised the Commissioner for Public Health that if the report was publicly released in the form that had been suggested in Press reports then legal redress would be sought on Mr Fidock's behalf?
- (3) Did the Commissioner for Public Health seek a Crown Law opinion on the legality of the inquiry report?
- (4) As a result of advice received did the Commissioner for Public Health seek, through him, to have the report released in the State Parliament in order to seek privilege for its contents?
- (5) Will he table a copy of any advice received from Crown Law on this matter?
- (6) If "No" to (5), why not?

Mr HODGE replied:

- (1) to (3) No.
- (4) Yes.
- (5) No.
- (6) There was only an informal discussion by telephone between the commissioner and the Crown Law Department.

LOCAL GOVERNMENT: CARNARVON SHIRE COUNCIL

Inquiry: Legality

2745. Mr LAURANCE, to the Minister for Local Government:

- (1) Was he aware of any advice from the Crown Law Department regarding the

legality of the Report of the Inquiry into Public Health in the Shire of Carnarvon?

- (2) Did he sight that advice prior to the sacking of the Carnarvon Shire Council?
- (3) What was the nature of the advice from the Crown Law Department?

Mr CARR replied:

- (1) I understand that representatives of the Public Health Department had informal discussions with an officer of the Crown Law Department.
- (2) No.
- (3) This matter falls within the province of the Minister for Health.

HEALTH

Pharmaceutical products: Manufacture

2746. Mr PETER JONES, to the Minister for Health:

- (1) Is he aware of the significant reduction in Australian-based pharmaceutical manufacturing?
- (2) Is he also aware of the effect upon manufacturing which Federal Government pricing decisions announced in 1983 have had upon pharmaceutical manufacturing in Australia?
- (3) As the Federal Government has now foreshadowed a further price reduction under the pharmaceutical benefits scheme, what representations has he or the State Government made to ensure that pharmaceutical manufacturing does not further deteriorate within Australia and that the Federal Government's pricing policies will not restrict the availability of essential pharmaceutical products?

Mr HODGE replied:

- (1) to (3) With one minor exception pharmaceutical benefit items are not manufactured in Western Australia, and I have no information nor have I received any representations on this matter. I have no reason to believe the Federal Government's pricing policies will restrict the availability of essential pharmaceutical products.

FUEL AND ENERGY

State Energy Commission: Construction and Workshops Group

2747. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Relating to the construction and workshops group within the State Energy Commission does the State Energy Commission have definite agreements with the relevant unions regarding the works which must be undertaken by this group and work which could be committed to private contractors?
- (2) Is there any redundancy agreement with the unions which would allow a reduction in the works undertaken by the construction and workshops group and which would permit an increase in the work being offered to local contractors on a sub-contract basis?

Mr PARKER replied:

- (1) The commission has entered into some agreements with relevant unions in regard to the work which will be carried out by the construction and workshop group in the future.
- (2) No.

FUEL AND ENERGY: ELECTRICITY AND GAS

Charges: Commercial and Industrial

2748. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to energy tariffs for domestic and industrial customers, is consideration currently being given by the State Energy Commission to the level at which tariffs will be set for industrial and commercial customers from 1 July 1984?
- (2) By what method is the recommended percentage increase being assessed?
- (3) When will the current review of tariff structure and method of establishing tariffs be completed?
- (4) Is it anticipated that some industrial energy customers will experience energy cost increases of the same magnitude as those implemented in 1983?

Mr PARKER replied:

- (1) Yes. However, the commission recommendations will be subject to consideration by the Government.

- (2) To cover costs of supply.
- (3) It is intended that the committee of inquiry into electricity and gas tariffs will complete an interim report by the end of April 1984 and a final report by the end of December 1984.
- (4) The proposed recommendations for 1984-85 tariff levels have yet to be finalized by the SEC and have not been considered by the Government.

MINING: DIAMONDS

Stockpile

2749. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) In view of the Government's equity involvement in the Argyle Diamond Venture, what is the present estimated value of rough diamond stocks held by the de Beers organisation?
- (2) Is the international diamond stockpile expected to increase during calendar year 1984?
- (3) By what margin did international diamond sales during calendar year 1983 exceed value of total sales for calendar year 1980?

Mr PARKER replied:

- (1) De Beers have reported that their diamond stocks were valued at R2 254 million or \$US1 857 million. (R = South African Rand)
- (2) It has been reported that "it is possible that De Beers may be able to make some sales from its stockpile in 1984".
- (3) Sales in 1983 were reported as Rand 1 771 million (\$US1 599 million); sales for 1980 were Rand 2 142 million (\$US2 723 million).

FUEL AND ENERGY

State Energy Commission: Membership

2750. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to membership of the State Energy Commission, who are the present members of the Commission?
- (2) On what date does their current term of appointment expire?
- (3) Is there presently a vacancy on the Board of Commissioners?

- (4) If so, when is it anticipated that an appointment would be made in order to fill any vacancy?

Mr PARKER replied:

- (1) Mr J. B. Kirkwood, Commissioner and Chief Executive Officer
Mr M. C. Kingsmill, Deputy Commissioner
Mr S. L. G. Morgan, Associate Commissioner
Mr R. E. Blanckensee, Associate Commissioner.
- (2) July 1989
permanent commission employee
July 1985
July 1985.
- (3) Yes.
- (4) The Government is at present giving consideration to this matter and the appointment of an additional associate commissioner to fill the present vacancy is expected to be made within the next few weeks.

