

Legislative Assembly

Friday, 4 May 1984

The SPEAKER (Mr Harman) took the Chair at 10.45 a.m., and read prayers.

PORNOGRAPHY AND VIOLENCE

Video Films: Petition

MR OLD (Katanning-Roe) [10.47 a.m.]: I have a petition signed by 75 electors 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, are appalled at the proposed Legislation to relax censorship on the import of Pornography into our country, whether for hire or for sale.

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

I certify that the petition 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. 107.)

WASTE DISPOSAL: DRINK CONTAINERS

Deposit System: Petition

MR HODGE (Melville—Minister for Health) [10.49 a.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 employees of J. Gadsden Pty. Ltd. of Ladner Street, O'Connor, wish to express our strongest opposition to the control of litter, conservation of resources and reduction of waste disposal in Western Australia through the introduction of deposit legislation on containers; particularly drink cans.

Our opposition to legislation of this nature is heightened by the belief that the consequences of it will significantly reduce job opportunities in our industry and contribute to increases in the cost of packaged goods which would not otherwise occur.

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 bears 190 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. 108.)

RAILWAYS: MUSEUM

Bunbury: Petition

MR P. J. SMITH (Bunbury) [10.50 a.m.]: I have a petition couched in the following terms—

To: The Speaker and the Honourable Members of the Legislative Assembly.

The humble petition of we, the undersigned, being residents of Western Australia, request that the State Government provide a suitable site in the Bunbury area, close to the Central Business District, to house a Transport Museum and rolling stock of the Leschenault Railway Preservation Society.

And your petitioners, as in duty bound, forever pray.

This petition bears 322 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. 109.)

PORNOGRAPHY AND VIOLENCE

Video Films: Petition

MR BATEMAN (Canning) [10.51 a.m.]: I present a petition which reads as follows—

To: The Honorable 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 which a visual image 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 con-

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

This petition bears 811 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. 110.)

PORNOGRAPHY AND VIOLENCE

Video Films: Petition

MR GRAYDEN (South Perth) [10.52 a.m.]: I have a petition which is couched in similar terms to that presented by the member for Canning. It contains 263 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. 111.)

SELECT COMMITTEES

Continuation: Motion

MR TONKIN (Morley-Swan—Leader of the House) [10.53 a.m.]: I move—

That unless otherwise ordered, The Select Committee into the Adoption of Children Amendment Bill and the Select Committee into Hardship in the Rural Sector, appointed during this current session of Parliament, be so appointed, without further authority being required than this resolution, for the duration of the Thirty-First Parliament.

Members would be aware that we are moving towards the end of this session of the Parliament, and the Select Committees would die if this motion were not passed. The Government's intention is that the Select Committees continue, and this motion is necessary for that to happen so that for however long this Parliament lasts the committees will be able to carry on with their work.

Question put and passed.

SOUTH WEST DEVELOPMENT AUTHORITY BILL 1984

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Grill (Minister for Regional Development and the North West with special responsibility for "Bunbury 2000") in charge of the Bill.

Clause 1 put and passed.

Clause 2: Commencement—

Mr BLAIKIE: This clause indicates that the Bill will come into operation on the day on which it is assented to by the Governor and that the

various schedules and certain parts of the Bill will come into operation on days that are fixed by proclamation.

An appropriation of about \$300 000 was allocated to this Bill last year. Obviously it is the Government's intention to allocate a further substantial sum of money in this year's Budget for the South West Development Authority.

Can the Minister give the Chamber an indication of when the Government anticipates the Bill will come into operation? The three schedules attached to the Bill are of some importance. The first schedule deals with the local authorities that will make up the South West Development Authority; the second schedule relates to the manner in which the board shall conduct its meetings; and the third schedule relates to the manner in which the advisory committee will conduct its meetings. It will be of interest to the Opposition if the Government will indicate a timetable of when it expects the Act to be proclaimed and when the authority will become operative.

Mr GRILL: If this Bill is passed it should be possible to proclaim it almost immediately.

Mr Blaikie: Would you be proposing to proclaim it all as one?

Mr GRILL: Yes, I think it would be possible.

The CHAIRMAN: Order! There is far too much background conversation.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Establishment of South West Development Authority—

Mr BLAIKIE: In my opening remarks to clause 4 I indicate to the Government that the Opposition wishes to speak to and will be seeking a response from the Minister on many of the clauses. Therefore, I beg your indulgence, Mr Chairman, in order that the proceedings of the Committee are not rushed, which could result in the Opposition's missing the opportunity to speak to those clauses in which it has a particular interest. I emphasise that the Opposition wishes to debate a number of clauses. Had the Minister chosen to answer questions raised by the Opposition in his reply to the second reading debate last night, instead of haranguing the Opposition for the comments it had made, it would not be necessary for the queries to be raised during the committee stage.

Mr Grill: I am more than happy for the Opposition to raise any question it likes, as long as it does not go into lengthy debates on each clause.

Mr BLAIKIE: Clause 4 refers to the establishment of the South West Development Authority.

The CHAIRMAN: It is very difficult for *Hansard* to take down what is happening when conversations are being conducted by members sitting between the speaker and *Hansard*.

Mr BLAICKIE: Last night a number of speakers from this side of the Chamber drew the attention of the Government to the wide-ranging powers that will be granted to the South West Development Authority. Those powers are outlined in clause 4. For instance, I refer to subclause (3) which states that "The authority is an agent of the Crown in right of the State, . . .". That gives the authority limitless powers; it can do anything it wishes as an agent of the Crown and is not subject to review by the Minister. The authority is given that in its own right.

The Minister scoffed at the arguments advanced by members of the Opposition by saying that similar authorities had been set up by previous coalition Governments. He referred to the Joondalup Development Corporation, and the member for Mitchell was vocal in connection with that corporation's having far more power than the South West Development Authority. Both members and the Deputy Premier made great play of how the Industrial Lands Development Authority was set up under a similar framework and was given wide legislative powers.

I challenge the Minister—I hope he is listening—to indicate to the Chamber that the powers given to the South West Development Authority in this clause are wider than the powers given to ILDA and the Joondalup Development Corporation. Neither of these bodies has the same structure and both have far more sobering influences than is proposed for the authority under the provisions of this Bill. Firstly, I refer to the Bill setting up the Joondalup Centre: It relates to an area of land which is very small by comparison with the area covered by the South West Development Authority. The second difference is that the Joondalup Development Corporation is not exempted from the provisions of the Local Government Act, the Metropolitan Region Town Planning Scheme Act, and the Town Planning and Development Act.

The powers of the Joondalup Development Corporation are limited and that is not the case with the South West Development Authority. I could extend that argument much further to demonstrate that the powers given to the corporation are far less than those proposed to be given to the South West Development Authority.

I now refer to the Industrial Lands Development Authority Act; this legislation was brought down on the following basis—

. . . to make further and better provision for railway marshalling yards and services at or near Kewdale, to make provision for the development, under existing law, of lands in the Kewdale and Cloverdale areas for industry, and for incidental and other purposes.

The Act was passed for a specific purpose; that is, for involvement with industry. However, there is a wide difference between the opportunities which can be pursued by ILDA and those which could be pursued by the South West Development Authority.

I again challenge the Minister with regard to the membership of the two bodies. The provisions are vastly different; members of the South West Development Authority are appointed by the Minister, and are a non-elected group.

The CHAIRMAN: Order! The member has already advised me that he intends to speak to a number of clauses. If, in fact, at a later stage, the member intends speaking to the clause relating to membership, I suggest he keep his comments until then. If he is trying to reduce the time of debate and make the point now, I am prepared to accept that.

Mr BLAICKIE: That is what I am attempting to do although it depends on the co-operation of the Minister. You, Mr Chairman, would have been disappointed last night that co-operation from the Minister was not forthcoming.

Membership of the South West Development Authority is not connected with any recognised organisation. There is a vast difference between that authority and ILDA, the membership of which is made up from the following—

[Quorum formed.]

The CHAIRMAN: Order! Members, I welcome your return to the Chamber, but can you keep down the tone of the conversations so that we hear can the member for Vasse?

Mr BLAICKIE: The membership of ILDA includes the Town Planning commissioner, the Under Secretary for Lands, the Director of the Department of Industrial Development, the Secretary of the Industrial Lands Development Authority, a person appointed by the Treasurer, and a person appointed by the Minister from a panel of three names submitted by the Confederation of WA Industry.

Last night members of the Government claimed that the powers given to the Joondalup Development Corporation and ILDA were at least as great as or greater than, and enabled them to do as many things as, the South West Development Authority. However, that is not the case. The South West Development Authority has broken

new ground and has unlimited powers, the like of which we have not seen in this State before.

It would have been of great benefit if the Minister had answered these questions last night. I seek his response to this part of the debate now.

Mr GRILL: While it is correct that in respect of the Joondalup Development Corporation its objects and powers are limited to a smaller geographic area than the South West Development Authority, that is not to say that its powers as exercised under the Act are less.

Mr Blaikie: Do you really believe that?

Mr GRILL: I will explain that in a moment. The South West Development Authority cannot limit itself to a small geographic area; it must have authority for a large portion of the State, as set out in the Bill. That area is prescribed by the various local authority districts mentioned in the Bill.

In the case of the Joondalup centre, the authority has the ability to exercise a very wide range of powers. In fact it is given general powers to function, as long as they are consistent with its objects, which are fairly wide. In addition, it has power to acquire land compulsorily. That is a power which the South West Development Authority simply does not have; so in that respect the Joondalup authority has a very much greater power.

Mr Rushton: Within those boundaries?

Mr GRILL: As I mentioned, these powers apply within a geographical area. The Joondalup authority has a wide right to enter into all forms of contracts. The powers of the South West Development Authority are also limited to its objects, and I do not see that these powers could be reasonably limited to any greater degree. If we had endeavoured to truncate and limit the powers of the South West Development Authority to make it the slave of the bureaucracy in Perth, we would have had howls of protest from the Opposition. I believe we have given it reasonable powers.

One must take into account the fact that at all times it is subject to the direction of the Minister. That is most important, and it is set out in the Bill. In respect of its borrowings it is subject to any limitations prescribed by the Treasurer. In respect of its accounts, it is subject to all of the provisions which would normally apply to a statutory authority, which include auditing by the Auditor General.

I correct the member for Gascoyne who said last night this authority would not have to report to Parliament. In fact, it must report to Parliament, so all the normal safeguards are in place.

I do not really see how one can reasonably truncate the powers of this authority. They are limited in any event by its budget. The authority will not have any powers of compulsory acquisition, and it will have far fewer powers than a company set up under the Companies Act.

Mr Tonkin: They have no powers of acquisition.

Mr GRILL: Although it is a proper point for the member to raise, and he has raised it well, I personally do not see that we could limit the powers of the corporation to any greater degree without fettering unreasonably its operations.

I know that in some ways this may be seen as transgressing on the powers of local authorities, but that is simply not the case. I do not think members opposite can point to a position where they usurp the authority of local government.

Mr BLAIE: I thank the Minister for his response, but it gives me no joy. The difficulty is that it is obvious he has not studied the Joondalup Act and has not related that to the Bill before the Chamber. What we are talking about is the power that the authority will have, and its structure and establishment.

First of all, the Joondalup Development Corporation is not an agent of the Crown, so there is a vast difference.

Mr Grill: That is the position with many statutory authorities. That is not unusual.

Mr BLAIE: The Minister is saying the Joondalup Development Corporation is not different from the South West Development Authority. I am saying we have checked that argument and in fact it does not stand up. The first point is that the Joondalup Corporation is not a servant or agent of the Crown. Any organisation that is an agent or servant of the Crown has a tremendous advantage over any organisation that is not.

Mr Grill: That is a different point from the one you made a few minutes ago.

Mr BLAIE: The Minister raised the point in his comments last night when he dismissed us; he stated that the South West Development Authority will have no more powers than Joondalup.

Mr Grill: I still stand by that.

Mr BLAIE: The Minister is digging his own hole, and he is sinking further into it. First of all, there is no comparison, because Joondalup is not an agent of the Crown. Secondly, the powers of Joondalup are not limited.

What the Minister must understand is that Joondalup is a guarded development scheme. That is a very different matter from the South West Development Authority. Joondalup has limitations on the way in which it can operate. The South

West Development Authority has none of those limitations. There is a vast difference between the two.

I refer to section 30 of the Joondalup Centre Act, which says that without the approval in writing of the Minister, the corporation can not enter into any contract or incur any expenditure in respect of any work, consideration, or cost which exceeds \$50 000, or such sum as may from time to time be determined by the Treasurer. The South West Development Authority will not have that limitation; it can do work to whatever extent it wishes. It does not have to respond to the Minister; it does not have to be involved with the Minister; it does not even have to tell the Minister. The Joondalup Corporation can spend no money exceeding \$50 000 in one project.

The Minister drew the comparison between the two. He said Joondalup was no different from the South West Development Authority, but we say there is a world of difference. This is part and parcel of the reason we advanced arguments and expressed the concern which was put forward in the debates last night.

Could the Minister explain why he decided not to place limitations on the South West Development Authority?

Mr GRILL: It is not right to say no limits are placed on the authority, because the normal safeguards are there. I do not want to go over it again.

Mr Blaikie: You have not even gone over it for the first time.

The CHAIRMAN: Order!

Mr GRILL: I have explained to the member the necessary checks and balances.

Mr Blaikie: You are not explaining the position to me; you are explaining it to the Chamber.

The CHAIRMAN: Order! The member for Vasse will come to order when I call for order. The member for Vasse was heard in relative silence, but the Minister has not had more than 10 seconds within which to develop his argument.

Mr GRILL: I have explained to the member the checks and balances within this piece of legislation. They are the normal checks and balances, and they will operate in the normal way. The powers of the authority are not all-embracing, as suggested by the member.

I have pointed out to the member already a very significant area in which the Joondalup Development Corporation has powers which this authority does not have. The member expects the Joondalup Development Corporation to have powers in every area greater than those of the South West Development Authority. By and large it does, but there

are some areas where its powers are somewhat restricted.

However, to appoint the South West Development Authority as an agent of the Crown in right of the State is not abnormal in a statutory authority. Many statutory authorities set up by the Opposition when it was in Government had that provision within them. Is the member suggesting statutory authorities in toto should not have that provision? I do not think he is. Is the member saying that, because this is not in the Joondalup Centre Act, it should not be in the Bill? I think he is suggesting that, but it is not a convincing argument.

Mr RUSHTON: This clause gives us the opportunity to seek from the Minister an indication of what is intended to be done under the powers given to the authority. We did not obtain the answers to our questions last night, and I contend that all the information we have been given by the Government to date relating to what the authority is intended to do indicates that those ends could be achieved by another method. However, it is the Government's intention to do it this way.

Surely the Government has an obligation to indicate to the Chamber what is intended to be done by the authority. In a sense, the Joondalup issue is a red herring which the Minister introduced, but it is very important that we know clearly what the Minister intends should be done under this legislation.

Later clauses will allow us to probe more deeply into the land development issue. The Minister said there is no intention that the authority should buy land, but that is not as the Bill reads. However, we shall have more to say about that later.

It would help us greatly if the Minister indicated what "acquiring, holding and disposing of real and personal property" is intended to mean. Reference has been made to co-ordination, but there is power to—

Quorum

Mr WILLIAMS: I draw attention to the state of the Chamber.

Mr EVANS: Under traditional practice, it is my understanding it is not permissible to draw attention to the state of the Chamber within 15 minutes of the previous quorum being formed. If I remember correctly, the Opposition Whip has done this already.

Mr Hassell: Not within 15 minutes.

Mr Williams: Not within 15 minutes.

The CHAIRMAN: On the second point of order, I indicate that the first quorum was called for at 11.07. Therefore, a period of 15 minutes has

elapsed and I rule that, after counting, the state of the Chamber—

Mr Tonkin: The Opposition is just not bothering to come in. We outnumber you.

Mr Carr: There are a lot more Government members than Opposition members in the Chamber.

The CHAIRMAN: Order! The state of the Chamber indicates that a quorum is not present.

Mr Tonkin: We have 12 members to your six and that is not the ratio of the numbers in the Chamber. We have two to one, so you are just not pulling your weight. You are members of Parliament too!

Mr Blaikie: What are you talking about? You are the Government.

Mr Tonkin: You are members of Parliament. This is a quorum of the Parliament, not of the Government.

Mr Rushton: You people are always away.

Mr Tonkin: We are two to your one. How can you look at yourselves in the mirror when you say things like that?

Bells rung and a quorum formed.

Committee Resumed

Mr RUSHTON: I was seeking a response from the Minister as to the Government's intentions in respect of the meaning of the words "acquiring, holding and disposing of real and personal property". The Minister has indicated already that the authority will not acquire land.

Mr Tonkin: There are still only five Opposition members in the Chamber. It is a disgrace!

Mr Blaikie: There are only five on the Government side.

Mr Tonkin: Why do you tell lies like that? There are 16.

The CHAIRMAN: Order!

Mr Tonkin: You have no right to be a member of Parliament if you tell untruths like that.

The CHAIRMAN: Order! The member for Dale will resume his seat.

Mr Tonkin: If it will facilitate the business of the Chamber, I apologise.

Mr RUSHTON: I was attempting to obtain a response from the Minister as to the Government's intention in respect of the acquisition of property. This legislation is unnecessary to achieve development in the south-west, because the region has been developed very extensively already.

Mr Grill: Please get to your point.

Mr RUSHTON: I ask the Minister to be precise in his response as to what this authority will do.

Mr GRILL: I can only conclude from the sham this morning that the Opposition is simply intent on delaying me here, well knowing that I must board a plane to go overseas early this afternoon.

Mr Hassell: That is not true.

Mr GRILL: If we look at the Opposition benches and the interest members opposite are showing in this debate, it is clear that is the case.

Mr Tonkin: There are only six members of the Opposition present.

Mr GRILL: It is despicable.

Mr Hassell: That is not true.

Mr GRILL: It amounts to dirty tactics on the part of the Opposition. I have no time for it.

Mr Hassell: That is not true and if you don't control yourself, you will bring that down on your head. That is not true. I suggest you don't say it, because it is not true and you will stir up the Opposition to do that sort of thing if you say that in that way.

The CHAIRMAN: Order!

Mr GRILL: Stir up Opposition members? They are not here to be stirred up!

Mr Hassell: The Opposition is dealing with a very serious Bill.

The CHAIRMAN: Order!

Mr Tonkin: It is very serious and you can only get six members of the Opposition present!

The CHAIRMAN: Order!

Mr Hassell: We are seeking to do this to accommodate you, so you should just take it easy.

The CHAIRMAN: Order! The Leader of the Opposition will maintain order.

Mr GRILL: I would like the Leader of the Opposition to prove that. He should instruct some of his backbench members—

Mr Hassell: I will not instruct my members on how to deal with a Bill.

The CHAIRMAN: Order! I have called for order on a number of occasions. Only a few seconds ago I specifically called on the Leader of the Opposition to maintain order.

I do not want to say to the Leader of the Opposition that he should not interject again for fear of having action taken against him. However, I ask the Leader of the Opposition to come to order in future when I call for order.

Mr GRILL: The powers under subclause (2)(a) to (c) of clause 4 will be exercised incidental to the main purpose of the South West Development Authority.

The South West Development Authority is to be established to facilitate economic and social development in the south-west region. When amplifying that point in my second reading speech, I said that the Government recognised the need to encourage regional development, and that it perceived the need for community input in its decision making. It is only through co-operation with government at all levels, private enterprise, and local communities that development in the regions can be maximised.

