

Legislative Assembly

Tuesday, 30 June 1987

THE SPEAKER (Mr Barnett) took the Chair at 10.45 am, and read prayers.

MOTOR VEHICLES

Third-party Insurance: Petition

MR BRADSHAW (Murray-Wellington) [10.47 am]: I have a petition which reads as follows—

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

We, the undersigned

Urge the Government to give urgent consideration to establishing a Statutory requirement for all vehicle owners to indemnify Third Parties against theirs' or their drivers culpable damage to those Third Parties property including road vehicles and /or contents.

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 25 signatures. 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 45.)

NATIONAL PARKS: MINERAL EXPLORATION

Prohibition: Petition

MRS BUCHANAN (Pilbara) [10.48 am]: I have a petition which reads as follows—

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

We, the undersigned, request the Western Australian Government to reject the December 1986 report of the "Committee on Exploration and Mining in National Parks and Nature Reserves", which would permit exploration and mining in National Parks and Nature Reserves.

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 2345 signatures. 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 46.)

WAROONA PRIMARY SCHOOL

Resiting: Petition

MR BRADSHAW (Murray-Wellington) [10.50 am]: I have a petition which reads as follows—

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

We, the undersigned are the concerned parents of the Waroona Community opposing the Primary School being built on the High School site. There was a meeting held and a vote put forward which was so close that it was left up to the Minister for Education to decide. We think this is unfair because it should be the Waroona community deciding where our new Primary School should be built. There is land which has been bought where most people thought was where the Primary school was to be built. We urge the Community of Waroona to fight for the rights of our children's future.

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 305 signatures. 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 47.)

NATIONAL PARKS: PROPOSALS

Implementation: Petition

MRS BUCHANAN (Pilbara) [10.51 am]: I have a petition which reads as follows—

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

We, the undersigned, request that the Western Australian Government takes urgent action to implement all proposals for new National Parks and Nature Reserves made by the Environmental Protection Authority in its various 'Red Books'.

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 2 472 signatures. 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 48.)

NATIONAL PARKS: MINERAL EXPLORATION

Prohibition: Petition

DR ALEXANDER (Perth) [10.52 am]: 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, request that the Parliament of Western Australia enact legislation to prohibit mining and mineral exploration in Western Australian National Parks and Nature Reserves.

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 3 226 signatures. 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 49.)

TAXI-DRIVERS: ASSAULTS

Prevention: Matter of Public Importance

THE SPEAKER (Mr Barnett): Members, I have received today a letter from the Deputy Leader of the Opposition who has asked for the opportunity to move a motion as a matter of public importance. The motion concerns effective action to prevent recent vicious attacks on Perth taxi-drivers.

Subsequent to enough members rising in their places to support this motion, it is my intention to allow it.

Eight members having risen in their places.

The SPEAKER: Sufficient members are in support of this motion. It is my intention to permit it to proceed on the basis of 30 minutes of speeches from my left and 30 minutes from my right.

MR LAURANCE (Gascoyne—Deputy Leader of the Opposition) [10.55 am]: I move—

That this House condemns the Government's failure to take any effective action to prevent recent vicious attacks on Perth taxi drivers and in particular the Government's failure to support a private member's Bill which would make it illegal not to pay a taxi fare.

This procrastination by the Government has left taxi drivers at risk and done nothing to halt the rising level of violence towards taxi drivers.

In this and other areas the Government continues to abrogate its responsibility to protect individuals from crimes of violence and this House calls on the Government to identify precisely the action it proposes to take to ensure the safety of Western Australians and when it will be implemented.

It is becoming evident in recent times that this Government has become noted for taking a soft line on crime. Law and order has become a bigger issue in the community than at any time in our history.

Several members interjected.

The SPEAKER: Order!

Mr LAURANCE: Government members can laugh and act as though this problem does not exist, but law and order is a major issue in the community. Government members can carry on like two-bob watches but that will not change the fact that the Government has not done anything to prevent the rising level of violence in our community. The Government has shown that it is incapable of dealing effectively with this rising level of crime. The problem has manifested itself in many ways in recent weeks and the particular matter I wish to deal with today is the violent attacks that have been made on taxi-drivers.

The present unsatisfactory situation has been brewing for some time and the Government has done nothing to prevent the spread of this problem. Anything that the Government has done has been done on the prompting of the

Opposition. The only thing that we have seen from the Government has been a knee-jerk reaction.

The Minister for Transport has largely ignored the pleas of the industry and has done too little too late. His cohort, the Minister for Police and Emergency Services, has been even worse. We saw them lined up on the steps of Parliament House two weeks ago. They are two hopeless cases—Tweedledum and Tweedledee; they sit and fiddle while the problem gets worse. We told the Minister for Transport on the steps of Parliament House two weeks ago that if he did not take urgent steps more taxi-drivers would be injured. That is exactly what has happened. More taxi-drivers have been injured until on the weekend a taxi-driver, who had to take the law into his own hands because this Government will not act to make non-payment of taxi fares an offence, was stabbed.

I indicated to the House recently that there are many examples of what could be called minor crimes which are offences under the Police Act; but if one steals \$20 from a taxi-driver by refusing to pay a fare, that is not an offence. In effect this Government said to the taxi-driver who was faced with this problem in the early hours of the morning, "You must take civil action. Go to the courts on Monday morning." This taxi-driver had to chase after two individuals to get them to pay their fare; they turned on him and stabbed him and he is now in Royal Perth Hospital.

The Minister has blood on his hands. He could have prevented this situation. He had the remedy but because he was too short-sighted to give any credit to the Opposition for getting in touch with this industry and bringing the matter to Parliament, the situation has grown worse. It is a simple matter to amend the laws so as to make non-payment an offence. It would act as a deterrent to many people who try to get out of paying their fares. If people knew that a taxi-driver could get onto his radio and call the police, and that in a matter of seconds other taxi-drivers and the police would come to his aid, they would be deterred from non-payment of fares.

The SPEAKER: Order! Perhaps I should have cautioned members right at the beginning of this debate. This matter is certainly a matter of public importance and so, on that basis, I do not want to stop the debate, but members must be aware of the item on the Notice Paper which, to some extent, deals with the same subject. Members must be very careful not to

touch on matters related to that Bill and they must tread very carefully when speaking to this motion.

Mr LAURANCE: Thank you, Mr Speaker, for that direction. I will talk not about the terms of the Bill but about whether it should have been debated.

It is interesting that the Minister and the Government will not even debate the Bill; they certainly will not accept it and they will not even debate it. The Minister for Police and Emergency Services has gone one step worse and written to people saying that it is an ill-conceived political stunt. Let him tell that to the man lying injured in Royal Perth Hospital. It was taxi-drivers like that man that came to me and said, "The Government won't listen. We think you should do this because it is a simple matter. Can't you draft a Bill?" I said I would draft a Bill and bring it to the Parliament, which is exactly what I have done. Yet the Minister for Police and Emergency Services wrote to one of my constituents and said the Bill was an ill-conceived political stunt. The people he wrote to do not believe that, and the man lying wounded in Royal Perth Hospital does not believe that.

My Bill represents a genuine desire to deal with the problem. The Government can deal with the Bill today. Immediately after we deal with this motion the Government could seek to suspend Standing Orders so that we could deal with my Bill, and were it to do so it would have our full support. The Bill could be through the House in five minutes flat. The Government knows that it could be dealt with today.

Out on the steps of Parliament House a fortnight ago, in front of a crowd of angry taxi-drivers, the Minister said, "We would bring it up but we don't have time to deal with a private member's Bill." Yet on that very day the Parliament was dealing with a private member's Bill to legalise homosexuality. This Government has more concern for gays than it has for taxi-drivers who are being bashed and knifed every night of the week. The Government brought forward for debate a private member's Bill on homosexuality, and all the 16 Government members in the Council voted for it, yet in this House Government members will not bring forward my Bill.

I wrote to the Leader of the House and he said that he acknowledged that this Bill was listed for debate but the Government wanted a Government back-bench member to have the opportunity to move a motion to debate Lib-

eral Party policy. I also asked him whether he would make available sufficient time to debate my Bill before the end of the session. He said he would try. He has not tried very hard and he has had no support from the two dills over there, the Minister for Police and Emergency Services and the Minister for Transport.

If the Government moves to suspend Standing Orders immediately to deal with my Bill, it will have our full support. The Bill could be through in a matter of minutes. But the Government is more interested in homosexuals; that is its priority. It is soft on crime and it is soft on gays. I would not mind that if only the Government were not causing problems for taxi-drivers, which it is and members opposite know this.

Mr Troy interjected.

Mr LAURANCE: Tell that to the taxi-driver in Royal Perth Hospital; take a copy of the letter from the Minister for Police and Emergency Services saying that my Bill is just an ill-conceived political stunt. The Government should make it a crime for a person not to pay his taxi fare.

Mr Peter Dowding: Is it illegal to stab someone with a knife?

Mr LAURANCE: For a lawyer, that was a crazy question to ask. No wonder the Government cannot handle crime when the Minister asks such a stupid question.

It is not only that the Government is more interested in homosexuals than in protecting taxi-drivers from bashings, but it is also that it will not deal with my Bill. The Bill could be through the Parliament today if the Government suspended Standing Orders. The Government would have our support in allowing the Bill to be debated.

Mr Troy: You didn't take the opportunity the other day.

Mr LAURANCE: The Leader of the House said that he wanted to give the call to one of the Government's back-bench members, and I gave the call to one of our back-bench members. We had a commitment the Bill would be dealt with that day. My Bill could have been dealt with any time last week, and we have had one more week of the Parliament since then. But let us deal with it today. All the Government need do is suspend Standing Orders. Obviously the Government will not do that, but if it did it would have the support of members on this side.

Very quickly I will deal with a wider range of problems, because it is not only a matter of making it an offence under the Police Act not to pay a taxi fare.

For months the industry has been appealing for assistance by way of the introduction of security alarms, and the Minister has been talking about security alarms in taxis for months. I do not know why the Taxi Control Board has to approve those alarms, but why does it not do so quickly? Why does the Minister not give the board the lead? The Government is just following rather than giving a lead. When the industry screams and the Opposition supports the industry, the Minister may act. He will not lead in providing an answer to the problem; he continues to act from behind.

There is potential for security screens to be fitted in some taxis in order to prevent many of these night attacks on taxi-drivers. Some movement in this direction has been made but it is too little too late. How many more people have to be lying wounded in hospital before this Minister decides to act? The Government must lead, not follow. It should not wait until there are so many people lying in hospital that the Minister is forced to act.

We have had our Bill on the Notice Paper for months and the Minister has had the opportunity to take action on a lot of other security matters for months, but his record is abysmal.

The whole problem of this violence in our city can be traced to the casino, and the Minister has only to talk to the industry to ascertain that. That is where a lot of the bashings are caused. That is where the people who knifed the taxi-driver the other night came from. I supported the legislation for the casino when it was before the House. The Government is very happy to laud it as a great tourism initiative, which it is, and also—

Mr Peter Dowding interjected.

Mr LAURANCE: You know this is a very restricted debate, ankles.

The Government gets plenty of revenue from that initiative, which, as I said, is a good one. But there are problems associated with the casino. On the one hand, the Government should not be taking revenue from the casino when, on the other hand, the casino is causing many of the problems.

The Government needs to get a police presence down there. When people leave the casino they may be angry at having lost their money. They catch a taxi and as they draw near their home they get out and run. The taxi-

drivers call them "runners". The Government should know that this is where some of the problems are being caused, so it should get the police down there. A police presence would soon get some results. Also, if people knew they would be the subject to tough penalties if they did not pay their fares, the Government would have provided another deterrent. This would be an effective and quick means of dealing with the problem. But the Government fails to take any notice. The Government keeps talking about homosexuals; that is all.

The Government should be looking at the problem of nightclubs and talking to the people who have been bashed outside different clubs. Remember the young man who is near death after being bashed outside the Red Parrot nightclub. What were the Minister for Police and Emergency Services and the Minister for Transport doing? These nightclubs are a problem.

Government members should not try to interrupt my speech; go and tell those people what the Government has been doing about the problem. There are certain areas like that, and I have indicated a couple, and where these problems seem to be emanating. If the Minister were on top of his job he would be ensuring there was a greater police presence where it was required, and giving more support to the Police Force, and indicating to these people that he wants some discipline in our community, and that he is not prepared to see the rising level of violence in our society go on.

The Government's record is quite the reverse. It is soft on crime; it is more concerned about the rights of homosexuals than it is about people being attacked in taxis every night of the week. The Government has no answer to the problem. The Government has two hopeless Ministers in the Minister for Transport and the Minister for Police and Emergency Services, and the community deserves a better run than it is getting from this Government. People are not safe in their homes and taxi drivers are not safe in their taxis. Something must be done. It will take a determined Government to deal with the problem, and this Government is far from determined. It is a lax Government when it comes to law and order. We have highlighted this deficiency on the part of the Government, and I call on the Government to indicate what it intends to do about it.

The SPEAKER: If there is no seconder that will be the end of the debate.

MR CASH (Mt Lawley) [11.02 am]: I formally second the motion and ask that I speak after the Minister for Transport if he wants to exercise his right.

Government members: No!

Mr CASH: If that is the case I will make my points now. What I have to say is of great importance to the House and I hope it will be of some importance to the Minister for Labour, Productivity and Employment who tries to shout down any member who rises to make a point and wants to assist the public of Western Australia.

Most members would have seen television reports of the vicious attack on a 19-year-old youth in Perth on Saturday night. That attack occurred because of the failure of this Government to take positive action to stem the violent crime we have seen increasing in this State in recent years. Violent crime has become a nightly tragedy in Perth and its suburbs, and I am sure the National Party and thinking country members on the Government side would agree with me that it is now a nightly tragedy in most regional towns around the State.

The reason the Government has failed is that it is out of touch with reality. It does not understand what is happening in the streets of Perth at night. Last Saturday night, one Darren Maxfield, a 19-year-old who had just come to Perth for a week to take part in the forthcoming Avon Descent race, attended the Red Parrot nightclub in Roe Street, and when he left around midnight he made his way to the bus station on the other side of the railway line. I remind members that it was around midnight on Saturday night in almost the centre of Perth. This 19-year-old in the youth of his life made his way across the railway tracks towards the bus station in order to catch a cab to his family home in Duncraig. In the presence of a number of his friends—in fact the police believe in the presence of up to 12 people—young Darren Maxfield was bashed beyond recognition. It is now a matter of public record that his brain was bashed almost to a pulp and he has suffered very severe and permanent brain damage and will never be the same again.

What do Government members say about that? We do not hear too much from the Government side now because members there know, as members of the Opposition know, that it could have been their son or daughter who was bashed. The smiles are starting to fade from the faces of the Minister for Transport

and the Minister for Police and Emergency Services, who the public hold as partly responsible for the increase in violence on the streets of Perth.

Mr Troy interjected.

Mr CASH: I am surprised the Minister for Transport should make such an interjection. I do not know how many members of his family there are; I have four children—three young girls and one son. The oldest girl is 16, and recently she asked me if she could attend a party at one of the nightclubs in Perth to join some of her friends. I regret that I had to say she could not go to that party because unfortunately the streets of Perth are no longer safe. I had to say that to a young 16-year-old girl. The Minister for Transport has not told me how many members he has in his family. I would assume he would say the same if he has teenage daughters or sons—that regrettably they can no longer walk the streets of Perth in safety because of the failure of his Government to deal with the law and order issue which besets us all.

I come back to Darren Maxfield who at this very moment is lying in the intensive care unit at Royal Perth Hospital connected to a life support system to assist him in his fight for life. What do Government members say about that incident? I hear some undertone interjection from the member for Subiaco.

Dr Lawrence: Do not exploit his suffering.

Mr CASH: I hope the member was reflecting on the trauma both that young man and his family are going through. No-one knows, least of all the member for Subiaco, the pain, suffering, and anguish that his mother and father and brother are presently going through. If the member for Subiaco says she understands the pain and anguish of that family why does she not stand and condemn the Government for its failure to deal with violence on the streets of Perth and its suburbs, and in the country towns of Western Australia?

She knows as I know that her fellow members in Government have failed dismally. No longer can one walk the streets of Perth and feel safe. Things have changed dramatically over the past four years while this Government has been in office. The reason they have changed is that this Government does not see law and order as a high priority.

Darren Maxfield is lying in the intensive care unit at Royal Perth Hospital fighting for his life, and I hope that in a week's time, when he fades out of the news bulletins, he does not

become just another Government statistic. That is the way this Government feels about people who have been injured as a result of the violence on our streets. Something appears in the newspaper one day about a person being attacked and a week later nothing is heard from the Government; that injured person has been reduced to a statistic to be regurgitated from time to time by the Minister for Police and Emergency Services and the Minister for Transport. I am talking about real people, and members opposite can go to our hospitals and see those people. They have been beaten up by the very people this Government supports through its failure to ensure sufficient police manpower to patrol our streets.

There is no question that had there been more police officers patrolling the streets of Perth, Darren Maxfield would probably not have been smashed beyond recognition last Saturday night. The responsibility for the violence in Perth lies fairly and squarely with this Government.

Government members who have families must know of the problems that beset young people as they try to go about their daily business.

Mr MacKinnon: They are not prepared to give this matter the priority it deserves.

Mr CASH: No. The Government has failed dismally on matters relating to law and order.

Mr Peter Dowding: You are a disgrace.

Mr CASH: It is interesting that the Minister for Labour, Productivity and Employment is attempting to belittle such an important discussion. I believe he does not have any teenage children at the moment, but when he does and we ask him whether he will allow them to attend one of the clubs in Perth, what will he say? Will he forget about the people who have been beaten beyond recognition in the streets of Perth? Will he write those people off as statistics?

Mrs Beggs interjected.

Mr CASH: I expected a lot more from the Minister for Racing and Gaming, who is now chirping into this debate, because she represents many families with teenage children and many parents who are frightened to allow those children on the streets at night. That is something she and her Government cannot be proud of.

It is a fundamental responsibility of Government to protect its citizens and allow them to go about their lawful business.

Mrs Beggs: You are an absolute disgrace.

Mr CASH: There is no way that those people can do that today. This Government has failed. Who will be next? What sort of violence will occur on the streets of Perth tonight? Who will be beaten up tonight and finish up in hospital because there are not sufficient police officers on the streets? This Government is not prepared to give law and order the high priority it deserves.

I believe the Government has failed because it is out of touch with reality. It is about time that Government members put pressure on the Ministers to recognise the realities beyond this place. The young men and women of Perth deserve a safer environment in which to grow up and to live meaningful lives.

I hope Darren Maxfield is able to cope with the permanent injuries he suffered the other night. I also hope that the incident is a lesson to this Government and that it recognises that there is a need for it to respond in a meaningful way to the violence presently occurring on the streets of Perth.

MR TROY (Mundaring—Minister for Transport) [11.25 am]: From the outset, I make it very clear that this Government is concerned about the present violence being committed against members of the taxi industry. It has taken action which I will outline to Opposition members in a moment. However, I believe it is tragic that members of the Opposition should almost gloat over an incident such as occurred last Sunday night and attempt to gain from it politically.

The Government has moved to stop this violence against members of the taxi industry and to give them genuine support. One problem being faced by the Government is that, in 1964, the then Liberal Government removed the Taxi Control Act from the control of the police. However, it has now become politically convenient for the Opposition to have an about-face. The Deputy Leader of the Opposition, in moving this motion, refuses to face the fact that it is because of that action in 1964 that we are now seeing these problems arise and be heightened through political opportunism.

In January of this year, the Government amended the taxi control regulations to make the non-payment of fares an offence. That was a very important step forward because there is clear evidence that this has been a significant move since January to pursue offenders. The Taxi Control Board has been able to take ac-

tion without the assistance of the police, and it has been extremely successful. Full-time inspectors have been employed by the Taxi Control Board to enforce that regulation and, as of two weeks ago, 112 cases had been reported to the board, 44 of which have been dealt with.

When the Deputy Leader of the Opposition introduced his Bill, he suggested that the taxi industry only wanted to recover the lost fares. In 44 of the cases I previously mentioned, the fares have been recovered.

The first case was dealt with by the court on 21 May this year. The magistrate imposed a fine of \$138 for a \$20 offence, and took into account the time taken by the driver to gain the evidence. The magistrate recognised that as a very important point. There are now 16 cases pending before the courts. The first of those will be heard on 28 July and the second on 12 August. The 14 others will be heard on dates to be determined. That indicates that the Government has not waited to take the sort of action suggested by the Opposition.

I am not happy, though, with the \$40 penalty to be imposed for a first offence; it is far too low. Amendments will be introduced into the Parliament during the next session allowing for a substantial increase in first and subsequent offences committed under the Act. Surely these initiatives indicate to the Opposition the actions the Government is prepared to take in combating these type of offences.

The Government has consulted frequently with the industry over the last few weeks on this matter. In fact, my predecessor and I have continually consulted with the industry over the full term of occupancy of the transport portfolio. The industry recognises that. The dialogue it has had with our Government since 1983 far outstrips anything that occurred before. It also admits that Ministers of the previous Government never took such an interest in the welfare of its members.

The Deputy Leader of the Opposition knows there is a large taxi work force out there. It is quite easy to find a few who complain in all circumstances, but I believe some of them have complained quite legitimately because I too would be concerned if I were under the threat of violence. I have said that to members of the industry in recent discussions, and they accept that the Government has sympathy for their circumstances and the difficult environment in which they work.

Let us go beyond that. A validly elected body has been set up and the Government has ensured that taxi industry representatives are the dominant group in the decision-making process. It is fully representative and is much better than it was before we took office. The majority of members on that body are representatives of the different arms of the industry, and they are very grateful that we made the changes so that they dominate the membership.

All the recent negotiations held have involved the Taxi Control Board in a total way. The members of this group are very experienced people, many of whom have been late night drivers in the past, and they in turn have held discussions with other industry groups. The recently-formed night drivers' association now has membership on WATOA, and also the Taxi Industry Federation has participated. All those people have been fully involved both in the negotiations which have taken place and in the solutions arrived at. I will refer to a couple of those solutions.

As a result of the meeting between industry members and the Taxi Control Board a couple of weeks ago, three essential thrusts were made. The first related to the fitting of attachments which were technical improvements to the cars. The attachments were directed towards improving the communication and alarm systems via the radio network to expedite any support that may be called for at a time of stress or when the driver was being threatened by one of the unfortunate people perpetrating these acts. In addition, a range of operational procedures was looked at very closely with regard to cooperation between the different radio companies in their communication links so that any action necessary could be taken to make the drivers' situation safer. I fully support that initiative.

The second initiative was the provision of screens between the driver's compartment and the passengers' compartment. The industry has some reservations about the effectiveness of this measure. Certainly, it provides a protective barrier in terms of assault, but it has other impacts about which the industry has reservations, based on experience in other cities, not only in Australia but also in other parts of the world. The Government has made it clear that if a person wishes to install such a screen he has the support of the taxi industry, through the Taxi Control Board, and the Government.

The third element resulting from that meeting two weeks ago will take some time to flow across the industry. I refer to the training

courses and the equipping of late night drivers with some of the tactical measures to deal with incidents such as that which occurred last Sunday night. These courses will include information and understanding about the background of such incidents and how many of them can be avoided. Of course, there is also the taxi training school, which is highly regarded by the industry, and which will be effective in this area. It is prepared to amend the course curricula to cover instruction following input not only from those in the industry but also from the police, who can make an extremely valid input, and criminologists who can help in the handling of these problems in a psychological way.

I also point out that prior to the meeting to which I have referred, the Taxi Control Board and the police had already held meetings to discuss this problem and my colleague, the Minister for Police and Emergency Services, can outline quite effectively what the police have offered in this regard. It demonstrates a level of cooperation of all arms of Government and industry with a concern about this problem.

It was alleged that I had not talked to the industry. I have put on record very clearly that the industry recognises that both Ministers during the term of the Burke Labor Government have had the strongest contact with the industry and will continue to do so. For example, immediately after the late night drivers' association was formed, I met its members in my office. Subsequently I spoke to them on the steps of Parliament House and they were happy about the Government's attitude. They wanted an opportunity to present their views because they felt the urgency of their problem had not been appreciated. They had the opportunity to express that view and they willingly agreed to a meeting I set up for them to put their views directly to the Taxi Control Board. That meeting was pursued and arising from that meeting the president wrote—

Four of us are just meeting with a list of ideas that the drivers themselves would like to see implemented by the TCB and in fact the outcome of the meeting was, I would say, quite satisfactory.

There is no doubt that subsequent events have shown that the industry is united in facing its problems. It is making those representations in an effective way and is achieving support from

this Government for the initiatives it is recommending. That needs to be understood very clearly.

Another point should be made. The Deputy Leader of the Opposition has certainly spoken to one or two people in the taxi industry and he has picked up the element of evidence he wanted to carry on with his divergence from the truth. However, he has not spoken to the industry at large and that point comes back to me very strongly from the industry. For example, within minutes of his taking part in a radio programme, talking about safety devices for the industry, leading authorities in the industry rang my office complaining that the information he was revealing would have a detrimental effect in terms of the success of those initiatives. In other words, their success depended to some extent on their being concealed. The Deputy Leader of the Opposition uses every opportunity for political convenience, there is no question about that.

Mr Cash: What about giving the Minister for Police and Emergency Services a chance to make a fool of himself?

Mr TROY: The member for Mt Lawley does not like what I am saying. He does not like to hear the truth. If he climbed out of the gutter, he would hear the truth more often.

Mr Cash: You would not recognise the truth if you fell over it.

Mr TROY: I know that the member for Mt Lawley would not.

I value very highly the opportunity to continue the dialogue with all people in the taxi industry. I give an assurance that for as long as I am Minister for Transport that dialogue will be pursued.

Mr Laurance: It has never been worse.

Mr TROY: The member for Gascoyne knows that is not true. He should ask the people involved. Is the member saying that we ignore the people who were elected in the last two weeks to the Taxi Control Board?

Mr Laurance: There is more violence than ever before.

Mr TROY: The member knows that the industry is addressing this problem. Apart from the three areas I have outlined, a subsequent meeting was held with my ministerial colleagues following Sunday night's incident. We felt it was appropriate to bring the parties involved together to see whether the initiatives

agreed upon could be expedited and also to canvass further whether new initiatives could possibly be taken.

I advise the House that at this moment a meeting is taking place at Nedlands, chaired by the Chairman of the Taxi Control Board, between the Department of Transport, the Police Department, the taxi industry training school, the Western Australian Taxi Operators Association, the Taxi Industry Federation and the radio taxi operative companies, to address this problem further. This Government is not going to sit back idly; it will exhaust every avenue in order to give support to the taxi industry. However, we believe the initiative that the Minister for Police and Emergency Services and I agreed upon yesterday will bear further fruit in solving this problem, and we are hopeful that further initiatives will come forward that have not already been canvassed. In contrast to the Government's attitude, the Deputy Leader of the Opposition and his colleagues have indulged in cheap opportunism throughout this entire matter.

Mr Court: You have done nothing; he has done something.

Mr TROY: The Deputy Leader of the Opposition has taken an interest only when political mileage could be maximised. Members can go back and recall the timing of every initiative he has taken.

Mr MacKinnon: When did he take the first one?

Mr TROY: He brought a private member's Bill into this Chamber some considerable time ago. On the last day of private members' business, in his position of handling the Opposition's business on that side of the House, he chose to allow five Bills on that private members' day. There were four Bills from his side, and they concerned the Petroleum Retailers Rights and Liabilities Act, superannuation, wildlife conservation, and fisheries. I ask members to analyse the Opposition's approach to private members' day, and whether they believe the Opposition was genuine in its approach to this private member's Bill. Opposition members avoided the opportunity to debate this Bill, yet it grandstands here today.

Mr Court: Why did you not do something? Do what the Minister for Water Resources does: If we introduce a Bill, he introduces his own. You could at least do that.

Mr TROY: The reality is that we have taken appropriate action. We are concerned about the level of violence.

Mr MacKinnon: Taxi drivers are still being stabbed out there.

Mr TROY: The reality is that we have taken appropriate action. We are concerned about the level of violence. We will come back in two or three months and find that the actions of the Taxi Control Board in moving against those offences has been very successful.

Mr MacKinnon: Give us the Minister for Police and Emergency Services; let him talk.

Mr TROY: The Deputy Leader of the Opposition uses cheap opportunism. That is his hallmark. The Opposition did not accord its own private member's Bill the priority it now claims it should have had. It made no effort to bring the Bill on for debate. In fact, it has done very little. I have no doubt that most people in the taxi industry are fully aware of the gimmicks members opposite get up to.