WATER RESOURCES: UNDERGROUND

Ground Water: Collie Basin

2751. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) What testing of ground water reserves has State Energy Commission and/or the Public Works Department been undertaking within the Collie Basin?
- (2) Is it now considered that the Collie Basin contains ample subterranean water reserves suitable for use as cooling water in coal-fired power stations?
- (3) What environmental studies have been undertaken to assess the environmental impact of increased discharges within the Collie Basin of power station cooling water?

Mr PARKER replied:

- (1) The investigation of the ground water resources of the Collie Basin was undertaken by consultants engaged jointly by the Public Works Department and the State Energy Commission. The results of the investigation were reviewed and accepted by the Public Works Department and the commission in 1982-83, and the Public Works Department gave approval for the use of ground water for a new power station in November 1983.
- (2) Yes.

- (3) Following the Government's decision to relocate the new coal-fired power station from Bunbury to the Collie Basin, detailed investigation of siting and of environmental effects of the new power station have commenced. The new power station will be the subject of a full environmental review and management programme to be submitted to the Department of Conservation and Environment for public review and consideration by the Environmental Protection Authority.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Stanford Research Institute Report: Implementation

2752. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the report and recommendations received from the Stanford Research Institute, is any consideration being given to implementing any or all of the recommendations contained within the report?
- (2) Is the report being considered by officers of the State Energy Commission and elsewhere within Government?
- (3) If so, which personnel within the State Energy Commission and elsewhere within Government are considering the report?
- (4) When is it anticipated that the Government will make any decisions relating to the recommendations of the Stanford Research Institute relating to future energy planning and management within Western Australia?

Mr PARKER replied:

- (1) to (4) The SRI report is still under consideration by the Government. The recommendations in the report are being taken into account in the establishment and structuring of the new portfolio of Minerals and Energy which was announced by the Premier late in 1983.

FUEL AND ENERGY

State Energy Commission: Overtime

2753. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the current financial year, what is the cost estimate of overtime which will apply within the State Energy Commission personnel in the:
 - (a) metropolitan;
 - (b) non-metropolitan, regions for the current financial year?
- (2) Is it anticipated that the actual amount paid in overtime will be:
 - (a) more than;
 - (b) less than;
 the Budget estimate?

Mr PARKER replied:

- (1) The commission expects the total cost of overtime in 1983-84 to be \$10.3 million. It is not possible to accurately split the amount between metropolitan and non-metropolitan regions. The commission is carefully keeping its permanent staff members at a level which can be sustained as major capital works decline.
- (2) The amount which will actually be paid in overtime is currently expected to be about the same as the Budget estimate.

TAXATION

Resources Development

2754. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the Federal Government's proposed resources rent tax, is the State Government continuing further discussions with the Federal Government in order to oppose the introduction of such a tax?
- (2) What is the estimated directly collected revenue loss to Western Australia should the tax be introduced on off-shore production from 1 July 1984?
- (3) Does the State Government support the introduction of a resources rent tax to apply to offshore oil and gas production?
- (4) Does the State Government acknowledge that Western Australia will be both administratively and financially jeopardised should a resources rent tax be

introduced on the basis proposed by the Federal Government?

- (5) Is he continuing to firmly oppose the proposed resources rent tax as did his predecessor who publicly indicated his and the State Government's firm opposition to any such proposals?

Mr PARKER replied:

- (1) The State Government has discussed the resources rent tax proposals with the Federal Government on a number of occasions. The State has vigorously opposed any taxation arrangement that would interfere with the State's rights. The Commonwealth is now proposing to confine the resources rent tax to offshore petroleum which is owned by the Commonwealth. Further discussions regarding an offshore resources rent tax await receipt of specific proposals from the Commonwealth.
- (2) In the event that a resources rent tax is introduced on offshore petroleum from 1 July 1984, the State Government has insisted that revenue accruing to the State will be no less than anticipated under the previous offshore royalty arrangements.
- (3) The State Government has expressed reservations about a number of aspects of the Commonwealth's resources rent tax proposals. In particular, concern has been expressed about the practicality of properly designing a system by the target date of 1 July 1984. In addition, the State has argued strongly that it will oppose any system that has serious adverse effects on exploration incentives in the long term. However, until firm details of the Commonwealth proposals are available, it will not be possible to formulate a final State position.
- (4) In discussions with the Commonwealth Government the State has insisted that it should not be either administratively or financially jeopardised by the introduction of a resources rent tax. Nevertheless, it is not possible to assess the precise administrative and financial impact until detailed resources rent tax proposals are available.
- (5) While the State has opposed any Commonwealth tax arrangement that interferes with the State's ability to collect royalty revenue, it has consistently stated that it is prepared to enter into

constructive discussions with the Commonwealth regarding offshore resources rent tax arrangements.

EMPLOYMENT AND UNEMPLOYMENT

Community Employment Programme: Committee

2755. Mr PETER JONES, to the Minister representing the Minister for Employment and Training:

- (1) With regard to the community employment programme for which funds are being distributed, what is the membership of the committee which makes recommendations relating to the distribution of funds?
- (2) What proportion of applications received are currently not being recommended to receive funding?
- (3) Has the present Minister or his predecessor ever failed to approve recommendations coming forward from the committee?
- (4) Has either the Minister or his predecessor ever approved funds being made available without having received a direct recommendation from the committee?