Those points are only incidental and not central to the activities of the authority. They are incidental in that I imagine that the authority will acquire premises for offices, lease premises for offices, and from time to time dispose of offices and other buildings. I do not think it is likely that a major part of its activities would be buying and selling land for profit. If it moves into this field, it is clear that the Government of the day could issue a direction that it should move out of that area of operation. Those checks and balances are provided in the Bill. The authority will also be limited by its budget.

Mr RUSHTON: The Minister has come half-way down the track. I asked whether the authority had the power to acquire land and sell it because, if it has, it is a big field in which to act and it is intruding into areas which traditionally have not been its area of operation. It will disrupt the flow of land in the Government and private sectors, and it will disrupt everyone in the area. The Minister must have thought it through before he introduced the legislation, so he should be able to give me an example of what it is intended the authority will do. Does it intend to acquire 100 acres at Collie and then subdivide? Will it take the land from the Forests Department when the department does not want that to happen? Can the Minister give me one or two examples of the type of thing that will be done by this authority? All we have so far from the Minister are generalities and it is time we had something specific about what the authority will do.

Mr GRILL: I gave the member one example. I indicated its acquiring an office block. I am trying to be patient with him. Most statutory authorities have the power to acquire land. They may exercise that power, but I cannot read the future. There are adequate safeguards within the Act. If the authority strays outside its objects and its jurisdiction, the Government of the day would simply issue a direction that it should not partake in that area. I cannot tell the member any more than that. I do not have a crystal ball, and if this power is questioned within a range of statutory authorities,

the Government in power could set up authorities with very similar or identical powers.

Mr RUSHTON: The two areas already mentioned, Joondalup and ILDA, have specific tasks and it was clearly made known to the Chamber and to the public what was to be done.

Mr Grill: Most statutory authorities have this power.

Mr MacKinnon: They have a restricted charter.

Mr RUSHTON: This authority is not to be given a restricted charter. The Minister will not update me about it. Perhaps he does not know enough about it. It may be that the authority has been given power to do whatever it will without the Government giving some guidance. What is the Government's intention? What guidance will the Government give? What is the Government's policy? Surely the Minister must know these things. He must know what the Government hopes to achieve with this authority rather than using the generalities expressed in his second reading speech on the Bill. What sort of real estate and material goods will be involved?

I am not questioning the good intentions of the people to be elected to the board, but we are fearful of political intrusions into the present structure of things without achieving any good results. This move could be counter-productive; it might limit the progress of the south-west after a short time. Surely for the short term at least the Government has some specific proposals in mind. It must have something specific and not just these generalities. What is the authority to do in its first six months to two years?

Mr GRILL: The Government does not have it in mind that the authority will to acquire any land in the near future, apart from the possible acquisition of some office accommodation and equipment.

Mr Hassell: The question being raised does not simply relate to land. It is a more general question.

Mr GRILL: Whether it be an office block or building, it has already acquired some leasehold premises and some office equipment. Other than that, it has plant. The Government does not want to see the authority involved with land. What further assurances does the member want? I have given an adequate answer but the Opposition has taken the matter too far.

Clause put and passed.

Clause 5: Board of management of Authority—

Mr BLAICKIE: Clause 5 sets up the board of management of the authority which will comprise a chairman, a deputy chairman and one other member.

The Government has indicated that Dr Manea is to be the chairman of the authority and I wish Dr Manea well with his endeavours. I join with him and my other colleagues in the sincere hope that the south-west continues to progress and develop. We hope it will maintain its role as a very important part of Western Australia.

I indicate to the Minister how other boards have been established. The Minister could well look to these other organisations. The Minister is charged with the sole responsibility of appointing the people who are to be on the board. If we look at the Joondalup Development Corporation—

The CHAIRMAN: Order! To date I have been relatively lenient with the member because I have wanted to determine the thrust of his argument. We are debating the South West Authority Bill and to date we have had considerable reference made to the Joondalup legislation. While I am aware it is necessary to make some reference to that legislation, it must be done so in passing if I am not to be forced to take action.

Mr BLAIE: This clause proposes that the Minister will appoint the board of management of the authority. I am concerned that the Minister will not be required to appoint people who are representatives of organisations in the area. In similar structures, officers of the Crown have been appointed.

Local government has been involved in other areas. I make this plea to the Minister and ask for his explanation as to why the Government has seen fit to structure a board in such a manner without regard for the existing community organisations or Treasury requirements that apply in virtually all other Acts of this nature of which I am aware.

Mr GRILL: It is the normal practice in most of these statutory authorities for the Government to appoint the members of the board, so that is one point out of the road.

The second point is that by and large I understood that it was the policy of the previous Government, and largely it is the policy of this Government, that in respect of statutory boards appointments are not made to those boards on the basis of the person's membership of some other body but are made on that person's ability to perform the job and his ability, background, and experience. The member for Dale will know that that applies in respect to port authorities, for instance. It is a good policy and we do not criticise it. We have exercised it and it does not exclude the categories of people mentioned by the member for Vasse. Officers of the Crown may be appointed; they are not excluded. Members of local authorities can also be appointed, but to designate

that they must be appointed is to limit the authority of the board, to make it less flexible, and in the end make it less able to do its job.

Mr RUSHTON: This provides the opportunity for the Minister to tell us frankly which people will be appointed. I understand he has an indication of the people who will be appointed to this board and I want the Minister to tell us who those people are and what are their backgrounds, and to make it very clear which people will be appointed to the three positions. I am not sure if this information is official at present, but I am told that office space has been acquired and stationery has been printed.

The CHAIRMAN: Order! The member's speech must relate to clause 5. We have already spoken about office space on clause 4.

Mr RUSHTON: I am just asking the Minister, so that he fully understands my query, to tell us who has been appointed to these positions.

Mr GRILL: The chairman (Dr Manea) has been appointed, and he is also the director. The other two appointments have not yet been made and I cannot tell the member who they might be because to date applications have not been called.

Clause put and passed.

Clauses 6 to 10 put and passed.

Clause 11: Functions of Authority—

Mr BLAIE: Clause 11 relates to the functions and powers of the authority and, in particular, it indicates that the functions of the authority are to plan, co-ordinate, and promote the economic and social development of the south-west region. For that purpose, it can do all sorts of things and seek the co-operation of the community. I do not intend to read all the specific items contained within that list of functions but, suffice it to say that the general thrust, as I see it, is to seek areas of co-operation because the Bill states that the authority will co-operate with the Public Service and State agencies, and it will consult and have regard for local authorities, statutory bodies, and other agencies of the State and Commonwealth. It will undertake, firstly, to promote individual projects in the south-west; it will undertake major economic and other studies of the south-west; and it has now indicated it will provide local authorities with the information that it gains as a result of those studies, and generally take steps to encourage, promote, and assist economic and social development in the south-west. Those matters are laudable and we support that concept.

I refer to subclause (e) which says that the functions of the authority include the following—

to consider matters referred to it by the Minister charged with the administration of

the Town Planning and Development Act 1928 and report to him thereon and generally to co-operate with that Minister;

This raises many questions, and I ask the Minister, firstly, why has it been seen as necessary to include that provision because, on my reading of this clause, the authority will have regard for any matter with which the Minister for Planning says it should be involved.

The authority will report on any matter generally but it will also co-operate with that Minister. Planning departments in the local government area set down guidelines, and I raise the question of why it is necessary to include that provision when subclause (d) provides—

to consult, and have regard to the representations of—

(ii) local authorities;

The local authorities have set up their own planning organisations, and I would be quite surprised if the South West Development Authority did not receive their full support and encouragement for whatever developments were planned.

I ask the Minister why it has been necessary to include that provision. Why does the Minister have such a wide power of direction? What is the end result of what the authority will do which requires that provision to remain in the legislation? I look forward to the Minister's response.

Mr GRILL: The purpose of that provision is to allow local input of a regional nature from this authority to the Minister responsible for town planning. I should imagine, in a number of areas, the scope of planning will extend beyond and across the boundaries of many local authorities, and that is acknowledged by everyone. As the authority has a regional role to play and does in fact extend across the boundaries of a number of local authorities, and because it would have some views on a number of matters, it was thought appropriate that it should be able to consider and give advice to the Minister for Planning. It is clear that the provision does not give the South West Development Authority any further powers; it does not give it any deliberative powers; it merely gives it the right to give advice from time to time. That advice can be ignored, rejected, accepted, or dispensed with at the discretion of the Minister.

Mr RUSHTON: I will give the Minister some advice on this clause, because he obviously does not understand what it can do. The clause provides the framework for doing certain things: for co-operating with departments of the Public Service; for promoting individual projects in the south-west region; and for consulting with representatives of departments. Paragraph (e) has been dealt with

by my colleague, but things that have been done in the past will not occur because of this legislation.

In the past a person was appointed to deal with the regional town planning aspects of a region, and he co-operated with the councils in the area. Now the South West Development Authority will be a Metropolitan Region Planning Authority by another name.

There is an ability for the councils in the area to create, within their midst, a regional planning authority, and that has been put to them a number of times by my successor, the Minister for Planning. However, if that plan has not advanced councils have to reach a decision and create a regional planning authority which requires some contribution by those people.

The CHAIRMAN: Order! Which part of the clause is the member relating to now?

Mr RUSHTON: I am relating to paragraph (e) and planning aspects. While no direct powers relating to planning are provided, will the authority be all-powerful in respect of planning in the region? What the councils still are fearful of is that their planning objectives will be overruled by the Minister's ability to overrule the local authorities.

The ability to do that is granted in subclause (e) which links it all together. I was just giving the background to the Minister. A group of authorities in Bunbury does have problems with roads and all sorts of things, and it would make sense to have a cohesive body of local authorities. However, the South West Development Authority, which is not elected but appointed, and which does not relate to the people in the direct sense, is to be established. I believe the local authorities should create their own regional planning authority.

The Minister said that he believed that something like that would be done with the South West Development Authority, but the chairman of the authority has almost absolute powers. This will result in the local authorities having their planning authority removed and put into a body which is not elected by, or representative of, the people in the area. Local authorities should not be subject to that control.

While the Minister says there are no direct powers, there are absolute powers through the Minister. It is a serious matter. I am concerned because the Minister has not been specific about what this organisation will do. This matter does not relate to his portfolio, but he is responsible for the legislation. He should be thoroughly aware of the matter, but he does not seem to be. That worries me.

I have been involved as Minister for Urban Development and Town Planning and Minister for Transport, and I know that this legislation is of grave concern to local people. The people will have this authority imposed upon them, and that is not the way to get things done in local areas; they are done by the goodwill of the people in the area co-operating with all departments.

It appears pressure will be placed on the local authorities through the power of the Minister for Planning. The Minister handling the Bill should review the matter and give us some example as to how it will work.

Mr TRETHOWAN: As I indicated in my second reading speech, I have great concern about this clause, and in particular paragraph (e). The reasons for concern have been outlined by my two colleagues, but I wish to restate them because the key factor of this paragraph is that it affects directly the rights of local authorities in their planning functions. I would be the last person to suggest that there was not a need to co-ordinate the planning process. It is extremely important that the guidelines be appropriate for the areas which they are to serve and to fit within an overall programme that produces no clash or conflict of interest that cannot be overcome.

That has been done in the metropolitan region scheme by setting up groups of councils in specific areas and, in corridor areas, discussing with planning officers and the officers of the Town Planning Department the strategy plans; that is, the councils, the elected representatives of their local communities, are involved in working out the co-ordination of their planning functions. That is positive and good, and the right way to achieve the best result for each local community.

My concern is that paragraph (e) appears not to follow the process of involving and devolving the responsibility for developing the co-ordination of planning processes of the elected representatives to the local communities. It appears that this clause allows the authority to take direction from the Minister for Planning as to his intentions and to relay to him how the authority has been able to implement them.

If insufficient power exists in clause 11(e) for the Minister to require the authority to do what he tells it—and I suspect that the wording “and generally to co-operate with that Minister” may not require the authority to conform precisely to the direction, but it must come close to it—the Bill still contains the power for the Minister to direct the authority to do as the Minister for Planning says. I wonder how much detailed consultation has taken place on this clause and its implications with those local authorities it will affect and from

which it may well extract control of their principal planning functions. Local authorities are concerned to have an opportunity for detailed consideration of the implications of this clause.

I do not think this is the right way to go about it. The elected representatives from the local authorities should be brought together to decide on the formulation of strategy policy, obviously with an input from the State Government and the authority level in the region. The principal decisions must be hammered out and made by consensus by the elected representatives of local authorities. There is a right and wrong way to go about it and this Bill is the wrong way. It does not assist local authorities to adequately represent and control the growth of their communities. It does not meet the requirement of increased autonomy local government seeks in so many areas and which the Minister for Local Government repeatedly says he is interested in providing for it.

This Bill completely undercuts that attitude. It takes away its existing autonomy. I do not believe it is a forward step; it is a retrograde step for the communities of the region.

Mr BLAICKIE: All speakers on this side of the Chamber expressed concern last night about the provisions of paragraph (e) of clause 11. It is unfortunate that the Minister did not give an explanation of it last night.

Mr Grill: Oh come on, you have said that several times already.

Mr BLAICKIE: I am referring to paragraph (e). I have no doubt we would have made more progress if we had been given the information last night.

The Minister said the reason clause 11(e) had been included was that it would enable the Minister to obtain some input on planning matters of a regional nature. He said also it would allow the scope of planning to extend across local authority areas. That is the nub of our concern. I understand an organisation exists already in the south-west; the Bunbury regional planning authority. This is a loosely-knit co-operative group of councils—Bunbury, Capel, Dardanup, and Harvey—which meet on a co-operative basis to discuss regional planning of the area. I understand the Government plans to make it a statutory body and to impose conditions on it. Why is that necessary? I understand a degree of co-operation and mutual harmony exists among those councils.

Local authorities throughout the south-west are concerned about these matters which under this Bill, can be referred to the authority and which will allow it to intrude into all matters of local planning in the region. One can imagine a situation developing in which the Minister for Plan-

ning requests the co-operation of the authority and the Minister for Regional Development and the North-West also indicates to the authority that it will co-operate with his colleague, and suggests that the authority will need to draw up a guided development scheme for the south-west region. The authority, in its wisdom, might be directed to plan for alternative lifestyle living in the Shires of Nannup and Augusta-Margaret River, where this is happening already.

Mr GRILL: Hold on. For heaven's sake read the clause.

Mr BLAIKIE: These powers are contained in the Bill and we are asking why it is necessary to do that. Local authorities are concerned that this is what the Minister will direct them to do. The Minister should not proceed with the Bill at this stage.

I ask the Minister to answer this: How many local authorities in the south-west—bearing in mind that 15 will be controlled under this Bill—has he met with to explain the reasons for the Bill and the reason that the Minister for Planning will be involved with their area? What has been the attitude of the authorities? Has the Minister sought consensus and co-operation, and what feedback has he received? This is an important point; certainly local authorities have been in touch with me, and I would like to know what response the Minister has had. That point is germane to the whole argument.

Mr GRILL: I am afraid members of the Opposition have allowed their imaginations to run riot. The spectres they are putting up are figments of their imagination. One could not imagine or draw up a milder and more reasonable provision than that contained in this clause. It contains no powers whatever—

Mr Rushton: It contains powers for the Minister.

Mr GRILL:—for the South West Development Authority. If one looks at it on that basis and reads the clause, one sees it only gives the Minister the right to ask the authority to consider some element of town planning and give its advice. That is all that is allowed; the clause does not give the authority any powers at all. When one looks at some of the straw men the Opposition has put up, one wonders whether members opposite have been reading this Bill or some other piece of legislation. This is a mild and reasonable clause and I cannot imagine any local authority being the least perturbed about it.

Mr Blaikie: Have you spoken to local authorities?

Mr GRILL: I will answer that question shortly.

The member for Dale and the member for East Melville raised the question of regional planning authorities. There are some—I think they are called regional planning committees—such as the Bunbury regional planning committee. That committee will continue to operate as it has operated in the past. It may be made into a statutory body at some time in the future, and it may be given further powers, but its current role will continue. There is no suggestion that this legislation will derogate in any way from the role of that particular body.

The clause provides for the South West Development Authority to investigate certain matters when requested by the Minister. That is not unreasonable—it is a mild clause.

In direct reply to the member for Vasse—he brought this matter up *ad nauseum* last night and he will probably do the same today—the officers and executive members of the South West Development Authority have consulted with the various local authorities in respect of the structure of this legislation, its broad scope, and its general powers.

The great majority of local authorities say, without reservation, that they endorse the concept of the legislation and are happy to see this authority set up.

Mr RUSHTON: The remarks of the Minister may sound plausible and acceptable, but to state that the south-west committee has consulted with local authorities and has informed the Minister accordingly—goodness gracious me! Surely it is the responsibility of the Minister to obtain the feelings of the authorities. I could go to those authorities and be provided with a different answer to that provided to the Minister. He has not carried out his responsibilities in this regard.

Mr Bryce: You cannot play politics with these people. The member for Vasse would not have been playing politics!

Mr RUSHTON: Government members do not understand local government.

Several members interjected.

Mr RUSHTON: The Minister addressed himself to the question of the development authority and said that it has no powers. I have been a Minister for Urban Development and Town Planning and I know what the powers are. I will read clause 11(e)—

The CHAIRMAN: Order! Before the member reads clause 11(e), I point out to him that the purpose of this Committee is to make progress. It seems that we have been going around in circles, and this point has been raised several times. I will not say to the member for Dale that he can not

read it again, but it will be necessary, in future, for speakers to raise new material relating to this clause.

Mr RUSHTON: I will not read that clause because I understand that all members have had it drawn to their attention and they would have read it if they were interested.

The Minister has said that the authority will have no powers, but it is capable of overriding all local authorities. The Minister obviously does not understand it, or he is evading the question.

As far as I am concerned, the authority must report to the Minister and co-operate with him. However, the authority would not be established unless it co-operated with the Government and carried out the various tasks assigned to it. That is its objective. If the Minister for Planning tells the authority that he wants a certain thing done, it must do it. As far as town planning is concerned, it is clearly seen as an intrusion upon the local areas. This provision is not required if the Government is above board. There could have been a statutory regional authority to carry out its tasks, and the local authorities—

Mr Grill: I have already said there will be a statutory regional authority.

Mr RUSHTON: That is right, there could be; but it would have a direct link to the Minister.

Town planning is a sensitive issue, and it succeeds because consideration is given to the feelings of the local residents; their feelings should not be trampled on by what is claimed to be in their interests for the expediency of progress. It is counter-productive to progress if people are pushed around and directed to do things against their wishes. Hitler did this and everything blew up in due course! The end result is that people will resist and nothing will be done. The people in the south-west have achieved a great deal in the past, and they will continue their achievements without being told what to do.

The Minister has not given a reasonable explanation because he does not understand the implications. The intent of the Government is not above board and the Minister is not prepared to spell out the facts in the Parliament because the media will, in turn, spell them out to the people in the south-west. It is a soft sell attempt on the Government's part to get people into its net and it will not be long before we see jack boots moving in and pushing people around. The people in the south-west are entitled to a voice and to participate without interference from the Government. They have had this opportunity in the past and it should not be taken away from them.

Clause put and passed.

Clause 12: Powers of Authority—

Mr BLAIKIE: The previous clause related to the functions of the authority, and the Minister gave undertakings that the authority would not override local authorities. If the Minister were to carefully look at the powers contained in clause 12, I am sure he would change his point of view and reassess his comments.

Under clause 12, there are no limitations as to how the authority must act. It does not need to have regard for any other body. The authority does not require a referral to the Minister, nor does it need to have regard to the local authorities. Worse than that—we will come to clause 13 in a moment, which may expedite the debate in this Chamber—the Minister will be given power to direct the authority to do certain things from time to time.