This Government has addressed a very difficult problem in an effective way, and will continue to do so. We are completely in step with the industry, and we are not offering any solutions that will involve our going out on our own and ignoring the very valid advice that can come from people involved in the industry. We are not up to cheap tricks. It is very sad that such a serious matter is treated so cynically by the Opposition by way of this motion. The Government has taken the appropriate action and will bring forward the necessary adjustments that are required. It is clear that this Government totally opposes this motion.

MR GORDON HILL (Helena—Minister for Police and Emergency Services) [11.45 am]: I am staggered that some 10 or 11 days prior to the Federal election, and on the last day that we have the opportunity to address issues before that election takes place, the Opposition should bring a motion of this sort before the Parliament. The Opposition has raised a State matter, not a Federal matter—

Mr MacKinnon: This is the State Parliament.

Mr Court: People are being knifed. That is reasonably significant.

Mr Cash: Do you remember my telling you that you were out of touch with reality? You have just proved it. You should sit down and stop embarrassing your own members.

Mr GORDON HILL: Members opposite cannot regard the chances of success of the Federal Opposition as being particularly high at the forthcoming Federal election. If they sniffed victory, surely they would be canvassing

issues that are of greater concern to the Federal Opposition and to the community at large. I am surprised the Opposition chose to embark upon an emotional argument in the way it has. I think it is particularly sad that members opposite resort to the approach they have taken today of—as one of my colleagues said by way of interjection—exploiting the suffering of others. I suppose it is a sign of the Opposition being desperate to grasp any issue that it thinks may be of some political advantage to it, and to try to score some points from that.

I acknowledge that it is the role of the Opposition to point out what it believes are deficiencies in Government policy, and I suppose that was the case when my party was in Opposition; but I do not believe that it is the role of the Opposition to knock simply for the sake of knocking. The Opposition ought to acknowledge the positive steps that the Government has taken. The Premier, when he was Leader of the Opposition, indicated by his actions and the actions of the then shadow Cabinet that an approach by the Opposition of recognising the good points that a Government is bringing forward and the positive steps that a Government is taking does in fact win considerable Brownie points within the community. I am happy to draw that to the attention of the Opposition if it has not yet realised that approach is an obvious vote-winner for it. This is a campaign technique to which it may wish to give some consideration. However, I do not expect that the Opposition will suddenly change its course, because I know that the present Opposition members tend to resort to emotive arguments and personal abuse.

Mr Cash: Tell us what you are going to do about violence and crime; be positive.

Mr GORDON HILL: Members of the Opposition might resort to that level of debate, but I do not intend to get into the gutter with them, and neither does any other member of the Government. I intend to indulge in a level of debate where more important matters are discussed. I wonder whether members opposite seriously suggest that consideration of the Bill that is on the Notice Paper—and which has remained on the Notice Paper for some considerable time, despite many occasions on which the Opposition has had the opportunity to debate the Bill, its own private member's Bill—will resolve the concerns of taxi drivers and will diminish the threat of violence against taxi drivers and in the community generally.

Members of the Opposition and in particular the Deputy Leader of the Opposition wandered all over the place in the debate today.

I believe the passing reference that the Deputy Leader of the Opposition made to his Bill is indicative of the priority that he and Opposition members place on the Bill. The Opposition has had the opportunity time and again to debate the Bill. The Deputy Leader of the Opposition said that the Government was more anxious to debate a Bill on decriminalisation of homosexuality—

Mr MacKinnon: Of course it was. You wanted to legalise it. We spent a week talking about the Bill.

Mr GORDON HILL: That is yet another twist of the truth by the Deputy Leader of the Opposition.

He knows very well there was no debate in this Chamber on private member's day on any consideration of the decriminalisation of homosexuality and the only reason that Bill was not discussed on the last day of private member's business was because the Opposition itself did not afford it a particularly high priority. The Opposition has the responsibility, on private member's day, to order priorities as it sees fit. It chose not to give that Bill a high priority, as my colleague, the Minister for Transport, said.

Several members interjected.

Mr GORDON HILL: I do not have very much time left. I wonder if the Deputy Leader of the Opposition might close his sleazebag mouth and give me the opportunity to make a few comments. The Opposition does not believe it is sufficiently important, just before a Federal election, to discuss issues with respect to the attitude towards the so-called Howard tax proposals. If the Opposition was to do its homework, it would have to acknowledge that the proposals put forward by John Howard meant significant cutbacks to all States.

Mr Laurance: What does that have to do with it?

Mr GORDON HILL: I will tell the Deputy Leader of the Opposition. The Opposition referred to the need for additional police manpower. We all acknowledge that. There is no acknowledgement on the part of the Opposition about the other areas the Government has addressed and not just in terms of police manpower. It is simplistic to say that providing additional police officers will resolve the problems in the community. There are many other

measures, which I have consistently indicated to police officers and at their union conference, which will make their job more effective.

The cutbacks proposed would reduce the manpower in this State by 700 police officers. I do not hear any noise from the Opposition. All I hear from the Opposition is a cheap stunt to try to raise an issue in an emotive way to score a cheap political point. The Opposition might like to look at the way in which we, when in Opposition, raised issues to recognise positive Government action.

MR TRENORDEN (Avon) [11.54 am]: The National Party supports the Opposition. I have listened with interest to some of the arguments put forward by the Minister for Transport and I have noted that the Minister for Police and Emergency Services did not contribute at all. At least the Minister for Transport tried to put forward his point of view.

The debate reminds me of a wild west show where a wagon rolls up and a man starts selling snake oil. The question of violence has not been addressed whatsoever. Armoured taxi cars will not solve the issue nor will the industry talking to the Minister about violence. This community has a severe problem with violence. People have a right to go about their lawful business without being bashed or violated. That is what this debate is about.

I can appreciate the Minister for Transport's talking about the way taxi drivers can protect themselves, but that is snake oil. The problem lies with violence in the community. Until that aspect is addressed we are arguing about nothing. The Minister for Police and Emergency Services' contribution must have been the worst piece of oratory I have heard since I have been in this House.

The community is very concerned about law and order. It is not an issue about which all parties should be throwing punches at each other. It is the No 1 issue in our community, and it needs to be addressed. It will not be addressed by snake oil. We have to bite the bullet and be harder on people who step outside the limit. Without law and order and community control, people cannot go about their rightful business, whether it be a taxi driver or student walking home from school. People have the right to walk the streets whether it is one o'clock in the afternoon or midnight. Other States have attempted to address the problem without success.

The violence will continue until this Government decides it will do something about law and order. We cannot have rapists getting out of gaol after a couple of years and murderers after eight years. That is unacceptable.

Question put and a division taken with the following result—

Ayes 18

Mr Blaikie	Mr MacKinnon
Mr Bradshaw	Mr Rushton
Mr Cash	Mr Schell
Mr Court	Mr Stephens
Mr Grayden	Mr Thompson
Mr Hassell	Mr Trenorden
Mr House	Mr Watt
Mr Laurance	Mr Wiese
Mr Lewis	Mr Williams

(Teller)

Noes 23

Dr Alexander	Mr Hodge
Mrs Beggs	Dr Lawrence
Mr Bertram	Mr Marlborough
Mr Bridge	Mr Read
Mr Brycc	Mr D. L. Smith
Mr Burkett	Mr P. J. Smith
Mr Carr	Mr Troy
Mr Donovan	Mrs Watkins
Mr Peter Dowding	Dr Watson
Mr Evans	Mr Wilson
Dr Gallop	Mrs Buchanan
Mr Gordon Hill	

(Teller)

Pairs

Ayes	Noes
Mr Clarke	Mr Tom Jones
Mr Tubby	Mr Thomas
Mr Crane	Mr Parker
Mr Mensaros	Mr Pearce
Mr Lightfoot	Mr Taylor
Mr Cowan	Mr Grill
Mr Spriggs	Mr Brian Burke

Question thus negatived.

ACTS AMENDMENT (TAXI-CARS) BILL

As to Second Reading

MR LAURANCE (Gascoyne—Deputy Leader of the Opposition) [12.01 pm]: I move—

That Order of the Day No 25 be now taken.

For quite some time now we have been seeking an opportunity to have this item debated, and it is up to the Government to bring this matter forward.

Government members interjected.

MR LAURANCE: This Parliament is for members of Parliament; it is not the Government's Chamber. The Leader of the House is not here and since the House commenced it has been impossible to meet with him in order to arrange the programme he wants to deal with.

We have been challenged by the Government to debate this Bill, and we want to bring it forward for debate now. We are happy to have it debated. We give an undertaking that we will not prevent the Government from moving immediately to debate this matter and see it through all stages on this day. That is how dinkum we are about wanting this matter brought on for debate now. We believe the Bill is a simple way of effectively dealing with the problem. Despite all the waffle we heard this morning from the Minister for Police and Emergency Services and the Minister for Transport, they have not been able to change our minds. We still want to bring it forward quickly and have it debated today. It could be through the Parliament before we rise for the luncheon suspension.

At no stage has the Minister for Transport given an indication to the Opposition just what is his reaction to the Bill. Recently on the steps of Parliament House, in front of an angry mob of taxi-drivers, he said the Bill had some merit. That has been his only reaction; he has given no reaction in the Parliament, where the Bill has been listed for debate for some time. If he believes the Bill has some merit, let us debate it here today. We can go on and on talking about whether it has been listed for debate, but it has been on the Notice Paper for some time and the Minister has had the opportunity to bring it to a conclusion. The Opposition has had it listed for debate.

The last time we had a private members' day, the Leader of the House said, "No, I have to override you. I have to insist that a Government backbencher have the opportunity to move a motion." So on the very last occasion that the Opposition had an opportunity to debate matters that it considered important, the Government used its brutal weight of numbers and overrode it and used most of that last private members' day for Government members' business. We were told that was the way it would be. The Leader of the House said, "When the debate has concluded we will deal with your Bill." I accepted his word when obviously I should not have, because he did not go back to that matter.

In any event, we sat for an additional week after that and, as Government members know, it is quite usual at the end of a session and not necessarily on a private members' day to deal, by negotiation, with a number of matters considered important by the Opposition. Many

members opposite will know that this opportunity was afforded them on many occasions in the past.

I wrote to the Leader of the House and said that I would like this item to be arranged for debate in the last week of the session. He indicated that he would try to meet that commitment. In the event, we sat long hours and it was not possible to debate the Bill.

I know that the Government hoped that this matter would just go away; that when the session was completed it would be able to say to itself, "At least we have some breathing space until 8 September." Unfortunately for the Government, events have taken the matter out of the Government's hands, because the violence continues.

Despite all the piffle the Minister for Transport went on with this morning, more and more people are being attacked. Neither the Minister for Police and Emergency Services nor the Minister for Transport could tell us why, if their actions had been so effective, the violence goes on. If they had so brilliantly carried out their responsibilities, we would not have the problem we do now. Steven Ross would not be lying with stab wounds in Royal Perth Hospital. Darren Maxfield would not be fighting for his life with horrendous brain damage. These things have happened in just the last few hours. This violence is going on continually in our community and it is getting worse. And the Government has no effective answer to the problem.

We are offering the Government an answer. We accept the Minister for Transport's challenge to debate this Bill today. I moved the second reading of the Bill and now it is up to him to debate it. All he need do is say that he accepts it. We give him a commitment that we will deal with the Bill expeditiously. I have used this opportunity to call on this item as our next item of business and I have done so on behalf of the taxi industry, whose members out there are frightened of being stabbed or wounded. I am seeking to have the Parliament deal with the matter today, and it is appropriate that it be dealt with today. It should not be put off until September.

How many taxi-drivers will be lying in hospital by 8 September? One of them is in hospital now with stab wounds. It could be that he would be the last to be in that situation were we to pass this Bill today, because this Bill will provide a very powerful deterrent to people thinking of not paying their fares. If these

people know that the taxi-drivers could call for the police rather than having to chase them and get stabbed, they would think twice.

We offer that opportunity to the Government now. This Bill can be debated before the suspension of the House for lunch. The Minister for Transport issued a challenge to us by saying that we were not genuine about this matter. We have demonstrated that we are more than genuine. We are attempting to give the Government the opportunity to debate the Bill today.

The Bill is a simple one. It was introduced during the last session but lapsed because it was not debated. It has now been reintroduced and we want it dealt with. I am demonstrating how genuine I am about this matter. I am attempting to give the Government the opportunity to respond. It used the last private members' day to debate one of its motions. However, we should forget that because the time is now right for us to debate it.

The SPEAKER: Order! The member is now canvassing matters that were thoroughly canvassed earlier.

Mr LAURANCE: Exactly, but the violence is occurring now. A man was stabbed and is now lying in Royal Perth Hospital, and the Government refuses to deal with this Bill! We could solve the problem today. All that is required is for the Government to support this motion.

The Minister told the taxi drivers on the steps of Parliament House that he found some merit in this Bill. Let us put aside all of the nonsense spoken by the Minister for Police and Emergency Services who said the Bill was an ill-conceived political stunt. When I asked him whether he would tell the man lying in Royal Perth Hospital that this Bill was an ill-conceived political stunt, he hung his head in shame.

The SPEAKER: Order! If I could be sure that the Deputy Leader of the Opposition was the last speaker on this issue, I would not say what I am about to say. However, I am not. I will not permit the member to continue to canvass matters that have been debated at length over the last hour. The member should introduce new material to support his motion.

Mr LAURANCE: I do not intend to canvass this matter any further. The Minister for Transport issued a challenge to us earlier today. We are genuine about this matter and are attempting to deal with the Bill immediately. We accept his challenge and acknowledge that

he told the taxi drivers that he finds some merit in the proposal. We want now to give him the opportunity to debate it.

I ask the Government to support the motion.

MR CARR (Geraldton—Minister for Local Government) [12.15 pm]: The Deputy Leader of the Opposition used the word "opportunity" twice in every sentence that he spoke in this debate, and that is what this motion is about. It is an opportunistic exercise for him to gain a little cheap publicity. He is taking this opportunity to attempt to take over the conduct of the business of this House.

It has long been the practice of this place for the Government to decide how the business of the House is conducted. I remember how the Premier of the day, Sir Charles Court, performed when the former Opposition of which I was a member attempted to take the conduct of the business of the House out of the hands of his Government.

It is a long-entrenched practice of this place for the business of the House to be conducted by the Government. The Opposition has had plenty of time to debate this matter. It has been on the Notice Paper for several weeks, and there have been several private members' days on which the matter could have been debated. The Opposition chose not to debate it. It is now attempting, on the last day of this session, to gain political mileage from this matter. We all know that the business of the House is dealt with by consultation and agreement between both sides. There has been absolutely no consultation or agreement on this matter.

The Government strongly rejects the motion.

House to Divide

Mrs BUCHANAN: I move—

That the House do now divide.

Question put and a division taken with the following result—

Ayes 25	
Dr Alexander	Mr Hodge
Mrs Beggs	Dr Lawrence
Mr Bertram	Mr Marlborough
Mr Bridge	Mr Read
Mr Bryce	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Burkett	Mr Taylor
Mr Carr	Mr Troy
Mr Donovan	Mrs Watkins
Mr Peter Dowding	Dr Watson
Mr Evans	Mr Wilson
Dr Gallop	Mrs Buchanan
Mr Gordon Hill	

(Teller)

Noes 19

Mr Blaikie	Mr Rushton
Mr Bradshaw	Mr Schell
Mr Cash	Mr Spriggs
Mr Court	Mr Stephens
Mr Grayden	Mr Thompson
Mr Hassell	Mr Trenorden
Mr House	Mr Watt
Mr Laurance	Mr Wiese
Mr Lewis	Mr Williams
Mr MacKinnon	

(Teller)

Pairs

Ayes	Noes
Mr Tom Jones	Mr Clarko
Mr Thomas	Mr Tubby
Mr Parker	Mr Crane
Mr Pearce	Mr Mensaros
Mrs Henderson	Mr Lightfoot
Mr Grill	Mr Cowan

Question thus passed.

Motion Resumed

Question put and a division taken with the following result—

Ayes 19

Mr Blaikie	Mr Rushton
Mr Bradshaw	Mr Schell
Mr Cash	Mr Spriggs
Mr Court	Mr Stephens
Mr Grayden	Mr Thompson
Mr Hassell	Mr Trenorden
Mr House	Mr Watt
Mr Laurance	Mr Wiese
Mr Lewis	Mr Williams
Mr MacKinnon	

(Teller)

Noes 25

Dr Alexander	Mr Hodge
Mrs Beggs	Dr Lawrence
Mr Bertram	Mr Marlborough
Mr Bridge	Mr Read
Mr Bryce	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Burkett	Mr Taylor
Mr Carr	Mr Troy
Mr Donovan	Mrs Watkins
Mr Peter Dowding	Dr Watson
Mr Evans	Mr Wilson
Dr Gallop	Mrs Buchanan
Mr Gordon Hill	

(Teller)

Pairs

Ayes	Noes
Mr Clarko	Mr Tom Jones
Mr Tubby	Mr Thomas
Mr Crane	Mr Parker
Mr Mensaros	Mr Pearce
Mr Lightfoot	Mrs Henderson
Mr Cowan	Mr Grill

Question thus negatived.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

Council's Amendments: In Committee

The Chairman of Committees (Mr Burkett) in the Chair; Mr Peter Dowding (Minister for Labour, Productivity and Employment) in charge of the Bill.

The amendments made by the Council were as follows—

No 1.

Clause 5, page 4, after line 21—To insert the following definition—

“welfare” means welfare which is directly related to the employee’s health and safety in the workplace.

No 2.

Clause 13, page 13, line 1—To delete the line.

No 3.

Page 13, lines 3 to 15—To delete the lines and substitute the following—

section 24 are unsuccessful, and where there is a risk of imminent and serious injury to, or imminent and serious harm to the health of any person, the employer or a health and safety representative may notify an inspector thereof.

No 4.

Page 13, line 16—To delete (2) and substitute the following—

(1)

No 5.

Page 13, lines 16 and 17—To delete the words—

that a direction that work cease has been given.

No 6.

Page 13, line 23—To delete the line.

No 7.

Page 13, lines 26 and 27—To delete “notwithstanding that a direction to cease work has not been given under that section.”

No 8.

Page 14, lines 9 to 14—To delete the lines and substitute the following—

27. An employee who refuses to work as mentioned in section 26(1) may be given reasonable alternative work to do until he resumes his usual work.

No 9.

Page 14, lines 16 to 21—To delete the lines and substitute the following—

28. (1) An employee who refuses to work as mentioned in section 26(1) is entitled to the same pay and other benefits, if any, to which he would be entitled if he had continued to do his usual work.

No 10.

Page 15, lines 9 to 25—To delete the lines and substitute the following—

30. (1) Where an employer is given notice under section 29 requiring the election of a health and safety representative, he shall, within 21 days of being given the notice—

- (a) inform any trade union which has, or any trade unions which have, members amongst the employees who work at the workplace of that notice;
- (b) invite the employees to appoint a delegate or delegates from amongst their number to represent them; and
- (c) consult with the delegate or delegates appointed under paragraph (b) as to the matters requiring to be determined under this section.

No 11.

Page 17, line 11—To insert after “election” the following—

and, where any of the parties consulting under section 30 to determine matters in relation to that election so requires, the election shall be by secret ballot

No 12.

Page 19, line 29—To insert after the word “workplace” the following—

at which there are in excess of 10 employees

No 13.

Page 22, line 32—To insert after the word “workplace” the following—

at which there are in excess of 10 employees.

No 14.

Page 34, line 8—To delete the words “from a panel of experts appointed by the Minister”.

No 15.

Page 35, line 3—To delete section 53(d).

No 16.

Page 37, line 5—To insert after the line the following new subsection—

(4A) The Minister shall cause a copy of every code of practice, and any document incorporated in it by reference, and any revision or revocation of a code of practice to be laid before each House of Parliament within 14 sitting days of such House.

Mr PETER DOWDING: I thought it would be appropriate if I outlined to the Chamber that the Government will, for reasons I will express in due course, accept the amendments other than amendment No 10. I move—

That amendments Nos 1 to 9 made by the Council be agreed to.

It is with a great deal of reluctance that the Government accepts these amendments. It believes that some of the amendments are unnecessary and it certainly does not regard them as patching up any drafting errors or errors in policy. However, the Government will accept them.

The Council's amendment to proposed new section 25 is of great concern to the Government. The Government has already expressed, in debate, how fundamental it regards the right of a safety representative to direct a stop work in the face of imminent danger. It is most regrettable that the conservative parties used their numbers in the upper House.

I remind the public that the conservative parties have now conceded that the structure of the upper House is not democratic and is inappropriate; nevertheless, they have used their numbers in that place to defeat an important clause in this legislation.

The most regrettable aspect of the whole debate on that clause has been the unwillingness by the Opposition to accept the largely responsible actions of the people in the community. It is the inability of the Opposition to accept that all the hard cases by which it has sought to illustrate its reasons for the refusal of this proposal have been the exception.

An Opposition member interjected.

Mr PETER DOWDING: I will not be silent on the matter because it is an important issue of principle. This element of the Bill is important to the effective workings of it and fundamental to occupational health, and safety in the workplace. Opposition members have indicated their opposition endlessly on this subject.

Mr Hassell: You have not?

Mr PETER DOWDING: The Opposition takes exception to my making it clear that the Government does not accept this amendment lightly, it does not accept it willingly, it has not changed its position of policy, and it does not regard the Bill as an ideal Bill.

I do not regard it as appropriate to reopen the debate at length, but I make it clear to the Opposition that it is still the Government's strong view that these provisions should be included in it. The Government believes that when this Bill has been enacted and there has been a period for people to understand the great benefits it can bring not only to individual workers and employers in the workplace, but also to the whole community in terms of reduced industrial accidents, and in turn, reduced cost to the community to reduce that loss of productivity which is now three times greater than the loss of productivity due to industrial disputation—

Mr Lewis: How will that change it?

Mr PETER DOWDING: We have already been through a long debate on this issue and I do not accept the member for East Melville's invitation to extend it unnecessarily. I suggest to him that he reads *Hansard* if he is left in any doubt about it.

It is important to state that the Government regards this clause as essential and highly desirable, and even though the Opposition parties have used their numbers in the upper House to prevent its passage, we do not believe we ought to ignore the future possibility of its introduction.

Mr THOMPSON: I congratulate the Government for accepting the amendments that have been put into this legislation by the Legislative Council. It is pleasing to note that the Minister spoke in positive terms with respect to the operation of the legislation. The Minister said he could see immense value to the community as a result of the passing of this legislation, although he was unhappy that section 25(1) was deleted from it. An indication was given after the matter had been dealt with in the Legislative Council that there was a chance that the legislation would not be proclaimed. That would have been an absolutely disastrous decision, and I am glad the Government has had the maturity to allow this legislation to progress, and hopefully the legislation will soon be on the Statute book.

Opposition members have steadfastly said in both Houses of Parliament during the development of this legislation that they support the general thrust of the legislation. However, section 25(1) has been a matter of contention right from the outset, and the Government could not have been in any doubt as to what would have happened with that section when it went to the Legislative Council, because the conservative parties in this Parliament have been very resolute in their opposition to that power being given into the hands of safety representatives.

I am confident that the legislation will work effectively. It is really a very dramatic change in terms of workplace environments and industries that the people who work in them have to adjust to. To give power to safety representatives to stop work would have been something that would have been detrimental to the legislation. I am delighted that the Government has decided to accept the amendments that are contained in that part of the message which is covered by Nos 1 to 9 inclusive.

Mr COWAN: Although the motion moved by the Minister deals with matters other than section 25(1) of the Bill, that is really the only contentious part of the Bill which we are debating in these nine separate items. Section 25(1) was the one area of the Bill where there was not tripartite agreement between the various bodies that discussed the formulation of this legislation. The National Party has received, like the Liberal Party, representation from the Confederation of Western Australian Industry, which has said that it wants to see the Occupational Health, Safety and Welfare Amendment Bill enacted, but does not want under any circumstances to see the inclusion of this particular provision which provides for a direction that work at the workplace cease. The confederation has indicated that it has been quite prepared to accept some of the other areas to which the National Party was strongly opposed, and one of those was the preferential treatment given to the trade union movement, and provided that proposed new section 25(1) was removed from the legislation, the Confederation of Western Australian Industry and other employer bodies were prepared to accept the other provisions which do give preference to the trade union movement.

We have always acted on the proviso that where it can be shown that industry has particular demands or wants, it is not our position to oppose those demands. We are very pleased, particularly from the point of view of the Con-

federation of Western Australian Industry, that the Government has been prepared to accept the withdrawal of proposed new section 25(1) from the Bill. I understand from my discussions with the Government, officers of the Minister's department, and also with the Trades and Labor Council, just how important this particular provision was in the Bill itself, so the Government has made a considerable concession on being prepared to allow the Bill to proceed without this particular provision.

It is beholden upon us in Opposition to recognise that a compromise has been offered by the Government, and we in turn have to offer some form of compromise. The employer bodies have accepted that preference can be given to the trade union movement in the selection of consultative committees and the processes of elections of health and safety committees and health and safety representatives, and for that reason we should be prepared to accept that. I believe that with this motion to withdraw proposed new section 25(1), we have achieved the removal of the major objection of the employer bodies. The National Party will not stand in the way of the compromise that has been reached between the Government and industry, and it will allow this legislation to become law in order to provide greater protection for the people who have a very poor record of occupational health and safety, often through no fault of their own.

Question put and passed; the Council's amendments agreed to.

Mr PETER DOWDING: I move—

That amendment No 10 made by the Council be not agreed to.

This amendment sought to take away the essential elements which had been put into the arrangements for the election of health and safety representatives. It sought to take away—for reasons that are not regarded as at all justified—the important participating role of the union movement.

I remind members of the extensive tripartite agreement that was reflected in this clause as it was originally cast and passed by this Chamber. That is a very important element because it indicates a number of things about the acceptance in the community amongst employers and others of the role of the trade union movement.

I must say that when listening to the debate in this House and reading this debate elsewhere I found it remarkable for the lack of the recognition of that fact by some of the Opposition speakers.

The other element of proposed section 30 as it was introduced in the Legislative Council was that it provided for a mechanism to overcome the problem where there are different groups within an organisation which have different points of view about the election of health and safety representatives.

Mr Court: Don't they all have the same right? Don't all the employees have that ability?

Mr PETER DOWDING: All the employees have the same rights, but the unions have a fundamental role, and that has been accepted by the employer organisations. I think it is fair to say that the Western Australian Chamber of Commerce and Industry has accepted the clauses as they were presented to the Legislative Council, so we have a situation where the role of the union movement, which the member for Nedlands always dresses up as though it were some sort of offer or privilege to a section of the community or some taking away of the freedoms of another section of the community—

Mr Court: That is exactly how I see that clause.

Mr PETER DOWDING: The member might see it like that, but he isolates himself in terms of the wider community.

Mr MacKinnon: I do not think he does.

Mr PETER DOWDING: The Leader of the Opposition is a bit irrelevant to the process, and this just heightens his irrelevance. He does not even represent what I would expect to be his natural constituency. The point I am making is that the Opposition has isolated itself so much from even the people who previously regarded themselves as its natural constituents, and the fact that they were able to reach this agreement about proposed section 30 is indicative of the very considerable amount of goodwill which exists outside the Liberal Party rooms between the union movement and the employers.

There is another very fundamental problem with proposed section 30 as it was returned from the Legislative Council, and that is that it really does not recognise that there are in a workplace hazards which might be peculiar to a very small group within a larger work force. That might be missed entirely in the consultative procedures leading up to the election.

Mr MacKinnon: How?

Mr PETER DOWDING: Because they do not have a voice in the wider group. They may be a very small section of a very large workplace and they may well not have a voice in the procedure.

Mr MacKinnon: How could they not have a voice if they all combined to elect a representative?

Mr PETER DOWDING: Because their need for a particular safety representative to represent their very small area's interest which might be fundamental and important might well be overlooked in the consultative process. That is why the involvement of the union movement is in force.

Mr Court: You could use that argument in reverse.

Several Opposition members interjected.

Mr PETER DOWDING: It must be the silly season for the Opposition. I thought there was an election on, but I must have been mistaken.

In agreeing to the other amendments on this sheet, the Government is anxious above all things to get this legislation up and operating as quickly as possible. I thank the Leader of the National Party for his indication of his position. That is a very wise and sensible position, and a fair one, given the tripartite support for proposed section 30 as it would stand if this message amendment were defeated.

Mr THOMPSON: The Opposition has a different point of view with respect to amendment No. 10. The amendment that has been proposed by the Legislative Council gives recognition to the existence and involvement of the trade union movement. Indeed, if members look at the part of the message to which I have referred, they will see where it becomes a requirement for the union, which represents any workers who are employed in a place which is the subject of a notice, to be advised of the fact that there is to be an election of safety representatives.