Mr PARKER replied:

- (1) Mr E. C. Wood—Department of Employment and Training (Chairman)
 Dr J. C. Wood—Department of Employment and Training
 Mrs A. Evans—Commonwealth Department of Employment and Industrial Relations
 Mr W. S. Latter—Trades and Labor Council of Western Australia
 Mr K. Simpson—The Confederation of Western Australian Industry (Inc.)
 Cr H. G. Park—Shire of Swan representing the Association of Local Government
 Mrs M. Henning—The Country Women's Association of Western Australia
 Ms H. Stewart—Equal Opportunities Resource Centre
 Ms A. Sinclair—Western Australian Council of Social Service
 Mr R. Steven—Youth Affairs Council
 Ms H. Cattalini—Ethnic Communities Council of Western Australia
 Mr J. Morrison—National Aboriginal Conference.

- (2) It is not possible to provide a specific answer as the number of applications being received fluctuates markedly each day; but of the total applications considered by the committee, only a very small number are not being recommended to receive funding.
- (3) Yes.
- (4) No.

SOIL CONSERVATION

Advisory Committee: Membership

2756. Mr BLAIKIE, to the Minister for Agriculture:

- (1) Who are the members of the Soil Conservation Advisory Committee?
- (2) When were they appointed?
- (3) What is their term of office?
- (4) What area of responsibility do they represent?

Mr EVANS replied:

- (1) and (4) Dr G. A. Robertson—Commissioner of Soil Conservation, *ex officio*

Dr M. D. Carroll—Department of Agriculture

Mr F. J. Campbell—Public Service—Forests Department

Mr K. C. Webster—Public Service—Public Works Department

Dr M. J. Mulcahy—Public Service—Department of Conservation and Environment

Mr E. G. McCarthy—Country Shire Councils Association

Mr W. K. Meier—Primary Industry Association

Mr R. E. Y. O'Connor—Pastoralists and Graziers Association

Mr O. E. Butcher (Chairman)—Farmer

Mr H. J. Henderson—Farmer.

- (2) 1 October 1982; Dr Carroll re-appointed 1 October 1983.
- (3) Dr Robertson—*ex officio*
 Dr Carroll—1 year and then 5 years
 Mr Campbell—3 years
 Mr Webster—4 years
 Dr Mulcahy—2 years
 Mr McCarthy—2 years
 Mr Meier—4 years
 Mr O'Connor—3 years
 Mr Butcher—5 years
 Mr Henderson—5 years

SOIL CONSERVATION

Districts: Number

2757. Mr BLAIKIE, to the Minister for Agriculture:

- (1) How many soil conservation districts have been formed in this State?
- (2) What areas of the State are covered by the district committees?

Mr EVANS replied:

- (1) (a) 4 established with district committees appointed;
 (b) 4 established—district committees being appointed;
 (c) 7 being established;
 (d) 5 other shires or groups have requested districts.
- (2) District committees have been appointed for Yilgarn, Gingin, and Jerramungup (whole shires) and East Perenjori. Other districts established or being established range from Derby-West Kimberley to Boyup Brook and Katanning, with a concentration in the central wheatbelt shires.

TOWN PLANNING

Committee of Inquiry into Statutory Planning: Membership

2758. Mr BLAIKIE, to the Minister representing the Minister for Planning:

- (1) Who are the members of the Committee of Inquiry into Statutory Planning in Western Australia?
- (2) When were they appointed and what are their particular interest areas?
- (3) When is it expected the committee will complete its inquiry?

Mr PARKER replied:

- (1) and (2) The committee members are:
 - (a) Mr Laurie O'Meara (Chairman)—background in State and local government administration and private business;
 - (b) Mr David Gray—local government planner;
 - (c) Mr Bill Burrell—private planning consultant;
 - (d) Mr Peter Solomon—representative of the development industry.

Members were advised of their appointment on 21 November 1983.

- (3) Some time within the next six to twelve months.

AUSTMARK INTERNATIONAL LTD.

Backing

2759. Mr BLAIKIE, to the Minister for Regional Development and the North West:

Does the Austmark International Ltd. company have German or other national finance backing, and if so, has the Federal Government with its foreign investment policy approved the Austmark Bunbury and proposed Scarborough projects and with what equity conditions and on what date?

Mr GRILL replied:

Yes. However, this does not in itself mean that Foreign Investment Review Board approval is required.

The company would be aware of its obligations in such matters and of the importance of the Bunbury project, which should not be unnecessarily impeded.

GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES

Bunbury Building

2760. Mr BLAIKIE, to the Minister for Regional Development and the North West:

- (1) With the local announcement that Austmark International Ltd. has let a demolition contract for its planned Victoria Street, Bunbury office tower motel complex, how many:

- (a) State public officers;
(b) Commonwealth public officers,

are expected to be housed in the completed building?

- (2) What departments and Government agencies are to be transferred in whole or part to Bunbury following the building's availability?

- (3) How many floors and what is the square footage that will be required by the Government to meet its planned requirements, at what cost per square and for what length of time?