The power of the authority is as an absolute arm of the Government, and it can do all things which the Parliament determines. The authority can intrude into the area of local government and local planning because there are no limitations to stop it from so doing. It can become involved in the development of power stations or smelters, town planning schemes, and joint ventures, public or private. However, with all those powers, it has no elected personnel and no responsibility to any organisation.

Membership of the committee is drawn from persons in the community, and the committee has no responsibility to any person, body, or organisation. The members appointed to the committee will be under the absolute direction of the Minister, and they can be directed to do whatever he says, at any time, for whatever purpose. The Government can decide that the authority will become involved in improving, developing, or altering real property; it can decide that the authority will become involved in dividing land. The authority without direction from the Minister has the power to do all things in this clause. I point out to the Minister that it is not correct that the South West Development Authority could not intrude into local government, because it could do so. If that is part of the Minister's plan, local government has every right to be concerned at the Government's attitude and actions. If it is not intended, why is the power included?

It is not sufficient for the Minister to say that the chairman and executive officer have visited local authorities explaining the Bill and the reasons that certain conditions and clauses have been drawn up. It is an absolute disgrace for the Government to have done that. It is the Minister's

responsibility to explain what ministerial legislation is about. It is his responsibility to lay down the policy of the Government; the chairman of the board should not be required to indicate the Government's policy but should be seen as an independent person.

The 15 local authorities in the area are very concerned with regard to these powers.

We would have saved much time last night if the Minister had taken the trouble to explain these matters. I look forward to his response.

Mr GRILL: Not only were these matters raised last night, but also they have been raised time and time again today. I cannot detect any new arguments in what the member for Vasse has said, and I do not think I can say anything further that would convince him. He regurgitates the arguments he used on clauses 4 and 11, and simply keeps regurgitating them. I have answered those questions.

The Chairman has observed that the member for Vasse is repeating himself, and we shall make no progress if he continues in this way.

Mr OLD: I know the subject is becoming irksome to the Minister but the matter must be cleaned up. The authority of local government should not be usurped in any way, and this clause appears to give that power to the South West Development Authority. It is a most important matter. If, in fact, there is doubt as to whether the South West Development Authority would be able to usurp powers normally reserved for local government, he should report progress and take some legal advice on the subject.

If I were involved in local government in the area bounded by the South West Development Authority, I would be both joyful and apprehensive. It appears we shall have the South West Development Authority for better or worse and that in itself is a little strange because it is divisive inasmuch as progress will be directed into one area. The Deputy Premier spoke on this last night, and I guess if one was in that area and could see some kudos arising from this legislation, that is fine. However, this seems to be a poor example of the concept promoted by the Prime Minister that the objective of the Labor Party is for Australians to pull together.

Earlier in the debate the comparison was drawn between the powers of the Joondalup Development Corporation and the South West Development Authority. It appeared that they are similar. However, I do not think the comparison drawn was valid. The Joondalup Development Corporation involved one local authority; the South West Development Authority involves 15 local authorities.

It involves a tremendous area in terms of both square kilometres and population. There is a large concentration of Western Australian citizens in the area, and many local authorities. They are already apprehensive at the activities of the Minister for Local Government, and I am surprised that there has been no protest from these authorities. I can only attribute it to the fact emerging from this debate, that there has not been adequate consultation with local authorities.

I appeal to the Minister to pack up for the day and get onto another subject. He can return on Tuesday and tell the members exactly what advice he has taken on the matter.

Mr TRETHOWAN: I am concerned about the open-endedness and the purpose to which these powers may be put. I refer particularly to subclause (2)(c) which allows the authority to provide other services or construct other works in the development of the divided land. I query what limitation that clause places on what the authority can do. It would seem to me that the limitation is negligible. It allows the authority to do any works or provide any services it chooses. If that is coupled with the provisions of subclause (3), which allows the authority to go into a joint venture with anyone, it means the power of the authority is such that it could go into very large projects indeed. It could go into the building of a power station with an overseas company, or into the building of a smelter with an Australian and overseas conglomerate. It could go into the construction of any building with another partner, using funds and equity from overseas to build office towers, hotels, and that sort of thing. They would be essentially Government-owned.

The Deputy Premier shakes his head. He must admit that the owner of the South West Development Authority is the Government; it is under the direction of the Minister and it is responsible to the Parliament through its reporting system. It is a direct arm of the Government.

Mr Rushton: It is not responsible to Parliament either.

Mr TRETHOWAN: It is possible for this to be a vehicle to use funds and capital input in joint venture partnerships which derive from elsewhere than this State. The authority can go into partnership with the Commonwealth and someone else in the private sector; it can become a more than adequate vehicle for any Government ownership project which the Government might like to undertake in the region.

The promise that has been made is that five-star hotels will be built in Bunbury, Dunsborough, Busselton, Manjimup, and another place not yet decided south of Manjimup. The development cor-

poration becomes a joint venture partnership vehicle for doing those very things.

I wonder how far this question has been considered. How will such joint ventures be structured, and what effect will the clause have? One of the earlier clauses we looked at proclaims that the authority is an agent of the Crown. That is also a very important point. I have great misgivings regarding the effect to which particularly subclause (3) of this particular clause will be put. It will allow the Government in that region of this State to go into any kind of project it chooses as a joint venture partner. As I said in my second reading speech yesterday, it is a mask for Government entrepreneurial enterprise. The reality is the straight ability of the Government to provide the means to produce goods and services.

What also concerns me is that there is no limitation as to how subclause (3) can be effective. The limitation which might have applied through financial constraints is not provided. This authority can go into projects involving massive amounts as an equity partner or as a provider of loan funds. There is no constraint at all, because the power is contained within subclause (3) of this particular clause. This could give grave concern to anyone looking at the possibilities or probabilities of the way in which this power of the authority will be used.

Mr GRILL: At least a new point has been raised, basically by way of a further philosophical diatribe by the member for East Melville. He is suggesting there is never any place for public enterprise to co-operate with private enterprise in furthering the development of the State. In that respect he is totally wrong. I do not think even he can deny that the Court Government entered into such joint venture arrangements on a number of occasions, sometimes with success and sometimes without success. His philosophical diatribe cuts quite across what he thought the previous Government of the State did on a number of occasions. It is hypocritical of him to bring that point up as an objection to this clause.

Mr TRETOWAN: One of the very interesting aspects of this power which the Minister has conveniently overlooked is that the authority can exercise it without reference. It does not have to come to this Parliament for agreement; it does not have to be approved by this Parliament. In most cases of involvement, the agreements have been by way of Acts of this Parliament. This clause allows the board of the authority to make the decision. The Minister may be able to direct it not to, but it might have already made the decision. There is no limitation on what the auth-

ority can commit the State to; that is the point I am making.

It is important to see the lack of control and the lack of limitation in relation to the powers of the authority. The three persons appointed by the Minister to the board, not elected, will have the power to go into joint ventures. There is no requirement for reference to this House, or for public scrutiny of any such undertaking. It is a wide open way for the funds of the people of this State, through the State Treasury, to be invested. That is the point I make which is of concern in relation to what can be done under this clause.

Mr GRILL: I am pleased the member for East Melville has now severely limited his argument to a fraction of what it was a moment ago. Even so, he is not on very safe ground. There are adequate safeguards within this Bill.

Mr Trethowan: Where?

Mr GRILL: There are adequate precedents in other Acts of Parliament.

Mr MacKinnon: Where are the safeguards in this Bill?

Mr GRILL: I have mentioned them before.

Mr Blaikie: You have never mentioned a safeguard here.

Mr GRILL: I certainly have. I shall repeat the safeguards for the last time. Firstly, the authority cannot override the Town Planning and Development Act; it must have regard to local authorities.

Mr MacKinnon: It can disregard them.

Mr GRILL: It is subject to the direction of the Minister; its borrowings are subject to the approval of the Treasurer, and that is a major safeguard; the authority cannot go into a major project without its borrowings being approved by the Treasurer; the investment of its funds is subject to the approval of the Treasurer; its budget is subject to the approval of the Government. It is just like the port authorities. The authority will have no more or no less power than do port authorities. Port authorities do not run away from or make irresponsible decisions—

Mr Williams: The waterside workers do, though.

Mr GRILL: —in the hope that they can get something through before the Minister catches up with them. These powers are ones which are normally included in legislation of this nature which seeks to set up statutory authorities, and members cannot get away from that.

Mr RUSHTON: If we were nervous when we started debating the Bill, we are terrified now! The Minister has not explained the legislation clearly. The argument presented by the member for East

Melville was very clear. The Minister has not responded to it in the same frank way in which it was presented. I had the same points to raise as the member for East Melville, and I shall raise some other pertinent issues which require answers.

The clause indicates the authority will have the ability to purchase land. The Minister has said already that it cannot purchase land for subdivision.

Mr Grill: Whoever said that?

Mr RUSHTON: Is the Minister denying he said that?

Mr Grill: Yes.

Mr RUSHTON: Is the Minister saying now the authority will be able to purchase, subdivide, and sell land throughout the areas covered by these 15 local authorities?

Mr Grill: Yes.

Mr Williams: Let the record show the Minister said, "Yes".

Mr RUSHTON: Let me give an example of what took place in the past, because it relates to these powers. I remember Dr Manea, to whom the Minister referred, getting headlines in Bunbury which related to shortage of land.

Mr Grill: Is this relevant? You have talked a lot of nonsense today.

Mr RUSHTON: The Minister is seeking to superimpose another organisation on what exists already; therefore, I am indicating what occurred previously. The Minister wants to go for his third or fourth trip overseas, and this vital legislation is being pushed through urgently in order that he can get away.

The CHAIRMAN: Order! That is not an issue.

Mr RUSHTON: I agree with you, Sir.

When pressure was being exerted about the shortage of land in Bunbury I went down there with the co-ordinator of urban land and identified very quickly that the City of Bunbury was withholding the land from the market and Dr Manea was closely involved with the council. When I said, "I am not going to do any more about the availability of land in Bunbury if you are not going to do anything yourself", the council saw the point and agreed to take steps to put its own house in order. That is an example of the necessity for reference to be made to the appropriate body, not to some special organisation.

Agencies exist already to carry out the development of urban land. The private sector can perform that function, and a Government agency should not be imposed on it. If a special need arose, we have the Urban Lands Council and local authorities. I recall a case in which a local auth-

ority had to step in and take some action. I think this occurred at Dardanup. The private sector in the town would not develop a piece of land, because it was not profitable to do so. The local authority sought my approval, received it, and developed approximately 12 blocks. That example demonstrates that what needs to be done can be done with the present powers and authorities. We do not need this Government-directed authority which will impose its will on the people of the south-west, and in particular on the local authorities.

The Minister has not explained what the legislation will do. We have asked for an explanation time and time again, but he has avoided answering specific questions. People are fearful of what will happen if the legislation is passed. Therefore, the Opposition is entitled to keep pressing for a clear explanation of its intent and the manner in which it will be applied. That information has not been provided so far and it is the responsibility of the Minister to give it to us.

Mr BLAIKIE: The wide ranging powers of the authority under this clause have been indicated already by my colleagues.

The CHAIRMAN: Order! I do not want to preclude the member from speaking, but I point out something which is becoming very evident. It seems to me we are really going over old ground continually. The same points are being raised time and time again irrespective of the clauses which are being debated. We have not yet reached the point of tedious repetition, but, we are very close to it. I ask members, when they rise to speak on clauses, to limit themselves strictly to the matter before the Chair and to raise new material only.

Government members: Hear, hear!

Mr BLAIKIE: That is precisely what I intended to do and I thank you for that direction, Sir.

The point at issue is the fact that there is no limitation on the powers of the proposed authority. It will be able to do as it wishes. The member for Kalgoorlie is very experienced in Government accounting and Treasury matters. I would certainly listen to any arguments he raised on this matter. The authority will have the power to do all sorts of things, and the limitations on that power are inadequate to ensure the money advanced to it by the Treasury is safeguarded. Surely the Leader of the House will recognise it is the proper responsibility of the Parliament to establish the position. Surely that is a proper debating point.

Mr Tonkin: What is—to ensure failure of the authority?

Mr BLAIKIE: To ensure that the funds which are advanced are spent appropriately and in a way

that ensures security to the taxpayers. The nub of my argument is that safeguards and referrals are necessary. I look forward to the response to my comments, and I hope the member for Kalgoorlie might be encouraged to enter the debate, bearing in mind his knowledge of these matters.

Mr BRADSHAW: I have spoken to my local councils and they have shown concern about this clause. They do not believe the proposed authority should have the power to purchase, subdivide, and sell land. Government agencies exist already with the power to enter into this field. It is strange that the Minister for Health has introduced a Bill to try to get rid of duplication, but here duplication is being promoted by the Government in the form of the proposed authority which will have powers available to the Government already. It seems strange that, on the one hand, we are trying to limit duplication and yet, on the other hand, we are promoting it.

The Premier refers frequently to "creeping socialism". This legislation will bring it at a gallop!

The Minister has pointed to the development of five-star hotels in the south-west. I cannot see private enterprise being prepared to put money into such a venture, so the Government will be putting public money into this field of development.

Mr Tonkin: That is subject to the budgetary processes; it is subject to Parliament, and it is subject to the political processes.

Mr BRADSHAW: However, the authority will have the power to build the hotels, and its actions will not be subject to scrutiny by this Parliament.

Mr Bryce: It will be subject to the approval of the Treasury.

Mr Tonkin: If you have an authority that goes bad, it is these unacceptable things which are subject to the political processes, subject to the Budget of this Parliament, and subject to the Treasurer, who is responsible to the Parliament.

Mr Blaikie: I think you need to have another look at the Act.

Mr I. F. Taylor: The Bill has a large number of checks and balances—I have counted up to 11.

The CHAIRMAN: Order! I notice the member for Murray-Wellington looking at me wistfully. I am sure he is waiting to make a very telling debating point.

Mr BRADSHAW: We will have duplication and we will have public money being wasted in the building of these five-star hotels or whatever.

Mr Tonkin: You can throw out the Budget in the upper House. Sir Charles Court wanted to do that some years ago.

Mr BRADSHAW: We are talking about the South West Development Authority.

Mr Tonkin: That is right. It will get money from the Budget.

Mr BRADSHAW: It has already. It has gone and committed it all. That is all I have to say on the matter.

Mr TRETHOWAN: I will follow up a point I made the last time I spoke.

Mr Tonkin: Don't talk to me with your hands in your pockets.

Mr TRETHOWAN: I am not addressing the Leader of the House, and I take exception to that form of personal abuse.

Mr Tonkin: I am just being jocular. It is nearly lunch time and I am looking forward to it.

Mr TRETHOWAN: The Leader of the House says he is being jocular, and I noticed that his earlier interjections were cause for considerable mirth on this side of the Chamber. He is obviously unable to understand the implications of this Bill.

The checks and balances on the authority are not necessarily related to this Parliament. The only supervision of the authority by the Parliament is in the auditing provisions. Some checks and balances are provided for the Government, the direction of the Minister being one of them. But let me make this point: Subclause (3) provides no limit to the contractual arrangements the authority can make.

The interesting thing is that the board of the authority is to be indemnified against action. The board is indemnified so that it is not responsible for any debts it may create on behalf of the authority. It could enter into contractual obligations, and there is no requirement to refer to the Minister beforehand. No upper limit exists on the amount for which it can enter into a contract or undertake a service.

This is not adequate. A limit should be written into this clause, above which any undertaking of the authority must be referred to the Minister, or preferably to the Parliament. That is the precise point I am making. It may well be argued that there are historical checks, and that once a decision is made it can be said it is wrong. In the first case, the Government is able to appoint the authority, and through the authority the Government would be able to act in a way that is not in the best interests of this State. No requirement is made for the authority to notify the Minister and the Parliament in advance.

Mr BLAIKIE: In spite of what the Government thinks, the Bill contains no checks and balances.

Mr Brian Burke: This is a perfect example of why, in the future, time management motions will be used whenever possible. I am not trying to be flippant or smart.

Mr MacKinnon: Just a blackmailer.

Mr Brian Burke: You know I can see you exchanging glances and smiles among yourselves, and I know what you are trying to do. You are trying deliberately to delay the legislation past the time you were previously told. We held it up for you because you were missing yesterday.

Mr BLAIKIE: It ill behoves the Government to try to say there are checks and balances in this Bill. That is the nub of our argument.

Mr Tonkin: You are a fool. You should have stuck to dairy farming.

Mr BLAIKIE: It will not do the Minister any good to take that sort of attitude.

Mr Brian Burke: We are not going to bother to ask in future. You have made your own bed, and you can lie on it.

Mr MacKinnon: Give over.

Mr Brian Burke: You know we delayed it yesterday because he was not here.

Mr MacKinnon: You got onto this Bill yesterday by the natural order of the Notice Paper. What time did the Minister get back to the Chamber to debate it?

Mr Tonkin: He was here at 2.15 p.m.

Mr MacKinnon: And you got to the Bill when you wanted to, at four o'clock.

The CHAIRMAN: Order! I ask the Deputy Leader of the Opposition and the Leader of the House to refrain from interjecting at least until one o'clock so that we might be able to make some progress.

Mr BLAIKIE: Despite the comments made by the Minister, the checks and balances he talks about cannot be found. The authority will have the power to do all the things it wants to do, without any obligation to refer its intentions to the Parliament. Surely the Premier must understand that these powers are extremely wide.

Mr Brian Burke: Vote against the Bill!

Mr BLAIKIE: We are attempting to point out its shortcomings.

Mr Brian Burke: You are being thoroughly dishonest in your presentation. You are deliberately trying to delay the Minister, because you know he is going overseas this afternoon.

Mr BLAIKIE: I have a responsibility to the people I represent and to the people of the south-west of Western Australia generally.

The CHAIRMAN: Order! The member will relate his remarks to the clause.

Mr BLAIKIE: It ill behoves the Premier to try to run the Parliament with his bully boy tactics.

The CHAIRMAN: Order!

Mr BLAIKIE: No checks and balances are provided.

Mr Tonkin: That is untrue. What about the list of them the member for Kalgoorlie sent to you. Read them out. Let's have some decent and dignified debate.

Mr BLAIKIE: The member for Kalgoorlie said the authority will have regard for and will not be able to override the Town Planning and Development Act. However, the Minister for Planning can direct the authority on matters of town planning.

Sitting suspended from 1.00 to 2.15 p.m.

Points of Order

Mr WILLIAMS: Mr Chairman, I draw your attention to the state of the Chamber.

The CHAIRMAN: The member may draw my attention to the state of the Chamber and I will now proceed to count it.

Mr MacKinnon: Very slowly.

Mr THOMPSON: Mr Chairman, on a point of order—

Mr Tonkin: He is counting. Be quiet.

Mr THOMPSON: I will still take my point of order, if I may.

The CHAIRMAN: Order! I will rule on the first point of order and then the member can raise a second point of order. I ask him to resume his seat.

Mr Tonkin: Resume your seat when you are told to do so!

Mr THOMPSON: I want to take my point of order. The procedure that should be adopted in the case of a member, rising to the Chairman's attention to the state of the Chamber is for the Chairman to rise in his place. No member may move into or out of the Chamber, and that is done for the very good reason that—

Mr Tonkin: That we might have a quorum and the Parliament might get on with its business. That would be a terrible thing, wouldn't it?

Mr THOMPSON: Quite the reverse.

Mr Tonkin: You made your point. Sit down and let us get on with the job, you pompous ass!