It is hard to understand why the Government is not prepared to accept this amendment. I could have understood it if it had gone all out to oppose one or two other amendments which it has accepted, but I really cannot understand why it is making such an issue of this point. I do not see it as being of major concern. Members of a union are being treated in the same way as other people who are involved in the workplace.

What difference will it make to the operation of this legislation if this amendment is accepted? I submit that in the normal course of events it will have no detrimental effect at all. In fact, I see it as being one which will produce a very desirable effect because it will cause all people in the workplace to take an interest in their working environment, whereas otherwise it might be regarded by some workers as being simply a preserve of the trade union movement, even though there may be only a very small percentage of employees in that workplace who are actually members of the trade union movement.

Therefore I see no reason at all for the Government not to accept this amendment. I believe it will not detract from the operation of the legislation seriously, or at all. I find it a little strange that the Government is making such an issue of this point.

Mr COWAN: Members will recall that the National Party made it very clear during the debate on this Bill that it was not in favour of the preferential position in which unions were placed under this legislation. However, we are very mindful of the fact that proposed section 30 of this Bill was agreed to by representative groups of industry, particularly the Confederation of Western Australian Industry and, I understand, the Western Australian Chamber of Commerce and Industry (Inc.).

I repeat that the National Party, or rather I, have received representations from various bodies advising me that they are quite prepared to accept the original wording of proposed section 30, and they have requested that we retain that particular section.

If these employer bodies are not representing their members or industry, then that falls on their heads, not on the heads of the members of this Parliament if they are prepared to accede to the wishes of the employer bodies. I say employer bodies particularly because they are the people who originally had some objection to this proposed section, but they have advised me that although they have objections they are not strong enough to warrant change. Yet this amendment does provide for quite a substantial degree of change. I suggest to the member for Kalamunda that there is quite a difference between being informed and actually having involvement in the consultative committees which establish the parameters around which health and safety committees and health and safety representatives are to operate.

There is quite a substantial difference, as I have said. Many employer bodies have indicated to me that they are prepared to accept the original concept of the Bill. The National Party does not like it, but we would like to see this legislation enacted. We have enough difficulty reconciling ourselves with the fact that the trade union movement will file an application—or I assume it will—to have written into the industrial award and the industrial agreement all of those provisions which the Government has agreed to have taken out of this legislation. However, I understand that if the trade union movement does not have some involvement by way of the original wording of proposed section 30, it would be very reluctant to see this Bill enacted.

We have a responsibility to ensure that such provisions do not become law. For that reason, while we are reluctant to do so, we can see that there is a need for the legislation to be put in place. As we have been requested by employer bodies to ensure that happens, it would be to some extent irresponsible of the National Party to take action which does not allow the Bill to become law. Therefore, the National Party will allow proposed section 30 to remain in its original form and it will not support the amendments included in item 10 of the message.

Mr HASSELL: I understand the position expressed by the Leader of the National Party, but in my view, very clearly and unmistakably, if the Confederation of Western Australian Industry and the Western Australian Chamber of Commerce and Industry accept this provision, as has been suggested by the Leader of the National Party, they are failing their members, and particularly their small business members.

It is my belief that Parliament has a higher duty than simply to respond to the views of outside organisations without regard to the overall good, and it is not in the interests of Western Australian production and industry to have the occupational health, safety and welfare legislation used as a vehicle to provide a substantial increase in union power and domination of the workplace.

That is what this provision is all about. It should be clearly understood that this is what the Government is trying to do, and this is what the Trades and Labor Council and individual unions are trying to do through this clause—to introduce a form of union control of the business operations, which some people call "industrial democracy". It is a pretty strange form of democracy.

This clause is one of the most important provisions of the Bill insofar as the TLC is concerned. It has nothing whatever to do with improving the standard of occupational health and safety but everything to do with increasing the power and influence of the trade union movement in the workplace, particularly in non-unionised workplaces.

Let it be clearly understood what this clause does. It says that if I have a work force of one, five, 50, 100, or 1 000, and if in any of those work forces there is one member of a trade union, that union can completely take over and control those vital initial steps in relation to workplace occupational health and safety procedures. That is the privilege which is conferred on the trade union movement in proposed section 30(1). That is, the procedure is to be under section 30(2) or (3). Subsection 30(2) applies when there is not any member of a trade union in the workplace and then there is no union because there is no union to take over; but if there is one union member, that union takes over completely under 30(3).

Mr Cowan: In 30(2) and (3), if you look at them both together, where a union is represented in the workplace it can have one representative on the site's consultative committee, but so too can the non-union members.

Mr HASSELL: I suggest the member read clause 30(1) where it says, "invite the appointment of a delegate or delegates in accordance with subsection (2) or (3), as the case requires". It is "(2) or (3)". So if one has trade union people, they can take it over. That is my reading of it. The clause says, "Where an employer is given notice under section 29 requiring the election of a health and safety representative, he shall, within 21 days of being given the notice, invite the appointment of a delegate or delegates in accordance with subsection (2) or (3), as the case requires."

Mr Cowan interjected.

Mr HASSELL: Under the amendments to that, which the Leader of the National Party is agreeing to delete, everyone would get an involvement; but they do not under the clause which is now being sought to be reinstated with the National Party's support because it clearly says "in accordance with 30(2) or (3)". It does not say (2) and (3). Clause 30(2) says, "Where none of the employees who work at a work place is a member of a trade union"—

Mr Cowan: You are reading the wrong one.

Mr HASSELL: Then I have been given the wrong one. It now says, "Where any" but it still says in (1), "(2) or (3)". Then it says in 30(2), "Where any of the employees" is not a member of a trade union, those employees may appoint a delegate. Subclause (3) says, "Where any" is a member they may. The Leader of the National Party says that this has the effect of overriding 30(1) and that (2) and (3) will apply.

Mr Cowan: It has the effect of allowing both union and non-union members.

Sitting suspended from 1.00 to 2.15 pm

Speaker's Gallery: Guests

The CHAIRMAN: Before we resume on the Bill I take this opportunity to indicate that, under the Children's International Summer Villages scheme, we have in the Speaker's Gallery some visitors to Western Australia all the way from Denmark. On behalf of the Parliament of Western Australia assembled I extend to each and every one of you a warm and happy stay in WA and a safe return to your homeland at the time of your departure.

[Applause.]

Committee Resumed

Mr HASSELL: I have now been handed by the attendants a current copy of the Bill as amended in Committee in this place. That amendment related to proposed section 30(2) and it altered the wording of that subsection slightly. However, I assure the Committee that the impact of the amendment in no way diminishes the point I was making about the overall effect of this proposed section.

Clearly, if we have a workplace with 20, 30, 50, 100 or 1 000 employees, and in all those cases two of the employees are trade union members and belong to separate unions, each of those unions will be able to appoint a delegate; that is, that delegate can come from amongst its members.

Proposed subsection (1) is confusing in the sense that it says "the employer may invite the appointment of a delegate or delegates in accordance with subsection (2) or (3) as the case requires". It might be argued that a choice has to be made between subsections (2) and (3), otherwise we would not have "or" but would have "and", and we would not have "as the case requires". A clear meaning is attributed to the words "as the case requires", and the meaning suggests that one must choose between proposed subsections (2) and (3).

For the sake of avoiding a purely technical argument about the interpretation of the proposed section, let me give it the most favourable interpretation possible; the sort of interpretation the Minister wants to use today—I do not know whether he will always want to give it this interpretation. The Minister is saying that where we have two out of the 20, 30, 50, 100 or 1 000 employees belonging to unions, we will have delegates from the non-union employees and delegates from the union employees. The fact still remains that this proposed section gives a privileged position to unions. It means that when employees are trade union members, their unions take over the control of action for those employees. Further, it provides the entree to business workplaces, especially small business workplaces where it is likely that a very low percentage of the employees will be union members.

The Government is holding out in opposition to the amendments made in the upper House because this clause is not about occupational health and safety but about the privileged position of unions in the workplace, especially those workplaces involving small business and where there are a small number of union members relative to the total work force. This clause is fundamentally aimed at the introduction of what people on the other side of the Chamber would call "industrial democracy", which in fact means the introduction of worker control of business operations. This legislation is intended to be the example which will be used to justify further operations of this kind in the future.

The Leader of the National Party has said—and his position is understandable although I do not agree with it—that the National Party has decided to support this clause for two reasons; firstly, because it has been agreed to by the Confederation of Western Australian Industry and the WA Chamber of Commerce and Industry with the union representatives and the Government, and the confederation and the chamber have asked the National Party to support it. I say again, and I mean what I say, that if the confederation and the chamber are asking us as a Parliament to support this clause, they are not acting in the interests of their members, and in particular they are not acting in the interests of the small businesses they purport to represent.

Secondly, the National Party is supporting the clause because it fears that if the clause is not accepted the Government will not go on with the legislation. As far as I am concerned,

that is not an acceptable excuse. If the legislation is not in accordance with what Parliament requires, it should not go ahead. I would be quite prepared to see this amendment inserted, contrary to the will of the Government, if it can be achieved. If the Government chooses to say it will abandon all the legislation because we will not accept the clause, it shows that the Government is really concerned with trade union power and not with occupational health and safety. That is what the clause is about, and that is why the Minister is rejecting the amendments put in by the upper House.

Mr COURT: I support the comments made by the member for Cottesloe. I cannot agree with the line taken by the National Party on this amendment. I want to know what the Labor Party is afraid of in regard to amendment No 10. To me it is as democratic as one can get; all the employees are involved. If some of them belong to a trade union they will be informed, and they can participate in the process we are talking about. It is a very simple way of achieving what we are seeking to achieve in this clause.

As the member for Cottesloe has just pointed out, if the clause is not amended it is extremely complicated and open to some interpretation, whereas with the amendment it is quite simple. All the employees are involved and the trade unions are informed, and of course they have an involvement. I want to know why we have to make a special position for members of a union or a union itself.

Mr Peter Dowding: Why shouldn't you?

Mr COURT: If a union is good and is doing its job it will get its message across. It does not have to be given any special position. The Minister likes talking about living in a democratic society, but when we come to talking about industrial relations matters he does not mind throwing away human rights.

Mr Peter Dowding: Do you think that is what this is?

Mr COURT: Why pick out a certain group inside a workplace and make special laws affecting that group? We are talking about employees electing delegates to set the ground rules under the occupational health, safety and welfare legislation. I want to know why the Minister is making a big fuss about it. He could not have anything fairer than this amendment. If he is saying trade unions can only survive if this special clause is inserted, they are not doing their job. A good union will be able to offer proper representation and get its message

across. To say that unions are not involved under the amendment which has come back from the upper House is absolute nonsense. It also implies that the unions concerned are not capable of getting their message across.

The other point I want to refer to is the implied threat that the legislation will not go ahead if this clause does not go through. Again that exposes the Government. If that is the case, and it is not going ahead with this legislation which has gone through both Houses after lengthy debate—and both sides agree we have to upgrade occupational health and safety in the workplace—we can see what the Government is really trying to achieve with this Bill.

Amendment No 10 is very fair; it is as democratic as one can get to allow employees to become involved in the process. What the Minister is saying on behalf of the Labor Party about why it should be changed is absolute nonsense. I know it has been said that the Confederation of Western Australian Industry and the WA Chamber of Commerce and Industry support what the Government is putting forward.

The confederation might, but in this case I certainly do not and amendment No 10 is a very simple and sensible way of approaching this problem.

The Government has been good enough to accept other amendments made by the Council and there is no reason at all that it cannot accept this amendment to the legislation.

Mr PETER DOWDING: Let me take first the issue of what this clause means. Quite clearly—I think the member for Cottesloe finally accepts it—the clause means that where there is a heterogeneously-inclined workplace with unionists and non-unionists, both the trade unionists and the non-unionists will participate in the appointment of delegates. That is the assurance that the National Party is entitled to have about the interpretation of this clause.

I will now deal with the second issue raised by the members for Cottesloe and Nedlands about whether that is a desirable arrangement. Last night I listened to a speech made by the Prime Minister. It was a very good speech because it painted quite clearly—

Mr MacKinnon: Did you pay your \$150?

Mr PETER DOWDING: —the way in which the Labor Party has made such a major change to Australian society since 1983.

Several members interjected.

Mr PETER DOWDING: I can tell members opposite that there are a lot of people who used to be in their constituency who were prepared to pay \$150 to listen to the Prime Minister of Australia. I can understand the Opposition's discomfort at the success of the dinner.

One of the things the Prime Minister said, and it rang so true, is that when the Labor movement came to office in 1983, it understood that the central reality of Australian society was that the community was crying out, not for everybody to adopt one point of view, but for everybody to accept that other people were entitled not only to have another point of view, but also to operate within their constituency, their structures and their organisations, and to have the right to exist and to participate. In order to achieve that harmony there has to be, and had to be, a considerable amount of give and take.

If the Opposition's views are represented by the members for Cottesloe and Nedlands, what makes the Opposition so irrelevant to the political processes of 1987, is that it still cannot understand the concept of give and take. In order to achieve an overall solution that can have the support of organisations such as the Confederation of Western Australian Industry and the trade union movement it needs to understand the concept of give and take.

In the process of preparing this legislation the employers have been prepared to acknowledge the commitment the union movement has towards occupational health and safety the unions' belief in the propriety of their participating in this process.

The confederation and the Chamber of Commerce and Industry have not been asked to say that is the position they would adopt if they were the only actors in this issue. On balance they have been asked to say, given the concessions that have been made on all sides, whether they were prepared to concede that the unions should have this participatory role. It is interesting that Opposition members continue to object to that form of compromise and concession.

The former Leader of the Opposition, the member for Cottesloe, goes even further and recites the sort of cant that I remember hearing from him when he was at school—the matter has been aired in the Press. I was interested to note that the arguments that he and I have had over politics was his support of Anthony Eden's invasion of Egypt and his support for the American invasion of Vietnam. In both

cases, I believe history has proved me right. This is a current argument which he and I have and I am sure that history will prove me right on this occasion.

I am not normally a recipient of the member for Cottesloe's newsletter which he sends to his party faithful in Cottesloe. However, I was interested to read that he suggested that if the Government Ministers had not been trained in Moscow, then at least they were the dupes of Moscow.

Mr Cash: Hear, hear!

Mr PETER DOWDING: Of course, the member for Mt Lawley would hold that view. I am reminded of that because what the member for Cottesloe is saying today is that the confederation and the chamber of commerce have agreed to this measure—which he describes as being one about trade union power and not about occupational health and safety—they are therefore the dupes of the union movement even if they are not deliberately setting out to achieve that objective.

I repeat to the Opposition members that they should please understand that this Bill seeks to achieve objectives with consensus as far as practicable.

Several members interjected.

Mr PETER DOWDING: I am sorry that members opposite regard the ability of the trained trade unions and the employers to come to an agreement as in some way worthy of scorn. What an extraordinary position for a party that would hope to be the alternative Government! It is that attitude that will keep the Opposition out of office at the next election.

It is quite obvious that the Opposition members will not change their attitude; so be it. The Government is proud to find the consensus of the confederation, the chamber and the unions on the issue of proposed new section 30. It means what it says: It is a recognition of the role of unions, and at the same time it is a concession from the union movement and a recognition that non-unionists will also have a role in the appointment of delegates to organise this election.

Mr THOMPSON: I concede that the Confederation of Western Australian Industry is in favour of the provision that was first written into this Bill in proposed new section 30.

Mr Williams: But that is of no credit to the confederation, is it?

Mr THOMPSON: On this point, the Liberal Party disagrees with the confederation. It was not a position arrived at lightly but the members of the parliamentary Liberal Party, unlike members of the Government, represent a very wide section of interests. In the main, they are people who have had experience in a far wider area than have members of the Government. It is as a result of those interests that we came to the view that the amendment which now appears before the Committee is the appropriate way in which to deal with occupational health and safety matters. The Opposition is not saying that the trade union movement should not have a role in the appointment of delegates. Indeed, the Opposition recognises that it has a very important role to play.

From my practical involvement as a member of the trade union movement—

Mr Brian Burke: They still speak about you.

Mr THOMPSON: Do they?

Mr Brian Burke: Some great breakthroughs in working conditions and "careful colleague workmates" are credited to you still. I think it is a case of mistaken identity.

Mr THOMPSON: I am waiting for honorary membership of the Electrical Trades Union in recognition of the job I did for them.

Mr Brian Burke: I have no doubt. You are a bright spark.

Mr THOMPSON: That is good. We recognise that the trade union movement has a legitimate role to play.

Mr Peter Dowding: Some of your backbenchers do not.

Mr THOMPSON: The view of the party is that the trade union movement has a role to play, but it is not a predominant role; it ought not to be the only role. If members look at the participation that the trade union movement has in this facet of the legislation, they will come to understand why the Government is fighting as hard as it can to have its way in this matter.

I refer the Committee to a part of a newsletter recently circulated to members of the Australian Bank Employees Union entitled "Around the traps". The publication is dated June 1987 and the commentary on this legislation reads—

An important provision in the Act provides elected union representatives with specific powers to correct serious situations.

That union takes the view that it has an exclusive role to play in occupational health and safety matters. It was a non-union member of the banking industry who drew my attention to that article. That employee and others have taken offence at the attitude expressed by the union in their sphere of operation. This legislation will succeed only if it has the goodwill of all involved.

Mr Peter Dowding: Do you not think that is a very good reason?

Mr THOMPSON: I do not think it is a good reason at all, because we could have the situation where a very small minority of union members were employed in a particular workplace and their will would prevail; they would be given a favoured position by comparison with other employees. It is reasonable and proper that trade union members should have a role to play in this area, and if members look at the amendment to which we are now speaking they will see that recognition is given to that. Trade union members are given recognition for their involvement, but it is not structured in such a way as to give them a leg up, or greater clout than is available to other employees.

There is not much point in my proceeding. It is clear that the Government is intent on having its way in this matter. It is also clear that the National Party will support it. I hope that the National Party will take the trouble to tell all the small business employees in the country how it has decided to support something which will enhance the involvement of trade union elections within those workplaces. I hope that before it comes to the Legislative Council again the National Party will reflect on the very special position it will offer to the trade union movement, and perhaps before it is considered in the other place the National Party may care to canvass opinions of small employees.

The great bulk of employers in the country are currently not subject to the same sort of union harassment as some employers in the metropolitan area. The great success of some country enterprises is due to the good relationship between employers and their employees. Given the impact of this legislation, that relationship will break down. I implore the National Party to have some regard for what this legislation is likely to do to the employers they profess to represent.

Mr COWAN: When the Liberal Party decides to take this matter out to the country people, for whom it has suddenly found a liking, I hope it is a little more honest than it was with the electoral Bill.

Firstly, with respect to what the member for Kalamunda said, we have made sure in this case that the small businesses have the right not to have appointed a health and safety committee. All that is necessary is to have appointed a health and safety representative. To my way of thinking, that is of some assistance to them in that they are not to be bothered with the establishment of yet another committee.

The interpretation that the Liberal Party has placed on this clause is quite wrong. The Minister might correct me if I am wrong, but it relates to the appointment or election of delegates to form a consultative committee. I cannot see, where there are union members within a workplace already, that the election or appointment of delegates to a consultative committee will strengthen the hand of the union movement. If there are already members of the union movement in the workplace, how is their hand to be strengthened? Perhaps the member for Kalamunda can explain how that will happen.

I remind the Committee that the National Party not only has insisted that there be some differentiation between small businesses in relation to the need for the appointment of health and safety committees, but also that there be a requirement, which we will be dealing with later on, for an election by secret ballot if it is desired.

Mr Thompson: We supported that, too.

Mr COWAN: That in itself is quite sufficient protection. My party demonstrated during the second reading stage of this legislation that it was reluctant to grant the union movement a privileged position in any place in this legislation. We understand the meaning of the word "compromise" and we accept that the Government has compromised by the withdrawal of proposed section 25(1) of this Bill. We accept that in turn there must be some compromise by us and we regard it as a very small compromise on this item, purely and simply because there has already been tripartite agreement for what was originally written in the Bill. Members of the Liberal Party must remember that—there has already been tripartite agreement to the proposed section in the Bill.

Mr Williams: What is "tripartite"? The small business people were not even consulted.

Mr COWAN: I would have thought small business was represented by industry bodies such as the Western Australian Chamber of Commerce and Industry (Inc).

Mr Williams: Bunkum! They were not, nor were they consulted by the Confederation of Western Australian Industry.

Mr COWAN: That is the responsibility of the confederation and the chamber.

Mr Williams: That is dead right, and they were not. Small business people, who employ 70 to 80 per cent of the workers of the State, did not agree to this Bill. Who the heck are you supporting now?

Mr Peter Dowding: You do not represent small business.

Mr Williams: Don't talk nonsense.

Mr COWAN: With all due respect to the member for Clontarf, I have never seen any statistical data which would substantiate the claim he is making. I could say that 80 to 90 per cent of people think the Bill is all right, but I cannot substantiate that so I will not waste my time. I suggest the member for Clontarf does not have the figures to substantiate his interjection.

We are prepared to accept, with reluctance, and I say it again—

Mr Williams: Why be reluctant?

Mr COWAN: We are prepared to accept that, now that we have achieved the removal of proposed section 25(1), this amendment will make no significant change and we are prepared to support the original proposition in proposed section 30 of the Bill.

Mr HASSELL: The Leader of the National Party said that he had not been satisfied and asked us to explain how this clause helped the unions in the front door of small business. I just want to put this on the record: I thought I had set it out very clearly previously.

There are many small businesses with 50 or fewer employees where very few of those employees are union members. Perhaps half a dozen or fewer are union members, and those people are union members because of the particular jobs they do. One might be an employee in a factory who belongs to the Transport Workers Union because he does the deliveries and is forced to belong to that union because he does the deliveries. He does not want to belong to the union, nor is he active or interested in the union. There might be several other em-

ployees who are members of a union because they were members in their former jobs and have come into the small business operation and continued their membership, or it continues because of a previously paid subscription.

The people in that sort of small business situation are not active union members. They are active employees, they are often people in small business who are well looked after by their employers and feel no need for union protection. Indeed, there is no need in those cases for union protection. Their employer does not try to make them union members or to discourage them from being members; the employer is neutral but in fact it is a non-union shop even though there are a few union members.

What this Bill does is to create and provide a statutory role for those unions of chance which happen to be represented in that workplace. That is the point.

Mr Cowan interjected.

Mr HASSELL: In what way would the Leader of the National Party like me to say it again?

Mr Cowan interjected.

Mr HASSELL: I am very serious about what I am saying and I am responding to what the Leader of the National Party said in his remarks. This clause, as the Government wants it, creates an official statutory role for those unions of chance in that small business workplace. What we say is that it is intended to create that role. We say that this clause is intended to get those unions into those non-union workplaces.

Mr Cowan interjected.

Mr HASSELL: Perhaps the Leader of the National Party did not hear what I said because he was talking to the member for Katanning-Roe. The members of unions in those small business workplaces about which I am speaking are members of unions for particular circumstances or by chance, as I explained. They are members because of some particular aspect of the work they do in that small business or because they have come to that workplace from another workplace and they have a carryover union membership. There might be four or five of them, or six, or even 10 of them, within a work force of 50 or fewer, but they are members of unions by chance, not because it is a unionised workplace.

The purpose of this legislation and this clause, as the Minister wants it, is deliberately to provide a vehicle by which the unions that happen to be represented in the workplace are brought in in an official capacity under these statutory provisions; they are brought into that, in effect, "non-union" workplace. That is the reality of small business. There are many such small businesses which are non-union workplaces. What we have said all along about this clause is that it is designed to facilitate and force union officials and union activity into that workplace.

Mr Cowan: It cannot. The delegate has got to come from the workplace.

Mr Peter Dowding: The member for Cottesloe is so obsessed about this that he does not even read the clause. That is why they got rid of him as leader—he is too obsessed, he really is.

Mr HASSELL: That is not relevant to the point I am making.

Mr Cowan: Of course it is. You cannot on one hand talk about someone being a member of a union only because he happens to be one and has no real interest in being a union member, and then suddenly say he will take on board full union responsibility and full union effect and become a dominant, militant union man when he becomes a delegate under this clause.

Mr HASSELL: I did not say any of those things.

Mr Cowan: You cannot have it both ways. If a member of the work force has an attitude to the union, he will have the same attitude in the position of delegate on the consultative committee. There is no question of it.

Mr HASSELL: I do not want to rerun the whole argument. I only want to respond to the Leader of the National Party who suggested that this clause will not change anything. It will change something, and it will change things because the reality of the small business workplace is that most, or at the very least many, of them are not unionised workplaces. What this clause does, as the Minister wants it, and what this clause is intended to do, is to bring the trade unions into a pro-active role in these workplaces. It is part of the thrust by the trade union movement through statutory privilege to gain more power and influence in the workplace. And that is why we oppose it, and why we always have opposed it.

I thought the debate might be over by now. When the Leader of the National Party talks about compromise and so on, I remind the Chamber that we said at the outset of the second reading debate on this legislation that it was the kind of legislation which we as a Government would not bring forward to the Parliament in the form it is in, were we the Government.

Our support of the occupational health and safety aspects of the legislation did not mean that we were ever enthusiastic about the way those objectives were being pursued by the legislation. Our support is a compromise. We are now being asked to compromise away the very things that we have consistently opposed throughout this entire legislation. It is not accurate to suggest that because there has been a compromise on this clause we are not giving away something of great importance.

We have opposed the way in which the legislation sets out to get us to compromise and accept what the Government has set up. We acknowledge the need for occupational health and safety legislation. It is not the way we would do it. We have often expressed our objectives. It is not reasonable to suggest that because we do not retreat from those objectives we are being unreasonable and are refusing to compromise. We have already compromised.

Mr COURT: The Minister keeps saying that certain members of the Liberal Party are union bashing and that we do not want to recognise unions. The expression of those views do not assist this debate. Time and again he has said we are out of touch and do not understand what is going on and that we want to knock the unions all the time. Whether he believes that or not, it is not the case. The Minister is quite right when he says we need the goodwill of all people involved.

All employees in the workplace should be equal. We do not need special rules to give certain sections of the workplace a privileged position. Could the Minister explain why he cannot accept this amendment and why it is not suitable?

Mr Peter Dowding interjected.

Mr COURT: The Minister said that only certain members of the Liberal Party were anti-union. I do not wish to become involved in an argument but I do not like the concept of horse trading. As the member for Cottesloe said, there has been a considerable amount of give and take on this point. The Liberal Party wants to accept the amendment. We believe it is a fair

and sensible way to approach the problem. It is quite unnecessary for the good running of this legislation to have it changed back the other way.

I do not support the approach the Government is taking. The amended legislation represents a suitable and practical way to get around the problem.

Question put and a division taken with the following result—

Ayes 29	
Dr Alexander	Mr Hodge
Mrs Beggs	Mr House
Mr Bertram	Mr Marlborough
Mr Bridge	Mr Read
Mr Brian Burke	Mr Schell
Mr Burkett	Mr D. L. Smith
Mr Carr	Mr P. J. Smith
Mr Cowan	Mr Stephens
Mr Donovan	Mr Troy
Mr Peter Dowding	Mrs Watkins
Mr Evans	Dr Watson
Dr Gallop	Mr Wiese
Mr Grill	Mr Wilson
Mrs Henderson	Mrs Buchanan
Mr Gordon Hill	

(Teller)

Noes 14	
Mr Blaikie	Mr Lewis
Mr Bradshaw	Mr MacKinnon
Mr Cash	Mr Rushton
Mr Court	Mr Spriggs
Mr Grayden	Mr Thompson
Mr Hassell	Mr Watt
Mr Laurance	Mr Williams

(Teller)

Ayes	Noes
Mr Tom Jones	Mr Clarko
Mr Thomas	Mr Tubby
Mr Parker	Mr Crane
Mr Pearce	Mr Mensaros
Mr Bryce	Mr Lightfoot
Mr Taylor	Mr Trenorden

Question thus passed; the Council's amendment not agreed to.

Mr PETER DOWDING: The Government accepts the balance of the amendments, and I have no further objection to them. They are not the best position the Government would want, but they represent a compromise and we are prepared to accept them in that spirit.

Dr WATSON: I want to add a few words about the way in which the debate has progressed, and to express some disappointment at its basis in prejudice and ignorance. Four years ago with the election of the Burke Government Western Australia was brought into the 20th century as far as occupational health and safety is concerned. I say that with some modesty; it was the Burke Labor Government which did it.

Mr MacKinnon: You wrote it. Self-praise!