Mr GRILL replied:

- (1) to (3) Not yet fully determined. The matter is the subject of ongoing planning.

BEEKEEPING

Apiary Sites

2761. Mr BLAIKIE, to the Minister for Forests:

- (1) What has been the annual number of apiary sites provided by the Forests Department in each year since 1980?
(2) What has been the—
(a) cost per site;
(b) yearly return,
in each of the above years?

Mr BRIAN BURKE replied:

- (1) The number of apiary sites licensed each financial year by the Forests Department was as follows:

1979-80—2 379
1980-81—2 320
1981-82—2 275
1982-83—2 176
1983-84—2 214 to date.

- (2) (a) \$10 per site at 30 June 1980
\$20 per site at 30 June 1981
\$24 per site at 30 June 1982.
\$27 per site at 30 June 1983
\$30 per site from 1 September 1983.

- (b) 1979-80—\$24 000 approximately
1980-81—\$46 000 approximately
1981-82—\$55 000 approximately
1982-83—\$59 000 approximately
1983-84—\$50 000 approximately to date.

2762. *This question was postponed.*

HOUSING

Land: Busselton

2763. Mr BLAIKIE, to the Minister for Housing:

- (1) What was the number of State Housing Commission lots available for sale at Mill Road, Busselton?
(2) What was the reserve price on the lots and what lots are still to be sold?
(3) What is the expected total return of all lots?

Mr WILSON replied:

- (1) 26 lots offered at auction.
- (2) The reserve prices ranged between \$16 000 and \$52 500. There are 7 lots unsold—Lots 75, 85, 86, 87, 88, 89, 90.
- (3) Estimated gross proceeds, \$744 500.

PASTORAL INDUSTRY

Board: Membership

2764. Mr BLAIKIE, to the Minister for Lands and Surveys:

Who are the members of the Pastoral Industry Board and—

- (a) what is their term of office;
- (b) what interest area do they represent;
- (c) when were they appointed?

Mr McIVER replied:

MEMBER	TERM OF OFFICE	REPRESENTING	DATE APPOINTED
B. G. JENNINGS (Chairman)	3 years	Wide Experience in rural finance	1 February 1983
N. J. HALSE	Appointed by virtue of office of Director of Agriculture	Department of Agriculture	
* D. R. FITZGERALD	3 years	Pastoral Industry	23 February 1981
* R. H. NORTHCOTT	3 years	Pastoral Industry	23 February 1981
* W. G. HENDERSON	3 years	Surveyor General	23 February 1981
* S. J. TONKIN	Deputy and concurrent term with D. R. Fitzgerald	Pastoral Industry	21 January 1983
* D. J. MASLIN	Deputy and concurrent term with R. H. Northcott	Pastoral Industry	21 January 1983

* Appointment expired 23 February 1984.

Filling of vacant position under current consideration.

QUESTIONS WITHOUT NOTICE

HOMOSEXUAL ACTIVITIES

Legislation: Age of Consent

668. Mr HASSELL, to the Premier:

- (1) Does the Premier remember on an ABC television programme last night, in response to several questions from Mr Jerry Maher, vigorously denying that there was conflict and bitterness in the ALP over the different decisions of the Caucus on the question of lowering the age of consent for homosexual acts from 18 to 16?
- (2) How does that vigorous denial by him stand up to the headline and story in today's *The West Australian* which was, "They're gutless, says Beahan" and which goes on to say that the State Secretary of the ALP, Mr Beahan, "said yesterday that the outcome of the Caucus meeting was lily-livered and gutless"? It seems there is a substantial difference between what Mr Beahan said and what the Premier said was the true position and I ask the Premier how he reconciles the two accounts.

Mr BRIAN BURKE replied:

- (1) and (2) I am afraid that once again the Leader of the Opposition is inaccurate in his recounting of a situation.

Mr Hassell: I have the transcript. If you want me to table it, I will do so.

Mr BRIAN BURKE: Table the transcript. Pass it over to me now.

Mr Hassell: It is on the table; have a look at it.

Mr BRIAN BURKE: My understanding of the situation is that Mr Maher asked me about the attitude of Cabinet Ministers towards the request by the State executive to review the age of consent in respect of this legislation and he indicated to me that he had information that there was some resentment on the part of Cabinet Ministers about the request that had been made by the State executive. To the best of my recollection, I said to him, "That is not true". Mr Maher then asked me another question which indicated he had based his first question on some information he had received, which subsequently, he confirmed, came from other than a Cabinet Minister. I indicated to him that there still was no resentment on the part of the Cabinet in its attitude—

Mr Hassell: There were other questions and answers.

Mr BRIAN BURKE: —towards the request by the State executive. However, in any case, I can say quite honestly that I had not spoken to Mr Beahan and had not indicated to him—

Mr MacKinnon: Read the part which says that we are going to have a “healthy debate”.

Mr BRIAN BURKE: I am pleased to have the transcript in my hands, because I shall read it so that we can see what the Leader of the Opposition is getting at.

Mr Hassell: You will have to read through all of it.

Mr BRIAN BURKE: We will nail this once and for all. Members opposite have heard what I have had to say. I intend to read what the Leader of the Opposition based his question on.

Mr Hassell: You misrepresented the position as you so often do.

Mr BRIAN BURKE: Here it is; I shall read from the transcript and we shall see who is telling the truth.