Mr THOMPSON: The point is that we could have a situation where a quorum could be present and members who wished to ensure that a quorum is not formed could move out of the Chamber. For that reason the Chairman should be on his feet at

the time counting occurs, and no member may move into or out of the Chamber.

The CHAIRMAN: I will now rule on the point of order. It is perfectly clear that no member may move in or out of the Chamber while the Speaker or the Chairman is counting the Chamber. I did not see any member move out of or into the Chamber while I was counting, and I am not aware of any Standing Order that says I must rise to my feet to do so.

Mr THOMPSON: It is past practice.

Mr Tonkin: Practice!

Mr Evans: You on that side have given up practice!

Mr Tonkin: Let us get on with the job, babies!

Committee Resumed

Mr BLAIE: I was pointing out that the checks and balances the Government believes are contained in the Bill are not there. The Minister's belief that the authority cannot override the Town Planning and Development Act is quite correct. What can happen is that the Town Planning Board may wish to impose planning conditions against the wishes of the local authority, and as such, with the Minister acting in coalition with the Town Planning Board, the local authority could be directed in that sense.

As for the authority's having regard for the representations of Commonwealth and State departments, local authorities, and State bodies the authority must have that regard but it does not have to follow blindly the bidding of the other bodies and if it wishes to ignore that it can do so.

In respect of the words "subject to the direction of the Minister", of course the authority will be subject to the direction of the Minister, but if it has already turned around and carried out certain works under the direction of the Minister, the work has been done. That is the very point we are making; there are no checks and balances as far as that situation is concerned.

As far as the receipt of funds through the Parliament is concerned, of course the Parliament will from time to time approve the appropriation of money; but having approved \$5 million and then having the authority go out and spend that money, the Parliament should require an annual report in due course. Nothing in the Bill requires the authority to do things subject to the approval of Parliament and the Minister. That is the pertinent point we wish to make.

Another item raised by the Government is that borrowings will reflect Treasury approval. Yes, they will reflect Treasury approval, but the approval so given will be the approval of the Govern-

ment of the day, so there are no real checks and balances as far as the broad spectrum of people in the community is concerned. It can be directed by the Parliament.

The final two points are that the Government seems to believe that the accounts will be subject to Treasury direction and approval. The Treasury may not have directed the authority not to spend money in a certain area, and if the authority went ahead and spent it, Treasury could do nothing because the Bill clearly and persistently states that the authority can do all things in its power. It may have that direction, but if the directions are not forthcoming the authority does the job it is supposed to do. An audit of accounts undertaken with reference to the Auditor General is not a check and balance.—

Mr I. F. Taylor: Of course it is a check and balance.

Mr BLAIE: It is a record of the events that have taken place.

Mr I. F. Taylor: It is a check.

Mr BLAIE: It is not a check and balance because once the work is done the authority will say on what the money has been spent.

Mr Tonkin: What you are all saying then is that it is a waste of time to have an Auditor General.

Mr BLAIE: The provision for ministerial review of the Act after seven years is not a check and balance either. Seven years will be far too late. That is the response I received from the member for Kalgoorlie. Again, I make a plea to the Minister and the Government to consider the direction in which they will be heading in this area, because it is giving the authority absolute power. There must be a level of security in order to protect taxpayers' money. We need to have some sort of checks and balances. Regardless of what the member for Kalgoorlie said, and the Minister's arguments, we believe the Government should assess this situation.

Mr RUSHTON: I thought the Minister would answer a few more points.

Mr Tonkin: They have been answered three times already, but you won't take any notice.

Mr RUSHTON: I did not know the Leader of the House was in charge of this Bill.

Mr Tonkin: To think that you were once the Deputy Premier! What a disgrace to the place.

Mr Williams: You are, I quite agree.

Mr RUSHTON: It is clear that the authority can be directed by the Government to acquire and subdivide land.

Mr Tonkin: And also declare war on the Soviet Union.

Mr RUSHTON: These actions could be made in a political sense, and people should be forewarned that there could be a type of social involvement to the degree—

Mr Burkett: Did you make a noise when the Town Planning and Development Act was amended on 10 December 1982 to give one person supreme power, or were you like a squirrel up a tree—hiding?

Mr RUSHTON: I want to make sure that it is on record that we have asked for information and the Minister has avoided these issues. It is not known clearly what will take place in the future.

However, when this legislation goes to another place, that information can be demanded, and if it is not provided the Bill may not proceed. We have been overridden in this place. It is just a case of Rafferty's rules.

Clause put and passed.

Clause 13: Direction by Minister—

Mr BLAIKIE: This clause provides that the Minister may, from time to time, give directions to the authority with respect to the exercise and performance of its powers, functions, and duties under the legislation. A similar clause is contained on page 18, and with your indulgence, Mr Chairman, I would like to deal with that matter also.

The CHAIRMAN: Which clause is that?

Mr BLAIKIE: It is clause 29(4) which provides for directions by the Minister. The authority consists of a three person board, and the same type of amendment in clause 29(4) relates to the advisory committee which consists of 13 persons. The powers are relatively the same, and the Minister can direct the authority. Not only has the Minister appointed the authority, but it is also under his direction. Therefore, the Opposition is concerned about the sweeping powers the authority will have, and the level of influence the Minister can have in the areas in which he can direct the authority.

Mr Burkett: You didn't mind your Minister for Urban Development and Town Planning doing that. You have been waffling on about the 13 person committee, and a Minister having supreme power, but you had one Minister who could do as he liked. You have been waffling all morning. Fair crack of the whip! You are talking tripe.

Mr BLAIKIE: I do not think you are, Mr Chairman.

Mr Burkett: I was talking to you.

Mr BLAIKIE: I think you are still talking a lot of sense, Mr Chairman.

We are concerned that the South West Development Authority will not carry out its duties, as the people in the south-west expect it should, with the local authorities. With the power of direction the Minister has, how will people be able to investigate matters of Government policy? They will not be able to do so.

I raised a question last night, and I raise it again today: Is it the intention of the Minister that these committees will not be investigating matters that are Government policy? In particular, the subject of pine planting in the Manjimup shire is of concern to the Manjimup Shire Council. The shire has taken the trouble to write to other local authorities in Western Australia to carry out a survey on the environment. It has taken the trouble to write to many Government agencies and bodies about its concern that the political policy of the Government is wrong.

Will the Minister permit the authority to investigate and make recommendations to the Government in that area, or is the Government's intention to effectively muzzle the authority so that it will not be able to look into it? If the Government is dinkum in setting up this authority, it must realise that at times it will get a little egg on its face. If the Government plans only to allow the authority to look into the matters which the Government sees fit, and to prevent it from looking into other matters which it does not want investigated, how on earth can the authority function properly?

I asked the question last night, this morning, and I ask it now: Will the authority be able to investigate the substance contained in the argument put forward by the Manjimup Shire and if not, why not?

Mr GRILL: The attitude adopted by the Opposition on this clause makes the debate this morning quite laughable. On the one hand, the Opposition says there are not enough checks and balances in the system, and on the other hand it now questions the Minister's right to issue directions to this authority. The Opposition's approach is silly. Who better to superintend the operation of the statutory authority by being able to give it directions than the people's representative, the Minister in charge of the Act? He is accountable to the Parliament and the taxpayers, and he must ensure that the taxpayers' money is spent properly. That is only proper and correct. I do not know how many times I must say it; this is a normal provision in a Statute of this sort.

Mr Blaikie: Can they investigate Manjimup?

Mr GRILL: The member has finally asked that question at the right time. It was not the appropri-

ate occasion to ask it yesterday. It is proper to bring up these questions during the Committee stage when they will receive an answer.

I cannot say to what particular matters the authority will or will not direct its attention and provide reports to the Government, but it will be virtually unfettered in relation to matters it wants to take up as long as they are relevant to the objects of this Statute and productive. To make the member for Vasse happy, I advise him that the South West Development Authority is already working on the pine and timber policy for the area around Manjimup.

Clause put and passed.

Clauses 14 to 16 put and passed.

Clause 17: Appointment of other staff and engagement of consultants—

Mr BLAIE: This clause enables the appointment of staff and the engagements of other consultants, a senior executive officer and such officers as may be necessary to perform the duties and functions of the authority. The authority will require the approval of the Minister to engage those officers. I believe it would have been better if the powers of the authority which we discussed earlier had also been subject to the Minister's approval. The Minister may say that I am drawing a long bow, but this clause gives some responsibility to the Minister, and that is where I believe it should rest.

Clause put and passed.

Clauses 18 to 20 put and passed.

Clause 21: Funds of Authority—

Mr RUSHTON: This clause deals with the financial arrangements, and they are most important to an authority of this nature. There is much to be answered here. I can not see that the authority will be subject to any financial constraints. No provision is made for it to report to the Parliament, or to seek approval for any particular venture, no matter how large. All this will be done with public funds. The Treasurer can lend money to the authority from the public account without limit. We must look at this very closely.

The authority can use the proceeds of sales of land and spend the money in any way it wishes, without having to account for it. We must be very careful of the impact of these financial arrangements upon private enterprise. The Minister must give an explanation of the checks and balances that will apply to financing such an authority—its accountability, reporting to the Parliament, and limitations on its expenditure. The authority will also benefit from not having to pay rates, taxes, and charges, whereas private enterprise must pay

those imposts. Freedom of capitalisation will also have an impact.

Mr GRILL: Are you talking about clause 21?

Mr RUSHTON: Yes. I am linking it to the financial affairs that may be handled by the authority.

Mr GRILL: Get on with it.

Mr RUSHTON: I raised those points, and I hope the Minister noted them. I hope he will give us a clear picture of how the authority will account for the money spent—and I do not mean an auditor's report, but reporting to the Parliament—and the restraints and limitations on expenditure. Are there any and if so, what are they?

Mr GRILL: The member for Dale is trying to make a mockery of this debate.

Mr Rushton: You have said that every time you got up.

Mr GRILL: Clause 21 deals with the appropriation of money for the authority and the sources from which the money will come. They are all proper sources, and one of the checks and balances that will apply is that the money will come from Government funds and it will require the approval of the Minister, the Treasurer, and the Treasury.

The second check is that the money must be paid into an account at the Treasury so that Treasury will always have the ability to monitor that account. The other provisions of the clause are normally found in a Statute of this nature. The other checks and balances set out in the Bill are normal procedures that one would expect to find in a Bill of this sort.

Mr BLAIE: This is a very important clause which sets out a number of areas from which the authority may receive its funds. I refer members to (g) of this subclause (1), and ask the Minister if it is the Government's intention to channel moneys through the South West Development Authority once it is finally structured and is operational for further redistribution into the areas of the south-west as defined under the Bill? For example, would it be the Government's intention to channel funds for recreational purposes to the authority for redistribution throughout the area encompassing that authority? Will the same thing apply to funds which are received by the Government from the Commonwealth Government and which subsequently require redistribution throughout the south-west region? I could give a host of examples of areas into which Government funds are channelled, but I will mention health and recreation. It is important for the Opposition to understand the Government's intention in this regard and whether the authority will be the body to distribute State and Commonwealth funds.

No doubt, the Government has made up its mind what will happen, but for the parliamentary record, it is necessary for the Minister to indicate the Government's intention.

Mr GRILL: I can probably put the mind of the member for Vasse at rest. It is not intended that the Government should channel recreation, health, or any other funds into the South West Development Authority. The moneys will be appropriated from time to time by the Parliament.

It is most unlikely the Commonwealth funds will be channelled into the authority; however, I cannot be sure of that. I am unable to give the member an exhaustive list of sources from which the authority will derive its income.

Mr BLAIKIE: The point is, the Government does not intend to use the authority to distribute funds.

Mr GRILL: I can not imagine that would be the case. It will not be used to distribute funds in that way.

Clause put and passed.

Clauses 22 and 23 put and passed.

Clause 24: Guarantee by Treasurer—

Mr BLAIKIE: This clause gives the Treasurer, in the name and on behalf of the Crown and this State, the right to guarantee moneys in such form as he determines. Under this clause the Minister—

Point of Order

Mr WILLIAMS: On a point of order, Mr Chairman, I draw your attention to the state of the Chamber.

Mr Davies: The Opposition has managed to have five of its members in the Chamber all day.

Several members interjected.

The CHAIRMAN: Order! The Chamber appears to me to have a quorum.

Mr Davies: You cannot even count.

Several members interjected.

Committee Resumed

Mr BLAIKIE: This clause gives the authority the right to receive moneys by way of guarantees. Again, it comes back to a matter of philosophy—

Mr Evans: There is not one shadow Minister on the front bench—what a lot of interest!

Mr BLAIKIE: Is it intended that the South West Development Authority will receive moneys from the Crown and will be the vehicle by which various guarantees could be made to the respective industries—tourist, business, and commerce. I understand from my reading of the clause that the Treasurer will have the right to advance moneys to the authority and the authority will have the right

to handle moneys in that vein. Before I make any further comments I ask the Minister what the Government's determination is in this regard.

Mr GRILL: It appears to me that the member is misrepresenting the clause. The Treasurer will guarantee the due payments of moneys borrowed by the South West Development Authority. I can assure the member for Vasse that this clause is not a matter for apprehension.

Clause put and passed.

Clause 25 put and passed.

Clause 26: Annual estimates of receipts and payments—

Mr TRETHOWAN: Clause 26 provides for the annual budget of the authority to be provided to the Minister, and then to the Treasurer, for their approval. Would it be preferable for the annual estimate of receipts and payments to be provided, not only to the Minister and to the Treasurer, but also to this Chamber in a similar way in which the annual reports, providing the actual receipts and expenditure operation of the authority, after it has been completed for a financial year, and after it has been overviewed by the Auditor General, are to be provided to this Chamber?

Particularly considering the previous clauses allow this authority to have consolidated revenue funds passed to it, allows borrowing from the Treasury loan funds, and allows the authority to use State guarantees to borrow money, it would be in the best interests of the checks and balances which have been mentioned previously, particularly by the member for Vasse, that the annual budget of this authority should be presented to this Chamber in the same way as every other Government department has to present its annual budget. In effect, as the Minister has argued, in many ways the authority is under ministerial control, and this has been shown in the clauses we have already considered.

I recommend that the Minister give consideration to having not only the annual report presented to the House after it has been scrutinised by the Auditor General, but also the estimates of annual income and expenditure. They should be perused by this Chamber to ensure that no unreasonable and extravagant undertakings are planned.

Mr GRILL: Unless I am sadly mistaken, the procedure being adopted is the same as that which applies to other statutory authorities. There is no difference at all. I think the member for East Melville is mistaken with regard to the procedure which applies to other departments.

Mr TRETHOWAN: Departments are required to provide this information as part of the annual

Budget although it is certainly true that other statutory authorities are not included in detail in the annual Budget presented by the Government to this Parliament.

Mr I. F. Taylor: You have just answered the question you raised. Why is this case any different?

Mr TRETOWAN: I believe all statutory authorities should be accountable in their budgets to this Parliament, particularly if they are not independent. In all ways but one this authority will be under the control of the Minister as if it were a department. The Minister himself made a slip of the tongue once today by calling it a department as opposed to an authority. It is understandable because that is the way the authority appears. The only way in which it differs from a department—apart from its structure which is obviously different because it has a board—is that the authority has the right to commit itself to contracts without the approval of the Minister in advance. It seems to me that in every other way it operates as though it were a department. Because it is able to receive large amounts of Consolidated Revenue funds, it should provide a budget to this Parliament at the beginning of the year.

I take the opportunity to recommend that this practice be followed wherever possible by other statutory authorities.

Mr GRILL: The member is making a philosophical point, and I do not think it requires any further answer.

Mr RUSHTON: The Government is making a great issue of the accountability to Parliament of various statutory bodies in order to promote the credibility of the Government, but the Minister is fronting up with the opposite situation in this case. Why is this authority not required to present a budget? The Parliament should be informed of the authority's programme for the forthcoming year. Why is it different from other statutory authorities which have this obligation?

Mr GRILL: It is no different from any other statutory authority.

Clause put and passed.

Clauses 27 to 29 put and passed.

Clause 30: Composition of Advisory Committee—

Mr BLAICKIE: This clause deals with the establishment of the advisory committee. It states that there shall be a chairman of the committee and a board, being not more than 12 persons, appointed by the Minister. My concern is that local government has been ignored in connection with the committee.

I would have expected that the chairman of the south-west ward of the Country Shire Councils Association at least would have been one appointee written into the Bill because of his position in the south-west and his relationship with shire councils. However that will not be the case. Advertisements will be placed calling for the submission of names of persons resident in the south-west region who are able and willing to be candidates for appointment as advisory committee members. The newspapers circulating in the south-west region will carry that advertisement; people could nominate themselves and they would not necessarily have to belong to any organisation. The chairman of the authority will select a panel of names from those replying to the advertisement which he will submit to the Minister. The panel of names submitted will need to include twice as many names as are required for appointment, and the Minister will make the final determination.

I am concerned that local organisations have been overlooked. The members of the advisory committee could well come from a group of people generally representative of a particular area of the region or a group of people representing a particular interest of the region. That is one of the inherent dangers in this Bill. I referred to this question last night, but the Minister did not respond, so I repeat my concern.

The member for Warren could advise members of the difficulties faced by the dairy industry with regard to membership of the authority whose membership was formed under similar legislation. For a number of years the producer representatives on the Dairy Industry Authority came from one segment of the industry. That caused a great deal of concern and anguish to the areas not represented. I recall during the debate on that Bill drawing to the attention of the Government that it would be necessary to draw some boundaries so that all parts of the region and industry were represented. That did not occur with the Dairy Industry Authority, and it caused a number of problems. The industry has now drawn up its own boundaries and imposed conditions on those who can represent it on the authority. This difficulty has already been experienced, notwithstanding the goodwill and understanding of those who wanted to ensure that the authority operated successfully.

Human nature being what it is, there is no guarantee that the provisions contained within this Bill will not allow one group of people representative of a particular section of the south-west area to form the membership of the board. There is no guarantee that the people will be representative of the general region. That is a difficulty.

I appeal to the Minister and ask him why the local authorities were not asked as of right and given the opportunity of being on this committee for the purposes of looking after the south-west region, bearing in mind the contributions they have already made.

Mr GRILL: I can reply simply by saying that local authority members have taken the opportunity to be on this advisory committee.

Clause put and passed.

Clauses 31 to 36 put and passed.

Clause 37: Regulations—

Mr BLAIE: This is the clause which gives the Government power to make regulations to do all things which may be required. The regulations which can be made under this clause of the Bill would be the widest that I have ever seen in legislation. When the regulations come before the Parliament, members will be responsible to examine them. They will, in fact, handle anything and everything the authority may wish to do and may oblige other people to do to ensure they assist the authority in its works.

My only comment is that they are the widest-ranging regulations I have seen. It will be the responsibility of all members of Parliament to investigate them and to ensure that the regulations do not inhibit already existing industries in the south-west.

Clause put and passed.

Clause 38: Review of Act—

Mr MacKINNON: This clause provides for a review of the legislation in seven years' time. We had the spectacle the other evening of members of the Government claiming that members of the Opposition were two-faced. I would like to remind members of the Government how every time the Government has brought a new piece of legislation to this Parliament to create a new authority, a new QANGO—its leader claims to be reducing the number but the position seems to be exactly the opposite—it inserts what it calls a sunset clause. This is a very cloudy sunset. Nowhere since the election has the Government had the gumption to implement a proper sunset clause.