Dr WATSON: There was never any attempt until there was a Government prepared to debate it. The people who responded to the document which the Premier issued at the end of 1983 expressed more enlightened attitudes than the Liberal Opposition has expressed here and in the other place. Conservative elements in our community have moved tremendously in that four years because they have seen that the unions and the Government have a commitment to prevention and they have seen the sense in preventing disease, death and injury, and in saving money, if nothing else, with their workers' compensation costs. But the world has passed the Liberal Opposition by. The same attitudes that concerned Charles Dickens, Henry Morley, Engels, and Lord Ashton in 1829 and 1832 are still apparent. The same debate has taken place as when the Health and Morals of Apprentices Act was passed in 1829 and the first British Factories Act in 1832.

The prejudices expressed by speakers for the Opposition about unions are really alarming, and they contrast with the Government's action in consulting employers and people who might otherwise have been opposed had this kind of legislation been imposed on them. There has been debate between employers, unions, Government people, and health and safety specialists. That has been done without what has been labelled this afternoon as 'obsessive prejudice'.

Point of Order

Mr BLAIKIE: I would appreciate your direction as to what clause the member is speaking to.

The DEPUTY CHAIRMAN (Dr Lawrence): It was remiss of me not to do this earlier, and I was about to interrupt the member who was speaking.

Several members interjected.

The DEPUTY CHAIRMAN: When I am speaking I do not wish to stand on my dignity, but it is difficult for members to hear my ruling if other members are interjecting. The Minister has failed to move agreement or disagreement with the remaining amendments, so if he can do that I will ask the member for Canning to specifically address the motion. The Minister indicated his willingness to accept the amendments, but he must specifically move to agree or disagree with them.

Committee Resumed

Mr PETER DOWDING: I intended that I should be taken as moving agreement, and therefore I move—

That amendments Nos 11 to 16 made by the Council be agreed to.

Dr WATSON: I am speaking in support of that motion.

The DEPUTY CHAIRMAN: You have to address your remarks fairly closely to the amendments.

Dr WATSON: There has been an ignorance of the issues which are addressed in these amendments. Not even money has moved the Opposition—

Point of Order

Mr BLAIKIE: I am trying with all desperation to follow the member's logic in speaking to the matter before the Chair. I realise she has been speaking for only a second or two, but she does not appear to be speaking to the subject before the Chair.

The DEPUTY CHAIRMAN: It is not clear to me what the member for Canning is doing. I doubt I could rule on the basis of what she has said in the 30 seconds since I made the ruling so I will wait to see what she is about to say.

Committee Resumed

Dr WATSON: I am talking about the consultation that has taken place over the last four years as well as the activity in the last couple of months. The Government has compromised significantly in, for instance, the clause which has been amended so that delegates will be appointed only in workplaces which have in excess of 10 employees.

The member for Kalamunda has hastened to assure us that members of trade unions have a role to play, but in fact when rank and file trade union members went to see members of the Opposition to try to persuade them to keep an open mind on the basis of information they were given they were told not to waste their time or to waste their money on stamps.

Mr Cash: What absolute garbage! You are misrepresenting the facts. They were more than welcome in my office and I listened closely to them.

Mrs Beggs: You are the master of true representation!

The DEPUTY CHAIRMAN: Order! Would members please desist from interjections. The member is trying to continue her remarks.

Dr WATSON: While the Government and the Minister have accepted that delegates will be appointed or elected only from workplaces which have 10 or more employees, that compromise has been made with negotiations with members of the Opposition. But they ignore the history of occupational health and safety, the current situation nationally and internationally, and to a large extent measures that are already in progress in this State.

Members of the Opposition do not understand what is acceptable practice. They cannot comprehend that policy is formulated and implemented through tripartite consultation. Prejudice has stopped them understanding the internal logic of the Bill and of proposed section 25 as a critical component of self-regulation.

The DEPUTY CHAIRMAN: Order! Cross-Chamber interjections, particularly those not involving the member who is speaking, are most unfair, and I ask members to desist.

Dr WATSON: I want to make one final point. The interjections have come out of prejudice and ignorance. This Bill is about preventing deaths, injuries, and disease.

Point of Order

Mr BLAIKIE: Madam Deputy Chairman—

Mr Peter Dowding: Let her have her say.

Mr BLAIKIE: I will take my point of order without interruption from the Minister. My point of order relates to the difficult position you are in, Madam Deputy Chairman. The member is talking about the general parameters of the Bill, not the specific clauses under discussion. I ask you to direct the member to confine her remarks to the clauses under discussion, not the wider parameters of the Bill.

The DEPUTY CHAIRMAN (Dr Lawrence): Order! Given that there are several amendments under discussion, and given members' previous points of order, I have listened carefully and, apart from one or two general remarks which might not be seen as addressing the specific amendments, I find no fault with the member. If I were to rule in the member for Vasse's favour, no-one would have been able to speak for longer than 30 seconds today. I ask the member to conclude her remarks as lucidly and as quickly as possible.

Committee Resumed

Dr WATSON: These amendments are part of an internal logic of the Bill.

Mr Blaikie: The member knows she is not allowed to read her speech.

Several members interjected.

The DEPUTY CHAIRMAN: Order! Across-Chamber discussions are disorderly. I am in the position to see whether the member is reading her speech. My impression is that she is not. I ask her to continue her speech and draw her remarks to a conclusion.

Dr WATSON: I am tempted to be insulting, Madam Deputy Chairman. The amendments are about the prevention of death, injury, and disease from working conditions and from employees taking hazardous risks. The Opposition has trivialised, through prejudice and ignorance, the risks that workers take in their everyday work environments.

Mr COWAN: All of the amendments, with the exception of the final two, are National Party proposals. We certainly wanted to see included in the legislation the provision for secret ballots at the request of employees. That has been accepted by the Government.

We are also pleased with the acceptance of the exclusion of small businesses with 10 employees or less from the provision relating to health and safety committees. We may be prejudiced, but we believe that, if the provision were passed, those committees would begin meeting more regularly during working hours; and when the three or four members who make up that committee were taken out of the workplace to hold those meetings, a significant percentage of the work force would disappear.

The other initiative taken by the National Party concerns the panel of experts required to investigate matters referred to it by the Industrial Relations Commission. We believe the commission should have the capacity to appoint experts rather than the Minister's selecting a panel. We believe that is superfluous.

If the National Party's amendments have the effect that the member for Canning believes they will have, I ask her to produce evidence of that in a year or two. If she can substantiate that small businesses which have been exempted from the health and safety committee provisions are experiencing more work accidents than other businesses, I am prepared to assure her that the National Party will immediately reconsider its position on that

exemption. However, I repeat that statistical data will have to be produced to us in order for us to change our position.

Question put and passed; the Council's amendments agreed to.

Report, etc.

Resolutions reported and the report adopted.

A committee consisting of Dr Watson, Mr Thompson, and Mr Peter Dowding (Minister for Labour, Productivity and Employment) drew up reasons for not agreeing to amendment No 10 made by the Council.

Reasons adopted and a message accordingly returned to the Council.

ACTS AMENDMENT (OCCUPATIONAL HEALTH, SAFETY AND WELFARE) BILL*Returned*

Bill returned from the Council with an amendment.

Council's Amendment: In Committee

The Deputy Chairman of Committees (Mrs Henderson) in the Chair; Mr Peter Dowding (Minister for Labour, Productivity and Employment) in charge of the Bill.

The amendment made by the Council was as follows—

Clause 33.

After the clause to insert the following new subsection (2)—

(2) Notwithstanding the repeal effected by subsection (1), the provisions of s.75 (1) of the *Machinery Safety Act 1974* and those of the *Machinery Safety Regulations 1978*, so far as each relates to the provision or otherwise of a protective cab or frame on a tractor manufactured later than September 1 1979, shall continue in force as if this Act had not been passed.

Mr PETER DOWDING: The Government does not intend to oppose the amendment made to this legislation in the other place. I move—

That the amendment made by the Council be agreed to.

Mr COWAN: I am pleased that the Government is prepared to accept this amendment. It has been a contentious issue with the farming community ever since it was anticipated that

the Machinery Safety Act would provide for roll-over protective structures to be placed on tractors regardless of their age or make. The intention of this amendment is to ensure that no written regulation requires people to install ROPS bars on tractors which do not have them.

I understand the matter will now require a legislative amendment and that is the way we want it to proceed.

Question put and passed; the Council's amendment agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

LOCAL GOVERNMENT AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

Council's Amendments: In Committee

The Deputy Chairman of Committees (Mrs Henderson) in the Chair; Mr Carr (Minister for Local Government) in charge of the Bill.

The amendments made by the Council were as follows—

No 1.

Clause 5

Page 2, line 31—To delete the expression "(hc) or (hd)".

No 2.

Clause 11

Page 4, line 13—To insert at the end of the subclause the words—

and the same published within that time in a newspaper circulating in the district.

No 3.

Page 4, lines 14 to 16—To delete subclause (3).

No 4.

Clause 16

Page 6, line 18—To delete "and".

No 5.

Page 6, after line 18—To insert the following paragraphs—

(b) in subsection (3) by deleting "or the building surveyor";

(c) in paragraph (a) of subsection (4) by deleting "or the building surveyor";

and

No 6.

Clause 21

To delete the clause.

No 7.

Clause 22

Page 9, lines 3 to 31—To delete the lines and substitute the following—

(hb) pay to a member, including the mayor, president, deputy mayor or deputy president, by way of reimbursement such expenses of an actual or reasonable nature incurred in the course of performing a member's duties, as the council may determine from time to time;

No 8.

Clause 26

To delete the clause.

Mr CARR: Amendment No 1 should be linked to amendments Nos 7 and 8, because they consider the same issues, but for the moment I will only address the first amendment. The amendment that is proposed by the Legislative Council is a consequential amendment to a more substantive issue that is addressed in amendment No 7 on the subject of allowances. Proposed amendment No 1 is acceptable, although the Government has proposed an amendment which I am assured means exactly the same thing, but is expressed in different words.

I will start by putting in context the Government's views on the amendments made in amendments Nos 1, 7 and 8 on the subject of allowances. The Government is disappointed that the Legislative Council has seen fit to make these amendments and has not seen fit to agree to the proposal put forward by the Government that each member of a council be able to receive an incidental expenses allowance without having to provide receipts for that allowance. I remember when the issue was debated in this Chamber that considerable discussion took place about the difficulties members would face in establishing particular incidental costs of a minor nature, such as petrol to go and visit a constituent, the cost of hair

styling, the cost of dry-cleaning, and the cost of telephone calls as distinct from the rental of a telephone.

The Government's view was that those fairly minor items could best be handled by paying councillors an as-of-right honorarium or all-embracing expense allowance. We are disappointed that the Council has not been prepared to agree with that. The Council has prepared an alternative which provides that members be reimbursed for actual expenses. I suppose to some extent we are covering the same ground. The difference is that under the proposal in these amendments, councillors will have to keep some form of substantiation of the costs that they incur. We are leaving it to individual councils to make a decision about whether they will pay those expenses or not. I take it that under the amendments proposed by the Council, the details of how they determine the form of substantiation that is required will be left to the particular councils. We see some difficulties arising from that. On the other hand, we see that being markedly better than the present situation, and therefore the Government is prepared to accept amendments Nos 1, 7, and 8.

After the Bill had been through the Legislative Council, I showed the Council's amendments to Parliamentary Counsel, who came up with a different drafting to achieve the same result. It may appear to members that I am being very pedantic by proposing the amendments that I wish to make, but I am assured by Parliamentary Counsel that these amendments do exactly the same as the amendments from the Legislative Council, the only difference being that my amendments have been drafted by Parliamentary Counsel to be consistent with the rest of the Act.

I therefore move—

That amendment No 1 made by the Council be agreed to, subject to the following further amendment—

To delete "the expression "(hc) or (hd)" " and substitute the following—

" (hb), (hc) or (hd)" and substitute the following—

or (hb)

I know how that must sound when it is read out, but that is the drafting that has been proposed by Parliamentary Counsel.

Mr RUSHTON: The Minister was thoughtful enough to let me have a copy of the proposed amendment as it relates to Nos 1, 7, and 8, and as he mentioned those amendments generally, I

will cover the same ground. We accept the amendment projected by the Minister to amendment No 1. We have a suggested change for amendment No 7. We accept the fact that the Minister has accepted amendment No 8. However, what the Council did was to make the situation follow the line that we believed it should, that councillors should be reimbursed adequately for the expenses they incur in local government. The Legislative Council raised the issue of accounting for these expenses. If one is to allow a set sum of \$1 000 for expenses, or whatever it is to be, one could find that some councillors would be in a position of paying taxes on anything that they were not incurring and accounting for.

The amendment has avoided that situation. We still hold to the position that it would be wise to include in the Minister's amendment on No 7, "Including the mayor, president, deputy mayor or deputy president", for the very reason it leaves it crystal clear that there is no doubt about mayors and other councillors receiving allowances for the work they do, and they should also be eligible to receive recompense for the expenses they incur as councillors. So with those points, we will come to the amendment in due course, but we support the amendments that the Minister has put forward.

Mr HOUSE: The National Party also supports the amendments that have been put forward, and I thank the Minister for giving me some notice of them. I am pleased that the Government has not sought to force the issue with regard to the payment of councillors. I am also pleased to see that councillors will be paid for reasonable expenses.

The member for Dale has a point when he refers to being fairly specific about the wording. As one who has only a little experience with parliamentary wording, I believe the amendment made by the Council is very clear. Unless the Minister can show why the amendment should not be accepted in its present form, I would support the present wording of the amendment.

Because the matter could eventually become an issue, I place on record the fact that as a member of Parliament I have not been requested by any council or councillors to advance the proposition that councillors receive payment for services that they render to their communities. However, I think it is very fair that people who travel long distances to get to their shire offices and people who have to make trunk calls should be recompensed for the costs involved.

The National Party supports the amendment.

Question put and passed; the Council's amendment agreed to, subject to the Assembly's further amendment.

Mr CARR: These amendments relate to councils' being able to set rates for fees and charges by resolution rather than as previously required, by by-law. Members will remember that when the matter was debated here, quite some discussion ensued on whether a ministerial veto should be retained on any charges that were set by councils when the Minister considered those charges to be unreasonable. At the time, I said that I saw it as appropriate eventually to move to having no ministerial veto but that at this time the Bill should be seen as transitional, and I insisted that the ministerial veto remain. The Legislative Council has seen fit to delete that ministerial veto, and I am prepared to accommodate that amendment.

The Legislative Council also amended the Bill to provide that the details of a group of fees and charges should be published not only in the *Government Gazette* but also in a newspaper circulating within a council's district. I have no objection to the amendment; however, we seem to have the same situation I indicated a moment ago, because when I showed the amendment to Parliamentary Counsel, he came back with a different wording, and so it is that I have another amendment to move, this time to Legislative Council amendment No 2. I am assured the amendment does not change the context of the proposal from the Legislative Council but merely writes it in a form that is consistent with the rest of the Local Government Act. I therefore move—

That amendment No 2 made by the Council be agreed to, subject to the following further amendment—

To delete "the same" and substitute the following—

notice of the fee or charge has been

Mr RUSHTON: We accept the Minister's amendment to Legislative Council amendment No 2. The Minister could have accepted the amendment moved by the member for East Melville at the time of the previous debate, but he insisted on rejecting it. Obviously he has now weighed it up and has reluctantly withdrawn his objection to it. Now local government will have sufficient autonomy to demonstrate to its ratepayers and residents that it can act responsibly.

I have no qualms that this should be the case. The amendment removes the nonsense previously existing in that if we had kept the provision for ministerial veto we would have destroyed the concept of giving additional autonomy to local government. I am pleased that at the eleventh hour the Minister has accepted this amendment. It is one which will encourage local government to be even more responsible. When people have authority and responsibility, they perform better.

The remedy the Minister sought is in the hands of the ratepayers. These days we have the concern of adult franchise because we could have the position of not having ratepayers or occupiers, but electors who do not pay any sum to local government. That needs to be remembered by all members when we consider what pressures can be brought to bear on local government, and we will see this later in other amendments on the Notice Paper.

Mr HOUSE: The National Party also supports the amendment moved by the Minister. I am very pleased that the Minister has seen fit to accept this situation after having dug in his heels so deeply during the main debate on the Bill.

This is a great step forward for local government because we will see more emphasis on the user-pays principle, particularly now that we have adult franchise. An example is the charge levied for the hire of a local hall where previously it has been felt by a community that as the hall has been provided by ratepayers, just a cover charge for cleaning should be levied. Now there is a much wider concept of financing of local government and of how local government is going to finance itself in future. The fees and charges aspect of local government will now come into prominence far more clearly and we will see the user-pays principle put into practice when the real cost will be charged.

I am pleased that the Minister has seen fit to allow local government to take on this responsibility. This will be a test for some local authorities which I am sure they will accept and meet, because I have a great deal of faith in local government.

Mr CASH: I am glad that the Government has been prepared to accept this amendment made by the Legislative Council. There is no doubt that the power of councils to set fees by resolution will afford them an opportunity to get on with the job. If there is one thing that we and the Minister have in common it is a great

desire to try to get rid of the red tape which sometimes strangles the various resolutions and activities of local government.

However, it is important that if a local council is to resolve to set fees for particular activities, the ratepayers and residents of an area must be given notice of those new fees. Just to publish them in the *Government Gazette* alone would not represent sufficient notice. These amendments will make it necessary for local authorities to publish these fees and charges in a newspaper circulating within their districts. As the member for Katanning-Roe said, that in itself will keep local government on its toes.

Local government will be very accountable to those on whom it relies to pay those fees. It will also give the opportunity to those people in the immediate district to challenge their council if they are not happy with the fees it sets from time to time.

The mere fact that a council will be able to set fees by resolution will enable the council to be relatively flexible in respect of the fees it sets. I can remember when I was involved in local government and the problems we had in considering the proper fees that should be set for a particular service because we knew that it would take considerable time for it to be agreed to and gazetted; then, if we were wrong, it would require us to go through that same process to amend the situation.

At least with this proposed situation, there will be flexibility. I support the amendment before the Chair.

Question put and passed; the Council's amendment agreed to, subject to the Assembly's further amendment.

Mr CARR: Amendment No 3 relates to the same issue as No 2 which has already been debated. I move—

That amendment No 3 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Mr CARR: I move—

That amendments Nos 4 and 5 made by the Council be agreed to.

Amendments Nos 4 and 5 relate to a matter that was the subject of amendments in this Chamber when the Bill was first before it. I refer to the issue of stop-work orders being issued by a council or building surveyor originally with the required approval of the Secretary for Local Government. The Government has included in this Bill a provision to take out

the involvement of the Secretary for Local Government and the Opposition moved an amendment to take out the involvement of the building surveyor acting alone so that such a decision would be made by the council. The amendment was moved by the member for East Melville and was agreed to by the Government. When Parliamentary Counsel looked at that amendment it was found that consequential amendments were required to give the amendment the effect that was desired by the member for East Melville. They were drafted by the Government and moved in the Legislative Council and are now here for our ratification. Obviously we agree to them.

I do not wish to say this in a harsh way at all but this is an example of why I and other Ministers do not like to deal with amendments made on the hop. We do not have the necessary drafting experience and expertise. If the amendments are placed on the Notice Paper or if we are given copies of them a day or two earlier, we can get the advice that enables us to avoid this sort of situation.

Mr RUSHTON: Once again the Opposition agrees with these amendments. From our point of view they improve the Bill. The matter originally was raised by the member for East Melville and this is a tidying-up process which is part of the Parliament's work. It is a desirable activity. I know it would be more comfortable for the Minister to have received an amendment beforehand, but sometimes members do not have the time to provide an amendment. Sometimes one sees a point when the legislation is being debated and one feels an amendment should be brought forward. I pay credit to the member for East Melville for taking this initiative. I think it is desirable and one which has been approved of in the other place and by the Minister now.

The Opposition supports the amendments because they give voice to the Opposition's point of view. We are pleased that the principle has been accepted.

Mr LEWIS: I am quite pleased that these consequential amendments have come forward.

However I point out that notwithstanding that it is desirable at all times for notice of amendments to be given to the appropriate Minister, as the member for Dale said, sometimes during the course of looking at legislation, things do occur to one which one be-

lieves should be amended. Under those circumstances there may not necessarily be the time to give notice of an amendment.

I would also make the point that certainly over the last session, at least in the initial stages of the session, there was very little Government business on the Notice Paper; there was time to consider the various Bills. But in the last two or three weeks the Notice Paper has been taken up by a good deal of new legislation. Of course that places a lot of pressure on the Opposition and the resources of the Opposition to go through the various pieces of legislation to see what seems appropriate and whether amendments should come forward. As a result of that process there are from time to time oversights on the part of the Opposition. It is really a two-way thing. It is very easy for the Government to say, "Well, you should have had the amendments up in time." It may also be appropriate for me to say that the Government should also try to introduce its legislation in an orderly fashion over the whole of the session so that the Opposition has the opportunity to do its job and bring its amendments forward at the appropriate time.

However I compliment the Minister on accepting this amendment in the first place. I think it is a sensible amendment and, as we all know, the jurisdiction should rest with the council, and not with an individual officer of the council.

Question put and passed; the Council's amendments agreed to.

Mr CARR: Amendment No 6 is really the most important area of disagreement between the Government and the Opposition in the other place. It refers to the involvement of councils in the provision of welfare services. I had understood that there was a strong chance of this matter being supported because when the Bill was passed through the Assembly the first time the principle contained in the clause was supported not only by the Government but also by the National Party.

Unfortunately when the Bill reached the Legislative Council, the National Party members voted with the Opposition against the measure and the amendment was inserted. The amendment is to delete any reference in the Bill to the provision of welfare services. The Government considers such a move quite untenable. Councils all around the State are already fairly actively involved in the provision of welfare services in one form or another. The Government regards it as quite unacceptable

that the legal doubt which presently exists as to the right of local government to be involved in a range of welfare services continues to exist. For that reason I would be prepared to argue most strongly that the amendment should be rejected. Quite frankly it could well have reached the stage where the whole Bill was able to collapse because of an inability for agreement to be reached relating to the provision of welfare services.

I think it is important at this stage that I put in context the very strong support of the associations of local government for this amendment. I have letters from each of the three associations of local government, each expressing its support for the Government's proposal to allow local government to be involved in welfare services. I intend to quote a small part from each of the three letters, but if members want to see these letters, I will be happy to show them to them. First, I refer to a letter I received from the Country Shire Councils Association, signed by its secretary, Ted Chown, which reads in part as follows—

The Executive supported the other provisions of the Bill, including, the section providing for councils to expend monies on the provision of Welfare Services, and the section providing for the payment of allowances to elected members. In the case of Welfare Services the Executive's opinion was that this provision would legitimise the current situation and save those councils already providing Welfare Services from a charge of "ultra vires".

Mr Graham Simpson, the secretary of the Country Urban Councils Association also wrote to me and said—

Member Councils of my Association have expressed concern that the proposed amendments to Section 446 of the Local Government Act have been deleted from the Bill in the Legislative Council.

Comments obtained from the individual member Councils reveal that welfare activities, as proposed in the Bill are already being conducted in the Regional Centres in Western Australia and it is considered essential that legislation be passed to legalise the expenditure of funds.

There is also a strong conviction that the legislation should be the granting of enabling powers, not making it mandatory for Local Government involvement in welfare activities.

The Bill does not propose anything to be mandatory; it merely provides a power for local government to be involved in the provision of welfare services where it chooses to be.

The third letter is from Mr R. L. Leggo, executive director of the Local Government Association of Western Australia. It states—

As you are aware from previous discussions with Members of LGA Executive Committee and the former Local Government Liaison Committee the Local Government Association fully supports the Government's proposals to prescribe the manner and extent of Local Governments involvement in Welfare.

LGA is very concerned that the Opposition in the Upper House has deleted the provisions from the Bill. You have consulted the Association fully in developing those provisions and it was my understanding that the Opposition was in favour of a prescriptive approach rather than the general competence provision which you introduced last year. I could see the Opposition having difficulty with proposed paragraph (f) sub-paragraph (iv) but all the other provisions are very straight forward and reflect current practices in many Councils.

The Association concern is that the amendment denies Councils the right to make a decision on the matter themselves. It also lays many Councils open to the accusation that current agreements with State and Commonwealth Governments may be resulting in unauthorised expenditure.

It can be seen from those letters that the three associations support these measures relating to welfare services. I had discussions with members of the National Party who appeared to be inconsistent by supporting the Bill in this House and opposing it in the other place. As a result of those discussions we have agreed to a further amendment. I therefore move—

That amendment No 6 made by the Council be agreed to, subject to the following further amendment—

To delete the words "the clause" and substitute the following—

"(iv) such other welfare services as the council thinks desirable." where appearing in page 8, lines 17 and 18 of the Bill.

That amendment accommodates the suggestion by Mr Leggo. He said he could understand the Opposition's having some difficulty with proposed paragraph (f)(iv).

Mr RUSHTON: The Opposition is concerned about this amendment. We believe that welfare is the State's responsibility. The Government, in moving this amendment, is opting out of that responsibility. We support local government's coordinating and delivering welfare services agreed to by local government and the State Government subject to the State or Commonwealth paying fully for that delivery of services.

This matter was fully canvassed in the upper House when the Bill was amended. We do not accept this accommodation between the Government and the National Party. I believe that many supporters of the National Party are extremely upset about that accommodation. I have received telegrams congratulating the Opposition for its amendments relating to welfare and the payment of fees to councillors. Rate-payers in general have communicated with the Opposition supporting its stand.

The reaction by the community to local government's receiving general powers has been consistent. It is not just a question of local government's having more autonomy. If that were the argument, we would suggest that local government should control different sections of education without being funded by the Commonwealth or that it should have the control of road construction for the same reasons. I support local government's having a role in many activities subject to its being supplied with the funds. However, I believe that local government authorities will be manipulated in their welfare activities. I believe that local authorities are involved already in the supply of welfare to the community. However, they have not been adequately funded by the State or Commonwealth. I am in favour of local government's supplying welfare to the community if it is properly funded.

Despite the letters read by the Minister, I have spoken to many officers involved in local government who have explained to me that they would prefer to have spelt out the tasks required of them in relation to welfare services. They also would like to receive proper funding. During the Whitlam era, local authorities were encouraged to advertise programmes supplied by the Commonwealth for grants from the Commonwealth. That was terribly destructive of local government.

I could not believe that anybody who was mindful of the economic well-being of our nation would support this change. If ever there was a time when we should avoid waste, duplication and triplication of services, it is now.

This move has obviously been agreed between the Government and the National Party; it is totally different from the proposition put by members of the National Party in another place. It is totally against the best interests of this country's economy. It is not a matter of local government's autonomy; it is a matter of spelling out who should be responsible for delivering and funding certain services.

Frequently local government is in the best position to deliver that service, it is certainly closest to the people and in many ways is the obvious choice. However, there is no way that ratepayers should carry an extra burden in any local government area because the Federal or State Government is not doing its job. I am also concerned about the inequity in services provided arising from a council which is prosperous delivering a service to people and in a less prosperous area that need being rejected because one council can afford it and another cannot. That trend will become apparent under this system.

I could not believe that any candidate of the Joh National Party would be a party to this deal because it goes against the objective of sound economic management for Australia. I am appalled that after the joint effort of members of the Legislative Council to resist this provision, the proposition has been modified to accommodate the Government. I do not think the reason for doing so is a good one. In earlier debate the member for Katanning-Roe said that the autonomy of local government would be enhanced by allowing it to provide these welfare services. I suggest to him that that is not the case.

We do not give local government power in the educational field. I would have no objection to doing so if we provided local government with the funds to provide that service. I fully support local government delivering many services and not just in restricted areas; obviously in towns such as Gnowangerup and Lake Grace the local authorities are aware of local conditions. However, I do not want such local governments to miss out on services or grants by the Commonwealth Government because they cannot fund welfare projects. Country people are having a tough time at the moment and if, for example, a country shire could not fund a welfare

scheme in the same way that the City of Fremantle could, discrimination would occur between one area and another.

It is not valid to support this amendment on the basis of providing autonomy for local government. The arguments put forward by members in another place are valid; that is, the shire rates will be increased dramatically by this process of duplication and triplication. It is valid to say that rents will increase and that a Pandora's box will be opened. Let us think of this provision as it relates to adult franchise: People who are not ratepayers or occupiers, but who are electors and do not make a financial contribution to the local authority, will be able to apply pressure for the provision of social services. That worries me and I would have expected it to worry country members in this place.

Even at this late hour I appeal to members opposite and to members of the National Party to stand up to this issue in the interests of the better administration of Australia and the holding down of rate charges levied on ratepayers and occupiers. We should all be conscious of these problems. I appeal to our colleagues in the National Party to reconsider their agreement with the Government on this issue because there is no way it can be argued that this will enhance the autonomy of local government. In fact, it will destroy local government. I witnessed the fiasco under the Whitlam Government when some local governments, such as Belmont, received funds and other local governments received very little.