Mr Hassell: I asked you a question.

Mr BRIAN BURKE: The transcript reads as follows—

MR JERRY MAHER: Caucus decided today that the age of consent for homosexuals will remain at 18, as originally proposed. But as a kind of a square-off to the State Executive the matter has been referred to a special committee that is looking at the law relating to rape and sexual assault. It is possible that this could result in the age of consent for homosexuals being reduced to 16 at some later date. Today's decision is expected to take the heat out of the argument and head off any possible clash with the State Executive that could be embarrassing to the Government.

Mr Hassell: Does that take the heat out of the argument?

Mr BRIAN BURKE: I am reading what was reported.

Mr Hassell: You did not deny what was reported.

Mr BRIAN BURKE: If the Leader of the Opposition wants to ask a question and base it on a transcript which he has

handed to me, why is he frightened of my reading the transcript?

Mr Hassell: Well, read it then.

Mr BRIAN BURKE: I will, if the Leader of the Opposition stops interjecting. He is frightened of hearing the basis of his question.

Several members interjected.

Mr BRIAN BURKE: To continue—

I asked the Premier, Mr Burke, for the reasoning behind the Government's decision to leave the age of consent at 18.

MR BURKE: Well, the decision acknowledges the sense made in the criticism of the decision by the State Executive of the Labor Party. That is, there is some inconsistency in an age of consent at 16 for heterosexual activities and 18 for homosexual activities. However, acknowledging the importance and the creditability of that criticism, it was thought appropriate to defer any change to our proposal until after it had been looked at very closely.

MR JERRY MAHER: Well, it seems the Government has been working very hard to defuse this issue in the interests of Party solidarity. Would that be right?

MR BURKE: No, I'm not aware that anyone has been working hard to defuse the issue.

This is me speaking.

Mr Hassell: We know that.

Mr BRIAN BURKE: I do not want to presume as to the ability of anyone on the other side of the House.

Opposition members interjected.

Mr BRIAN BURKE: If members opposite cannot ask questions which serve their own interests and not our interests, we will cut out question time, because they embarrass themselves; but I am doing something for the Leader of the Opposition. To continue—

As far as I'm personally concerned I've not even contacted the State Secretary about it.

Mr Hassell: That is apparent from what he said.

Mr BRIAN BURKE: It is the Leader of the Opposition's question that I am answering. To continue—

However, to presume that there's going to be some explosion about the decision is to, I think, indicate a belief about the naivety of the Labor Party that simply doesn't exist and isn't substantiated.

Mr Hassell: Is that piece accurate?

Mr BRIAN BURKE: Yes it is.

Mr Hassell: After that?

Mr BRIAN BURKE: I am simply reading what I said here.

Mr Hassell: I know that, but is it accurate?

Mr BRIAN BURKE: The Leader of the Opposition asked me about a rift within the Labor Party and I am simply telling him what I said and what I say again in response to the question.

Mr Hassell: I know what you said.

Mr BRIAN BURKE: To continue—

There has been a point of view expressed by the State Executive of the Labor Party and there's no gainsaying the fact that the Executive is the supreme body between Conferences within the Labor Party. You know that, I know it, and so does the public. But if you don't think, or if you believe that we can't have a debate on a reasonably intelligent plane about a relatively important matter, then I can assure you that we can.

Mr JERRY MAHER: But I understand the Cabinet was very angry about the Executive taking the Government on publicly on this issue.

MR BURKE: That's not true.

Mr JERRY MAHER: Well, I'm told by Members of your Party that that is true.

MR BURKE: Well I was at the Cabinet Meeting that discussed the matter—that didn't vote on it—but discussed it and there was no anger whatsoever, so privately someone might have said "I'm angry", but I can tell you that at the Cabinet Meeting which was held yesterday when the matter was raised there was no anger whatsoever.

The Leader of the Opposition asked me how I could reconcile that interview with the comments that Mr Beahan made, presumably some time after that interview was given. It is quite clear.

Mr Hassell: Why do you presume that?

Mr BRIAN BURKE: I was not aware of the comments. I presume that, had they been made, the reporter would have said to me, "Mr Beahan said this, this, and this". However, let us have it the Leader of the Opposition's way: Mr Beahan made comments one second after the Caucus decision was made; he could not have made them any sooner than that. The Leader of the Opposition asked me how I reconciled my reply to the questions asked by Mr Maher with what Mr Beahan had to say one second after the Caucus decision had been made.

Quite simply, I had no knowledge that Mr Beahan had made the statements and so the Leader of the Opposition's claim not by implication, but quite explicitly, that I had told lies in this interview is absolutely unsubstantiated.

Mr Hassell: I didn't say that. How is your rational debate going?

Mr BRIAN BURKE: The purpose of the question was to take me to task for untrue answers that I was supposed to have given to a television interviewer's questions. As far as I am concerned, the answers were perfectly true. That is borne out by the interview that I have read, thanks to the transcript provided to me by the Leader of the Opposition.