The legislation provides a "sunset clause" which says that there should be a review after seven years. It might be a one-page review put on the Table of the House, and the authority keeps going. The clause should provide, as every proper sunset clause should, that this authority will cease operations on a certain date unless the Parliament takes positive action to renew its authority. That is a proper sunset clause, which would ensure a proper review was made at the time and not just a cover-up by whichever Government happened to

be in power at the time—a Government of the current political persuasion or of an alternative political persuasion.

I remind the Minister and the Deputy Premier—who is not here—that we do not accept this as a sunset clause. The Government is hiding behind the clouds; and when we are returned to Government we will put in place effective sunset clauses to ensure that this type of legislation is terminated at the end of a specific time period, as is outlined now in the Industrial Lands Development Authority Act, the last piece of legislation in which we had the opportunity to insert such a clause.

Mr RUSHTON: This is a matter of principle, but it is also worth mentioning that the period of seven years should be altered, because the Government has not put forward any background; it has just shuffled through the debate without any clear indication of its need for the checks and balances which should be applied to it. I believe we should have a period of something like three years before this statutory authority ceases to operate. Then it could be looked at again to see what effect it has had.

I put that forward as a proposition. Once again we do not have the power in this Chamber to enforce that, but it is a proposal to the Minister that something like three years would be a far more realistic time for looking at this legislation. It would be a challenge to the authority to demonstrate its skill and effect. We could then consider whether it should continue. Otherwise it should go out of being and we would be rid of what appears to be a fairly costly operation without any great rewards to the people of the south-west. Time will tell, and three years would be sufficient time to evaluate the position. The authority could be allowed to continue if it proved itself.

Mr GRILL: How long this sunset clause should last is a subjective judgment which I suppose people make as objectively as possible. When setting up a statutory authority of this nature, which will have substantial duties, it is important to give it at least some years of life before the first review of its operations is made, otherwise there would be a lack of confidence on the part of those dealing with the statutory authority. That lack of confidence could be caused by the fact that people dealing with the authority would not know whether they could continue to deal with it for more than two or three years.

I suggest a three-year clause is manifestly too short. A period of five years is probably also too short for the same reason. Perhaps in this case even 10 years might be considered. Nevertheless,

we made a judgment, and we thought seven years was probably appropriate.

Clause put and passed.

Schedule 1—

As to Progress

Mr BLAICKIE: I move—

That the Chairman do now report progress and seek leave to sit again.

Motion put and a division taken with the following result—

Ayes 15

Mr Blaikie	Mr Mensaros
Mr Bradshaw	Mr Old
Mr Clarko	Mr Rushton
Mr Court	Mr Thompson
Mr Grayden	Mr Trethowan
Mr Hassell	Mr Watt
Mr Laurance	Mr Williams
Mr MacKinnon	

(Teller)

Noes 23

Mr Bateman	Mr Jamieson
Mr Bertram	Mr McIver
Mr Bryce	Mr Parker
Mr Brian Burke	Mr P. J. Smith
Mr Terry Burke	Mr A. D. Taylor
Mr Burkett	Mr I. F. Taylor
Mr Carr	Mr Tonkin
Mr Davies	Mr Troy
Mr Evans	Mr Watkins
Mr Grill	Mr Wilson
Mrs Henderson	Mr Gordon Hill
Mr Hodge	

(Teller)

Pairs

Noes

Ayes	
Mr Peter Jones	Mrs Beggs
Mr Crane	Mrs Buchanan
Mr Spriggs	Mr Tom Jones
Mr McNee	Mr D. L. Smith
Mr Tubby	Mr Pearce
Mr Coyne	Mr Read
Mr O'Connor	Mr Bridge

Motion thus negatived.

Committee Resumed

Mr BLAICKIE: I am disappointed the Government has not seen fit to agree to an adjournment of the debate. This schedule relates to the local authorities, the combined districts of which constitute the south-west region.

I hoped the Minister would agree to a delay so that the local authorities in the areas concerned would have time to review the arguments put forward by both sides and, for the first time, obtain an understanding and form their own opinions in respect of the Bill.

The CHAIRMAN: Order! I point out to the member that the schedule constitutes the shires which will be covered by the matters which have been decided already by this Chamber. The member may debate whether those shires should be in

the schedule, or whether additional shires should be added.

Mr BLAICKIE: I accept your ruling, Sir. I shall reserve my remarks for the third reading stage, although it would have been far more appropriate had the Government allowed progress to be reported and leave given to sit again to enable further consideration to be given to the Bill.

Schedule put and passed.

Schedules 2 and 3 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR GRILL (Esperance-Dundas—Minister for Regional Development and the North West with special responsibility for "Bunbury 2000") [3.15 p.m.]: I move—

That the Bill be now read a third time.

MR MacKINNON (Murdoch—Deputy Leader of the Opposition) [3.16 p.m.]: I take the opportunity to make a brief contribution at this stage of the Bill. Firstly, I reassure the Leader of the House and the Minister that there was no attempt by the Opposition to delay the Bill to frustrate or inconvenience the Minister. In fact we are very sorry if he has been inconvenienced.

Mr Grill: Rubbish!

Mr MacKINNON: The Minister may think what he likes.

Mr Grill: It was contemptible and small-minded.

Mr MacKINNON: That may well be the Minister's view—

Mr I. F. Taylor: It is the view of others also.

Mr MacKINNON: —but the Opposition appreciated the agreement made with the Leader of the House as to the normal carrying out of the business of the House, to postpone debate on the Bill until the shadow Minister had time to prepare his debate notes on the matter. In fact, several of the Bills for which the Minister is responsible could not proceed until he arrived at the House yesterday. When he did arrive, the other Bills for which he was responsible were handled. The member for Vasse was here at 4.30 p.m. and we could have proceeded with this Bill then.

Mr Tonkin: You did not tell us that. Come on!

Mr MacKINNON: I advised the Leader of the House when the member for Vasse arrived at about 4.30 p.m.

Mr Tonkin: Rubbish!

Mr MacKINNON: At that time we agreed to proceed with the Rural Reconstruction and Rural Adjustment Schemes Amendment Bill until the dinner suspension, after which we would deal with the other matters.

Mr Tonkin: During the dinner suspension I did not know the member for Vasse was back. I had no idea he was back at 4.30.

Mr Blaikie: I was here at 4.30.

Mr MacKINNON: And I advised the Minister of that at the time. Anyway, we had no wish to delay the Bill.

If the Leader of the House desires, the member for Vasse will give him an assurance that previously we discussed whether he might wish to institute a time management proposal in respect of the Bill, and we were prepared to consider that. Indeed, the member indicated to me that he was prepared to accept that arrangement if the Leader of the House wished it, because, while we felt strongly about the Bill—that has been indicated by the amount of debate initiated on it—we felt it could be accommodated within a reasonable time, had the need been expressed.

I reassure the Minister, and I know he probably will not accept it, that there was no desire on this side of the House to delay or frustrate him.

Mr Grill: I don't believe it.

Mr MacKINNON: We have strong feelings on the Bill, and that has been evidenced by the quality of debate from this side of the House. I am sure the Minister will see debate in another place will take a similar length of time and will be of a similar nature. Perhaps he will see some amendments made to the Bill in that place—who knows? It is up to the members there to determine that.

It is of concern to the Opposition that, despite all the best endeavours by the Leader of the House, as occurred last session, we have a plethora of major Bills being debated towards the end of this session. This is a major Bill. It causes us great concern that it has come here so late in the day—

Mr Tonkin: You had 14 days.

Mr MacKINNON: —with little time to discuss the matter appropriately with people in the community. There may have been 14 days, but if my memory serves me correctly, there was Good Friday, Saturday, Sunday, Easter Monday, and Tuesday when no-one could do any work of a consulting nature with people in the community. I repeat: It was not our desire to frustrate the Min-

ister in any way, but to have a proper debate on behalf of all the people in the community who share our concern on this legislation.

MR BLAIKIE (Vasse) [3.21 p.m.]: First, as was indicated, I was back in the House at 4.30 yesterday afternoon.

Mr Tonkin: I was not aware of it.

Mr BLAIKIE: When I returned here I could hear a raging debate, with shouting across the Chamber, on rural reconstruction.

Mr Tonkin: We would have adjourned the debate and got straight onto this.

Mr Clarko: How many times during the course of the O'Connor Government—

The SPEAKER: Order! I will not tolerate any interjections, any tedious repetition, or remarks of a new nature during this third reading debate.

Mr BLAIKIE: Thank you, Mr Speaker.

The subjects have been canvassed already but I voice my concern for the development of the south-west and for the ongoing progress of the region as is instanced by our concern for the progress of the region and for the progress and development of Western Australia and all Western Australians. It is not a matter of opposing the Bill for the sake of opposing it. It is a question of the direction in which the Bill is going; and we would have gone in a different direction.

I indicated in my second reading speech and during the Committee stage my concern for local government, the nature of shire councils, and the contribution they have made. I am concerned at the attitude taken by the Government towards local government. The concern of local authorities is heightened when they see the powers contained in this Bill. It is little wonder that we express this concern.

I am concerned that the Minister did not have the opportunity or did not make himself available to go to the local government bodies in the region to explain at first hand the Government's intentions. I do not know whether local government would have accepted the Government's reasons but I do believe there is an obligation on it to do just that. It did not do that and it may well be a lesson for the Government to remember if it brings in further legislation.

The Government has indicated that if this legislation is successful, it intends to have similar legislation for other regions of the State. We are talking about new legislation, and the creation of a piece of history, because previously there has been no such legislation in this State.

There is a need to be cautious. If the Leader of the House believes I have been irresponsible in

taking more time debating this Bill than he would have done, it is only because I have been taught to be cautious and because I have a responsibility, as we all have a collective responsibility on behalf of our constituents, to study legislation, especially legislation such as this.

If the Government continues to proceed in this way and this Bill is enacted, the Government has indicated that we could see this type of legislation covering other regions of the State. It is not a matter of being tedious or repetitious but of being cautious and seeking an explanation from the Government. Notwithstanding the comments the Minister has made I, for one, have not been overly satisfied and I doubt whether local government will be satisfied with the assurances it has sought and which are said to be contained in this legislation.

Question put and passed.

Bill read a third time and transmitted to the Council.

RURAL RECONSTRUCTION AND RURAL ADJUSTMENT SCHEMES AMENDMENT BILL 1984

Second Reading

Debate resumed from 3 May.

MR EVANS (Warren—Minister for Agriculture) [3.26 p.m.]: Earlier I was answering a number of questions by various members of the Opposition, and the member for Mt. Marshall asked several questions. I regret that he is not in the House but I will give him the response he has sought. He stressed the need for farmers to have access to funding, and I assure him that the Government is aware of this, hence the presence of this measure in the House. The Government is not only aware of this but it has pre-empted certain inquiries and is taking the initiative into its own hands. I draw the attention of the Opposition to that. Not only has there been a Department of Agriculture survey carried out but there is also the work of the Primary Industry Association and the report of the Select Committee of the Legislative Assembly. This report has indicated most of the areas where hardship exists. I commend the members of the committee for the way in which they have gone about their work. In particular I make reference to page 37 and the reference to rehabilitation where the first part of the first paragraph reads as follows—

One of the most serious aspects of the rural hardship problem is the predicament faced by farmers who are unable to obtain carry-on finance from normal commercial concerns and are restricted from rural adjustment as-

sistance on the grounds of lack of prospects of achieving viability.

That is probably the most useful area in which the Government can act in the short-term, and this has been done.

I acknowledge that the rural funding issue has two components. The first is short-term in that a number of farmers are desperate to get their finances into position to enable them to put in a crop in the 1984 season. The second component involves long-term funding, and reference has been made to this in the Select Committee's report and in the other surveys. This component is much embracing and goes far beyond the scope of the State to ultimately achieve its final solution.

The member for Mt. Marshall said that the Government had been dilatory in introducing this measure. Nothing could be further from the truth, and he knows full well that I attended a meeting in his area some months ago and explained what the Government was doing.

Mr McNee: The people have still not got their super. I have a farmer in my office right now. Don't tell me you have done something, because you have not.

Mr EVANS: The member should look at the time sequence.

Several members interjected.

Mr EVANS: The member made a complaint that this measure had only now come to the House, but he did not say that the scheme had been going on, that the date of application had actually passed and that the whole thing had been progressing under an arrangement through Treasury. The people who seek to organise their funding should have made application to the Rural Adjustment Authority in the same way.

Mr McNee: They have.

Mr EVANS: If they have—

Mr Old: Is there a 30 April deadline?

Mr EVANS: The 30 April deadline does exist. The scheme had been running prior to that date, so saying that nothing has been done because the measure is only here now is completely misleading. Let us get that point clear. Consider the time sequence. The member should be fair to some very good officials who have been working most diligently on this matter, and he should have regard to the last season and the way it transpired. Although the season started late, it had all the portents of being a bumper harvest, but the heavy rains and the subsequent rains during harvest changed the complexion of the season. That brings us towards the end of the year, and during that time the drought situation or the spectre of drought had arisen and the matter of drought

relief came into focus. The development of the drought gave rise to applications for areas to be declared drought-affected. Of course the applications had to be processed and this was part and parcel of the funding situation. Then the special funding was developed, and permission through the Cabinet and the normal sources obtained.

I remind the member for Mt. Marshall that towards the middle of last year a committee was set up in an endeavour to expand the operations of the Rural Adjustment Authority into a new form of organisation—to extend, if possible, its operation over a range of funding problems. This is going on and a piece of paper will come before Cabinet on either Monday next or the following Monday to enable that development to proceed. Perhaps that will result in the establishment of a corporation. It will be more modest than I would have hoped.

I return to the short-term funding and the policy that the Government adopted to ensure that drought relief and rural adjustment funding were available. Finally this special scheme was available for those who could not take advantage of the rural adjustment scheme. That was not a bad sort of approach, and an amount in the order of \$35 million was involved. Members should not be critical, because there was absolutely no way that the time could have been pruned. Additional staff were brought in to ensure that processing delays were minimised. A certain amount of time must transpire in the normal course of events.

Mr Old: The question I asked about the 30 April deadline was not meant as a criticism. I asked if that could be extended, if possible, because a lot of people still had not really received indication from their organisation.

Mr EVANS: Sure, and I will explain the reason for that in a minute. If I could just make a point—

Mr McNee: These decisions should have been made way back in January or February.

The DEPUTY SPEAKER: Order!

Mr EVANS: If people in the member's area have not lodged their applications by now, that indicates—

Mr McNee: It indicates you don't understand the situation. I am sorry. I have to point out to you that you don't understand—

Mr Gordon Hill: I am sick of hearing you say that.

Mr McNee: I am sick of saying it.

Mr McIver: It is all right for you to shout.
Several members interjected.

The DEPUTY SPEAKER: Order!

Mr EVANS: The member for Mt. Marshall—

Mr McIver: The member for shouting!

Mr EVANS: —does not know the procedures which must be followed in handling and administering a scheme of this sort.

Mr Blaikie: Cut it out. You don't believe that.

Mr EVANS: He shows a total lack, as a matter of fact—

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr EVANS: In addition to arranging the sources of finance, additional staff were put on and the organisation was expanded. I appreciate their efforts, as I am sure that most understanding people do.

Mr Old: Hear, hear!

Mr EVANS: Thank you. Somebody understands and shows no lack of appreciation of the administrative difficulties we experience. One of the delays in obtaining the special finance is that a refusal of the Rural Adjustment Scheme funding must be made, and until that course has been established, and until the rejection is given, the application for special finance cannot be approved. There must be a provisional aspect; and in some cases where a condition of funding is that the loan will be subject to other funding, further delays will occur. This is the reason for the delay, but when one has regard for the fact that the Government moved on this earlier in the year in anticipation of the break of the season, and had the funds in place and additional staff appointed, I do not think the member's criticism is valid.

While the member complains about and objects to the attitude of Mr Kerin, I explain to him that the amount of rural adjustment funds received this year is double what it has been for the last five years from a Labor Government. During Mr Kerin's visit here last week, he was able to make available an additional \$3.3 million for Rural Adjustment Authority funds.

Mr McNee interjected.

Mr EVANS: Even the member for Mt. Marshall must admit that that was a fair, co-operative effort on his part.

The member made one point about the banks doing a particularly good job. I cannot agree with him on that, and if one makes a comparison with the action and the reaction of the banks in New South Wales particularly, one finds that the story is different. The percentage of equity against which they will lend appears to be considerably higher than it is in Western Australia.

Mr McNee interjected.

Mr EVANS: The member for Greenough made a comment which also raised the question of delay.

It has been clearly established that it would be unreasonable to expect a more expeditious approach than that which the RAA has been able to provide. I appreciate the points that the member made about the dire straits of farmers in his area and the fact that approximately 100 farmers will leave the industry this year. He should take heart. The \$1.5 million approved for special carry-on finance by the hand of Parliament will go at least a good part of the way towards financing the farmers to whom he referred. The amount provided for funding remains, and those who will be rejected for normal RAA funding will be processed. That will increase the principal so they will be able to take advantage of the special scheme.

The member for Moore raised the wider issues that were canvassed in the interim report of the select committee of which he was a member. His remarks covered the trust fund and the fact that farmers should not be required to repay the early funds they received from the Rural Adjustment Authority. Of course there is the question of the original agreement between the Commonwealth and the State, an agreement which did require repayments to bring farmers, who were being reconstructed, back into the mainstream as rapidly as possible. That is the reason the Rural Adjustment Authority became involved in the policy.

Mr Tubby: In my comments I said that Mr Kerin said at Mingenew that they needed to be supported by a strong, well-documented submission from the WA Government. You did not mention that in your remarks. Could you explain to the House the nature of the submission, because it would appear at this stage that Mr Kerin was not aware of any submission.

Mr EVANS: A submission has been made to the IAC. That is the fundamental approach this State has adopted. The overall question has been referred by way of letter. The disaster relief letter has been supported by the Premier and all the Labor Federal members of Parliament have been contacted and have taken up this question. The situation has been made very clear in Canberra.

The member for Moore referred to the long-term prospects of the farming industry, the economic situation, and the possibility of costs remaining static or dropping in real terms. He said that the rural industry had only several years to go. I have a little more faith in the tenacity of farmers and suggest that they will receive support from this Government.

The member for Stirling supported the measure and did not wish any question to be answered. By way of conclusion, the object of the exercise was, within the resources available to the State, to ex-

tend assistance to the lower economic level of the farming community. We have harnessed the funds available, and although this move is not regarded as a panacea for all economic ills, at least it will bring a measure of support to the farmers who otherwise would not have received funding, or could not have the optimistic hope of several good seasons to bring them into a recovery position.

It is important that as many farms as possible be retained and that there be as few farm sales as possible. When there is a spate of clearance sales in a district it affects the confidence of the community. Once land values decline and equity is eroded, an escalation of the problem occurs. It is incumbent on the Government and financial houses to support any measure which will allow an orderly situation to occur.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr I. F. Taylor) in the Chair; Mr Evans (Minister for Agriculture) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 16 amended—

Mr OLD: The Minister probably misunderstood my remarks regarding subparagraph (ii) when I talked about repayment to the Commonwealth. I was not in any way being critical of the Government of the day taking the recycled money out to utilise it for assistance to farmers. The word "notwithstanding" is the linchpin of the clause. The point I was making was that if the situation is bad enough to take that money notwithstanding whether it is immediately required for repayment to the Commonwealth under the third agreement as varied by the fourth agreement, that money can be utilised irrespective of whether it is needed for purposes required for the rural adjustment scheme or repayment to the Commonwealth. I think that is great.

The question I asked the Minister—and I think he misunderstood my motive in asking the question—was if that happened, and if we got to the situation where there was not enough money left in the trust fund to pay back the Commonwealth the money it required under the 15-year term, would the Commonwealth waive the repayment, extend the term, or agree to pick up the tab?