I argued for 70 per cent of local government grants as of right and the small councils backed my proposition. Members will be aware of the changes already taking place under this Government's veto of that arrangement. Local governments now receive grants of 30 per cent as of right. Local governments which have worked hard and achieved a great deal now receive less than other local governments which have not been so active in the past and done things for themselves. This system brings out the worst in people. If ever there was a case of the chickens coming home to roost, it is certainly the case with the Grants Commission. I believe the grants should be 80 per cent funding as of right. The Shire of Boyup Brook, for example, has achieved a great deal as a result of the voluntary work done by farmers and others in that area and that shire is losing grants under the new formula. The same principle is behind this amendment.

I have no objection to local government's carrying out welfare services on behalf of the State or the Commonwealth Governments, which have the constitutional responsibility for these services. Of course, the Commonwealth should work through the States and I was horrified to hear members of the Labor Party in another place state that the Commonwealth wants to fund these services in local government areas. Of course it wants to do that; it is the Government's and the Prime Minister's long-term objective to deal with only regional local government, rather than State Governments. I oppose that proposition.

We should not have waste in Government spending; we should reduce costs for ratepayers and we should do things in a sensible way. We should specify which services we want local government to carry out on behalf of the State and then fund those services adequately. I would fully support that proposition.

The Opposition opposes the Government's amendment.

Mr HOUSE: Over the time that local government has been operating in Western Australia, the staff—clerks and people working in those offices—have done a tremendous amount of work and provided wonderful services for this State. I wonder whether we have now reached the stage where members of this Parliament are prepared to allow them greater autonomy. I do not care what the member for Dale says about whether we should or should not provide more autonomy to local government. Not only do I believe in providing it, but also we must demonstrate that we are prepared to provide greater autonomy by passing Acts of Parliament which actually do that.

Hundreds of people have contributed to local government in Western Australia. They are getting sick and tired of becoming rubber stamps. They go along to their meetings which are so directed by Government regulation that they feel frustrated.

This debate is about whether we are prepared to give those people the opportunity which they can take up in a proper and reasonable manner to assist the people they represent. If they cannot, this Parliament should reconsider its position. It can take another look at the legislation, but how long will we keep up this attitude where not only do we jump over every shadow we imagine we see on this side of the Chamber, but also we are not prepared even to give local authorities a chance to prove they can do it? For heaven's sake, why not?

I support the amendment because people in local government deserve the chance to prove that they can provide services; and they can produce something for the people they represent. If time proves the contrary, let us have another look at it; but do not let us jump over the shadow before we get there.

To return to the substance of the motion, many of these things are already happening in local government circles. Local government has been somewhat frustrated by the Acts under which it operates, and it has decided to operate outside those Acts, and in some cases local authorities are breaking the law. We are now seeking to legalise what those people have been doing and want to do for the people they represent.

In the Mt Marshall area, a project has been initiated, partly funded by Federal funds and partly funded by the local authorities. That service satisfies a great need of the people in that area. It is a time of crisis out there. Those people are desperately looking for a service which will not be provided in any other way. It is not being taken from one area of responsibility and put into another. This service was not there before, but it was desperately needed. Unless this position is legalised, those people open themselves to prosecution under the present Act.

Other areas need to be looked at. In Katanning, for example, which is a town with many itinerant people, a play group has been started by the mothers who need somewhere to leave their children when they have simple things to attend to, such as a doctor's appointment. Those itinerant people do not have grandmothers and grandfathers with whom to leave their children, so they have set up a family group. They suddenly find themselves faced with a bill for \$700 for third party insurance.

That money must come from somewhere, so they approached the local authority. The local council cannot fund them under the terms of the present Act: it would be breaking the law. The council would like to be able to fund them. It seems to me that this legislation would allow that council to provide a service. It is a service which is genuinely and desperately needed in that town.

I am sure there are many other examples where some cooperation and coordination of State and Federal Government and local government funds would enable a service to be provided which is not being provided at the moment. We in this Parliament represent the

views of the majority of the people. We are a democracy and we should think about all the people out there, not just the minority groups.

Look at the contributions to local government from the grants contribution. Although that was somewhat out of balance in the last allocation, a lot of money comes into local government now from sources other than rates. I am one of those who thinks that the whole basis of funding of local government must be reviewed. This is urgent; it must not be left, but that opens a whole area which needs to be debated in this place at another time.

The crucial part of this legislation is that it gives councils an opportunity to provide a service. It does not say that they have to provide this sort of help; it says that they may provide it if they decide to provide it. I do not believe there will be any extraneous pressure to make them provide something they cannot afford. The area of funding will then have to be looked at, and the Government will have to look at that when the time comes, if it becomes an issue.

Mr CASH: One of the interesting points which has come out every time we talk about the idea of local government providing services is that the Government itself accuses the Opposition of not being interested in the welfare of people, and of not being interested in helping people.

I wonder whether that same theme has just been used by the member for Katanning-Roe. Not at any time since I have been a member of this House have I heard a member of the Opposition say that he did not think there was a need at times for adequate welfare services to be delivered to members of the public, to the population at large.

What we have consistently said is that it is quite wrong to have a duplication or triplication in the delivery of those services. That is where I differ from the member for Katanning-Roe, because I do not believe that the Local Government Act in its present form places any restriction on local government in the carrying out of the very tasks which the Minister has nominated here as being necessary to be included in the Act.

We have heard the argument that certain activities which local authorities are carrying out are ultra vires the Act, but no-one wants to identify those activities. No-one, to my knowledge, has approached any local authority about

activities it might be carrying out, saying, "You are clearly contravening the Act and you cannot go ahead with that activity."

It was recognised some time ago that there was no need for local government to enter into every activity that the Commonwealth and State Governments entered into. Local government could find its own niche in other areas. We did not want a duplication or triplication of welfare activities. If I could be sure that there would not be any duplication or triplication, I would have no qualms about including the words that we see in this clause.

But quite clearly, if we look back in history we can see that as soon as the door is opened, as soon as it is made obvious and clear that it is an activity that the Federal Government, the State Government, or local government can get into, there is no question that they all want to get a part of the action. I think that is disappointing and in the end the delivery of welfare services is watered down inasmuch as much of the funding of the delivery of those services is taken up by bureaucracies trying to justify their own existence. The end result to the users of that welfare system is that they do not get full value for every dollar spent.

What I am opposed to is the duplication and triplication of the delivery of welfare services. I want to make it clear that I am certainly not opposed in an in globo way to the delivery of welfare services to the public; I just want it to be done in an efficient and effective way. There is no question that local government over the years has provided a great service to the people of this State and we want to keep the councils involved. We do not want to put obstacles in their way; but in not putting obstacles in their way we do not want to create a situation where council meetings are spent mostly in trying to outdo other welfare services or services generally that are currently provided by the State and Federal Governments.

I make the point again, as I did during the last debate, that when we talk about child and youth care a logical extension of those areas is for local government, if it so desired, to use municipal funds as a top-up situation for, say, unemployment benefits. As members would be aware, the Commonwealth Government recently said that it would not continue to pay unemployment benefits to people under the age of 18 years. As a result of that there is no question that some young people under the age of 18 years will be left in need. I wonder whether it was the Commonwealth's intention

when it decided not to fund those young people to cause or invite local government to top up the situation. I think not, and I hope that local government does not see that as an opportunity to move in to spend ratepayers' money or municipal funds. But quite clearly, given the wording of this clause it is an activity into which local government will be able to move.

Again, it is the duplication and triplication of existing welfare services that causes me great concern and alarm.

As to counselling and information services, I am of the view that local government in Western Australia has been carrying that function for more than 25 years and to say now that it is ultra vires, or outside the present Local Government Act, is just not on. In fact it seems that the only people who are ever confused about the functions that local government can carry out under the Act are the people in the Crown Law Department. I have no knowledge of other councils that have ever been confused about the activities they should move into. My own council, the City of Stirling, has a full-time financial counsellor and I think the member for Joondalup said during her discussion on this matter that the City of Wanneroo has had one, and I think he is subsidised by the Commonwealth.

Mrs Watkins: There is more than one now.

Mr CASH: It may be that there is more than one at the City of Stirling also. Certainly financial counsellors have a part to play, and members will know that I am not knocking that service; but I am saying that there is every possibility that we are duplicating or triplicating other services. If we are going to do that, we will not in the end have an efficient and effective delivery of those services.

So it would be quite wrong of anyone in this Chamber to say that I am not in favour of people receiving adequate welfare services. What I am saying is that they must be delivered in an efficient and effective way. I make the point in respect of children's playgrounds, because I know the member for Katanning-Roe raised the matter, that it was my understanding, and I have just checked the Act, that that is one of the functions local government can carry out now. In my own council, the City of Stirling, we went as far as developing a toy library. The Mt Lawley toy library is a very successful service, provided by volunteers but certainly under the auspices of the local auth-

ority, as is the community service which carries out many of the functions currently listed under section 446 of the Act.

So the Opposition, as I understand it, is not opposed to the delivery of welfare services as such. It is very concerned that acceptance of the amendment now before the Chair will encourage local authorities to move into areas where services are quite adequately catered for presently by both State and Commonwealth Governments. I do not think it is a case of jumping at shadows; it is a case of recognising that Australia is currently over-governed dramatically. If that is the case—and it is a case accepted by most people—there must be a rationalisation of the functions performed by the three tiers of government in this State. There is no way that we oppose welfare services for the sake of opposing them. What we say is that to allow this amendment to go through as it is will cause duplication or even triplication of existing services which would be a most inefficient and ineffective way of delivering the end service to user groups.

Mr LEWIS: During the course of this debate the member for Katanning-Roe made the point that the user should pay. That was a very interesting statement for him to make because it relates to the clause we were discussing about the ability of a Minister to veto the setting of fees by local councils.

If we expand that philosophy into the area of welfare, I ask whether it is the intent that the recipients of welfare should pay. The question is a nonsense because if people are to receive welfare, obviously they cannot pay. I am drawing attention to the fact that there must be a cut-off point somewhere along the line with what local government can afford and cannot afford, and with what it should become involved in and should not become involved in.

It all comes back to equity and responsibility—they are the two words on which we should dwell. Equity relates to the people who pay their rates and taxes to the municipality for the privilege of owning the land within the municipality, and to those same people who pay their taxes in the normal course of their employment. So if we want to expand the welfare situation into local government, it would seem to me that the people who pay their rates and taxes are really getting double-dipped.

One should then look at why local government should be involved in welfare and pay from its municipal revenue for welfare support.

I can quite readily accept the need for an administering body at the grass roots level to administer welfare and I can see no better body to administer welfare than local government. But as the member for Mt Lawley has said, it is a ridiculous situation if we have the Commonwealth Government, the State Government, and a local authority all chipping in for welfare. At present our nation is over-governed. The Prime Minister of the country, the Premier of this State, and most commentators of this land have said we must cut back the size of government and the amount of expenditure on government because it is draining the resources of our nation. The best way I know to extend and open up the arena of more and bigger government is to give carte blanche to local government to do what it desires in welfare.

It could be argued that this amendment takes out the clause which refers to such other welfare services as a council thinks desirable. I cannot accept that. The amendment is suggesting that we put back into the legislation exactly what we do not want. As far as the claim of *ultra vires* acts is concerned, councils have been bound by the parent Act for years and I am well aware that hitherto previous Governments have gone to councils and said, "We will give you grants for this and that if you pick up the administration of it." A lot of councils accepted that challenge and three or four years down the road the financial constraints of the Federal Government in particular necessitated the removal of the grants and subsidies and the local councils were left holding the baby.

What has happened of course is that those services which were implemented are continuing. It can be said it is *ultra vires* and, if it is, perhaps they should not have been doing it. Perhaps I could concede a simple amendment being placed in the Bill by the Government to give a local authority the ability to implement and coordinate State and Commonwealth welfare programmes. I cannot accept the across-the-board *carte blanche* situation whereby local authorities can do whatever they like.

The member for Mt Lawley has pointed out that this is all contained in paragraph (c). I would accept such an amendment by the Minister but by putting that clause in place together with all the other business of counselling, information services, activity, refuge, and shelter services, child and youth care would open up a Pandora's box. It comes back to equity and responsibility.

The member for Katanning-Roe has suggested that local government is looking for autonomy. There is no argument with that; I accept that local government should have autonomy, but it must also have a charter. To continually widen the charter of local government by unequivocally saying it can do whatever it wants—and that is what is suggested with this amendment about welfare—means we are getting away from the original charter of local government. I do not believe local government should be using its own funds which have come specifically from the rates and taxes of the municipality to supplement welfare services. I accept unequivocally that local government should be involved in the administration of welfare services where they are paid for rightly by the Commonwealth and the State.

If this clause is implemented it will give an imprimatur to local councils to see their charter as being heavily involved in welfare. They may not necessarily think about who is paying—the fact that the ratepayer is paying twice—and it is inequitable for ratepayers to be paying twice for a welfare service which the municipality may wish to take on. This is not a matter of autonomy, but of responsibility and the charter of local government and how broad we wish to make it. I ask the Minister whether he is intent on legitimising what local authorities are doing and have been doing for some years, such as administering State and Federal grants. Then I suggest he take on board the simple amendment originally proposed which would deal with the whole situation adequately.

Mr WIESE: I would like to bring the debate back to the section of the Act to which this clause refers, section 446. The area this comes under in the parent Act is educational, cultural, welfare, and recreational facilities. The Act then goes on to spell out all the powers given to councils to operate in those areas. Whether we like it or not welfare is already part of the Act, and section 446 deals with welfare, as do other sections.

Like the member for Mt Lawley I am worried about duplication and triplication of services by government. Every member of this Chamber would be worried about that and would like to see it cease. I do not think that is the argument to use in trying to restrict local government or drive it back to the powers which are presently spelt out in the Act. If we are going to do away with duplication and triplication, the member for Katanning-Roe hit on the answer, which is to look at the methods by which local government is presently funded. If

funds are to be provided for welfare and whatever else we are worried about the answer is to provide the funds and let local government become the provider of services. That would take the State and Federal Governments out of the arena of providing those services and leave it where it belongs.

I believe strongly that local government can do these jobs, and it is probably the best arm of government and best positioned to provide those services. Local government is closest to the people and that is a factor in determining what needs there are in welfare. Local government is most aware of the needs.

Mr Lewis: But should local government pay for them?

Mr WIESE: I will come to the question of payment in a little while. If the funds are provided free of ties to local government and local government becomes aware of problems and needs because it is closest to the people, and it sees that need is not filled and the State and Federal Governments are not willing to fill it, I wonder about the wisdom of precluding local government from moving into that field.

Mr Laurance: What does Joh think about this?

Mr WIESE: He has thoughts about all sorts of things, but I do not know whether he has been consulted about his views on local government. He has been a great believer in listening to the people at grass roots level, and perhaps that is something of which we should all be taking more notice.

I am not going to support this amendment on the basis of the autonomy of local government, because that has been covered. I support the amendment on the grounds that we should look at the present Act and the areas in which local government is already operating. I ask members whether the extension of powers into welfare represents a major extension. It has already been mentioned by almost every speaker that local government is operating strongly to provide welfare services.

Section 445 of the Act, which is not the one we are talking about but which deals with the same area, details local government powers to set aside portions of land for use in a whole range of areas such as child playgrounds, kindergartens, infant health centres, and many other areas which are spelt out in section 446.

Local government is able to strongly participate and provide funds and land in those areas. Section 446 deals with the provision of funds. We must look at what local government is able

to spend money on. It may provide money for public halls, agricultural halls, civic centres, libraries, reading rooms, lifesaving club rooms, youth club rooms, rooms for education and cultural activities, children's playgrounds, women's grounds, kindergarten schools and infant health centres. I wonder what "women's grounds" are, I am not sure where to go to ask.

We are talking about an extension of powers into the provision of buildings for welfare services. I wonder whether it is an extension at all, because many of the things we are already providing are welfare buildings. What is a kindergarten and an infant health centre if they are not welfare institutions? Under the Act, we are already able to operate in welfare areas. This amendment legalises a situation which is happening under the present Act.

I refer to other parts of section 446. Is it a bad thing to operate in the field of welfare when councils are already able to spend the ratepayers' money in the areas I have mentioned? I refer also to the erection and maintenance of camps, caravan parks and bungalows for letting and leasing within the district or to the improvement of recreation grounds, public reserves, ablution blocks, dressing rooms, conveniences and other such amusements as the council thinks desirable. Councils may take care of all those things now. I believe the extension of those powers to provide for welfare services is justified when one looks at some of the areas in which councils are already able to act.

It is not surprising that the National Party has looked at what we are doing and decided this is not a major extension of the powers of local government or a major extension of councils' ability to spend ratepayers' money. When one looks at the amendments further down in section 446 to the implementation and coordination of State and Commonwealth welfare programmes, members must accept that local government should be able to do those things. That is not an extension of our powers. It merely enables local government to operate legally and do a job it has been doing for some time.

I refer to the provision of counselling and information services. Councils are already doing those things. I do not believe the provision of activity, refuge and shelter services, child and youth care is a major cause for concern for local government. As the answers have

rolled in from the discussions with councils in the rural areas we have had no adverse comment to the provision of these powers within the Act. For those reasons, I cannot oppose the amendment.

Mr RUSHTON: No member on this side of the House—Liberal or National—would disagree with the statement that for many years local government has been objecting to the imposition of services it has been asked to carry out without adequate funding. If there were ever an opportunity to do something about it, it is now. That is why I oppose this extension of power. What was the Government's intention? It was seeking to extend welfare services right across the board.

The National Party said that the Government could accommodate the other amendments but it will not agree to this amendment. It has made a nonsense of the argument. The member for Katanning-Roe believes we should be encouraging local government autonomy. If he were serious, without playing politics, he would retain that clause which would give local government the autonomy he thinks it should have. It would be totally against what local government really wants. Local government wants to be able to do things with adequate financial support.

The member for Katanning-Roe also said that local government should be given the opportunity to prove that it can deliver the service. I have no doubt that local government has been doing that for years. Local government is the most efficient body at delivering many welfare services at the front. It has played its part in my own area as being the initiator and the body which encouraged services based on volunteers in its communities. It has been the biggest contributor to ensuring that welfare services are delivered at the least cost to those who need them. If we destroy that, we destroy a major part of our community interest in delivering welfare services. That is the way we are going because the National Party is backing down on this issue. We should sort out the funding arrangements.

The services that need to be delivered can be delivered without these changes. We should be determining the funding arrangement that goes to local government. I have heard my colleagues complain about what is happening in respect of the cutback in grants and finance for local government. Hon. H. W. Gayfer referred to this when he said his councils are being cut back on grants. It is not an issue of welfare. We

should take our stand on the basis that local government is accepted with regard to delivering and coordinating welfare services.

The member for Narrogin is a sincere person and I respect him. He has made a vital contribution to local government. I suggest the question is how to sort out the financial arrangement. Now is the time to do it. There should not be a whittling-away of the authority of local government.

Since socialist Governments have been in office many pressures have been put on local authorities to deliver welfare services. They have had to live with adult franchise and pressure will now be brought to bear on them with regard to ward boundaries based on one-vote-one-value which will destroy local government.

It is time we took a stand and said that we will not put up with this nonsense. Perhaps my argument will convince members in another place that it is time we put up the shutters relating to the destruction of local government.

The real issue is that local authorities have the power to provide welfare services, but they do not have the funds.

Mr HOUSE: The issues in this debate have been thoroughly and succinctly canvassed by the member for Narrogin who clearly pointed out that many of these provisions are already in place and that many councils have been operating under these provisions for some time.

Members must remember two things. The different circumstances of the 139 local authorities that operate in this State provide a great diversity of opinion and, therefore, their needs are based on what is happening in their areas. We must provide those councils with the opportunity to provide a service if they need to.

The most important point which we must not lose sight of is that people in local government are responsible. They have been elected by their peers and they do a tremendously good job. They have to face the electors at the ballot box just as we do and they are judged on the decisions they make. They have been making reasonably good decisions for many years. On occasions they will make wrong decisions just as we in this place do. By and large local government has the ability to handle this sort of responsibility which it will be given by this Bill.

Like the member for Narrogin I point out that we have to give local authorities the opportunity to prove that they can take on this greater responsibility. The National Party definitely supports the amendment.

Question put and a division taken with the following result—

Ayes 27

Dr Alexander	Mr House
Mrs Beggs	Dr Lawrence
Mr Bertram	Mr Marlborough
Mr Bridge	Mr Schell
Mr Bryce	Mr D. L. Smith
Mr Carr	Mr P. J. Smith
Mr Cowan	Mr Taylor
Mr Donovan	Mr Troy
Mr Peter Dowding	Mrs Watkins
Dr Gallop	Dr Watson
Mr Grill	Mr Wiese
Mrs Henderson	Mr Wilson
Mr Gordon Hill	Mrs Buchanan
Mr Hodge	

(Teller)

Noes 13

Mr Blaikie	Mr MacKinnon
Mr Bradshaw	Mr Rushton
Mr Cash	Mr Spriggs
Mr Court	Mr Thompson
Mr Grayden	Mr Watt
Mr Laurance	Mr Williams
Mr Lewis	

(Teller)

Pairs

Ayes	Noes
Mr Tom Jones	Mr Clarke
Mr Thomas	Mr Tubby
Mr Parker	Mr Crane
Mr Pearce	Mr Mensaros
Mr Evans	Mr Lightfoot
Mr Brian Burke	Mr Trenorden
Mr Read	Mr Hassell

Question thus passed; the Council's amendment agreed to, subject to the Assembly's further amendment.

Mr CARR: Amendment No 7 relates to the payment of allowances to councillors. As I said earlier, Council's amendments Nos 1, 7, and 8 relate to the same subject. We have already debated amendment No 1, but this amendment is the more substantive amendment.

The CHAIRMAN: Order! Let us hear the Minister for Local Government. About 17 conversations are taking place and I find it difficult to hear. I know that the member for Katanning-Roe is straining his ears.

Mr CARR: When the Legislative Council passed this amendment I referred it to the Parliamentary Counsel, who has come up with alternative words. He assures me that the amendment I propose to move means exactly the same as the Council's amendment, but that

he has sharpened up the drafting a little and made it consistent with other parts of the Bill. I move—

That amendment No 7 made by the Council be agreed to, subject to the following further amendment—

To delete the proposed paragraph (hb) and substitute the following paragraph—

(hb) pay to a member such reasonable expenses as are actually incurred by him in carrying out his duties or performing his functions as a member;

When I showed my amendment to the member for Dale he expressed reservations about the wording. I said that I would check a number of things for him. I confirm that the use of the term "member" includes a mayor, president, deputy mayor, or deputy president. If the member refers to section 6 of the Act, which is the interpretation section he will read that "member" means mayor, president, or councillor of a municipal council.

The member for Dale queried the use of the words, "as a council may determine from time to time". I indicated to him that I thought it was a duplication of words and that the draftsman had taken them out for that reason. Section 513 of the Act, which is amended by this clause, begins, "The council in accordance with the provisions of this Act may". Section 513 sets out at length a number of things that the council may do. I emphasise that we have already picked up the fact that the council may determine from time to time and that to have included the words that the Legislative Council wanted would have been a duplication. I am sure that explains the reason the draftsman has come up with the wording that he or she has.

Mr RUSHTON: I thank the Minister for his explanation. I think there is still some reservation within the Opposition. I will not restate the situation, but some of our members have reservations and would prefer the intent of the amendment spelt out in the Legislative Council. I accept that the Minister has given a rational answer. Subject to that understanding, we accept his explanation.

Members in another place put forward this amendment which spells out very clearly the general intention of the Opposition. The Minister brought in an amendment which he says tidies things up. I do not disagree with that. The intentions of the Opposition are spelt out in its amendment. We want there to be no

doubt that the mayor, the president, the deputy mayor, and the deputy president are entitled to the allowances that the council should pass for them. But as councillors they should be able to attract expenses in the same way as other councillors. The Minister is saying that is protected in this amendment.

Mr Carr: It is protected.

Mr RUSHTON: I will not argue much further in this regard, because it is up to the members in another place to see how they interpret it. Councillors should be able to be reimbursed for genuine expenses.

A legitimate issue raised by members in another place was that councillors would find themselves receiving a set sum which would be increased from time to time by regulation. We argued that this could finish up being seen as a salary if the regulation were expanded and extended. Members in another place have clearly put before all those interested in this subject the question of local authority councillors receiving a payment which they would have to support to the taxation office. If the allowance payment were not supported they would pay tax on it. I congratulate those members for the work they have done on this issue.

With the reservations I have raised, I will not openly oppose what the Minister is putting forward, but I will put the warning out that members in another place will look at this in greater detail and it will be coming back if they find it necessary. After all, this is their amendment, and I agreed with their amendment. The Minister has now put forward his change to tidy up the issue, having regard to other sections in the Act which will accommodate the same situation.

I thank the Minister for his courtesy in making available to me the various amendments throughout the day. I have only one regret, and that is that I think we are going down the wrong path on welfare. It will cost ratepayers dearly.

Mr HOUSE: The National Party supports this amendment in principle. Councillors should not be paid as such, but it is necessary that they be reimbursed reasonable expenses. We went over that argument in the House, and it does not need enlargement.

I ask the Minister to clarify his amendment. I do not want to have any requirement on councils to reimburse their councillors as opposed to their being able to do so. Reading this amendment as it is drafted, it seems to me that it could be construed as imposing a requirement on councils to pay. This is something

which the Opposition does not want to see happen. I want it to be made clear that there is no requirement, but rather a provision to do so if the council elects to want to do so.

Mr CASH: Before the Minister responds, I want to support the comments of the member for Dale, because I know the members of my party considered very deeply the question of whether councillors should be paid or whether they should be entitled to receive by way of reimbursement any expenses incurred in the carrying out of their council duties. It was the view of my fellow members—admittedly in another place—that the wording should be clear and include a mayor, president, deputy president, or deputy mayor. These persons should always be entitled to reimbursement of such expenses of an actual or reasonable nature incurred in the course of performing whatever duty the council may determine from time to time.

The Minister has said that section 530 covers part of this amendment, and I accept that, but it should be recorded very clearly that one does have to go back almost 1½ pages in the Act to see and read the interpretation of section 513. I take the Minister's point, but members in another place wanted it absolutely understood that this should not restrict a mayor, a deputy mayor, a president, or a deputy president from receiving reimbursement, and additionally receiving an allowance under section 530 of the Act.

The Minister is nodding to me, and I think he acknowledges that section 530 remains as it was before, and that it is still incumbent on a council to pay those allowances if it sees fit. It is important that that be clarified or recorded in *Hansard*, because as I move throughout the country and metropolitan areas of this State and speak to members of local government, the point which keeps being made to me on the question of whether councillors should be paid is that councillors are not really looking for payment as such for their time; they are looking for reimbursement of all expenses that they might incur in their council activities.

That is a fair situation. If someone from the Wiluna area is required to ring Perth on a council matter, the costs involved in that call may be fairly substantial. In the past it has not been possible to claim the various telephone calls, only the telephone rental, and many members have found that part of the Act to impose a financial burden.

As to petrol, there is no question that some councils currently pay travel allowances to members, but they tend to restrict those travel allowances to a certain number of dollars per month. This amendment will clearly allow the councillor to legalise reimbursement for all of the costs he incurs in carrying out the council's activities, and I think this is fair and reasonable.

I do not think it is unreasonable for a councillor to recover his costs. We receive from our councillors in this State a tremendous amount of support, advice, and general expertise in their areas, and it is incumbent on the legislation to allow their councils to reimburse them for costs expended by way of their council activities.

I support the amendment, with those qualifications.

Mr CARR: There were two specific queries raised that I need to answer. First of all, the member for Katanning-Roe asked for an assurance that all that we are providing here is for a council to be able to pay an allowance, as distinct from a mandatory allowance. I repeat very strongly that it is very clear that what we are amending is subsection 513 (1) of the Act, which starts—

A council, in accordance with the provisions of this Act, may...

It then lists paragraphs (a) to (hb), and (hb) is the one we are referring to. So it would read—

A council, in accordance with the provisions of this Act, may—

(hb) pay to a member such reasonable expenses...

So that is very clear. There is no requirement, it is simply an option—an enabling provision—available to the council.

The second query was from the member for Mt Lawley and related to section 530 of the Act, or clause 26 of the Bill. That is covered in the Legislative Council's amendment No 8, and removes the provision which was in the Bill which would have taken away an entertainment allowance from mayors. I agree to amendment No 8, so in fact we will revert to the existing provisions of section 530 of the Act.

Mr Cash: Thank you.

Question put and passed; the Council's amendment agreed to, subject to the Assembly's further amendment.