But more importantly than that, where does the Opposition stand on this matter? That really is the question. Members opposite can shillyshally around all day. We have a Leader of the Opposition who, in 1977 I think it was—or perhaps in 1979—voted to support the legislation that we are introducing. After having said at that time that he was voting to support the change in the law simply because it was not being enforced, and knowing as he does that there has been no change in the level of enforcement, he says that he now intends to refuse to maintain the position he took previously. The truth is that he lacks the fortitude, the intelligence, and the consistency to sup-

port a position he said he previously found acceptable.

founded fear and uncertainty throughout the community.

EMPLOYMENT AND UNEMPLOYMENT

Medical Insurance Funds: Retrenchments

669. Mr BURKETT, to the Premier:

In view of the claims made by members of the Opposition that hundreds of WA health insurance fund employees would be unemployed because of the introduction of Medicare, has the Government been monitoring the situation and, if so, what action has been taken to assist with employment problems?

Mr BRIAN BURKE replied:

Typically, the claims made by members opposite were unsubstantiated when they were made and have been proved by experience to be incorrect.

Let me quote the example of the State's biggest health insurance fund, the Hospital Benefit Fund of WA. The fund expected that 160 staff members could not be retained after 1 April. Seeing the potential employment problem that could result, a senior officer of my department first held talks with the HBF early in November. There has been continuing contact since that time.

The situation is that, as of today, all but 15 of the 160 staff members have found alternative employment. The Government has appointed an officer of the Public Service Board and an officer of the Department of Hospital and Allied Services to co-ordinate efforts to find alternative employment for the remaining staff members. If efforts to find some suitable form of State Government employment are unsuccessful, officers of the Department of Employment and Training will then take up their cases. In the meantime, HBF is keeping these staff members on the payroll.

These facts and figures demonstrate how little notice should be taken of the scare-mongering that has been pursued by members opposite since the electorate so resoundingly consigned them to that side of the Chamber. Having now had a year in Opposition, the time is overdue for them to begin to conduct themselves in a more sober, temperate, and responsible manner rather than be spreading ill-

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL

Effect on Housing Industry

670. Mr MacKINNON, to the Minister for Housing:

- (1) Has he, his department, or his advisers carried out an investigation to ascertain the effects on State Housing Commission building costs that the proposed amendments to the industrial relations Act will have?
- (2) Is it true that the investigation showed that State Housing Commission building costs would rise by between 14 and 15 per cent should the legislation become effective?
- (3) If not, what did the report indicate that the increase in building costs would be?

Mr WILSON replied:

- (1) to (3) There has been some investigation, as was indicated in a response to a question on notice today. The situation with regard to any estimates of cost increases allegedly due to the changes referred to in the question are subject to such serious qualifications as to make them meaningless.

APPRENTICES

Number and Standard: Decline

671. Mr GORDON HILL, to the Premier:

What initiatives has the State Government pursued in an endeavour to arrest the decline in the status, standard, and level of industrial trade training in Western Australia?

Mr BRIAN BURKE replied:

This is a very important matter and I do not think it is political, so perhaps members of the Opposition will be interested in the answer.

The State Government has been concerned that in the past there has not been sufficient promotion and development of industrial trade training in Western Australia. In recognition of the vital role training issues are likely to play in the State's future development, a separate ministerial portfolio and De-

partment of Employment and Training have been created.

Draft legislation is currently being prepared to rationalise and make more effective the administrative arrangements regarding the State's industrial training system.

As a means of overcoming the decline in the number of apprentices in training, the Government has appointed a projects officer in the Department of Employment and Training who will be responsible for promoting the establishment of group apprenticeship schemes in industries where scope exists for additional apprenticeship opportunities.

Group schemes enable employers who could not normally indenture an apprentice for three or four years to hire and train an apprentice for relatively short periods of three to 12 months depending on their circumstances.

The Government has also allocated funds to enable the creation of a further projects officer position. This officer will be responsible for encouraging and promoting greater participation of women in industrial training.

Approximately 10 per cent of the State's work force consists of females, and when it is noted that around 80 per cent of these are employed in the traditional area of ladies hairdressing it can be seen that there is a major problem which needs to be addressed.

Clearly WA employers have been hesitant to indenture young women in trades which have been traditionally the realm of young men.

The State Government believes that equal opportunities should exist for both males and females and that the State's industries are failing to tap into an important human resource by not employing and training our young women.

The Government has also been concerned at the low level of status afforded the apprenticeship trades by the community generally, and it therefore saw "Work Skill Australia" as a perfect opportunity to support a project which is a practical response to the urgent need to raise skill standards and enhance the status of trade skills.

"Work Skill Australia" is a national programme of skill competitions for young tradespeople. Regional competitions are conducted in major centres throughout Australia, with winners in each trade category competing in a national competition. The winners in the national event are sent overseas to compete in the "Biannual International Skill Olympics", which involves some 18 European and Asian countries.

Mr MacKinnon: This was in the newspaper about two weeks ago.

Mr BRIAN BURKE: But I think it is very worthwhile.

Mr MacKinnon: We have all read it before.

Mr Thompson: It is an absolute abuse of question time.

Mr BRIAN BURKE: I would not have thought so.

Australia competed in these international competitions, for the first time, in Austria last year. Our team of competitors performed creditably; however, on overall averages they ranked only in the middle of the field, a clear indication that there is considerable scope for improvement of the standard of skills in Australia's work force.

The State Government considers that "Work Skill Australia" is worthy of strong support and has been providing administrative and secretarial assistance in the running of regional competitions in Western Australia.