The expressions of concern from myself and my colleagues—the member for Mt. Marshall and the member for Greenough—have not been aimed as criticisms of the scheme. The criticism has been aimed at the whole subject. We want to see, and we will support, the Government in any move to

ensure that the problems of affected people in rural areas are catered for. This is a move towards catering for their problems, and it has our full support and approbation.

I asked the Minister about the 30 April deadline, and perhaps he might take this opportunity to elucidate on that. It does seem unfair that a deadline has been set. The member for Mt. Marshall, for instance, received a telephone call yesterday from someone who had just had his application rejected by the bank. These people urgently need some sort of assistance. Perhaps the assistance the Government can give them under the scheme as set out will be inadequate, but at least there is some comfort in the fact that the person can come along and say, "I have been knocked back by the bank which has declined my application for funds to put in a crop. Can you help me?" If the amount available is \$40 000 or \$60 000, it may not fill the bill, but it may help to start the fellow off.

As the member for Mt. Marshall said, it appears we are on the verge of a good season. I have always been critical of people who in April or May say we will have a bumper season. I have been critical of the BAE when it says as soon as the first clouds appear that we will have a bumper harvest. If we keep quiet, the good Lord may bless us with a good season, and everybody in this Chamber hopes that he does.

The concept of the scheme is good, but I do not believe the application of the resources is good enough. That is not a criticism of the Minister or the Government of Western Australia; it is a criticism of the Federal Government in not getting its priorities right. Much money is fiddled by way of the dole and pensions, etc., as we read in the paper this morning. That amount of money applied to agriculture in Western Australia would do a lot of good. It is not the Commonwealth's fault the money is being fiddled; it is the system. It can say, "That is bad luck, we have lost that amount of money", but when it comes to agriculture, which provides a great deal of the money utilised in this country, we find we are down to a measly allocation of funds.

The Minister was quite right in saying that since the advent of the Labor Government in Canberra we have had a better deal in rural reconstruction but it is still a pittance. I am not being critical; the Federal Government has doubled the amount of money, but it is still not enough. It would not satisfy the requirements of one shire in a drought affected area. The magnitude of the problem has probably led to some emotive comment in this debate. We are not being critical of the Minister's activities; we are saying "Fine, let us try and do better".

Mr EVANS: In a situation in which money was required to be repaid to Canberra under the terms of the agreement and at the same time moneys had been loaned and were outstanding, the question of whether Canberra would waive the immediate repayments was raised. I should imagine the first step would be to try to negotiate some arrangement to have it stood over.

Mr Old: They would not have much option.

Mr EVANS: They would be pretty rugged if they did. The State would be required to honour the agreement. If the Federal Government insisted on maintaining it, it would be unparalleled and almost unbelievable.

I refer now to the closure date of 30 April placed on applications for special funding. The authority did that to ensure that no delay occurred on the part of the applicants. In other words, it was a matter of urging applicants to get their applications in. This may have technically placed some people outside the application date, as a bank has not rejected an application. If that person has no other avenue, I undertake to ensure that consideration is given to that application. A number of applications will arise from existing rural adjustment applications. Every rural adjustment application is automatically an application for the existing scheme. There could be some, however, who because of processing in other financial institutions have not got their applications in. If there is any such case, I will take it up on their behalf.

I appreciate, as the member for Katanning-Roe said, that we are still only on the fringes of the magnitude of rural indebtedness, and Western Australia is proportionately worse placed than any other State. We will do everything possible to retain every farming unit operating in this State.

Clause put and passed.

Clause 6 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR EVANS (Warren—Minister for Agriculture) [3.58 p.m.]: I move—

That the Bill be now read a third time.

MR I. F. TAYLOR (Kalgoorlie) [3.59 p.m.]: I take this opportunity of making a few brief remarks about the Bill. I missed my opportunity during the second reading debate yesterday afternoon as I was absent from the House at the time.

About December last year, this House decided to establish a Select Committee to look into the nature, location, and extent of rural hardship in Western Australia. I was appointed to the Committee and later elected as its chairman. I went into that job not knowing very much at all about farming and the problems of farmers. I suppose I do not know very much more now, but if anything I am a little wiser as to the problems facing the rural community in this State. I come from a mining electorate, and I believe there is a great deal of empathy between the people in places like Kalgoorlie and Boulder and the rural community. The mining industry is a price-taker, as is the rural industry, and they both face cost pressures over which they have little influence. As a result, they find themselves in the middle and have no effective influence over the progress of the industry.

I went into the position of Chairman of the Select Committee into rural hardship thinking that farmers were very well off. I suppose that view is in line with the thinking of the majority of people in Western Australia, and, in particular, in the metropolitan area. I quickly changed my mind on that point of view and found that the farming community was far from well off, and, in fact, in terms of living standards, many people have to put up with a great deal of inconvenience and work very hard to survive.

I have the greatest admiration for the farming community and the way in which they have coped with the significant pressures placed on them over the years. I sincerely believe that those pressures can not be done away with overnight, and they can not be answered in the space of one or two years. They must be examined over the long term, and it is incumbent upon all members of the Parliament to realise that to criticise for the sake of criticising the actions of any particular Government in regard to what is happening in the rural industry is not being true to the people in that industry. All Governments are aware of the problems in the rural industry and all Governments, regardless of their political persuasions, are prepared to do what they can to help.

The member for Katanning-Roe, who was the Minister for Agriculture in the previous Government, will be aware that in the nine years in which his party was in Government he would have done all in his power to resolve the problems in the rural industry. Prior to that time, the present Minister for Agriculture was the Minister, and he did the same thing. Members would be aware that he is doing the same now. The Bill before the House is indicative of the great concern of the Minister for Agriculture for the rural industry.

It does not help the rural industry for members of the Opposition to criticise loudly—as they did yesterday—the measure before the House and say that nothing is being done. I am certain that whatever can be done will be done by this Government, and by future Governments, in an attempt to resolve the problems. It is not a matter for members to come into the House and criticise for the sake of criticism. That criticism, if we are to do the best for the rural industry, must be constructive and made in a constructive manner.

Yesterday the member for Moore spoke to me and said he was distressed about some comments that were made by members from his side of the House during the second reading debate. He said that criticism had been levelled at the Government.

In listening to the comments from the member for Katanning-Roe today, it is obvious that he has been genuine in his responses. The Minister has indicated that if some farmers were unable to submit their applications for financial assistance by 30 April, he would be prepared to accept late applications and make sure they were given due consideration. That is the way it should be and can be.

The problems that face the rural industry are such that they should be above politics as far as possible because the industry is vital to Australia. One need only look at the Eastern States to see what difference the resurgence in the rural industry made to the Australian economy.

That is how important the rural industry is to Australia, and to each and every person in Australia, and it should be treated in that way. This House would be a better place if all members could put differences aside and worked together on this issue.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS

Cognate Debate

MR HODGE (Melville—Minister for Health) [4.05 p.m.]: Under Standing Order No. 256 it is possible to deal with complementary Bills in a cognate debate. As the Health Legislation Administration Bill 1984 and the Health Legislation Amendment Bill 1984 are interrelated, I seek leave of the House for a cognate debate on those Bills. The Health Legislation Administration Bill 1984 is the principal Bill.

Leave granted.

**HEALTH LEGISLATION ADMINISTRATION
BILL 1984
HEALTH LEGISLATION AMENDMENT BILL
1984**

Second Readings

Debates resumed from 19 April.

MR GRAYDEN (South Perth) [4.06 p.m.]: I am sorry that we are dealing with these Bills at this late hour because I will have to fill in for about 20 minutes and seek leave of the House to continue my remarks at a later stage in order that questions without notice can be taken.

This legislation will provide for the amalgamation of the Public Health Department, Hospital and Allied Services, and Mental Health Services. It will create a monolithic structure instead of continuing with three separate departments.

The change is a major one, and I am rather surprised that when the Minister introduced the Bills, he did not, at any stage, attempt to advance arguments or facts which would support the amalgamation of the three departments. Not a single line in the Minister's speech in any way justifies the proposed change. I am not quite clear of the reason the Government is proceeding with the amalgamation, and I am not aware of any public discussion having taken place on the proposal. Notwithstanding that, it is a major change.

I do not know whether the Public Health Department attempted to investigate the situation prior to implementing plans for this change. It may well be that I am incorrect in my assumption. The Public Health Department may have carried out some investigations, but the point I make is that the Minister, when introducing this measure, did not attempt to give any facts or arguments which would substantiate the change.

In the absence of any arguments or public discussions being advanced in favour of the desirability of an amalgamation, it would seem that the change would be for the worse.

The standard of health care will decline rather than improve with this new monolithic structure. It will be more cumbersome and less efficient than the current structure. It is a change for change's sake and nothing else.

I hope that when the Minister replies to the second reading debate he will give information to the House which will justify this major change.

Over a long period, our society has been subjected to change for change's sake. It goes back thousands of years. I have a quote which was on the door of the library and I think it is particularly relevant to this change. It is a comment by the consul of the Roman Empire, Caius Petronius, in 22 B.C. on the subject of reorganisation. I hope

members will listen to this quote because it is most relevant—

We trained hard, but it seemed that every time we were beginning to form up into teams we would be re-organised. I was to learn later in life that we tend to meet any new situation by re-organising, and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency and demoralisation.

It is relevant because we have three departments involved in the Health Act: the Public Health Department, the Hospital and Allied Services, and the Mental Health Services. They have been extremely efficient. As far as I am aware, there has been no criticism of those departments, yet suddenly we are told that they are to be amalgamated into a monolithic structure. This action is not taken as a result of criticism of the three departments, but simply because the government has elected to follow that course.

It seems that the Government is adopting this course of reorganisation to create an illusion of progress while producing confusion, inefficiency, and demoralisation. I hope that the Minister will come forward with some facts or arguments to justify the reorganisation and that he will tell the House there has been some discussion within the three departments involved, either individually or as a group. In the Minister's second reading speech he outlined the goals towards which the legislation was aimed. They are as follows—

to develop and implement a corporate plan for the organisation and delivery of co-ordinated health care that is responsive, comprehensive, and accessible;

to achieve efficiency, effectiveness, economy, and avoidance of duplication in the organisation and delivery of health care services;

to identify the health expectations and needs of the community and the health professions through advisory and consultative mechanisms; and

to promote public awareness and positive interest in the requirements for the prevention of ill health and the maintenance and improvement of health.

Those four points can be boiled down to two major objectives. Firstly, the question of health promotion; I applaud the Minister and the Government for the steps being taken in respect of health promotion and preventive measures. The Government is setting a lead, not only in this State, but also throughout Australia; and I commend it for that.

However, the Public Health Department is primarily engaged in prevention; it supervises standards, etc., and tries to obviate disease. It is very difficult to understand how the integration of this department into a monolithic structure will aid in health promotion. Perhaps the Minister will be able to enlighten us.

The second main objective of the Bill could be efficiency and, of course, every member in this House will support measures leading to greater efficiency in Government departments. Not only is that necessary in order to meet rising costs, but also to provide sufficient funds to engage in new initiatives. We would certainly support the two main goals of health promotion and efficiency. However, I cannot see how this measure will lead to efficiency; on the contrary it may even prove to be much more costly than the present system. I ask the Minister when replying to indicate how this move will aid health promotion or improve efficiency.

I now refer to what is perhaps the real reason for the change. In his second reading speech the Minister said the following—

Since assuming office, it has become apparent to the Government that substantial structural reorganisation of departmental health services is needed to achieve effective co-ordination and cohesiveness in the provision of health services.

However, the Labor Party has indicated otherwise; a statement under the signature of the Minister for Health distributed in November 1983, under the heading of "New Department of Health" read as follows—

The State Government gave a commitment in the pre-election campaign to rationalise services and facilities and to integrate and co-ordinate hospital and health services.

That statement is in conflict with what the Minister said in his second reading speech; on the one hand he said the State Government gave a commitment in its pre-election campaign, yet when introducing this Bill he said that since assuming office it has become apparent that reorganisation was necessary. In the absence of any other explanation from the Minister on the reasons for this legislation, it would appear that someone in the Labor Party, possibly a committee, decided it would be a grandiose scheme to put into effect, and the Minister and the Government are simply implementing it.

Mr Davies: It has been under consideration by all Governments for years. I was looking at the question of a better structure 10 years ago.

Mr GRAYDEN: I hope that is the situation. I am surprised that somewhere along the line a major change of this kind has not been the subject of public discussions, submissions, or some investigation within the Public Health Department. It is a major change. I would have thought this would be thoroughly investigated before being proceeded with.

In order to draw up this plan, the Minister appointed a steering committee comprising the Chairman of the Public Service Board, the Commissioner for Health, the Commissioner for Hospital and Allied Services, the Director of Mental Health Services, and the Under Treasurer. It was simply passed to the steering committee, which was instructed to draw up the plans for the amalgamation. It was not up to the committee to think in terms of anything except amalgamating these three departments. The members of the committee are all Government employees. The steering committee is headed by the Minister. What the steering committee would be doing would be receiving instructions from the Minister and drawing up plans.

This proposal is something of an enigma and a question mark hangs over it. Several questions demand answers.

The first question would be, what is wrong with the present system whereby the Public Health Department, the Hospital and Allied Services, and the Mental Health Services are administered by commissioners or directors together with secretaries who report directly to the Minister for Health on the functioning of their departments?

The second question is, what aspects of health care administration is the new department expected to improve? In what ways will the proposed organisation prove more economic than the present arrangement? Already we have seen an advertisement inviting seven applications for executive directors. On another occasion a note appeared in the *Government Gazette* advertising 22 positions. Those positions would require infrastructures. It is therefore legitimate to ask in what way this restructuring will improve costs within the department.

Other questions should be asked, and one is this: Will fewer administrative staff be employed? If not, what increases are intended? How is it possible to reconcile this with a reduction in costs? How can specific problems such as a mental health matter be presented to the Minister without direct access by senior health staff? Will such problems be filtered out by executive directors and the permanent head?

We know there will be an executive comprising eight people; that is, seven executive directors, led

by the permanent head. Then we will have a management board, termed a directorate, representing the branches or units within the service group. If anyone has a problem in mental health, it must come firstly through the service group to the executive director of that service group, and then through another committee, which is the executive committee, to the permanent head who is in charge of that particular group, and then to the Minister.

If there is a problem, it goes to whoever is raising the problem; then to the executive director, who is the head of the service group; then through another committee to the permanent head; and then to the Minister. So a problem in mental health goes through three individuals and two committees prior to reaching the Minister. Nothing could be more absurd. I hope somewhere

the Minister will make provision for this. At the moment, there is a dearth of information in respect of amalgamation. I do not know whether the Minister has the answers to the questions I have raised, but I can assure him that the answers are urgently required before Parliament is in a position to make a decision on legislation of this particular kind.

Leave to Continue Speech

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

Leave granted.

Debate thus adjourned.

QUESTIONS

Questions were taken at this stage.

House adjourned at 5.06 p.m.

QUESTIONS ON NOTICE

MINISTERS OF THE CROWN: STAFF

Mr Ron Smith: Payments

3145. Mr MacKINNON, to the Minister for Housing:

Further to question without notice 752 of Wednesday, 18 April 1984, would he now please advise me exactly what payments have been made to date to Mr Ron Smith or Smith Corporation Pty. Ltd. in his or his company's role as a consultant or adviser of the Government?

Mr WILSON replied:

Payments to the Smith Corporation in respect of the tasks undertaken should be seen in the light of those tasks and by comparison with commercial rates for categories of work.

The Smith Corporation has undertaken a complete revision of all State Housing Commission assets, identified and categorized those assets, and made recommendations for their disposal where appropriate.

As well the corporation has been involved in negotiating sales of land holdings. For the information of the member, I provide herewith details of the commission that would be payable for the sale of \$30 million of State Housing Commission assets through agents at Real Estate Institute of WA rates using hypothetical examples. The figure of \$30 million is a potential for land sales.

If there were 30 broadacre holdings sold for an average of \$1 million, the commission would be \$21 325 each—making a total commission payable of \$639 750.

If there were 20 broadacre holdings sold for an average of \$1.5 million the commission would be \$31 325 each—making a total commission payable of \$626 500.

If there were 15 broadacre holdings sold for an average of \$2 million, the commission would be \$41 325 or a total of \$619 875.

When comparing the above mentioned commission costs against the payment to date of \$109 999 pursuant to the contract, it can be demonstrated that Mr Smith's appointment was a very economical move by the government.

There have been a number of occasions when sales have been negotiated at figures substantially above valuation—further justifying the payments made.

As well as negotiating sales of Government land holdings, the Smith corporation is involved in the formation of special schemes to promote better quality housing and providing advice to the Minister on a range of housing and land related issues.

MINING

Uranium: Government Policy

3160. Mr MENSAROS, to the Premier:

As he has heard from the closest possible distance the Prime Minister announcing that Australia—presumably including every State—has a moral obligation to share its resources, including uranium, with the rest of the world and particularly underdeveloped countries, for energy generating purposes, can he please state his Government's policy on the subject of facilitating uranium mining, processing in, and export from Western Australia?

Mr BRIAN BURKE replied:

The member will recall that in my answer to a previous question—2920—I advised that any State Government decision in relation to the mining of uranium will depend on the Federal Government policy on uranium exports, and the conditions attached to any such exports. He will no doubt further recall that in my answer to question 3079 I advised that contact is being maintained with the Prime Minister and Commonwealth Minister for Resources and Energy to ensure that the State Government is fully informed on the implications of any Commonwealth Government policy changes.

WATER RESOURCES

Agaton

3161. Mr COWAN, to the Premier:

- (1) What is the priority given by the Government to the Agaton project?
- (2) What action has been taken by the Government since it came into office to obtain Federal funding for the project?

- (3) What future action will be taken to obtain Federal funds?
- (4) Has any assessment of the cost of the Agaton project been made?
- (5) Has the State Government set aside any funds for the project?
- (6) Is it likely to?
- (7) Did the rural water council request a meeting with him and the Ministers for Water Resources and Agriculture to discuss the Agaton project?
- (8) Why was the request refused?
- (9) Does the Agaton project have the priority first given to it by the Labor spokesman on water resources during the 1983 election campaign?

Mr BRIAN BURKE replied:

- (1) to (6) As the estimated cost of the Agaton project is in excess of \$60 million, a major financial contribution from the Commonwealth Government is required if the project is to proceed. Unfortunately, the unfavourable cost benefit aspects of the project and the limited amount of Commonwealth funds becoming available for water resources projects preclude such financial assistance at present.

Therefore, until some definite indications are received from the Commonwealth Government on its future funding of water resource projects, it is inappropriate for the State to make any commitment to the Agaton project.

A clear statement of commitment by potential consumers would also assist the progress of any proposals.

- (7) Yes.
- (8) In view of the above answers, a meeting along the lines proposed would not be productive at this stage.
- (9) The member can be assured that water supplies to this area, and in fact all rural areas of the State, are receiving the Government's earnest attention.

AGRICULTURE

Projects: Libya

3203. Mr OLD, to the Minister for Agriculture:

- (1) Adverting to question without notice, 1 May, re Libyan project, has he received regular reports on conditions being ex-

perienced by Western Australian members of the project?

- (2) In view of deteriorating relations between Libya and western nations, will he undertake to arrange for prompt evacuation of the members concerned?

Mr EVANS replied:

- (1) Regular reports have been received from Libya. Recently we have had frequent telephonic communication.
- (2) We do not think there is any need for emergency evacuation at present. In fact, the project is due to end in July after 10 years of operation and Australian staff are expected to leave at that time.