Mr CARR: Legislative Council's amendment No 8 has been discussed already. I move—

That amendment No 8 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Report

Resolutions reported, the report adopted, and a message accordingly returned to the Council.

SHEEP LICE ERADICATION FUND BILL

Returned

Bill returned from the Council with amendments.

Council's Amendments: In Committee

The Chairman of Committees (Mr Burkett) in the Chair; Mr Grill (Minister for Agriculture) in charge of the Bill.

The amendments made by the Council were as follows—

No 1.

Clause 10—

Page 4, lines 5 to 9—To delete the passage commencing with "A" and ending with "dealer;" and substitute the following—

A dealer shall furnish to the Commissioner of State Taxation not later than 31 August of each year or such later time as is approved by the Commissioner of State Taxation such information as is available to the dealer and recorded by him in the normal course of his business relating to—

(a) the name and address of every wool grower who in the previous financial year delivered one or more bales of wool to the dealer and the number of bales so delivered;

No 2.

Page 4, line 17—To delete "a return" and substitute the following—

the information required

Mr GRILL: I move—

That amendment Nos 1 and 2 made by the Council be agreed to.

I believe that this amendment should be agreed to. It cuts down red tape and provides for a situation where private wool treaty merchants who purchase a bale of wool for cash are not requested under the provisions of the Bill before us to provide any information over and above that which they would normally record.

The private treaty merchants sent a delegation to the Government in respect of the Bill. They requested that the Bill be amended in the way in which it has been amended in the other place, and in which I hope it will be amended here. I do not want to go into the amendments in detail. I understand the Opposition has been well briefed on the amendment and that it agrees with it.

I commend the amendments to the Chamber.

Mr LAURANCE: The member for Greenough has handled this matter on behalf of the Opposition previously, but he is engaged in his electorate today. However, I have made some checks and understand that the situation is as the Minister has outlined; that is, that this amendment is the result of a request from the industry. We are quite happy to see the amendments proceed and will give them our support.

Mr WIESE: The National Party adds its concurrence to the amendment. I congratulate the Minister—which is a change from the other night when we were throwing a few brickbats around—on the fact that he has gone into much consultation with the industry and with the brokers and dealers in coming up with the amendment before us tonight. I think that is excellent and I hope the Minister will continue to consult and work with all sections of the wool industry.

The time for action really starts once the Bill is passed. It will be essential that the process of setting up the local committees and getting all the woolgrowers working alongside the committees should happen, and happen in a very definite and strong way with great support from the lice eradication committee.

I am happy to accept the amendment before the Chamber.

Question put and passed; the Council's amendments agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

BILLS (13): ASSENT

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

1. Mining Amendment Bill.
2. Salaries and Allowances Amendment Bill.
3. Western Australian Marine Amendment Bill.
4. Government Railways Amendment Bill.
5. Superannuation and Family Benefits Amendment Bill.
6. Censorship of Films Amendment Bill.
7. Family Court Amendment Bill.
8. Valuation of Land Amendment Bill.
9. Workers' Compensation and Assistance Amendment Bill.
10. Waterfront Workers (Compensation for Asbestos Related Diseases) Amendment Bill.
11. Dog Amendment Bill.
12. Acts Amendment (Water Authority Rates and Charges) Bill.
13. Government Employees Superannuation Bill.

BILLS (12): RETURNED

1. Pigment Factory (Australind) Agreement Amendment Bill.
 2. Iron Ore (Hamersley Range) Agreement Amendment Bill.
 3. Iron Ore (Mount Bruce) Agreement Amendment Bill.
 4. Liquor Amendment Bill.
 5. Stamp Amendment Bill.
 6. Technology Development Amendment Bill.
 7. Financial Institutions Duty Amendment Bill.
 8. State Energy Commission Amendment Bill.
 9. Metropolitan Market Amendment Bill.
 10. Prevention of Cruelty to Animals Amendment Bill.
 11. Supply Bill.
 12. Treasurer's Advance Authorization Bill.
- Bills returned from the Council without amendment.

BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that it did not insist on its amendments Nos 5 and 6 to which the Assembly had

disagreed, and that it had agreed to the amendment made by the Assembly to amendment No 11.

[Questions taken.]

Sitting suspended from 6.01 to 9.15 pm

OCCUPATIONAL HEALTH, SAFETY AND WELFARE AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that it did not insist on its amendment No 10 to which the Assembly had disagreed.

LOCAL GOVERNMENT AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that it had agreed to the further amendments made by the Assembly to the Council's amendments Nos 1, 2, 6 and 7.

LEGISLATIVE REVIEW AND ADVISORY COMMITTEE REPEAL BILL

Second Reading

MR PETER DOWDING (Maylands—Minister for Works and Services) [9.18 pm]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to repeal the Legislative Review and Advisory Committee Act. The repeal of the Act is to come into operation from a day to be fixed by proclamation.

The committee was established in 1978 following the enactment of the Legislative Review and Advisory Committee Act 1976. Its functions are to review subordinate legislation and to investigate and report on other legislation which may be referred to it. Since it was established, the committee has drawn the attention of Parliament to regulations on a number of occasions, but I am not aware of any action that was taken as a result.

That is not in any way a reflection on the quality of the committee's work, which has always been of a very high standard. Nor indeed does it indicate that the work of the committee was entirely without effect. The very existence of the committee encouraged much closer attention to the formulation of subordinate legislation, and its advice was sought quite regularly before the enactment of regulations to ensure that these met proper standards. The drafting of local government by-laws was also greatly assisted in this way.

The committee comprises three members, and is at present staffed by a part-time executive officer. The estimated cost of the Legislative Review and Advisory Committee in 1985-86 was \$46 000. In August 1983 the Legislative Council appointed a Select Committee on Committees, and this reported in September 1985. The Select Committee recommended that the Council establish a Standing Committee to be charged with consideration of regulations subject to disallowance and consideration of subsidiary legislation.

As members will be aware, the Government has moved instead for the establishment of a joint Standing Committee of both Houses for that purpose. The Attorney General has given an undertaking that this Bill will not be proclaimed until the joint Standing Committee has been established. Both by that means and by the attention of individual members to relevant material, the primary responsibility for reviewing subordinate legislation will return to the Parliament itself. That is as it should be.

I commend the Bill to the House.

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

[Further questions taken.]

STAFF

Retirement

MR BRYCE (Ascot—Deputy Premier) [9.37 pm]: Just before my colleague, the Acting Leader of the House, moves to adjourn the House I would like to take this opportunity on behalf of the members of the Legislative Assembly to say to George Hargadon—known to many of us as George at George's door in the south entrance of the Parliament—who will be retiring before the House resumes in September, that we have appreciated his services to the Parliament. We would particularly like to wish him a very healthy and happy retirement.

George started his employment with the Parliament in 1969 and commenced in the dining room as a steward. He was promoted to assistant barman and then to barman. He became an attendant to the Legislative Assembly and is currently employed as the Joint House Committee's security officer. It is in that capacity that most of us have got to know George as the first point of contact at the southern entrance to the building where most members of Parliament enter when we are here to do business. George is the first face we meet as we walk in, and he is responsible for security at that en-

trance to the building. He has done a superb job. He is the sort of person who provides reliability as a security officer and friendliness to the members of the public who enter the wrong door and often have to be guided to the more appropriate entrance into the building. George has had to handle numerous situations like that, and has presented a great face to the public on behalf of the Parliament.

On behalf of members of this House—as George has been employed by the Legislative Assembly since 1969—we hope he and his wife Vida enjoy his retirement. George has been known to say to a very reliable source—the most reliable source that we can track down—that in his retirement he intends to travel to the eastern States and will spend a good deal of time visiting friends and relatives but, in his own words, will take it easy from the traumas of politics. We all wish him a jolly, healthy, happy, and long retirement from his position and responsibilities at Parliament House.

Members: Hear, hear!

MR MacKINNON (Murdoch—Leader of the Opposition) [9.40 pm]: I have great pleasure on behalf of the Opposition in endorsing totally the comments of the Deputy Premier in respect of George Hargadon and his imminent retirement.

As the Deputy Premier indicated, George, like Alan Harding on the front door, has been a very loyal servant of the Parliament and has put on a good face in terms of the public profile of this Parliament. I think he has handled the position he has filled in the last few years with great aplomb. We will miss George and Alan and their happy faces. It never ceases to amaze me that when we leave this place, say, at 6.30 am George is still there, yet when we come back at 9.00 am or 9.30 am he is there then as well. I do not know whether he has a bed there, but he and the other staff like him in this place have to put up with some tremendous hours, particularly towards the end of the session. George has never done that with a grizzle or a groan; he has always done it with a smiling face and seemingly to me with a great loyalty.

We have appreciated that and George's long and loyal service. We have also appreciated the manner in which he has treated members from all sides of the Parliament without fear or favour and in a totally friendly and fair way. To George and to his wife, Vida, we wish a very happy retirement. Whether George's travels

take him to the Eastern States or overseas, let us hope he takes the opportunity to come back here and renew old acquaintances. Good luck!

MR COWAN (Merredin—Leader of the National Party) [9.42 pm]: I am very pleased to be able to join with the Deputy Premier and the Leader of the Opposition in wishing George all the very best in his retirement.

Members of the National Party often arrive here very early in the morning after travelling great distances. Generally, unlike some members of Parliament, we are not terribly cheerful when we walk through the south entrance. Invariably when we walk out of it, there are very few cheerful people. However, National Party members generally have a long way to travel and tend to get here in the morning rather uncomfortable and tired and without a great deal to say. It is very pleasant to meet someone at the south entrance who invariably is cheerful and greets us at the door.

One of my colleagues in the other place has always made the comment that whenever one wants to know what is going on in this place, one does not ask the Leader of the Opposition, the Leader of the House or even the Speaker or the clerks; one asks the person at the south entrance or the gardeners, because generally they tend to know. Invariably if one asked George, one knew when the House was going to get up and what was going to happen. It took me a long time to work it out and I only did so when I became one of those privileged few to have access to a Government vehicle, inasmuch as George manages to arrange for all the drivers to be present when the Ministers want to go home. They, of course, have knowledge of when the House is likely to rise.

On behalf of the National Party I say to George: All the very best during your period of retirement. We will be very disappointed indeed if you do not exercise your right to come back to the Parliament and enjoy a quiet beer with some of those people that you have served so well and so long in this place.

MR BRYCE (Ascot—Deputy Premier) [9.44 pm]: It is most unusual that I should forget anything, but I did. I think it is worth making the point that George has actually been here longer than most of the members of this House.

George has been here since 1969 and only the members for Dale and South Perth, and a very small number of others, have been here longer than that. We are all "Johnnies-come-lately" in that sense. There are very few of us who will ever leave this place in the sure and

certain knowledge that any facet of this institution will be in any way directly related to us as individuals. George is one of the few people I know who will actually enjoy that privilege since many of us refer to that particular door when someone is chasing us, wanting to know where it is they are to meet us and when we are going to leave, because then we say, "At George's door." For a long time to come many of us will refer to the southern entrance as "George's door"—certainly long after George has gone. Good luck George.

**ADJOURNMENT OF THE HOUSE:
SPECIAL**

On motion by Mr Carr (Minister for Local Government) resolved—

That the House at its rising adjourn until a date and time to be fixed by Mr Speaker.

House adjourned at 9.45 pm

QUESTIONS ON NOTICE

COMMUNITY SERVICES

Villa Maria Homes: Inquiry

1386. Mr BLAIKIE, to the Minister for Health:

- (1) On what dates did he receive requests for an inquiry into Villa Maria Homes, its administration, or its operations?
- (2) Who made the requests and what was his response?
- (3) What action did he take as a result of the requests?

Mr TAYLOR replied:

- (1) (a) 10 December 1986;
(b) 21 January 1987.
- (2) I am not prepared to breach the confidentiality of the complainants. The complaints were investigated and the complainants advised of the results.
- (3) No action was required.

PASTORAL LEASES

Aboriginal Groups: Map

1387. Mr BLAIKIE, to the Minister for Aboriginal Affairs:

- (1) Would he provide a map showing land held in the State's pastoral areas for Aboriginal people by either State or Commonwealth bodies?
- (2) Would he give details by providing maps showing excisions sought by Aboriginal people?

Mr BRIDGE replied:

- (1) I table a map showing all Aboriginal reserves greater in area than 40 hectares as at April 1987.
- (2) I refer the member to the answer to question 715.

(See paper No 251)

LAND

Lease: Kununurra Progress Association

1388. Mr BLAIKIE, to the Minister for Lands:

- (1) Has the Government made any decision to review the price of \$140 000 for Kununurra Lot 604 leased from

his department to the Kununurra Progress Association, which is desirous of obtaining freehold title?

- (2) Further to (1), with the association owning adjoining Kununurra Lot 603 which was freehold by his department in October 1978 for a total cost inclusive of fees for \$3 004, what has been the reason for \$137 000 increase in value for land of approximately the same area?

Mr WILSON replied:

- (1) As the Kununurra Progress Association does not have sufficient funds to proceed with the freehold conversion of Kununurra Lot 604, I have approached the Shire of Wyndham-East Kimberley with the suggestion that the land be reserved and vested in the shire with power to lease. A response is awaited, but if vesting is accepted, the shire could set a rental, if any, which is commensurate with the association's ability to pay.
- (2) The unimproved market valuation for Kununurra Lot 604 was furnished by the Valuer General's office, and any questions regarding the reason or method of such valuation should be directed to the Minister responsible for that office.

HOSPITALS

Osborne Park and Wanneroo: Medical Superintendent

1389. Mr BRADSHAW, to the Minister for Health:

- (1) Who is the medical superintendent appointed at the Osborne Park and Wanneroo Hospitals to oversee more surgery being carried out at these hospitals to reduce the load at the teaching hospitals?
- (2) When was this medical superintendent appointed?
- (3) When will the appointment be reviewed to assess the merits?

Mr TAYLOR replied:

I will advise the member in writing.

FORESTS

"Armillaria lutesbulina": Effects

1390. Mr BLAIKIE, to the Minister for Conservation and Land Management:

- (1) What is the effect, if any, of *Armillaria lutesbulina* on the State's forest areas?
- (2) When was this fungus first discovered, and would he indicate any extent?
- (3) Does his department consider it necessary to have any form of control measures, and if so would he indicate?

Mr HODGE replied:

- (1) *Armillaria* infections have led to isolated deaths of marri, wandoo, karri, and to lesser extent jarrah.
- (2) The fungus is considered to be endemic. It is present throughout the whole forest area.
- (3) No control measures are considered warranted. Infections are monitored regularly.

LAND RESERVE

No 16400: Quarrying

1391. Mr COWAN, to the Minister for Conservation and Land Management:

- (1) Is he aware the Reserve No 16400 near Kwolyin has been pegged for the purpose of quarrying granite?
- (2) Has the Department of Conservation and Land Management expressed any interest in commenting upon or objecting to the proposal?
- (3) What steps has the department taken to determine the opinions of people in the Kwolyin areas?

Mr HODGE replied:

- (1) No.
- (2) No. The application has not been referred to CALM. The area in question is in fact Water Reserve No 35598, and CALM is not responsible for its management.
- (3) Not applicable.

FIREARMS ACT

Amendment

1392. Mr CASH, to the Minister for Police and Emergency Services:

- (1) Is he aware of concern being expressed by the Firearm Traders Association of Western Australia of the need for various amendments to the Firearms Act?
- (2) Is it intended to introduce amendments to the Firearms Act reflecting the concern of members of the Firearm Traders Association in the next session of Parliament?
- (3) Will he meet with representatives of the Firearm Traders Association to discuss suggestions for amendments to the Firearms Act?

Mr GORDON HILL replied:

- (1) and (3) I am aware that the Firearm Traders Association of Western Australia holds certain views in respect of the Firearms Act, and I will be happy to meet with that or any other association.
- (2) Not known.

HOUSING

Government Employees: Northam

1393. Mr TRENORDEN, to the Minister for Housing:

- (1) How many new State Government employee houses have been requested for Northam for the next financial year?
- (2) Which departments have made requests, and in what numbers?
- (3) When will the budget numbers be released?

Mr WILSON replied:

- (1) 13
- (2) Agriculture Department—1
Department for Community Services—1
Crown Law Department—2
Education Department—1
Health Department—3
Police Department—2
Department for Regional Development and The North West—1
Tourism Commission—1
Water Authority—1

- (3) After the State Budget is brought down later this year.

HOUSING

Government Employees: Northam

1394. Mr TRENORDEN, to the Minister for Water Resources:

- (1) Has housing been found in Northam for the new administration staff without upsetting housing arrangements for existing staff?
- (2) Is housing a problem for the Water Authority in Northam?
- (3) If so, what action does he intend to take to rectify the problem?

Mr BRIDGE replied:

- (1) Yes.
- (2) Satisfactory arrangements have been made for the provision of appropriate housing for Water Authority staff in Northam.
- (3) Not applicable.

HOUSING

Government Employees: Northam

1395. Mr TRENORDEN, to the Minister for Police and Emergency Services:

- (1) Has the Police Department requested any Government housing to be built in Northam in the next financial year?
- (2) Is he aware that police personnel with families are unable to find suitable accommodation in Northam?
- (3) Does he think that housing for the police in Northam is urgently required?

Mr GORDON HILL replied:

- (1) to (3) While all police personnel in Northam are adequately housed, it is acknowledged some of the accommodation is old or not ideally located. It will be upgraded or replaced as funds become available.

MULTICULTURAL AND ETHNIC AFFAIRS

Business Migration Programme: Initiatives

1396. Dr GALLOP, to the Minister for Industry and Technology:

What initiatives has the State Government undertaken to ensure that Western Australia attracts a sufficient num-

ber of overseas business migrants under the Commonwealth Government's business migration programme?

Mr BRYCE replied:

The State Government wholeheartedly supports the Commonwealth's business migration programme, which offers successful business people the opportunity to settle permanently in Australia if, in addition to meeting the normal migration requirements of health and character, they can contribute business expertise, capital, and experience which will benefit Australia.

To ensure that, the various arms of Government in Western Australia adopted a common approach to the business migration programme; and to ensure that efficient communication occurred between them, the State Government business migration coordinating committee was established.

Western Australia has now become the second most popular choice for business migrants wanting to establish businesses in Australia, behind New South Wales and ahead of all the other States on a per capita basis.

INDUSTRIAL DEVELOPMENT

Heavy Engineering: Government Assistance

1397. Dr GALLOP, to the Minister for Industry and Technology:

What success has local industry experienced in accessing the Federal Government's heavy engineering assistance and development programme?

Mr BRYCE replied:

The Government is pleased with the considerable success local companies have experienced in accessing the Federal Government's heavy engineering assistance and development programme—HEAP. One of the main reasons for the success of local companies was that, prior to the announcement of the programme, the Department of Industrial Development had already completed its metal trades sector survey and other surveys such as casting and forging, agricul-

tural machinery and equipment, and shipbuilding and ship repair, which provided a detailed insight into the local heavy engineering sector. This factor enabled the department to have its strategies well advanced when the plan was formally announced.

Another factor is, of course, the tripartite nature of programme development and implementation.

Thirty local heavy engineering companies have been placed on the heavy engineering board's designated list. Of these, 23 companies have submitted proposals for assistance under the programme, and nine have received approval to date.

A Western Australian company was the first company in Australia to receive approval by the board for assistance under the programme.

The Department of Industrial Development is continuing to assist additional companies to be included on the designated list and assist designated companies to develop proposals for assistance under the programme.

Furthermore, the continuation of the successful operation of programmes such as HEAP will help lead to a stronger more diversified manufacturing base for Western Australia, with better prospects for growth and an improvement in export performance.

INDUSTRIAL TECHNOLOGY CENTRE

Purpose

1398. Dr GALLOP, to the Minister for Industry and Technology:

- (1) What is the purpose of the Industrial Technology Centre?
- (2) What assistance, if any, has the Government given to its implementation?

Mr BRYCE replied:

I will reply to the member in writing.

MINING EQUIPMENT INDUSTRY

Government Assistance

1399. Dr GALLOP, to the Minister for Industry and Technology:

What Government support, if any, does the mining equipment industry receive to enable it to boost export activity?

Mr BRYCE replied:

One of the objectives of Government policy is to facilitate the development and growth of a competitive mining machinery and equipment manufacturing industry in Western Australia. The Department of Industrial Development commissioned a study in November 1985 aimed at identifying areas of possible expansion for the industry both in Australia and overseas.

Direct State Government support to industry members to offset travel and marketing promotion expenses is already available under the State Government's export market support scheme and industry export consultant scheme.

The Government will co-fund appropriate market feasibility studies for selected companies in the industry to enable them to adequately investigate new market potential for their products.

Eight local mining machinery and equipment manufacturers attended the International Mining Show in Las Vegas in October 1986. They received assistance under the export market support scheme.

Twenty-three Western Australian mining equipment manufacturers will be exhibiting at AIMEX 87, to be held at the Sydney Showgrounds between 6 and 11 July 1987. Thirty per cent of direct costs, including airfares, stand space costs, and an industry group brochure, will be provided by the Government.

The State Government will be sponsoring a trip by purchasing executives from Ok Tedi and Bougainville Copper to Western Australia to visit local mining equipment manufacturers to assess potential for export to Papua New Guinea.

BIOTECHNOLOGY CHAIR

Murdoch University

1400. Dr GALLOP, to the Minister for Industry and Technology:

What was the nature and extent of Government support for the establishment of a chair of biotechnology at Murdoch University?

Mr BRYCE replied:

The biotechnology industry in Western Australia is one of those targeted for development by the Ministry of Industry and Technology. In order to support such development, a teaching and research programme has been established at Murdoch University. Funds for the establishment of that programme will be made by the State Government, primarily to pay the salaries of a professor of biotechnology and his support staff.

The contribution by the State Government is expected to be \$120 000 per annum for the next four years, and this is expected to constitute no more than half of the funds required to establish the chair of biotechnology.

NIPPON TELEGRAPH AND TELEPHONE CORPORATION

Government Agreement

1401. Dr GALLOP, to the Minister for Industry and Technology:

What is the basis of the Government's agreement with the Nippon Telegraph and Telephone Corporation made in 1983?

Mr BRYCE replied:

The basis of the Government's agreement with Nippon Telegraph and Telephone Corporation is one of broad technological cooperation. To date this agreement has resulted in the following activities—

two postgraduate students from Western Australia were hosted for three months by NTT research laboratories in Tokyo in order to provide extensive experience in VLSI design;

an engineer from NTT spent three months in Western Australia developing a research report on telecommunications in Western Australia;

NTT and the State Government are currently discussing the possibility of NTT providing material for the science and technology discovery centre.

Other ventures are under preliminary discussion.

TECHNOLOGY

Electronics Industry Associations

1402. Dr GALLOP, to the Minister for Industry and Technology:

Is the Government aware of the large number of industry associations within the information and electronics industries, and what is it doing to promote and ensure effective communications?

Mr BRYCE replied:

Yes. A study implemented by the Department of Industrial Development in 1986 revealed 33 industry associations of which 18 State and national organisations were of significance in the information and electronics industry sector.

I called for a meeting to be held to discuss closer cooperation between the various associations, and to address the issue of possible mergers between appropriate groups. Sixteen of the 18 organisations referred to were represented at a meeting in February 1987, and all supported the concept of greater contact with each other. A number of organisations are now known to be pursuing the formation of a single core association in Western Australia.

The Department of Industrial Development is actively assisting and facilitating the ongoing discussions between the various groups in their attempts to attain this desired goal.

TECHNOLOGY

Manager Education

1403. Dr GALLOP, to the Minister for Industry and Technology:

Has the Government taken any action to determine the resources available to meet the need for manager education in respect of technology?

Mr BRYCE replied:

This Government has focused a great deal of attention on drawing information technology—IT—into the mainstream of organisational management. To assist in this process, the Department of Computing and Information Technology—DOCIT—has embarked on a programme of management seminars aimed at raising public sector managers' awareness and understanding of their role in IT.

These seminars, which have been attended by nearly 400 public sector managers and 45 chief executive officers, have included the following topics—

management's role in managing IT;

implementing IT in a large organisation;

corporate IT planning;

human factors;

managing IT—the executive as a change agent—a series of nine seminars jointly sponsored by DOCIT and the Public Service Board.

In addition to the above, DOCIT has recently completed an IT human resource development plan which identifies the WA Government's need for IT personnel over the next five years and recommends strategies to overcome any significant areas of concern.

DOCIT will continue to assist public sector agencies with ongoing training and development consulting activities in the area of information technology.

FORESTS

Production Costs

1404. Mr RUSHTON, to the Minister for Conservation and Land Management:

(1) Further to question 1077 of 1987, do costs of producing well-managed and productive forest stands equal the costs of producing actual forest stands?

(2) If no, what is the difference in costs between well-managed and productive forest stands and actual forest stands?

Mr HODGE replied:

(1) Yes.

(2) Not applicable.

LAND RESERVE

Lane-Poole: Conservation and Recreation Zones

1405. Mr RUSHTON, to the Minister for Conservation and Land Management:

As maps provided with the draft timber strategy indicate it is proposed to delete portion of the Lane-Poole Reserve conservation and recreation zones near the Tumlo plantation, will he explain the reason for the proposed deletion of the areas from Lane-Poole Reserve?

Mr HODGE replied:

The member is referred to my reply to question 1078 (2) of 28 May 1987 when I stated, "No land has been deleted from the Lane-Poole Reserve." There was a minor cartographical error during the preparation of the map attached to the draft timber strategy document. The map in the draft northern and central forest regional management plans portrays the correct boundaries of the Lane-Poole Reserve.

COMMUNITY SERVICES

Domestic Violence Task Force: Recommendations

1406. Mr TRENORDEN, to the Minister for Women's Interests:

Can he advise in general terms what progress has been made in considering and/or implementing the recommendations of the task force inquiring into domestic violence?

Mr BRIAN BURKE replied:

The Government has recently announced a two-year programme to increase the community services available for dealing with domestic violence. This programme has arisen from the task force's inquiry into domestic violence and its recommendations. The measures to be introduced include—

The establishment of a coordinating committee to oversee the implementation of recommendations;

new broad-based training programmes for professional staff;

the preparation of a handbook on restraining orders;

encouragement of the establishment of self-help groups for the victims of domestic violence and their families;

the establishment of counselling services for the victims of domestic violence and the investigation of the establishment of a counselling service for violent men;

a review of the procedures for obtaining and implementing restraining orders;

the development of services for rural families where domestic violence has occurred;

further study of the desirability of establishing access centres and supervised access to children for separated parents.

WILDLIFE

Yellow-flowered Menzies Banksia: Status

1407. Mr MENSAROS, to the Minister for Conservation and Land Management:

- (1) Is the yellow-flowered Menzies banksia a rare and endangered plant as reported in the *Subiaco Post* on 5 May 1987?
- (2) Is he aware that this plant grows only in Bold Park?
- (3) Will Bold Park, and if so, what part of it, be brought under such statutory reserve status which would ensure adequate protection of this flower?

(4) If so, what reserve status will be proposed?

(5) If not, why not?

Mr HODGE replied:

- (1) The yellow flowered Menzies banksia is only a colour variant of the widespread and common Menzies banksia. It is not a rare and endangered plant.
- (2) The form occurs, albeit uncommonly, throughout the natural range of Menzies banksia.
- (3) to (5) Not applicable.

PACIEXPO

Government Support

1408. Mr MacKINNON, to the Minister for Transport:

When can I expect an answer to question 304 referred to him by the Premier on Tuesday, 7 April 1987?

Mr TROY replied:

I refer the member to my response to question 1373.

BUILDING MANAGEMENT AUTHORITY

Employees: Contract

1409. Mr MacKINNON, to the Minister for Works and Services:

How many previous employees of the Public Works Department or the Building Management Authority are currently employed on a contract basis with the Building Management Authority?

Mr PETER DOWDING replied:

I am not aware of any such positions, but will initiate inquiries and advise the member by letter.

TRANSPORT

Airport: Derby

1410. Mr COURT, to the Minister for The North West:

- (1) When will the new airport at Derby be officially opened?
- (2) Will the commercial airlines use the new airport?
- (3) Who will use the old airport?

- (4) What businesses will have to relocate from the old to the new airport, and will they be given any assistance with this relocation?

Mr BRIDGE replied:

This question has been referred to the Minister for Transport, and he will answer the question in writing.