GAMBLING: CASINO

Burswood Island: Mallina Holdings Ltd. and TNT

672. Mr GRAYDEN, to the Premier:

In view of the fact that some people are apparently profiting by claiming to have inside knowledge of Government plans for the establishment of a casino in the metropolitan area, will he either confirm or deny assertions which have been circulating for the past six months that a casino complex is to be constructed on Burswood Island and that a commitment of some kind in respect of the project has been given to an organisation in which TNT and one or more principals of Mallina Holdings Ltd. are involved?

Mr BRIAN BURKE replied:

I thank the member for some short notice of his question. In reply to a similar question last evening and in reply by way of interjection to a question from the member for Kalamunda today, I indicated that the Government was in the process of making a series of decisions about this matter. The Government expects and hopes to be able to make an announcement, probably within the next two or three days, that will clarify the points raised in the questions. Some points will not be clarified because the Government has no knowledge of some of the matters touched on in the question asked. It is not my intention to reveal any one of the number of decisions that need to be made in this matter until all those decisions have been made. However, it is not restricted to just this particular matter, but in all cases there are people who look not so attractive as they might had they avoided ending the day with egg on their faces. I will say no more than that because it is not appropriate for decisions which have not been finalised to be prematurely released. But I repeat: Egg on the faces of some people is not the responsibility of the Government.

ELECTORAL

Provinces: Assembly Districts

673. Mrs BEGGS, to the Minister for Parliamentary and Electoral Reform:

Why do some metropolitan Council provinces contain four Assembly districts while others contain five?

Mr TONKIN replied:

People who have yet to be identified in the Liberal Party helped the previous Government to allocate 30 Assembly districts to the metropolitan area but only seven Council provinces. The two numbers of 30 and seven obviously prevented the establishment of metropolitan provinces with equal enrolments. This process was carried out secretly, without consultation with other parties in Parliament and without any attempt by the Liberal Party to seek or obtain consensus. The Liberal Party disregarded the protests of the ALP opposition at that time and agreed to give the Electoral commissioners instructions to create some metropolitan provinces with four

and others with five districts. This is inconsistent because for the Assembly, the Electoral Districts Act requires the enrolment of each metropolitan district to be within plus or minus 10 per cent of the metropolitan quota. What a contrast we see in the enrolments of the metropolitan provinces where the highest enrolment exceeds + 15 per cent and the lowest enrolment is more than 15 per cent below the average metropolitan province enrolment. In fact the variations from the average among metropolitan province enrolments are greater than those that are permitted by the Electoral Districts Act for districts in the agricultural, mining, and pastoral area.

Mr Laurance: You are stupid to use question time in this way.

Mr TONKIN: The highest metropolitan province—

Mr MacKinnon: You cannot take the test.

Mr TONKIN: —enrolment is more than 26 000 electors above the lowest. The same people, the same metropolitan electors are treated differently by the different arrangements which apply in the two Houses of Parliament.

When inconsistencies can be seen in enrolments, even within the metropolitan area, it is clear that the present electoral arrangements in this State have been made without adherence to any proper principle of electoral distribution. The inconsistency and unfairness of allocating different numbers of districts to different provinces clarifies the central fault in the WA electoral system which is the fault of allocating some people less representation in Parliament than others.

TRANSPORT: TAXIS

Control Board: Election

674. Mr LAURANCE, to the Minister for Parliamentary and Electoral Reform:

As the Minister for Transport is not present—

Mr Clarko: You are not the only one. I have been waiting two days to do that.

Mr LAURANCE: I can assume only that it is an additional indication of the Government's abuse of question time.

Mr Tonkin: Don't be stupid. As Minister, were you ever absent?

The SPEAKER: Order!

Mr Evans: Tell us where he is.

The SPEAKER: If he is not here, the member can address his question without notice to a Minister who is present.

Mr Tonkin: Petulant child!

Mr LAURANCE: In the absence of the Minister for Transport, I will direct my question to the Minister responsible for the Electoral Department. I ask—

Has the Minister for Transport or his colleagues referred to the CIB allegations of malpractice in the conduct of the recent election to appoint members to the Taxi Control Board?

Mr TONKIN replied:

I do not intend to answer a question from a member who does not even have the courtesy to give the Minister his proper title.

Government members: Hear, hear!

STATE FINANCE: FINANCIAL INSTITUTIONS DUTY

Money Market Activity: Shift

675. Mr COURT, to the Premier:

Has there been a shift of money market activity from Western Australia to other States since the introduction of the financial institutions duty, or is it, as the Deputy Premier says, a myth?

Mr Clarko: He has just given you an answer. What did you tell him?

Mr BRIAN BURKE replied:

I am sure that the member for Nedlands is quite genuine in his question and I can say only that the figures that we have received for the first two months for collections from the financial institutions duty exceeded only slightly the anticipated collections on which the Budget estimates were framed. So for the first two months, on that basis, it does not appear to be the case that there has been any flight of funds to other States. That is the first thing. The second thing is that—

Mr Court: I didn't say "flight"; I said "a shift".

Mr BRIAN BURKE: On that basis, there does not appear to have been any shift, but there are a number of imponderables and the member for Nedlands would know as well as I do that no statistics are available that define precisely the areas in which money is invested on State by State basis. I would like to give the member the opportunity of allowing him to tell us whether major investors or companies have decided to shift to another State. We have constantly asked for that information, but the member has never come forward with it.