FUEL AND ENERGY: ELECTRICITY AND GAS

Charges: Commercial and Industrial

3204. Mr PETER JONES, to the Minister for Minerals and Energy:

Adverting to part (2) of his reply to question 2748 in which he advised that the percentage increase in tariffs for industrial and commercial customers from 1 July 1984 would be assessed on the increase necessary to cover costs of supply, what effort is the Government making to ensure that the State Energy Commission makes every effort to contain the cost of supply at the lowest possible level?

Mr PARKER replied:

Once again, the member seeks to misrepresent what I have said in my answer to him. However, I can assure him that all efforts are being made, firstly by the State Energy Commission; secondly by me and the Treasury, in its analysis of SECWA budgets, to contain these costs.

3205. *This question was postponed.*

LEGISLATIVE ASSEMBLY

Chamber: Electronic Vote Recording

3206. Mr JAMIESON, to the Speaker:

- (1) What progress has been made in investigating the installation of an electronic system of vote recording in the Chamber?

- (2) Is it contemplated that a costing for same will be included in the Assembly vote for 1984-85

The SPEAKER replied:

- (1) and (2) Further information has been received and the matter will be raised at a meeting of the Standing Orders Committee. Information is available in the Speaker's Office.

3207. *This question was postponed.*

RECREATION: YACHTING

Marina: Fees

3208. Mr COURT, to the Minister for Transport:

- (1) Will the Government charge yacht clubs the same fees for their marina facilities as commercial marina facilities?
(2) If "Yes", what are these rates?

Mr GRILL replied:

- (1) and (2) No policy has yet been formulated in respect of this matter.

RECREATION: YACHTING

Facilities: Survey

3209. Mr COURT, to the Minister for Transport:

Has the Government carried out a survey into yacht club facilities located in waterways in Western Australia?

Mr GRILL replied:

No. The Government has, however, carried out valuations of the seabed area on which the facilities stand.

APPRENTICES

Industrial and Commercial Training Commission: Establishment, Membership, and Terms of Reference

3210. Mr MacKINNON, to the Minister representing the Minister for Employment and Training:

- (1) When does the Government anticipate that it will establish the Industrial and Commercial Training Commission?
(2) Who will be represented on the commission?
(3) From where is it anticipated that the commission will operate?

- (4) What will be the primary aims of the commission?

Mr PARKER replied:

- (1) This year, subject to the satisfactory conclusion of the consultative process taking place.
(2) to (4) It has always been the Government's intention to consult widely in the process of establishing appropriate legislative provisions for the proposed commission. This particularly applies to those provisions relating to the functions and composition of the commission.

Officers of both the Department of Employment and Training and the Education Department have prepared a preliminary main features document for wider discussions. The document will be made available shortly to industry and other interested parties and comments sought by way of submission. It is the Minister for Employment and Training's intention to forward a copy of the document to the Leader of the Opposition for his information.

3211. *This question was postponed.*

HOUSING

Land: Murdoch

3212. Mr MacKINNON, to the Minister for Housing:

When can I expect to receive the confidential advice he refers to in his answer to question 2982 of 17 April 1984?

Mr WILSON replied:

The information requested has now been collected and collated, and the member will receive my letter next week.

TOURISM

Bungle Bungle: Working Party

3213. Mr MacKINNON, to the Minister for Tourism:

- (1) When was the working party appointed to complete the control and management plan for the Bungle Bungle area in the Kimberleys?
(2) Who are the members of the working party?
(3) When did the working party first meet?
(4) How often does the working party meet?

- (5) Is the Bungle Bungle working party intending to meet in the East Kimberley region prior to the presentation of its report?
- (6) Will any interested persons from the East Kimberley region be able to officially meet with the Bungle Bungle working party prior to the presentation of its report?
- (7) When is the Bungle Bungle working party expected to present its report?
- (8) Will the Bungle Bungle working party have powers to make decisions in respect of the development of the Bungle Bungle area?
- (9) To whom will the working party present its report?
- (10) Will the report be made public?
- (11) Will the request by the Ord River Tourist Bureau for representation on the working party be agreed to?
- (12) If not, why not?

Mr BRIAN BURKE replied:

- (1) The EPA established an informal working group on 28 February, 1983. It was to make recommendations on the status vesting and purpose of reserve 28538 (regeneration of eroded areas in the Ord River catchment area) which includes the Bungle Bungle range.
- (2) Current membership is as below—
 Department of Conservation and Environment—Mr G. Whisson, Mr J. Clarke
 Department of Agriculture—Mr A. Payne
 Department of Fisheries and Wildlife—Mr N. McKenzie
 Department of Lands and Surveys—Mr D. Smith
 Mines Department—Mr G. Beere
 National Parks Authority—Mr R. May
 Warmun Aboriginal Community—Mr A. Tegg
 Western Australian Tourism Commission—Mr E. Watling
- (3) 10 March, 1983
- (4) The working group has met six times.
- (5) No.
- (6) Representatives of the Kimberley Travel Association when in Perth have been invited to discuss issues with the

convenor and are welcome to attend meetings.

The EPA has agreed to make the working group report available to the Kimberley Travel Association for comment before the authority considers it.

- (7) The working group expects to present its report in October 1984.
- (8) No.
- (9) The Environmental Protection Authority.
- (10) Yes.
- (11) No.
- (12) Tourism interests are represented by the WA Tourism Commission. However, as the Ord River Tourist Bureau is a member of the Kimberley Travel Association the answer to (6) applies.

HEALTH: TRONADO MACHINE

Treatment: Cost

3214. Mr CRANE, to the Minister for Health:

With reference to his answer to parts (4) and (5) of question 2949 of Thursday, 12 April relating to payment for VHF Tronado treatment by Medicare, since I am fully aware that questions relating to Medicare and private health insurance schemes are matters for the Commonwealth Government and not the State Government, would he, as Minister for Health with an overview of these matters in this State, write to the Federal Minister for Health pointing out these anomalies and asking for private medical insurance schemes to be allowed to cover this treatment, as was previously allowed?

Mr HODGE replied:

I have already written to the Federal Minister for Health on several occasions and have had discussions with him regarding benefits for Tronado treatment. The State Government has no control over health benefits. Representations and letters received on this matter since the Federal Minister's decision, as contained in the letter from the Commonwealth Department of Health which I tabled in Parliament, have been forwarded to the Federal Minister.

Accordingly, I will forward a copy of the member's question to the Federal Minister for Health.

3215. *This question was postponed.*

GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES

Mr J. V. Fagan: Employment

3216. Mr LAURANCE, to the Premier:

- (1) Was Mr John Valentine Fagan employed by any other Government department or agency prior to his employment with the Public Works Department in May 1983?
- (2) If so, would he please provide details of any such employment?

Mr BRIAN BURKE replied:

- (1) and (2) Not to my knowledge.

3217 to 3219. *These questions were postponed.*

FUEL AND ENERGY: ELECTRICITY

Hydro-electricity: Ord River

3220. Mr MENSAROS, to the Minister for Minerals and Energy:

Further to his reply to question 1000 of 14 September 1983, can he say whether the projected study of a new hydro-power generating station at the Ord River has been reviewed, and if so, what was the result?

Mr PARKER replied:

The State Energy Commission has carried out a review of the earlier studies of a hydro-electric generating station at the Ord River dam and contact has been made with the Northern Territory Electricity Commission (NTEC), with a to determining whether there is justification for a reconsideration of the project as a source of power for the Darwin area. NTEC has indicated that it does not currently consider the Ord hydro-electric scheme to be a viable option but has nonetheless agreed to reconsider this matter and discussions at officer level are expected to take place in the near future.

The State Energy Commission has been studying the alternative development of a small hydro-electric scheme on the existing diversion weir near Kununurra as a source of power for Kununurra and possibly Wyndham. These studies are approaching completion.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Land: Acquisition and Sale

3221. Mr MENSAROS, to the Minister for Minerals and Energy:

Adverting to question 955 of 13 September 1983, can he now say whether the land upon which the East Perth gasworks is situated will be used for State Energy Commission or other purposes?

Mr PARKER replied:

The situation is unchanged and no decision has been taken regarding the future use of the East Perth gasworks site.

UNION

Trades and Labor Council: Home Loan Scheme

3222. Mr MENSAROS, to the Minister for Housing:

- (1) Does the Government subsidise a Trades and Labor Council home loan scheme within which members are receiving an eight per cent interest loan for a home up to a certain value?
- (2) If so, to what extent and from what funds?
- (3) If not, does he know the funding arrangements of the scheme?

Mr WILSON replied:

- (1) to (3) The Trades and Labor Council Building Society participates in the annual allocation of funds from the home purchase assistance account in accordance with the terms and conditions set down in the Housing Agreement (Commonwealth and State) Act 1981.

The commencing interest rate to borrowers is dependent on family income and ranges from 6 per cent to 11 per cent.

PUBLIC WORKS

Department: Day Labour

3223. Mr MENSAROS, to the Minister for Works:

What projects/jobs in building or water, sewerage, drainage undertakings have been done by day labour or organised through contract in 1982-83 and in the first half of the financial year 1983-84

by the Public Works Department, financed by the Commonwealth or other sources outside direct State Consolidated Revenue Fund or capital budget funds, for Aboriginal communities or Aboriginal entities owning pastoral leases?

Mr McIVER replied:

The Public Works Department, either through its day labour organisation or by contract, carries out an extensive range of building works from major construction projects to minor improvements and maintenance works. If the member could clarify his question in this context, I will endeavour to furnish the information required.

I would remind the member that questions concerning water, sewerage or drainage undertakings should be directed to the Minister for Water Resources.

WORKERS' COMPENSATION

Metropolitan Water Authority

3224. Mr MENSAROS, to the Minister for Water Resources:

- (1) Adverting to question 595 of 16 August 1983, can he now say whether self insurance has been introduced with the Metropolitan Water Authority for workers' compensation or has this proposal been rejected?
- (2) In either case, what was the result of studies as to the viability of self finance as opposed to the situation which has prevailed with State Government Insurance Office premiums and additional contributions for compensation by the Metropolitan Water Authority in light of the claim experiences of the last ten years, say?

Mr TONKIN replied:

- (1) In November 1983, the board of the authority resolved that consideration of self-insurance on workers' compensation be deferred to July 1984 when further information on certain current proposals was expected to be available.
- (2) For the 13 years to 1982-83 the total premiums paid of \$6.457 million has barely covered the cost of claims totalling \$6.209 million.

Preliminary examinations as to the viability of self insurance indicated that the major cost benefits would accrue from closer management of safety procedures and rehabilitation processes. New initiatives have been implemented and further improvements are in progress.

WATER RESOURCES

Metropolitan Water Authority: Maintenance Works

3225. Mr MENSAROS, to the Minister for Water Resources:

Are Metropolitan Water Authority maintenance works in the current financial year generally on schedule or is there any substance in allegations that they have fallen behind budgetary estimates and allowances?

Mr TONKIN replied:

Maintenance works are generally on schedule with some savings on budget because of improved efficiencies and lower than expected labour costs. Also, because of increased activity in the provision of new service and other capital works, there has been some reduction in the amount of planned maintenance in 1983-84.

Funds for these activities will be transferred to the deferred maintenance account and the work undertaken early in next financial year.

"HANSARD"

Availability: Tuesday Mornings

3226. Mr MENSAROS, to the Speaker:

- (1) Further to his reply to question 1356 of this session, could he please say whether he has taken up the matter of early availability of weekly *Hansards* and daily Notice Papers—to facilitate members' work—with the Government Printer?
- (2) If "Yes", what results did he achieve in view of the fact that the weekly *Hansard* of 17-19 April 1984 was still not available on Wednesday of the second following week?

The SPEAKER replied:

- (1) and (2) There has been and still is continuous communication between myself,

the Government Printer, and the various parliamentary officers concerning the need to improve the service to members.

Since the member's earlier question a system has been devised whereby sufficient copies of the daily notice paper, in proof form, are made available early each sitting day to meet the immediate needs of members. These papers, known as the "clerk's advance proof", have been arriving regularly and are provided to the Leader of the Opposition's office as a matter of routine.

A "new technology" industrial agreement has been implemented at the Government Printing Office. This should mean gaining increased benefit from computer technology, particularly when the parliamentary computer system is in operation, anticipated for 1985-86.

What must not be overlooked is that because of longer sittings and the growth in parliamentary questions, *Hansard* has experienced a growth factor of 46 per cent over previous years. The printer has been attempting to meet this growth with virtually no increase to his equipment or establishment and the result has been, in some instances, a later delivery of the weekly *Hansard*.

I have been informed that *Hansard* covering 17, 18, and 19 April was distributed within Parliament House during the dinner adjournment on Tuesday, 1 May.

It is expected that the *Hansard* report covering this Tuesday and Wednesday will be published next Tuesday. The report covering Thursday and Friday of this week will be published later next week, possibly Friday. I anticipate a similar system applying for the remainder of this session.

QUESTIONS WITHOUT NOTICE

STATE FINANCE

Financial Institutions Duty: Review

848. Mr HASSELL to the Premier:

I ask the Premier whether the Government intends to commence its review of the financial institutions duty now that concrete evidence has been produced as

to the large outflow of money from Western Australian money markets?

Mr BRIAN BURKE replied:

It would seem the Leader of the Opposition is referring to a report published today. Quite frankly, it is a report of which I have not yet seen a copy. We will certainly be giving the report very serious consideration, as I expect the Leader of the Opposition would expect us to do, and we will make decisions about what logical action should follow the report after we have given it that consideration.

TOURISM

Pacific Area Travel Association Conference

849. Mr READ, to the Minister for Tourism:

Is the Minister in a position to inform the House of any additional initiatives taken by the Western Australian Tourism Commission in an event to further enhance Western Australia's opportunities of successfully bidding for the 1988 Pacific Area Travel Association conference?

Mr BRIAN BURKE replied:

The Chairman of the Western Australian Tourist Commission (Mr Len Hitchin) has just returned from Melbourne and Canberra where he submitted an offer to the General Manager of the Australian Tourist Commission, on behalf of Western Australia to provide a subsidy of \$100 a head to overseas delegates attending the Pacific Area Travel Association Conference in 1988. On current estimates, this could amount to a subsidy to the Pacific Area Travel Association of some \$250 000.

It has been recommended by the Western Australian Tourism Commission that the money be used to establish an ongoing foundation to be used for tourism industry training and education.

It is hoped that this offer will ensure that Perth is successful in its bid.

I suppose the Tourism Commission will be criticised for having made the offer, and without wanting to pre-empt the criticism, because the Opposition which is likely to be the font of the criticism can make its own decisions about it, I ask the Opposition to understand the importance of attracting conferences like the PATA conference to Perth and to

understand the impact such a conference will have on the tourism industry and the economy of this State generally.

The conference will be held in the year following the defence of the America's Cup and it will provide ongoing impetus to the Government's tourism policies. On that basis, while I suppose many, most, or all of us could say there are other pressing needs to which the money might be directed, as it is coming from the Tourism Commission's budget and as it was a recommendation from the commission it probably deserves some rather serious consideration.

TOURISM

Bungle Bungle: Working Party

850. Mr MacKINNON, to the Minister for the Environment:

- (1) How does the Minister expect the informal working group appointed to make recommendations on the control and management of the Bungle Bungle area, to make a proper recommendation when it is not even planning to meet in the region?
- (2) Will he instruct the group to visit the area, meet in the region, and allow the views of those who will conduct tours into the area to be heard by the committee?

Mr DAVIES replied:

- (1) and (2) I am happy to say this aspect has been considered and will probably be one of the options we will be looking at. The importance and attraction of Bungle Bungle has been known for a considerable time, but the previous Government did not take any action to try to put into effect a management plan for the area. I am glad to see at this late stage members opposite are showing some concern.

The best way to handle that initially has been to bring down representatives to Perth, and that has been happening. In particular representatives of the Aboriginal people have been coming down regularly.

Mr MacKinnon: Which other representatives have been brought down?

Mr DAVIES: At present, only the Aboriginal section, because that is all that has

been felt necessary. I am quite certain that, had we been bringing down half of Kununurra to Perth, the shadow Minister would have been on his feet complaining about the waste of Government money.

We take a serious view of the future of Bungle Bungle. We are concerned that some people seem to think it is open go for all tourists to rip in there with four-wheel drive vehicles. Unfortunately, that is the position at present, but we are taking action and trying to assess the quickest way to control the situation in the area.

We will be taking into account all the options available to us to ensure the greatest possible input is made. I say with some confidence that, before the final decision is made, the committee will visit the area.

Mr MacKinnon: In answer to a question today, the Premier said it would not visit the region.

Mr DAVIES: At present there is no suggestion that it will, but we are examining the options available. If we said the committee intended to visit the region and it did not, the member for Murdoch would complain. The Opposition would be whingeing as usual. We find it very difficult to cope with the Opposition, because if we put our policy into effect, we are in trouble with members opposite, and if we do not put it into effect, we are criticised. The Opposition is following its usual policy of carping criticism.

We shall be considering all available options and, before the final decision is made, if it is necessary to go to the region, we will most certainly ensure representatives of the committee do so. If the committee does not go there as a whole, representatives who are able to make a proper assessment of the position will do so. I certainly hope the member will not then complain about the waste of Government money.

LOCAL GOVERNMENT: ACT

Amendments: Opposition

851. Mrs WATKINS, to the Minister for Local Government:

The "ABC" news last night reported the President of the Liberal Party in WA as

urging voters to use Saturday's local government elections as a means to oppose the proposed reforms to the Local Government Act. Mr Payne is reported as saying that the Government's reform package would increase intrusion into people's lives. I ask—

- (1) Can the Minister explain how the Government's reforms would increase intrusion into people's lives?
- (2) Does the Minister know of any candidates in the local government elections who are campaigning in opposition to these reforms, and if so, against which aspects of the reforms is such opposition directed?

Mr Clarko: A Dorothy Dixer!

Mr CARR replied:

The member for Karrinyup will be interested to know it is not. I had about 30 seconds' warning of the question. However, I welcome the opportunity to comment on the remarks made last night by the President of the Liberal Party of Western Australia. The comments made by him typified the level of debate which is taking place in this State at present with regard to local government.

The fact that local government elections are to be held tomorrow has been a very large factor in provoking a substantial amount of irrational and illogical comment on local government and no more typical example of that could be found than Mr Payne's comment that the Government's reforms would increase intrusion into people's lives. The answer to the question is as follows—

- (1) I cannot explain how the Government's reforms would increase intrusion into people's lives, because the Government's proposals will not do so, except perhaps I could concede that extending local government voting to people who do not have a vote at present is an extension of people's involvement in local government. However, the general thrust of the comments made by Mr Payne was most unfortunate at a time when all people involved in government should simply be saying in a bipartisan way to voters, "Tomorrow you should turn out and vote in your local council elec-

tion. Vote for the candidate of your choice". If that happens to be a Liberal Party candidate, Labor Party candidate, Independent candidate, or a candidate who has an affiliation with any other party, so be it. However, we should be encouraging individual voters to turn out and exercise their right to vote for the candidates of their choice.

I have emphasised in this House previously that it is my firm commitment as far as party politics in local government are concerned not to promote one side or the other, but to enable the community that lives within the council's area to have the ability to elect the council it wants.

- (2) It is certainly true some candidates are being very party-political in the way they are operating, but I do not intend to name individual candidates who are campaigning in that way, because if people want to go out and say openly that they are campaigning in opposition to a Government Bill, for example, so much credit to them for indicating they oppose what the State Government proposes. That is a rather better approach to the situation than that taken by a great number of people who involve themselves in local government in a very political way while they pretend they are non-political.