FORESTS

Lang Scientific Study Management Priority Area

1411. Mr RUSHTON, to the Minister for Conservation and Land Management:

- (1) In relation to the Lang scientific study management priority area of 6 500 hectares south east of Jarrahdale, which the former Forests Department set aside in 1977 for the "long-term study of the spread of dieback disease in the absence of human interference", is the area to be handed over for wood production under the Department of Conservation and Land Management's draft forest management plans?
- (2) If yes, why?
- (3) Is any long-term scientific study on the spread of dieback in the absence of human interference being carried out elsewhere in the—
 - (a) jarrah forest;
 - (b) karri forest?
- (4) Does the Department of Conservation and Land Management have any results from—
 - (a) the Lang dieback spread study;
 - (b) other studies of the spread of dieback in the absence of human interference?
- (5) If yes to (4), would he please table them?

Mr HODGE replied:

- (1) No. The land use for Lang block has been changed in the draft northern region plan from scientific study to protection. Wood production is a conditional operation in protection forest but will not be contemplated until the objectives of the study have been fulfilled.
- (2) Scientific study was considered an inappropriate designation as a land use.

A scientific study can be carried out on any land use. When it does, the requirements of the study take precedence over the land use designation for the period of the study.

- (3) (a) Yes, small plots established in 1967 to determine natural spread of dieback infection have been monitored regularly;
- (b) no;
- (4) (a) The study is of a long-term nature, and further monitoring will be required before a conclusion can be drawn;
- (b) yes.
- (5) The information is tabled.
(See paper No. 252).

SEWERAGE TREATMENT PLANT

Westfield

1412. Mr RUSHTON, to the Minister for Health:

- (1) Is he aware the City of Armadale opposes the siting of the waste disposal plant at Westfield?
- (2) Is he aware the community of Forrestdale, represented by the Forrestdale Progress Association, opposes the siting of this plant at Westfield?
- (3) Is he further aware the sewerage treatment plant on the Westfield site ceased operations in December 1986 because it had been found that this location was unsuitable for the continuance of sewerage treatment and waste disposal?
- (4) Is he also aware of a decision previously taken, based on professional advice, that reticulated City of Armadale sewerage should be connected to the mains system for health reasons?
- (5) Is it now intended to receive the sewerage waste at the Westfield site for a short period to meet an emergency?
- (6) What alternatives are being looked at for the disposal of sewerage waste?
- (7) If it is presently intended that the Westfield site is to be permanent, will he please table the health report which considers the site now adequate?

- (8) Will he now direct that an alternative site be sought for sewerage waste disposal for the metropolitan south of the river community?

Mr TAYLOR replied:

I will respond to the member in writing.

EQUAL OPPORTUNITY

Employee Dismissal: Union Membership

1413. Mr HASSELL, to the Minister for Labour, Productivity and Employment:

- (1) Has he been advised by his department about the implications for Western Australia—as reported in the magazine *Opportunity*, issued by the Commissioner for Equal Opportunity—of a Victorian case in which an employer was required to pay significant damages by reason of dismissing an employee because he refused to join the Amalgamated Metal Workers Union?
- (2) Has he taken any action in relation to the industrial relations implications of this matter in Western Australia?
- (3) If so, what action has he taken?
- (4) Does his department act on complaint to uphold the provisions of the Western Australian industrial relations law which prohibits discrimination against an employee on the grounds of union or non-union membership?
- (5) If so, has he reversed a previous directive from his predecessor that the Government would not uphold the law in relation to non-union membership?
- (6) What action is taken by him or his department when a complaint is lodged on the grounds of discrimination because of non-membership of a union?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) and (3) No.
- (5) Neither I, nor my predecessor, has given any direction to not uphold the law in relation to non-union membership.
- (4) and (6) Any complaint is investigated.

HAIRDRESSERS' REGISTRATION BOARD

Member: Mrs Norma Mary Roberts

1414. Mr CASH, to the Minister for Labour, Productivity and Employment:

- (1) Further to his answer to question 1331 of 1987, is Mrs Norma Mary Roberts a member of the Hairdressers' Registration Board?
- (2) Which section of the industry does she represent?

Mr PETER DOWDING replied:

- (1) Yes. My attention has been drawn to the fact that, in my reply to question 1331, my reference to Mr M. Roberts should have read, Mrs N. M. Roberts.
- (2) Mrs Roberts is the nominee of the Hairdressers Union.

HAIRDRESSERS' REGISTRATION BOARD

Member: Mr M. Roberts

1415. Mr CASH, to the Minister for Labour, Productivity and Employment:

- (1) Further to the answer to question 1331 of 1987, when was Mr M. Roberts appointed to the Hairdressers' Registration Board, and which section of the industry does he represent?
- (2) Were administrative actions or any decisions taken by the Hairdressers' Registration Board or its individual members acting on behalf of the board invalid or subject to challenge during the period 15 May 1987 to 8 June 1987, a period for which the board members do not appear to have been duly appointed, given the import of his answer to question 1331 and the words used?

Mr PETER DOWDING replied:

- (1) Answered by my reply to question 1414.
- (2) The Hairdressers' Registration Board did not meet during the period 15 May 1987 to 8 June 1987.

HAIRDRESSERS' REGISTRATION BOARD

Chairman and Deputy Chairman

1416. Mr CASH, to the Minister for Labour, Productivity and Employment:

- (1) How does he reconcile his answer to question 1066 of 1987 in which he claims senior Government officers act

as chairperson and deputy chairperson of the Hairdressers' Registration Board, and his answer to question 1335 of 1987, in which he claims there are no Government representatives on the Hairdressers' Registration Board?

- (2) Are the chairman and deputy chairman of the Hairdressers' Registration Board entitled to and paid fees for their respective board positions?
- (3) If yes to (2)—
 - (a) who pays the fees;
 - (b) how much are the fees for each meeting;
 - (c) does the Government pay into the funds of the board an equal amount to reimburse it for fees paid to Government servants?

Mr PETER DOWDING replied:

- (1) to (3) (b) See answer to my reply to Legislative Council question 275.
- (3) (c) No.

MOTOR VEHICLE LICENCES

Inspection Officer: Esperance

1417. Mr CASH, to the Minister for Police and Emergency Services:

- (1) Is the position of motor vehicle licensing inspection officer at the Esperance motor vehicle inspection branch filled by a temporary officer?
- (2) If yes—
 - (a) why is a permanent officer not appointed;
 - (b) how often does the temporary officer commute;
 - (c) what additional benefits or allowances does the temporary appointment enjoy over and above a permanent appointment;
 - (d) is there adequate housing for a permanent appointment at Esperance;
 - (e) how long has the position been filled by a temporary appointment;
 - (f) how much additional expenditure has been incurred, together with other allowances, by having a temporary rather than a permanent appointment to the position?

Mr GORDON HILL replied:

- (1) No permanent examiner has been appointed to Esperance, and examinations are conducted by an officer detached from metropolitan duties.
- (2) (a) The Esperance position was created in October 1985 and first advertised in December 1985. As a consequence of broadbanding, the salary level for the position was reduced below the advertised salary and several applicants withdrew.
 Prior to the salary position being clarified, and the position readvertised, a Public Service freeze was imposed. That freeze was only recently lifted and it is expected that the position will be filled in the next three months;
- (b) examiners are provided from Perth and are changed every six to 12 weeks;
- (c) officers receive an allowance under the Public Service miscellaneous allowances award No 14 of 1982 to cover living expenses. The allowance is currently \$62.10 per day;
- (d) no departmental housing is provided and the availability of private housing is not known at this time;
- (e) the position has been filled by a detached officer from the metropolitan area since 25 October 1985;
- (f) total additional expenditure to this date is \$33 557.

COMMUNITY SERVICES

Day Care: Regulations

1418. Mr CASH, to the Minister representing the Minister for Community Services:

- (1) Has the Minister received the report of the consultative committee reviewing the day care regulations?
- (2) Will the Minister advise the recommendations made by the committee?
- (3) Does the Minister support all the recommendations, and if not, will she identify those with which she does not agree?

- (4) Will the Minister identify any recommendations which are at variance with the Government's policy on the provision of services in the child care industry?
- (5) When is it planned that the new regulations be implemented?

Mr WILSON replied:

See reply to question 1383.

COMMUNITY SERVICES

Child Care: National Curriculum

1419. Mr CASH, to the Minister for Education:

- (1) Why does the national care curriculum in child care contain 70 per cent core units and 30 per cent elective units?
- (2) At which campus is the certificate in residential and community care offered?

Mr PEARCE replied:

- (1) As requested by TAFE systems nationally, the "common core" of any curriculum must constitute up to 70 per cent of the total curriculum for any course. The additional component is a local component, designed to cater specifically to needs in a particular State. The additional "local component" does not comprise student electives.
- (2) A new course with the title "certificate in residential and community care" is due to commence at Perth Technical College in the second semester 1987.

ENVIRONMENT

Lake Forrestdale: Midge Control

1420. Mr RUSHTON, to the Minister for Conservation and Land Management:

- (1) Does the Government and/or the Department of Conservation and Land Management refuse to financially contribute to the control of midges in Lake Forrestdale?
- (2) If yes, why does the Government insist that the cost of control of the midge is the responsibility of the City of Armadale, when the Department of Conservation and Land Management retains the decision-making power to manage the lake and control what

spraying and other measures are used to eradicate or limit the midge which inflicts discomfort and inconvenience to the residents of Forrestdale?

- (3) Will he please detail the Government and Department of Conservation and Land Management decisions and intentions for the control of the midge in and around Lake Forrestdale and the adjoining community areas?

Mr HODGE replied:

- (1) to (3) Responsibility for the control of midges to protect the comfort of local residents resides with local government, regardless of the vesting of the particular water body. Governments from both parties and, indeed, all local governments throughout the metropolitan area, except the City of Armadale, have accepted this principle for many years.

Management of Lake Forrestdale for the next five years will be as described in the recently approved Management Plan. A copy is tabled.

(See paper No 253)

FORESTS

Timber: Dwellingup Mill

1421. Mr RUSHTON, to the Minister for Conservation and Land Management:

- (1) Is he aware that the Dwellingup timber mill is to close because of lack of millable timber approved by his department?
- (2) If the answer is no, he is not aware; or the mill is not closing down in the near future through lack of millable timber, will he please tell me the estimated number of years the Dwellingup timber mill will remain open, based on the present timber reserves approved by the Department of Conservation and Land Management available for cutting?
- (3) What action is being taken by the Government through the Department of Conservation and Land Management to reafforest the dieback and other available areas to extend the life of the Dwellingup timber mill?

Mr HODGE replied:

- (1) No.

- (2) The department's draft timber strategy includes proposals for a complete new inventory of the jarrah forest. The ultimate size of the sawmilling industry in the jarrah forest will be reassessed in the light of the results of the inventory.
- (3) The rehabilitation of dieback areas and the regeneration of all areas of State forest cut over is carried out in accordance with departmental prescriptions and will provide a resource in perpetuity to the timber industry at a level that can be sustained by the growth rate of the forest.

HOSPITAL

Armada-Kelmscott District Memorial: Permanent Care Unit

1422. Mr RUSHTON, to the Minister for Health:

- (1) Has a commitment now been made to build the 24-bed permanent care unit at Armada-Kelmscott District Memorial Hospital through either the—
 - (a) Commonwealth Government; or
 - (b) State Government?
- (2) What is the detail of the commitment?
- (3) Has the contract been called for the building of the unit?
- (4) If no to (3), when is the contract to build the unit expected to be let?
- (5) Is the contract to be for—
 - (a) a 24-bed unit;
 - (b) some other alternative?
- (6) Will he please let me know the Commonwealth and/or State Government's present intentions regarding the provision of the 24-bed permanent care unit at the Armada-Kelmscott District Memorial Hospital?

Mr TAYLOR replied:

I will advise the member in writing.

MINERAL SANDS

Darling Scarp

1423. Mr RUSHTON, to the Minister for Conservation and Land Management:

- (1) What action or decision has the Government, the Department of Conservation and Land Management, or

the Environmental Protection Authority taken regarding the proposed mining for—

(a) mineral sands;

(b) gold,

in—

(i) Bungendore Park at Armadale;

(ii) private property in the Shire of Serpentine-Jarrahdale and the City of Armadale;

(iii) the Darling scarp?

- (2) What procedures need to be followed by persons interested in mining the above areas?
- (3) What responsibility have the Government, the Department of Conservation and Land Management, and the Environmental Protection Authority in considering future mining in these areas?
- (4) Does the final decision on whether the mining for mineral sands and gold takes place in the reserves and private land rest with the Government?

Mr HODGE replied:

- (1) It is understood that applications to the Department of Mines for exploration licences over a broad area of varying status and ownership, including Bungendore Park, have been lodged.

The EPA has requested referral to it of the application proposal so that environmental advice can be developed. In addition, where reserves vested under the Conservation and Land Management Act are affected, referral to the Minister for CALM is required.

- (2) and (3) With the exception of private land granted prior to 1899, the Mining Act 1978-83 sets out the procedures to be followed by both intending mineral explorers and the Government.

The EPA can assess the environmental implications of development proposals and advise the Government accordingly. This includes proposals on private land granted prior to 1899.

- (4) Yes.

PRISON: CANNING VALE

Observation Towers: Armed Officers

1424. Mr CASH, to the Minister representing the Minister for Corrective Services:

- (1) In view of the recent escape from the Canning Vale prison complex, will the Minister reconsider reinstating armed prison officers to the observation towers at the prison complex?
- (2) If not, why not?

Mr PETER DOWDING replied:

- (1) No.
- (2) For the reasons stated at the time the decision to remove the armed guards was announced.

PRISONS

Security Patrols: Dogs

1425. Mr CASH, to the Minister representing the Minister for Corrective Services:

- (1) Is he aware of a recent article authored by Mr Malcolm Innes-Brown of the School of Management, Curtin University, in which it was claimed "the use of trained dogs and their handlers is a simple, low profile and very effective prevention of escape" from prison?
- (2) Does he think this statement is accurate, and if not, why not?
- (3) Has the department considered the use of dogs and dog handlers to undertake prison security patrols?
- (4) If yes to (3), why was such a proposal not implemented?

Mr PETER DOWDING replied:

- (1) If the member is referring to a letter to the editor published in *The West Australian* on 10 April 1987, yes.
- (2) I am advised the statement is not universally supported by experienced professionals in the field, and expresses only one school of thought in a complex area.
- (3) Yes.
- (4) The use of multiple man barrier and electronic surveillance perimeter security systems, combined with armed roving prison officer patrols, is considered a more effective alternative.

LOCAL GOVERNMENT: ROEBOURNE SHIRE COUNCIL

President: No-Confidence Motion

1426. Mr CASH, to the Minister for Local Government:

- (1) Is he aware of a motion of no confidence being carried in the President of the Roebourne Shire Council last week?
- (2) Did the President of the Roebourne Shire Council choose to hand the meeting over to the deputy president after the motion of no confidence had been carried in the president?
- (3) If yes to (2), has the president disqualified himself from the position of president?

Mr CARR replied:

- (1) Yes.
- (2) I am advised that the deputy president chaired part of the meeting.
- (3) No.

PRISON: CASUARINA

Earthworks: Structural Damage

1427. Mr CASH, to the Minister representing the Minister for Corrective Services:

- (1) Is he aware of complaints from residents of Orton Road, Casuarina, who claim that heavy earthmoving machinery and other heavy transport associated with the clearing and earthworks at the proposed Casuarina maximum security prison have caused structural damage and cracking to some buildings in Orton Road?
- (2) Will he have officers of his department investigate the claims and arrange for repairs and/or compensation to the owners of the affected buildings?

Mr PETER DOWDING replied:

- (1) I am advised that one person has complained to the Department of Corrective Services.
- (2) Such complaints will be considered by the department in the usual way.

POLICE STATION

Scarborough: Manning

1428. Mr CASH, to the Minister for Police and Emergency Services:

- (1) In respect of the Scarborough police station, will he state when it is expected that staff numbers will be reduced?
- (2) At what hours will the police station be open to the public to transact business?
- (3) What are the reasons for the proposed changes at the police station?
- (4) (a) Have the proposed changes been discussed with any community groups;
(b) if so, which organisations, and do they support the proposed changes?
- (5) What changes are intended to the criminal investigation branch operating from the station?

Mr GORDON HILL replied:

- (1) to (4) The Commissioner of Police and his senior executive, with the support of the Government, are undertaking a programme to enhance police efficiency and effectiveness in providing service to the public. Part of the programme involves consideration being given to more effective deployment of manpower resources, and to that end general duties policing methods throughout the metropolitan area are presently under review and a decision is yet to be made on that review.

The allocation of police resources is undertaken by experienced senior police officers on the basis of their evaluation of objective policing needs, and in so doing it is not necessary that they actively seek out community views.

You may appreciate that the scope of the business which is normally conducted by members of the public with police at suburban police stations is limited, and regard will be had to the volume of such business transacted at various stations in arriving at a decision.

- (5) The current review is of policing methods concerning general duties police only, and no change to criminal investigation branch operations at Scarborough is anticipated.

POLICE STATION

Innaloo: Manning

1429. Mr CASH, to the Minister for Police and Emergency Services:

- (1) In respect of the Innaloo police station, will he say when it is expected that staff numbers will be reduced?
- (2) At what hours will the police station be open to the public to transact business?
- (3) What are the reasons for the proposed changes at this police station?
- (4) (a) Have the proposed changes been discussed with any community groups;
(b) if so, which organisations, and do they support the proposed change?

Mr GORDON HILL replied:

- (1) to (4) The Commissioner of Police and his senior executive, with the support of the Government, are undertaking a programme to enhance police efficiency and effectiveness in providing service to the public. Part of the programme involves consideration being given to more effective deployment of manpower resources, and to that end general duties policing methods throughout the metropolitan area are presently under review and a decision is yet to be made on that review.

The allocation of police resources is undertaken by experienced senior police officers on the basis of their evaluation of objective policing needs and in so doing it is not necessary that they actively seek out community views.

You may appreciate that the scope of the business which is normally conducted by members of the public with police at suburban police stations is limited and regard will be had to the volume of such business transacted at various stations in arriving at a decision.

LAND

Reserve No 37304: South Mandurah Bowling Club

1430. Mr BLAIKIE, to the Minister for Lands:

What progress has been made to provide part of Reserve No. 37304, part Lot 1720, to the South Mandurah Bowling Club for much-needed land extensions?

Mr WILSON replied:

The proposed extension to "recreation and club premises" Reserve No 37304 has been surveyed on the ground, and a survey diagram is currently being prepared. To accommodate the extension, an excision from adjoining Class "A" Reserve No 2851 will be required, and it is intended to include an appropriate clause in the next Reserves and Land Revestment Bill.

WATER RESOURCES: DAM

Ellen Brook: Submissions

1431. Mr BLAIKIE, to the Minister for Water Resources:

- (1) How many people have made submissions to the proposal to have a water supply developed at Ellen Brook?
- (2) When does the Government expect the report on (1) above will be concluded?

Mr BRIDGE replied:

This question has been incorrectly addressed to the Minister for Water Resources. It has been referred to the Minister for Environment, and he will answer the question in writing.

STOCK

Sheep: Footrot

1432. Mr BLAIKIE, to the Minister for Agriculture:

- (1) Did the department carry out tests on footrot in sheep at its Vasse research station, and will he provide details?
- (2) How many sheep were involved, when did the trials commence, and when did they conclude?
- (3) What was the source of funding for the trials?

(4) Who was in charge of the trials, and was there any provision for fencing, notification of neighbours, etc., and will he detail?

(5) Was the advice of the management committee sought regarding the trials, and what was their response?

(6) Further to (5), if not why not?

Mr GRILL replied:

(1) Yes, over 1985-86, two trials. 1985—effect of treatment on footrot; 1986—effects of footrot on production.

(2) March 1985-November 1985—90 sheep;
November 1985-May 1986—120 sheep.

(3) Consolidated Revenue Fund.

(4) Principal Veterinary Officer, South Perth, F. C. Wilkinson; Regional Veterinary Officer, Bunbury—F. F. Dixon.

Neighbours were all notified. Trial areas were all double fenced.

(5) Yes. Approved.

(6) Not applicable.

MOTOR VEHICLE DRIVERS

Licences: Aged Persons

1433. Mr BLAIKIE, to the Minister for Police and Emergency Services:

- (1) How many persons have undertaken compulsory drivers' licence tests because of age in each year since 1984?
- (2) Further to (1), how many people have failed the motor drivers' licence test?

Mr GORDON HILL replied:

To obtain this information would require the extensive diversion of substantial resources, and for that reason the information cannot be supplied. If there are any specific concerns, the member is invited to raise them with me.

ROAD MAKING MATERIAL

Provision

1434. Mr BLAIKIE, to the Minister for Conservation and Land Management:

- (1) Can he say how much gravel and other road making material has been provided to—
(a) local government;

- (b) Main Roads Department;
 - (c) other Government agencies;
 - (d) private operators,
- in each year since 1980?
- (2) Further to (1), what royalties have been received, if any, in each category?
- (3) How many shire councils have a significant dependence on the Department of Conservation and Land Management for the provision of road making materials, and will he detail?

Mr HODGE replied:

- (1) (a) to (d) No. The bulk of road making material is removed under annual lease arrangements for which production figures are not always required.
- (2) No data are available prior to 1983. Revenue received since then is only available for all users—
- | | |
|---------|----------|
| 1983-84 | \$75 036 |
| 1984-85 | \$64 101 |
| 1985-86 | \$12 986 |
| 1986-87 | \$19 939 |
- (3) 22 local authorities currently hold a total of 62 leases issued by the Department of Conservation and Land Management for the extraction of gravel (51), limestone (4), sand (6), and shale (1). These authorities also have access to road making materials from vacant Crown land, gazetted gravel reserves, private land, and by application for mining leases.

ROAD MAKING MATERIAL

Provision

1435. Mr BLAIKIE, to the Minister for Conservation and Land Management:

- (1) Has the Government made any policy changes to the provision of road making materials from land under his control since the introduction of Department of Conservation and Land Management legislation, and will he detail changes?
- (2) What commitments can he make to ensure that road making material can be made available for at least Government or local government purposes from land under his control?

- (3) Further to (1) and (2), what costs are involved and when were they increased?

Mr HODGE replied:

- (1) and (2) Policy relating to the provision of road making materials from land under Conservation and Land Management control has been formulated to comply with the statutory requirements of the Mining Act 1978 and the Conservation and Land Management Act 1984. Road making materials will continue to be made available in accordance with those provisions.
- (3) Establishment fee \$10; annual rental \$10. These fees have not been increased since 1965.

MINERAL EXPLORATION

CRA Exploration Pty Ltd

1436. Mr BLAIKIE, to the Minister for Conservation and Land Management:

Would he table maps, etc. showing the exploration undertaken by CRA Exploration Pty Ltd in the Rudall River National Park?

Mr HODGE replied:

I am advised by my colleague, the Acting Minister for Minerals and Energy, that the information required is on public plans held at the Department of Mines, Perth.

MINERAL EXPLORATION

CRA Exploration Pty Ltd

1437. Mr BLAIKIE, to the Minister for Minerals and Energy:

- (1) What is the extent of CRA Exploration Pty Ltd test drilling in the Rudall River region?
- (2) What minerals are included under the exploration licence?

Mr PARKER replied:

- (1) CRA has carried out general mineral exploration including geophysical and geoscientific surveys and percussion drilling in the Rudall River region for a number of years. The drilling has been mainly concentrated in the Kintyre area. The company proposes to conduct further drilling in other areas of Rudall River during 1987, in

consultation with the Departments of Conservation and Land Management and Mines.

- (2) All minerals except iron ore are included in the exploration licences granted to CRA.

HOSPITAL

Margaret River: Construction

1438. Mr BLAIE, to the Minister for Health:

- (1) What progress has been made with the provision of funding to build a new hospital at Margaret River?
- (2) Following recent renovations carried out at the hospital, can he advise whether infestations of termites were discovered, whether the termites had affected the structure of the building, and if so to what extent?

Mr TAYLOR replied:

- (1) Good progress on a number of options is being made.
- (2) During the course of recent renovations at Margaret River Hospital, termites were discovered in the children's ward and matron's flat. Wall linings and framework were affected. These have now been replaced. There is no evidence of further termite infestation. However, arrangements are in hand to treat all buildings on the site against termite attack.

FORESTS

Timber: Log Prices

1439. Mr BRADSHAW, to the Minister for Conservation and Land Management:

- (1) Has his department or the Treasury prepared an analysis of the proposal for the readjustment of log prices?
- (2) If so, what conclusions were reached?

Mr HODGE replied:

- (1) Yes.
- (2) The major conclusion was that hardwood sawlog royalties should be increased in view of forest wood production costs in the long term.

HOSPITAL

Graylands: Kiosk

1440. Mr BRADSHAW, to the Minister for Health:

- (1) Did a kiosk operate at the Graylands Hospital before the Health Department opened a kiosk?
- (2) If so, who operated the kiosk at Graylands?
- (3) Why was a second kiosk required at Graylands Hospital?
- (4) How many people are employed by the Health Department to operate the kiosk at Graylands Hospital?

Mr TAYLOR replied:

I will advise the member in writing.

HOSPITAL

Mandurah: Planning

1441. Mr BRADSHAW, to the Minister for Health:

- (1) Adverting to question 1244 of 1987, is the committee only considering radiology needs or other matters?
- (2) What other needs is the committee considering for the Mandurah-Murray area?
- (3) Will the new Mandurah Hospital be under the control of the Murray District Hospital?

Mr TAYLOR replied:

- (1) See question 1244 of 1987, which gives the specific reply.
- (2) Not applicable.
- (3) No.

ROYAL AUSTRALIAN NURSING FEDERATION

Elections: Disciplinary Action

1442. Mr BRADSHAW, to the Minister for Health:

- (1) Adverting to question 691 of 1987, has any disciplinary action been taken against the person or persons concerned?
- (2) If not, why not?

Mr TAYLOR replied:

- (1) No.
- (2) The letter was unsigned.

CONSERVATION AND LAND MANAGEMENT DEPARTMENT

Forest Resources Division: Budget

1443. Mr BRADSHAW, to the Minister for Health:

- (1) What is the annual budget for 1986-87 of the division of forest resources of the Department of Conservation and Land Management?
- (2) What proportion of this figure is attributable to—
 - (a) hardwood production;
 - (b) softwood production;
 - (c) other?
- (3) How many employees of the Department of Conservation and Land Management are involved in the division of forest resources?
- (4) Are any other employees of the Department of Conservation and Land Management involved in timber production?
- (5) If so, how many employees of the department, other than those employed in the division of forest resources, are employed—
 - (a) full-time;
 - (b) part-time, in—
 - (i) hardwood production;
 - (ii) softwood production?

Mr TAYLOR replied:

This question has wrongly been addressed to the Minister for Health. It has been referred to the Minister for Conservation and Land Management, and he will answer the question in writing.

EDUCATION: PRIMARY SCHOOL

Harvey: Improvements

1444. Mr BRADSHAW, to the Minister for Education:

- (1) Has the department had requests from the Parents' and Citizens' Association and staff of the Harvey Primary School for improvements to the school?
- (2) Does he see a need for these improvements?
- (3) If so, when will they be carried out and what improvements can be expected?

Mr PEARCE replied:

- (1) and (2) Yes.
- (3) Funding for capital works projects is short, and no indication can be given as to when an improvement programme for Harvey Primary School will be undertaken. When funding does become available, the needs of the school will be discussed with the parents' association and the staff.

PLANNING

Mosman Park Tearooms: Jetty Licence

1445. Mr HASSELL, to the Minister for Transport:

- (1) Has he yet completed the jetty licence for the Mosman Park river tearooms development?
- (2) If so, when was it completed?
- (3) If not, what is the delay, having regard to his answer to question 1043 of 1987 in which he indicated his expectation that it would be completed "within a month"?
- (4) What arrangements will he make to fulfil his undertaking given in question 92 of 1987 that he would let me see the licence when it is available?
- (5) Who are to be the parties, other than the Government, to the licence?
- (6) Has any change been proposed to the use of the premises, or is he aware of any change?
- (7) Will the licence contain and will he enforce all the provisions for usage as outlined in his answer to question 336 of 1986?
- (8) If the licence is not complete, when does he expect it will be completed?
- (9) Will he make public the document deleting those aspects which he now regards as commercially confidential?

Mr TROY replied:

- (1) No.
- (2) Not applicable.
- (3) The draft document has now been received by the Department of Marine and Harbours, which is in the process of forwarding it to the licensee for acceptance.
- (4) I refer the member to my answer to parts (4) and (5) of question 1043.

(5) Mosman Bay Tearooms Pty Ltd as licensee and Dallas Reginald Dempster and Deniston Clive Marshall as guarantors

(6) No.

(7) Yes.

(8) Completion of the licence will be subject to the draft being acceptable and executed by all parties.

(9) I will further consider this request when the completed lease document is placed before me.

WATER POLICE HEADQUARTERS

Contribution

1446. Mr HASSELL, to the Minister for Police and Emergency Services:

(1) Was there an obligation on Saland Pty Ltd to pay \$250 000 towards the cost of the new water police headquarters at North Fremantle?

(2) If the obligation did not apply to Saland Pty Ltd, what contribution obligation existed, and from whom?

(3) Has the payment been made and if so, when?

(4) If not, why not?

(5) When will the promised clean-up, path construction, and landscaping of the beach area adjacent to the police headquarters be carried out

Mr GORDON HILL replied:

(1) Yes.

(2) Answered by (1).

(3) Yes; 7 August 1986.

(4) Answered by (3).

(5) The Police Department has no obligation to or involvement with the clean-up, path construction, and landscaping of the beach area adjacent to the water police site. It is understood this matter is the subject of negotiation between Saland Pty Ltd and the Fremantle City Council, and it is expected that this will be resolved in the near future.

EDUCATION: PRIMARY SCHOOL

West Busselton: Works

1447. Mr BLAIKIE, to the Minister for Education:

(1) What works are under consideration for the West Busselton Primary School?

(2) When is it expected that the works will be funded?

(3) Will the new buildings be available during the 1988 school year?

Mr PEARCE replied:

(1) Covered assembly area, improved administration, library, and art-craft facilities are listed but, when funding does become available, priorities and needs will be discussed with the school staff and the parent association.

(2) and (3) Capital works funds are in short supply, and no indication can be given as to when the facilities proposed may be undertaken.

HEALTH: DRUG

Kava: Importation

1448. Mr BLAIKIE, to the Minister for Aboriginal Affairs:

(1) Why has the Government not banned the importation and sale of kava in Western Australia?

(2) What action is the Government taking to assess the effects of kava consumption on Western Australians, including Aboriginal people?

(3) What are the results of those inquiries?

(4) If no inquiries have been carried out, why not?

Mr BRIDGE replied:

This question has been incorrectly addressed to the Minister for Aboriginal Affairs. It has been referred to the Minister for Health, and he will answer the question in writing.

DEPARTMENT OF THE PREMIER AND CABINET

Personnel Information Management System Establishment Report

1449. Mr MacKINNON, to the Premier:

- (1) Bearing in mind that the Public Service list for the year ending 30 June 1987 will not be available for many weeks, whereas the June personnel information management system establishment report for the Department of the Premier and Cabinet will be ready at the beginning of July, and having regard for the fact that very little effort and relatively few resources are required in order to produce a copy of that department's personnel information management system report, will he please provide me with a copy of the personnel information management system establishment report for the Department of the Premier and Cabinet for June as soon as it is available?
- (2) Is it a fact that, as reported in the *Civil Service Journal* of 19 June 1987, the Civil Service Association is to have on-line access to the personnel information management system?
- (3) Was the information in the Public Service list for 1986 derived from personnel information management system establishment reports?

Mr BRIAN BURKE replied:

- (1) The PIMS system, including establishment reports for organisations, is expected to be fully operational by the end of the year. The establishment reports referred to are at this stage essentially for management purposes as they are still under development with a view to including all areas for which the Department of the Premier and Cabinet is responsible. As some of the information in the report may be incomplete at this time, it is not proposed to release the report. When PIMS is implemented, establishment reports containing non-confidential personnel information will be available on request.

(2) No.

- (3) Partially. Once the PIMS system is fully operational, the Public Service list will be solely derived from this source.

TAXES AND CHARGES

Payroll Tax: Government Instrumentalities

1450. Mr MacKINNON, to the Treasurer:

- (1) With respect to the discontinuing payment of payroll tax by certain Government bodies in the 1986-87 State Budget, will he undertake to provide an estimate of the total amount of payroll tax that those departments and agencies would have been required to pay in 1986-87 and 1987-88 had the above-mentioned change in procedures not taken place?
- (2) If not, why?
- (3) Bearing in mind that the Minister for Budget Management has already declined a request to provide other information on payroll tax which would have enabled an accurate and meaningful comparison of the level of payroll tax revenues over the years, will he undertake to provide the information requested in (1) above either as part of the Budget papers or as a supplement released with them?
- (4) If not, why?

Mr BRIAN BURKE replied:

This question has been addressed incorrectly to the Treasurer. It has been directed to the Minister for Budget Management, and he will answer the question in writing.

PLANNING DEVELOPMENT

Port Kennedy: Government Involvement

1451. Mr MacKINNON, to the Premier:

Has the Government any involvement via any agency of Government in the Port Kennedy development in Warnboro Sound?

Mr BRIAN BURKE replied:

This question has been addressed incorrectly to the Premier. It has been directed to the Minister for Planning, and he will answer the question in writing.

LOCAL GOVERNMENT: ALBANY TOWN COUNCIL

Allegations: Letter

1452. Mr WATT, to the Minister for Local Government:

- (1) Is he aware of claims by the Mayor of the Town of Albany that the member for Stirling misled the House during the Supply Bill debate on Friday, 19 June, in respect of a 17-page letter and report dated 25 September 1986 from the Department of Local Government relating to the council's 1985-86 budgets?
- (2) Is he aware the letter was answered by the council, and the town clerk ensured that the mayor and the chairman of the council's finance and general purposes committee read and noted the reply? As no further correspondence on the matter was received from the department, was it not reasonable to conclude the department was satisfied?
- (3) Is he also aware that, despite the member for Stirling's statement to the contrary, the letter was tabled at the June meeting of the finance and general purposes committee?
- (4) Contrary to the member for Stirling's implication is he further aware that the responsibility for the preparation of the annual accounts for audit rested with the then director of finance, and that the director of finance advised the auditors that the accounts had been finalised and were ready for audit?
- (5) Is he also aware that following the departure of the director of finance, the organisational structure of the council was amended, and the deputy town clerk was appointed as the committee officer for the finance and general purposes committee?
- (6) (a) Is he satisfied that the Albany Town Council maintains reasonable accounting records and that these have been properly audited:
 (b) if not, what action has he taken, or what action does he propose to take, in relation to the auditor's certification and/or the council's financial records?

- (7) (a) Has he been provided with any information which satisfied him there is any substance to the member for Stirling's allegation of financial mismanagement by the council;
 (b) if so, what action has he taken, or what action does he propose to take, in relation to that information?
- (8) Will he advise what avenues are open to the council to bring to an end the ongoing and unsubstantiated criticisms of the council and its administration by the member for Stirling and by those who have associated themselves with his campaign?
- (9) Does he acknowledge that this campaign is detrimental to good local government in Albany, and to the social and economic development of Albany and the region, and that amalgamation of the two councils would be one solution to the problem?

Mr CARR replied:

- (1) I am not aware of such claims.
- (2) The town clerk replied to the Department of Local Government correspondence by letter of 10 November 1986. I am not aware whether the mayor and chairman of the finance and general purposes committee have seen that response. The department wrote further on 10 February 1987, indicating that an inspection was proposed but other work priorities had so far precluded that action.
- (3) I do not know whether or when the letter may have been tabled.
- (4) I understand the job description of the director of finance required him to prepare the annual accounts for audit, and that the director of finance did inform the auditor by letter on 28 October 1986 that the annual financial statements were ready for audit.
- (5) I am not aware of the specific changes referred to.
- (6) (a) The last management report from council's auditor expressed reservations as to the accounting and internal control systems;

- (b) it is up to council to act on the content of that report.
- (7) See answer to (6).
- (8) I cannot suggest any particular action which will, with any certainty, bring to an end such criticism.
- (9) I believe it would be for the good of local government in Albany if the subject matters were resolved in council. The question of amalgamation of the Town of Albany and Shire of Albany was recently addressed by the Local Government Boundaries Commission, which did not so recommend.

REGIONAL DEVELOPMENT: "ALBANY TOMORROW"

Railway Yards: Relocation

1453. Mr WATT, to the Minister for Regional Development:

What progress is being made in fulfilling the commitment given as part of the "Albany Tomorrow" programme to relocate the railway marshalling yards from the town centre in Albany?

Mr CARR replied:

A consultant, Maunsell and Partners, is currently examining a range of economic and engineering options for the location of the railway marshalling yards in Albany. The consultant's report is expected to be completed in July.

LOCAL GOVERNMENT: ALBANY TOWN COUNCIL

Allegations: Mr Jansen

1454. Mr WATT, to the Minister representing the Attorney General:

- (1) Respecting the "affidavit" of Mr Jansen read in the Legislative Assembly on Friday, 19 June 1987 during the Supply Bill debate, is the Attorney aware that the person named in the "affidavit" is prepared to attest to the misleading statements contained therein?
- (2) Is the Attorney General aware that, with the knowledge and permission of Mr Jansen, a tape recording was made of the interview with the town clerk and director of works and technical services, that the recording does not substantiate the claims by Mr Jansen in his "affidavit", and that the town clerk is prepared to make the tape available to the Attorney General, together with the original copy of the report in question?
- (3) On the basis of the information contained in the *Hansard* record, is the Attorney General aware that both the town clerk and director of works and technical services are prepared to attest to the inaccuracy of the statement?
- (4) In view of the above, would the Attorney General be prepared to investigate the matter and to initiate proceedings against Mr Jansen should he be satisfied that Mr Jansen has made false statements under oath?
- (5) Is the Attorney General prepared to investigate the claims made in the affidavit, also referred to by the member for Stirling, by the former centre manager, and take action if false statements have been made?
- (6) Is the Attorney General prepared to confirm the assurance by the Mayor of Albany that complaints, and comments in affidavits, cannot in any way be defamatory when they are made in good faith and without malice and placed before the correct authority, and on that basis, there is no need whatsoever for a Standing Committee or Select Committee inquiry as sought by the member for Stirling to give protection to people who are prepared to give evidence under privilege and protection, unless of course the allegations of those people cannot survive the test of being in good faith and without malice?
- (7) Is the Attorney General able to advise whether a writ for defamation issued by the member for Stirling against a former Albany town councillor has been listed for trial?
- (8) Is the Attorney General aware that the town clerk by letter from his solicitor indicated he would not pursue defamation proceedings against the member for Stirling in the interests of harmony within the region, and invited the member for Stirling to take the same action in relation to the member for Stirling's claim against the Albany

town councillor for alleged defamation, but that the member for Stirling has failed to respond?

Mr PETER DOWDING replied:

- (1) No.
- (2) No.
- (3) I have not read the relevant *Hansard*.
- (4) and (5) Not applicable.
- (6) This seeks a legal opinion and is not in order.
- (7) No.
- (8) No.

TRANSPORT: RAILWAYS

Geraldton: Marshalling Yards

1455. Mr WATT, to the Minister for Regional Development:

- (1) What timetable has been set for the removal of the railway marshalling yards from Geraldton town centre?
- (2) What is the intended use for the vacated land?
- (3) What is the estimated cost of the transfer?
- (4) Who will pay for the transfer?

Mr CARR replied:

- (1) Detailed planning is currently under way with a view to finalising relocation in 1988-89.
- (2) A range of options is under consideration as part of a planning study currently being conducted.
- (3) \$8 million.
- (4) Westrail, with Government assistance.

PLANNING

Metropolitan Region Scheme: Review

1456. Mr LEWIS, to the Minister for Planning:

- (1) When is the review of the metropolitan region scheme plan anticipated to be available for public information?
- (2) Has the State Planning Commission made investigation into the present and future requirements for light industrial and general industrial land within the City of Wanneroo?
- (3) Is the State Planning Commission currently considering increasing the available zoned light and general industrial land in the City of Wanneroo?

(4) If yes to (3), when can it be expected that the additional zoned land will be formally gazetted?

Mr PEARCE replied:

- (1) Approximately September 1987.
- (2) Yes.
- (3) Yes.
- (4) As negotiations with the Industrial Lands Development Authority and the City of Wanneroo are still in progress, I am not able to provide a firm date.

POLICE

Plain-clothes: Identification

1457. Mr LEWIS, to the Minister for Police and Emergency Services:

- (1) Do plain-clothes members of a police force, when they are interviewing or questioning people, have to, when they are asked, advise either their name and serial number or otherwise produce formal documented identification?
- (2) Are police charge sheets of persons who have allegedly committed an offence made available on request to the person who has been charged?

Mr GORDON HILL replied:

- (1) Yes. Regulation 405 provides, "A member who is not in uniform shall have with him his certificate of identity, which he shall produce whenever requested to do so by a person in relation to whom he is about to exercise any power or duty as a member unless he has reasonable cause to refuse to do so or unless it is not possible to do so."
- (2) Police charge sheets are not supplied, but accused persons are always advised of the charge. If written requests are made for particulars, these are supplied.

FISHERIES

Abalone: Regulations

1458. Mr GRAYDEN, to the Minister for Fisheries:

What regulations, if any, issued under the Fisheries Act are directly applicable to the abalone fishery?

Mr GRILL replied:

Notice made under sections 17 and 32 of the Fisheries Act published in the *Government Gazette* of 17 September 1976.

Notice No 164 made under sections 9 and 11 of the Fisheries Act published in the *Government Gazette* of 28 September 1984.

Regulations—

- (a) 3AB prescribing the daily bag limits for persons other than holders of a professional fisherman's licence;
- (b) 3H prescribes the fees payable by persons authorised to operate in the limited entry abalone fishery;
- (c) 15H prohibition of shucking of abalone by other than the holder of a professional fisherman's licence.

CONSUMER AFFAIRS: SMALL CLAIMS TRIBUNAL

Appeals: Representation

1459. Mr COWAN, to the Minister representing the Attorney General:

- (1) Is the Small Claims Tribunal represented in all Supreme Court hearings of appeals against the tribunal's orders?
- (2) If not, on what basis is the decision made whether or not the Small Claims Tribunal shall be represented at such hearings?

Mr PETER DOWDING replied:

- (1) No.
- (2) The tribunal would only be represented in exceptional cases. Where there would otherwise be no counsel appearing other than an applicant's counsel, counsel from the Crown Solicitor's office will, if the circumstances require it, appear as *amicus curiae*.

GOVERNMENT EMPLOYEES: STAFFING LEVELS

Full-time Equivalent

1460. Mr COWAN, to the Minister for Public Sector Management:

- (1) Will the adoption of the full-time equivalent method of quantifying public sector staffing levels make it easier to compare annual public sector staffing costs on a year to year basis?
- (2) When and to what extent will the FTE data base be available for public scrutiny?
- (3) Will he identify which Government departments and agencies contributed to the estimated reduction of 3 143 FTES in 1986-87?
- (4) (a) Is there a deadline for the full implementation of the personnel and information management system;
- (b) if yes, when?

Mr BRIAN BURKE replied:

- (1) Yes.
- (2) FTE staffing levels for organisations will be included in the 1987-88 Budget papers.
- (3) The information sought will be provided by the Public Service Board once end-of-financial-year figures are finalised and confirmed.
- (4) (a) Yes;
- (b) End of 1987.

HORTICULTURE

Grape Growing: Select Committee Recommendations

1461. Mr COWAN, to the Minister for Agriculture:

- (1) What action, if any, has been taken by the Government to implement the recommendation made by the Select Committee into the grape growing industry that a system of vineyard re-development directed towards the ultimate creation and build-up of the more viable economic units should be pursued?
- (2) If yes, what action?
- (3) If no to (1), when will the Government act?

Mr GRILL replied:

I will advise the member in writing in due course.

HORTICULTURE

Grape Growing: Select Committee Recommendations

1462. Mr COWAN, to the Minister for Planning:

- (1) Has the Government taken any action on the recommendation by the Select Committee into the grape growing industry in Western Australia relating to the establishment of a horticultural, agricultural, and pastoral land use register so that appropriate multiple land use planning procedures can be implemented?
- (2) If yes, what action?
- (3) If no to (1), when will the Government act?

Mr PEARCE replied:

- (1) Yes.
- (2) and (3) Several studies of key horticultural regions are being undertaken. For example—

A land use capability study for the Busselton-Margaret River area, an important viticultural area, was recently completed by the Department of Agriculture;

the Select Committee specifically identified the Swan Valley as "an extremely valuable resource". As part of the Swan Valley policy, a consultant is now examining appropriate land use planning procedures in the Swan Valley.

GRAIN

Transport: Overload Tolerance

1463. Mr COWAN, to the Minister for Transport:

- (1) Is he still considering the proposal to allow a temporary 15 per cent overload tolerance maximum axle loading for trucks carting grain from the farm to the grain receival point during the harvest period?
- (2) If yes, when will a decision be announced?
- (3) If no, why not?

Mr TROY replied:

- (1) to (3) The question of allowing an overload tolerance to farmers during the grain harvesting period is raised from time to time. The preservation of the road asset is of primary importance in the setting of axle loading limits.

I am advised that overloading of axles by say 15 per cent to 20 per cent would result in approximately 100 per cent increase in potential damage to the road. If farm vehicles were granted an exemption such as that suggested, there is no reason why other vehicle operators could not raise similar economic arguments.

While I appreciate the problems of the farming community, particularly in the present climate of restraint in road funding, priority must be given to conservation of the existing road asset. For this reason it is not envisaged that any change to existing policy will be made.

However, the matter of seasonal consideration is still under review, and the member will be advised when the review has been finalised.

GRAIN

Transport: Overload Tolerance

1464. Mr COWAN, to the Minister for Police and Emergency Services:

- (1) Is he still considering the proposal to allow a temporary 15 per cent overload tolerance maximum axle loading for trucks carting grain from the farm to the grain receival point during the harvest period?
- (2) If yes, when will a decision be announced?
- (3) If no, why not?

Mr GORDON HILL replied:

- (1) to (3) This is a matter for the Minister for Transport, and I note that the member has asked an identical question of that Minister. He is referred to the answer to question 1463.

PLANNING

Rezoning: Macedonian United Society

1465. Mr CASH, to the Minister for Planning:

- (1) Is he aware of an application by the Macedonian United Society for the rezoning of Lots 32 to 35 Victoria Road, corner Wanneroo Road, Balga?
- (2) Can he say when he expects this application for rezoning to be granted final approval and gazetted?
- (3) Will he endeavour to expedite the matter as the Macedonian United Society is presently considering quotations for the proposed building and may be required to consider a higher construction cost if the rezoning is subjected to unnecessary delays?

Mr PEARCE replied:

- (1) Yes.
- (2) The relevant documents are being prepared by the local authority. I understand they are likely to be forwarded to my office in early July 1987 for signature and gazettal.
- (3) Yes.

QUESTIONS WITHOUT NOTICE

STAMP DUTY

Retrospective Legislation

231. Mr MacKINNON, to the Treasurer:

- (1) Does the Treasurer support retrospective tax legislation?
- (2) If not, why has the Government imposed changes to the Stamp Amendment Act retrospectively to 19 January in a move which was clearly not designed to stop tax avoidance, since the previous arrangements were perfectly legal and legitimate, but to substantially increase State revenue by increasing stamp duty on certain transactions at much greater than the rate of inflation?

Mr BRIAN BURKE replied:

- (1) and (2) This legislation was foreshadowed in January of this year when it became apparent that a minority of people were resorting to artificial and deliberately contrived schemes to avoid the payment of stamp duty. In effect, the avoidance

technique involved the transfer, not of leases, but of shares in a company that held leases; and it was established specifically for that purpose—that is, to act as a vehicle for the transfer of the particular property. In that way, the stamp duty attracted to the transfer was at a rate, I understand, of 0.6 per cent rather than at a rate of about 4.5 per cent, from memory.

In January, the Government's intention was indicated to the public and the legislation was duly introduced.

Mr MacKinnon: Why, in that indication, was there no—

Mr BRIAN BURKE: The Leader of the Opposition should let me answer the question. The public was notified by way of a Press release, and the legislation was duly introduced and, I understand, was supported by the Opposition.

During the period from January until the June passage of the legislation, anyone who was likely to be affected by the changed legislation was notified and put on notice when they went into the stamp office and the State Taxation Department that these changes would take place. I understand that four people involved in mining operations were notified that they could be affected by the proposed changes. One of those was Whim Creek, and the others who were put on notice that they might be affected will not be affected because of the details of the legislation. Therefore, we know of only one mining company that is affected. If the Opposition knows of any others I want it to tell us.

Whim Creek came to the attention of the Commissioner for State Taxation when he was involved in investigating a tax avoidance or evasion attempt of a completely different nature. The details of that investigation will come to light in due course. Whim Creek then proffered the information that it thought it may be liable to pay this increased tax and then promptly began to raise a public protest about it.

From January, everyone who may have been affected was notified by the State Taxation Department.

Mr MacKinnon: How were they to know if they were affected when there was no reference in the Press statement or made publicly that mining companies were likely to be caught?

Mr BRIAN BURKE: Because, whenever the transfer occurred, tax was liable to be paid at one of two rates.

Mr MacKinnon: So they were supposed to go to the tax office and be told that the law had changed?

Mr BRIAN BURKE: No. They were not supposed to dodge the tax by artificial means to begin with. I do not understand why the Leader of the Opposition sees his role as one of trying to protect tax dodgers. He does not see Western Mining Corporation Ltd or any of the other major players involving themselves in this sort of thing. Genuine and substantial people who try to do the right thing have nothing to fear. It is not fair that people who want to avoid tax should, in the avoidance, thrust the burden onto those prepared to play their part worthily in fulfilling their obligations.

This massive attack by the Opposition, which voted in favour of the legislation, cannot point to any person who could be affected by the legislation.

Mr Cash: Are you suggesting that if we can demonstrate others more affected, you are prepared to suspend the tax?

Mr BRIAN BURKE: I am not saying anything. The Opposition is unable to name anyone. There may be others, but the fact that it is unable to point to companies other than this one company indicates it is prepared to raise as much concern as it can on the basis of a mining industry largely unaffected because it is a mining industry that largely does the right thing. If the Opposition thinks it is its job to protect tax dodgers, it is not mine.

MINERAL: IRON ORE

Mt Channar: Agreement

232. Mrs BUCHANAN, to the Premier:

Is it true that the Chinese have signed the agreement for Mt Channar?

Mr BRIAN BURKE replied:

I am delighted to inform the House that this afternoon in Peking an agreement was initialled that will underpin the opening and exploitation of the first iron ore mine in this State for 15 years. Mt Channar will be a joint venture between the Chinese Government, the Ministry of Metallurgical Industry, and Hamersley Iron Pty Ltd. It will involve an investment of \$250 million and the export to China of 10 million tonnes of iron ore each year for a period of up to 30 years. During the construction phase, the new development will employ 500 Western Australians and there will be permanent employment for 280 once the mine is completed and is in its operating phase.

It is particularly significant that this development flows directly from the intervention at the highest political levels of the Prime Minister of Australia who, in 1984, initiated the discussions which involved the Western Australian Government and the private sector and which led to today's very significant announcement.

The Chinese Government intends to increase the value of its production of steel from the present level of \$56 million to \$90 million by the turn of the century; and by the signing of this agreement, the Western Australian iron ore industry is ideally poised to be a true partner in the provision of technological assistance and raw materials to the burgeoning Chinese steel industry.

It gives the lie, once and for all, to the oft-mouthed and absolutely untrue claim of the Opposition that only under the auspices of Liberal Administrations was any development project ever initiated. That is not true. In fact, this is the first iron ore mine to be established since 1972. That says two things: Firstly, during the period of the Court Government, no new iron ore mine was established about which it could boast; and, secondly, it was up to this Government to reinvigorate the industry and to cause that new development to be initiated.

Mr Thompson: When will construction begin?

Mr BRIAN BURKE: In January of next year. It is anticipated it will take two years. That means that the last vestige of credibility to which the Opposition tries to cling has now been swept aside because we are even better than it at development, too.

FREMANTLE HARBOUR

Commercial Operators: Facility

233. Mr LAURANCE, to the Minister for Transport:

- (1) Has a decision been made about a new facility for commercial marine operators at Fremantle Harbour?
- (2) If so, can the Minister recall answering a question in Parliament on 2 June by saying—

There have been some very broad considerations given to this matter as part of accommodating certain operations within the Fremantle area. It is really a long-term plan and we have made it clear to operators around that area that there will be full negotiations with them. At this stage it has not progressed very significantly.

- (3) Why has this long-term plan suddenly become a reality?
- (4) Is it a fact that the Anchorage developers will be responsible for funding all or part of this development?
- (5) If so, will the Minister provide details of the cost and the funding arrangements?

Mr TROY replied:

- (1) to (5) Quite clearly the Deputy Leader of the Opposition has no real awareness of the detail that goes into the investigation of such projects. It is with some pleasure that I can tell the House that my Department of Marine and Harbours and the Fremantle Port Authority have addressed the concerns in the Fremantle area in regard to that development and the relocation of the barge harbour facilities. Following that extensive work, I gave a clear indication today that this Government favours the development

on the north side of the North Mole. We have found that the cost of development is about equal in each of the alternatives that I mentioned previously. We believe that relocation to the North Mole area will accommodate a number of interested parties and will ensure that the demands for that area by people with smaller boat support services will be adequately satisfied in the future.

As I said, our preference is for the north side of the mole. We now have to go through the stages of having final drawings prepared for the ultimate relocation on that site, an area about which we are quite confident all requirements will be met.

MINISTER FOR AGRICULTURE

Staff Member: Perjury

234. Mr LEWIS, to the Minister for Agriculture:

- (1) Is the Minister aware that in the legal opinion on the sale of the Midland abattoirs site Charles Francis QC said that it was possible that one of the members of the Minister's staff had committed perjury at a Select Committee of Inquiry?
- (2) If yes, would the Minister support an independent inquiry into the evidence given by the Minister's employee and others so that the truth can be established?

Mr GRILL replied:

- (1) and (2) Yes, I have read the opinion of Mr Francis QC, a Liberal Party hack from Victoria.

Mr Bryce: Hear, hear! And a very ordinary hack at best.

Mr MacKinnon: He happens to be a member of the National Party, in fact. That is how accurate your facts are.

Mr GRILL: I do not remember, and I am rather surprised that the member should allege, that within that opinion there was an allegation that someone on my staff has committed perjury. That is simply untrue. I do not know how he could possibly have made that sort of interpretation, and I would simply suggest he read the opinion again.

"BURKE'S SHAMBLES"

Accuracy

235. Mr LEWIS, to the Minister for Agriculture:

- (1) Following the report in *The West Australian* newspaper yesterday, 29 June, in which the Minister is quoted as saying that the book *Burke's Shambles* is substantially wrong in fact, can the Minister specify the facts which are wrong, bearing in mind that the book simply draws together the various evidence given by witnesses to Select Committees of Inquiry and the various observations of independent members of the media and the legal profession?

Mr Bryce: Are you on Mr Patrick O'Brien's mailing list?

Mr LEWIS: To continue—

- (2) If the Minister is unable to state the facts that he claims are wrong, is he prepared to apologise to the people whose evidence and observations formed the basis of the book and whom he has discredited by his remark?

Mr Bryce: A Liberal Party stunt!

Mr GRILL replied:

- (1) and (2) I thank the member for the question because I have not read a document or a book in the last few years which has been so substantially inaccurate in so many of the facts it endeavoured to present and which has been quite so biased in so many ways as has been that particular book in relation to the sale of the Midland abattoirs.

Mr Cash: You want to read your speeches in *Hansard*, because they would be about the same.

Withdrawal of Remark

Mr GRILL: Mr Deputy Speaker, I would ask that that remark be withdrawn.

The DEPUTY SPEAKER: By virtue of the interjections that were taking place at the time, I must say in all sincerity that I did not hear the interjection to which you refer. If the interjection was made and you would like to repeat to me what it was, I would request a withdrawal; but in all sincerity I could

not ask for the withdrawal of an interjection that I did not hear with my own ears.

Mr Gordon Hill: If he was man enough he would withdraw it.

Mr GRILL: I will not take the matter any further, but it was nonetheless quite unparliamentary and should be withdrawn. Let us not take it any further.

Questions without Notice Resumed

Mr GRILL: The book written by Patrick O'Brien is really a joke.

Mr MacKinnon: Are you giving us any of the facts?

Mr GRILL: I will tell members one fact if they want—a fact that was incorrect. There are thousands of them but one, for instance, was the fact that he said that I shared an office with Mr Campbell in Kalgoorlie. That is quite untrue. There were many other allegations of that nature. Another example is that Mr Trent said I had made certain promises to him, but I have never spoken to Mr Trent in respect of the Midland abattoirs matter. All sorts of things were incorrect and quite improper in respect of the book. I was not going to comment on the book, because by commenting on the book I only gave it some sort of credence. However, after some days of Mr O'Brien's going on air and in the Press endeavouring even before the book became available to the public to say that he was completely unbiased, I thought it was probably appropriate to endeavour to set the record straight to some extent.

Mr Peter Dowding: Is Paddy O'Brien the same bloke who was charged before the Senate of the University on an occasion?

Mr