Mr Court: Did you read the Opposition's report on the first three months' operation of FID?

Mr BRIAN BURKE: Yes, and there were no names in that either.

Mr Court: We said we would not name names because one of your Ministers had said that he wanted those companies to be exposed for not supporting the system.

Mr BRIAN BURKE: I understand that. I promise I will not be nasty. Tell me who they are.

Mr Court: Come off it.

Several members interjected.

A member: He is over 18.

Mr Clarko: You said you would put up taxes, too.

Mr MacKinnon: Pinocchio is at it again.

Mr Court: You know the answer. There has been a major shift, and if you had been talking to the major companies which operate in this State, you would know damn well that they have shifted.

Mr Blaikie: Watch that nose of yours!

Mr BRIAN BURKE: Would the member accept my assurance that there will be no punitive or any other type of action? In fact, I doubt that we would even contemplate that sort of thing if the member were to tell us which companies are involved.

Mr Court: I would not trust you.

Mr BRIAN BURKE: The member for Nedlands will not tell us. That is the first part of the answer to the question. It is particularly unhelpful if we do not know whom to talk to, to ask them why they have shifted—if they have—their investment locations. There seems to be

a lot of misunderstanding about this shift of funds. I know of no instances in which investment funds have not been available to those who would seek to borrow for any legitimate purpose.

Mr Court: One can borrow from another State. That's the whole idea of it. The activity shifted to another State. You can see that, surely.

Mr BRIAN BURKE: I would have thought that the criticism was based on the shortage of funds available.

Mr Court: I did not say that. I said the industry had shifted to another State.

Mr BRIAN BURKE: I know what the member for Nedlands said, but I am just pointing out to him that one of the bad effects of any massive shift would be the inability of people to borrow funds here for certain investments.

Mr Court: They can get on the telephone and obtain it from other States.

Mr Blaikie: Ask the solicitors of Brisbane how they are auditing statements these days.

Mr BRIAN BURKE: I can only say again that if that is eliminated as one of the deleterious effects of this tax, then the transfer—I think \$150 million was the amount that the member for Nedlands spoke about, without any substantiation, as having been transferred—of that amount of money amounts to a very small part of the capital market even within this State. It would not seem to me to represent any shift of funds to any significant degree whatsoever, even assuming that everything the member says is correct.

CULTURAL AFFAIRS

Wilfred Priestner Collection

676. Mr BATEMAN, to the Minister for Multicultural and Ethnic Affairs:

Has the Minister given any assistance to the Nedlands City Council to restore the Wilfred Priestner Collection?

Mr DAVIES replied:

I thank the member for some notice of this question. Following discussions with officials and councillors of the Nedlands City Council, seeking advice from a number of quarters, and viewing the col-

lections, I was pleased to forward a grant of \$23 000 to the council in January last. I understand this unique collection of old tools and the original workshops will be restored and relocated on public property near Gallop House.

Mr Wilfred Priestner was a master craftsman working in wrought iron, and this grant will assist in the relocation of the collection to a site where it will be available to the public as part of the heritage of our State.

Mr Bryce: That is taking culture to the people.

GAMBLING: CASINO

Burswood Island: Mallina Holdings Ltd.

677. Mr GRAYDEN, to the Premier:

In view of the fact that in the last few days approximately \$1.5 million in shares in Mallina Holdings Ltd. have changed hands on the strength of a rumour that that company is to be the recipient of a casino licence, will he give consideration to arranging an investigation into the source of the rumour and, if necessary, refer the matter to the Corporate Affairs Office in order that that office might examine the share transfers with the object of ascertaining the ownership of the shares that have changed hands?

Mr BRIAN BURKE replied:

I do not know, apart from having read in the newspaper, the accuracy of what the member has to say. I do know, from reading the same report, that apparently the company to which he refers has said that it is not a party to or an applicant in its own right for any casino licence in this State. So it seems to me that the company to which the member refers has said that it is not an applicant for a casino licence—

Mr Grayden: The chairman of directors, however, is involved.

Mr BRIAN BURKE: I can still say only that as far as that company is concerned, one does not trade shares in a chairman of directors; he trades them in a company.

Mr Grayden: No, but somebody must have started the rumour.

Mr BRIAN BURKE: The member's first question referred to rumours of six

months ago. I do not know of rumours of six months ago but I do know of rumours of two or three months ago that have reported to me faithfully and accurately that any one of nine different applicants have been successful in obtaining the casino licence.

I can only repeat what I said earlier: In the fullness of time it may well be the case that some people will end up with egg on their faces. That is not my fault, and I suspect is not the member's fault.

As far as that company is concerned, I even suspect it is not that company's fault. I would not know.

Mr Grayden: The Corporate Affairs Office checked to whom the shares belonged, and they have changed hands.

Mr BRIAN BURKE: I will consider what the member has to say, although I would be loath to cause inquiries to be made into the transfer of shares in companies on the basis of their getting a licence for which they have not applied. If every time trading of a lot of shares occurs on the stock market I am to instruct the Corporate Affairs Office to inquire into it, I suppose it will be conducting inquiries forever.

Eventually the member may agree there is no reason to carry out such an inquiry.