ANIMALS

Veterinary Products: Irish Australian Horse Products Pty. Ltd.

852. Mr BRADSHAW, to the Minister for Agriculture:

- (1) Adverting to the reply to question 3121 wherein he has advised that a temporary permit was issued on 10 August 1983 for the sale of certain veterinary products, is it not true that at the time of the issue of the permit no statutory authority existed for the issue as no regulation was in force?
- (2) Did the Registrar of Veterinary Products resist issuing a permit?
- (3) Was the registrar instructed by a superior to issue the permit?

- (4) If "Yes" to (3), by whom was the instruction given and for what reason?
- (5) Why did he mislead Parliament as he did in reply to question 172 when he advised that—

Subsequently a temporary permit as provided for under the Veterinary Preparations and Animal Feeding Stuffs Act has been given for sale to 9 September;

when no regulation had been made pursuant to that Act to give authority for the issue of a temporary permit?

- (6) Is the company which markets the veterinary products owned by Walter Robert Maumill; Laurance Charles Kerr; and Cheri Marie Gardiner?

The SPEAKER: I hope the Minister has had some notice of the question.

Mr EVANS replied:

- (1) to (6) It is a little unreasonable to expect a reply to a detailed, six-part question of that nature involving dates, names, firms, and going back to 1983 based on notice received at four o'clock on a Friday afternoon.

I could not be expected to possess at hand all this detail. If the member places the question on the Notice Paper I will provide him with a detailed response.

ROTTNEST ISLAND

Catherine Bay

853. Mr BATEMAN, to the Premier:

Has the Premier seen the article on the front page of today's *Daily News* concerning moorings at Catherine Bay at Rottnest Island?

Mr BRIAN BURKE replied:

Yes, I have seen the article, and as a result of inquiries made of my office by a newspaper reporter I am able to provide the member with some information. Catherine Bay was originally opened up for mooring by blasting two minor reef obstructions during November 1982. Applications for moorings in Catherine Bay were accepted and allocated strictly in accordance with the date they were lodged. I am advised by the Rottnest Island Board that with respect to the application for specific moorings at Rottnest, people do not apply for a

mooring but rather they apply for a mooring in a particular bay. About 10 people applied for a mooring in Catherine Bay at the time the reef obstructions were blasted away. I understand that the allocation of some of the moorings proceeded during our term in office, but that some of the allocations were made prior to the time I attended my first meeting as chairman of the board.

Mr Laurance: In the answer you gave the other night I think you said that the decision was made in November 1982.

Mr BRIAN BURKE: I thought it was the blasting that took place in November 1982.

Earlier this week I was asked a question on this subject by the member for Merredin. Specifically he asked whether any members of the Rottnest Island Board had moorings in Catherine Bay. I believe the answer I gave was correct although I see from the article that the Deputy Chairman of the Rottnest Island Board (Mr Dallas Dempster) has a part-share in a boat with Mr Dennis Marshall, and that Mr Marshall has a mooring in Catherine Bay. To that extent I suppose it might be interpreted to be true that a member of the board has a share in a boat with a man who has a mooring in Catherine Bay, but that is as much as I can illuminate the subject.

If anyone has information indicating that moorings at Rottnest have been allocated out of turn or in circumstances that were not proper, I would be happy for that person to refer that information to me.

Mr Mensaros: I did four months ago, but you didn't reply.

Mr BRIAN BURKE: I am not aware of that, but I will certainly make inquiries. I have had a number of people coming to me with questions about moorings and how to get them. People have asked about blasting of the reef. I had occasion to ask Mr Dempster why Catherine Bay was blasted and to express to him the view that I did not want any more blasting of reefs around Rottnest.

The article in the *Daily News* referred to secrecy surrounding the names of people who own moorings at Rottnest. I understand this policy has been in force

for a number of years, but I do not know who enforced it originally.

Mr Laurance: It didn't come up in my time, but I can see the reason for it.

Mr BRIAN BURKE: I do not mind whether people know who have moorings. I was asked whether too many affluent people were being given moorings. One of the requirements for having a mooring obviously is to have a boat, and it is often the case that people who are reasonably wealthy have boats. I suppose it is on that basis that I do not have a boat.

Mr Hassell: With your mortgage you should be able to get a boat.

Mr BRIAN BURKE: I am quite happy to ask that the Rottnest Island Board review its policy of not letting people publish the names of those on its mooring register. I understand the secrecy is to guard against crimes such as breaking and entering when houses are vacant. At the next meeting of the board I will ask members if they would be prepared to reconsider the policy to see whether we can have published an open register.

CRIMINAL CODE AMENDMENT BILL

Defeat

854. Mr MENSAROS, to the Premier:

In view of the statement in an answer to a dorothy dix question yesterday by the Leader of the House that the elected representatives of the majority of the Western Australian electors voted for the legislation which *inter alia* proposed to legalise certain homosexual activities, will his Government introduce legislation to enable a referendum to be held on this subject so that there should be no accusation that the majority are for it but are unable to prevail?

Mr BRIAN BURKE replied:

I accept that the question is asked seriously and I will give the member a serious answer. No, I would not consider it likely that the Government would consider legislating for a referendum on this question. However, as the member has raised the question, I will cause it to be raised at Cabinet so that members of Cabinet and subsequently members of the parliamentary Labor Party can express their opinions about the matter. The reason I do not think the Govern-

ment would be prepared to legislate for a referendum is essentially that this matter is one of policy, and as a matter of policy it is something to which we are committed.

Mr Mensaros: I do not think the majority of the electorate is with your policy.

Mr BRIAN BURKE: I do not know. I suspect that perhaps the majority of the electorate is not with us on the policy, but the majority of the electorate—at least the majority that bothered to inquire—would know we were elected on that policy and might predict that we would attempt to implement that policy.

On the same basis, would the member be prepared to support a referendum asking the public whether they favour one-vote-one-value?

Mr Mensaros: It would depend on how fair the question was. I do not think the public is in favour of one-vote-one-value.

Mr BRIAN BURKE: That is getting down to a subjective view of the public mind.

Mr Mensaros: In principle you are not in favour of Government by referendum; I agree with the Leader of the House. I wanted to express how I felt.

STATE FORESTS: PINE

Planting: Land Purchase

855. Mr P. J. SMITH, to the Premier:

Is the Government satisfied with the response so far from farmers to its proposal to lease or buy land for pine planting in the south-west?

Mr BRIAN BURKE replied:

Yes, we have been satisfied with the response from the farmers. At the same time, I should say that evidence is available to show that some organisations, local authorities, and farmer organisations remain, if not as strongly as previously opposed, then at least still opposed to the policy. However, the reaction from farmers has been very satisfactory. As I said to those groups which oppose the policy and the participation of farmers in it, we are not forcing anyone to sell his property and we are not resuming anything. Those people who want the Government to produce a policy to prevent farmers from selling land to the Government are seeking to inhibit

the use to which owners of freehold land can put that land.

I am not sure that even the Opposition in this place would agree that we should encumber freehold ownership of land in a way that would prevent a farmer from selling his land to the Government for the planting of pines.

UNION

Mr J. V. Fagan: Membership

856. Mr LAURANCE, to the Minister for Works:

(1) To his knowledge, is Mr John Fagan a member of either the Building Workers' Industrial Union or the Builders Labourers' Federation?

(2) Was an approach made to the Minister by one of these unions on behalf of Mr Fagan?

The SPEAKER: Order! The first question is not one that the Minister would be aware of.

A member: Hear, hear!

Mr MacKinnon: He might be aware of it.

The SPEAKER: The member may proceed with the second part of his question. I will listen to that one.

Mr Tonkin: The first one is not part of his responsibilities as a Minister.

Mr LAURANCE: He was employed by the Public Works Department.

Mr I. F. Taylor: Do you check out everyone's affiliations?

Mr LAURANCE: I repeat—

(2) Was an approach made by one of the two unions I mentioned in the first part of my question on behalf of Mr Fagan?

The SPEAKER: The member cannot ask that question either.

Mr MacKinnon: Give him a break.

The SPEAKER: All the member can do is ask a Minister a question relating to his own portfolio and responsibilities. He cannot ask a Minister a question asking "is he aware" that any other Minister did something. He cannot say that. The question is out of order.

LOCAL GOVERNMENT

Shire Clerks: Political Affiliations

857. Mr BURKETT, to the Minister for Local Government:

(1) Has the Minister received any complaints from shire clerks in response to the member for Dale's—

Mr MacKinnon: The Minister needs protection now.

Mr BURKETT: To continue—

—comments in this House on 10 April 1984 when he said—

People say now that, if one is a shire clerk, it is best for one to belong to the Labor Party, because, when the Liberals are in power, they do not interfere with local government, but when Labor is in Government, it gives bonuses to those who are members of the Labor Party; therefore shire clerks should belong to the Labor Party.

Mr MacKinnon: Fair go.

Mr BURKETT: To continue—

(2) If so, does the Minister associate himself with the comments of the member for Dale?

Mr CARR replied:

(1) I have received complaints from officers of longstanding in the local government profession who objected strongly to the statements of the member for Dale.

Mr MacKinnon: What did they say about the Deputy Premier's term "ratbag"? Did you ask them that?

Mr CARR: Concern was expressed that an ex-Minister for Local Government, under the veil of privilege, should make such statements, especially about shire clerks, and also that the resultant degeneration of debate was of little credit to members of the House.

(2) I wish to completely disassociate myself from the member for Dale's comments.

I was not in the Chamber at the time the comments were made and would therefore take this opportunity to assure all local government officers of my support for the way they conduct their work in a most non-party political way.

Mr I. F. Taylor: Hear, hear!

Mr CARR: It would be clear to any fair minded person that the member for

Dale's irresponsible comments indicate that he is completely out of touch with the workings of local government administration.

Mr Rushton: Blackmail is going on.

Mr Burkett: Blackmail? Say that to Malcolm Sargeant. You are a fair dinkum weakling. What a great favour you did the State.

Mr Rushton: The remarks were deliberate.

Mr CARR: It also shows how much the Opposition is clutching at straws in opposing many overdue reforms for local Government.

PUBLIC WORKS: DEPARTMENT

Mr J. V. Fagan: Employment

858. Mr LAURANCE, to the Minister for Works:

In relation to the employment of Mr John Fagan by the Public Works Department, was he approached either directly by any member of the Building Worker's Industrial Union or the Builders Labourers' Federation or via another Minister to him in relation to Mr Fagan's employment?

Mr McIVER replied:

No.

BUSINESSES

Small Business Loans Guarantee Act

859. Mr TROY, to the Minister for Industrial Development:

The Minister announced in April that Cabinet had approved the drafting of a Bill for a small business loans guarantee Act. I ask—

Can he report on the progress of that Bill?

Mr Blaikie: Hear, hear!

Mr BRYCE replied:

I am pleased to announce that—

Mr Clarko: Thank you for some notice.

Mr BRYCE: —the Bill referred to by the member for Mundaring has been drafted and I have no doubt that members opposite will be delighted to hear, for at least two reasons, that the Government will be introducing that legislation in the spring session of the Parliament.

Mr Blaikie: Why don't you bring it in now?

Mr Old: There is plenty of room on the Notice Paper.

Mr BRYCE: I would have thought that the first reason—

Mr MacKinnon: I will cross that off my list.

Mr BRYCE: —was that members opposite were beginning to demonstrate the signs of exhaustion and were not prepared to cope with that sort of Bill at this stage of the session; but more particularly, I would have thought that they would be thrilled to discover that having drafted the Bill, the Government now intends consulting in considerable detail with the organisations within the small business sector and which have a real interest in that matter.

Mr MacKinnon: Why did you originally list it for this session?

Mr Brian Burke: You ignored it for nine years and now you complain about the Government doing something to assist small business.

Mr Williams: That is a change of policy.

Mr BRYCE: I can appreciate that members opposite do not feel very comfortable with the reality that the Government is prepared to do this, but in fact we consider that it is an important part of the *modus operandi* of Government in putting in place a framework of measures to assist the small business sector, a framework that should have been put in place during the 1970s—

Mr MacKinnon: The longer you hold your present position, the more comfortable we become.

Mr BRYCE: —and was not because so many of the members sitting opposite worship at the altar of mega-projects in the resource industry—

Mr Old: Big deal.

Mr BRYCE: —and simply assume that if they stand back and let everything go, everything will be all right. It just so happens that we are about five years behind—

Mr Blaikie: Who?

Mr BRYCE: —the most sophisticated parts of the western world, but we can give the Opposition a guarantee that within another 12 to 18 months we will have caught up.

A member: Hear, hear!

PUBLIC WORKS: DEPARTMENT

Mr J. V. Fagan: Employment

860. Mr LAURANCE, to the Premier:

In relation to the employment of Mr John Fagan by the Public Works Department, and as he has already indicated to the House that the employment of this man was the subject of a meeting between himself, the Minister for Industrial Relations and the Minister for Works, I ask—

Can he tell me whether he was approached directly or via any other Minister by either a representative of the Building Workers' Industrial Union or the Builders Labourers' Federation?

Mr BRIAN BURKE replied:

I am very glad the member asked the question. As I indicated during the debate, I received perhaps two approaches. I am not sure of the number and I am not sure whether it was the Builders Labourers' Federation or the Building Workers' Industrial Union, but it was certainly on behalf of one of them. The approaches indicated that people were seeing the Government's refusal to employ Mr Fagan as being based on his union activism, so that is certainly true, but I do not remember another Minister raising the same matter with me. However, the question does give me an opportunity on the same subject to read to the House a letter which I today sent to *The West Australian* newspaper. I am sure that people will be interested in it, particularly the member for Gascoyne.

Mr Old: I thought the lead-up was pretty good.

Mr BRIAN BURKE: Yes, I will read the rebuttal too. It reads as follows—

I refer to your editorial (May 4) about the employment of Mr James Fagan by the Public Works Department and about the Opposition's allegation that I instructed the department to employ him. I did not even discuss the matter with the department, let alone instruct it to employ Mr Fagan. I did, as I explained in Parliament, convey to the Minister for Works my strong view that Mr Fagan or anyone else should not be refused employment on the basis of his or her union activity. The Minister for Works has

said that he instructed them to employ Mr Fagan after taking into account the views I expressed to him. Following the Opposition's allegations about workers' compensation payments to Mr Fagan, I have asked the Minister for Works to investigate whether Mr Fagan is or has received compensation payments to which he is not entitled and to act accordingly on the information he received. I do not know Mr Fagan. To the best of my knowledge I have never met him, corresponded with him or spoken to him. My continued very strong view is that it is wrong to refuse to reject any person on the basis of his or her union or employer association activity.

Apart from having said that, once again in a form drawn together, I guess, repeating what was said previously, I really wonder what this sort of thing says about the Opposition. How bereft is the Opposition of any substantial policy position on matters of great importance to people of this State?

Mr Clarko: Don't you remember the union's case.

Mr Old: Come on! The people in this State are suspicious about you.

Mr BRIAN BURKE: I have no worries about dealing with stolen documents or anything else. All I am asking is where in the context of things does this pursuit by the Opposition, particularly in the manner that the member for Gascoyne has pursued it, place the priorities of the Opposition?

A member: Captain Courageous!

Mr BRIAN BURKE: I can only repeat what I have said previously: I do not flinch from the fact that if anyone says to me, as Premier—and I would expect the same for my Ministers—that we should have a policy of refusing employment to people on the basis of their union activities or the basis of their political beliefs, or religious convictions, then I say now—and I am prepared to have the matter put to Cabinet to be ratified—that there will be an instruction that this is not the basis on which to refuse someone employment.

Mr Blaikie: Will you refuse to employ people who are not members of a union?

Mr BRIAN BURKE: We even employed Ray Young.

Mr Laurance: You even gave my brother a mooring.

Mr BRIAN BURKE: If we have given him a mooring I would presume he lodged his application in such a way as to entitle him to a mooring when his turn came up.

I think that indicates, on the basis of his political conviction—and I have reason to believe he is even more right-wing than the member for Gascoyne—

Several members interjected.

Mr BRIAN BURKE:—let alone not employ him we would not even stop him having a mooring!

I indicated this in my reply to the grievance debate when I stated to the Minister for Works and the Minister for Industrial Relations—and I think to other Ministers, not specifically, but in discussions—that we would not and should not be seen to have a policy that said people should not be employed because they are active in union affairs.

LEGISLATIVE COUNCIL

Legislation: Deferment

861. Mr GORDON HILL, to the Minister for Parliamentary and Electoral Reform:

- (1) Is he aware of comments by the Leader of the Opposition on the ABC this morning which implied that the Opposition in the Legislative Council would defer some of the Government's legislation including the Local Government Amendment Bill; the South West Development Authority Bill; and, the casino legislation?
- (2) Is he also aware of his claims that the Government was forcing major debate into the Legislative Council which it claimed was an undemocratic House?
- (3) Are these allegations correct?

MR TONKIN replied:

- (1) to (3): Yes, I am aware of the Leader of the Opposition's comments and I am appalled at their inaccuracy.

Let me put the record straight. Firstly, the Opposition's claim that the Government is forcing major debate into the Legislative Council is arrant nonsense.

The Leader of the Opposition's statement that major Bills should be debated in the Legislative Assembly is a tacit acknowledgment by him of the irresponsibility of his colleagues in the Legislative Council. I understand the Leader of the Opposition raised the possibility of the Legislative Council deferring legislation after being informed that the Government wanted to deal with over 30 pieces of legislation before Parliament rose.

A list of over 30 Bills was made available to the Opposition, but it was made clear that some of the items on the list might not be introduced and proceeded with.

In discussions with the Deputy Leader of the Opposition, I made it clear that we were happy to talk about these matters at any time, and if there were any Bills which caused particular problems, we would try to accommodate the Opposition. This was shown yesterday when we delayed a very important piece of legislation, and thereby greatly inconvenienced the Minister for Transport, by delaying debate on the legislation until the member for Vasse could return to the Parliament to deal with the matter. That has greatly inconvenienced the Government.

Opposition members cannot say, as they often do, that we are not being considerate of them and that we will not give them enough time to debate.

Of the 33 Bills referred to in discussions with the Deputy Leader, six have subsequently not been introduced.

In fact, only three Bills have been introduced. These are the Superannuation and Family Benefit Amendment Bill, the Casino Control Bill, and Local Government Amendment Bill. All the other Bills on the list had been on the Notice Paper in the Assembly or Council, many for some time.

As well, the Government agreed to defer a number of other Bills until the spring session, after taking into account the time required by the Opposition to debate these matters.

In fact, I will introduce a Bill next week, which will be allowed to lie, and there-

fore allow the Opposition and the community maximum time to look at it.

In respect of the South West Development Bill, the Leader of the Opposition showed last night that he cannot count when he said that it was fewer than seven days since it was introduced, and we had agreed that there should be seven days; in fact, there had been 14 days. The Deputy Leader of the Opposition replied that Easter had intervened.

When we had these discussions, I said "seven days—not seven sitting days" and the Leader of the Opposition said, "Seven ordinary days". So we have given the Opposition 14 days, and the Leader of the Opposition complained last night because it has had fewer than seven days. I would hate to see this man in charge of the State Treasury.

UNIONS

Builders Labourers' Federation and Building Workers' Industrial Union

862. Mr LAURANCE, to the Premier:

Does the Premier recognise that the Builders Labourers' Federation and the Building Workers' Industrial Union are two of the most militant unions in Australia, the activities of which have been condemned by Government—

The SPEAKER: Order! The member cannot ask a question like that because he is seeking an opinion.

Several members interjected.

The SPEAKER: Order!
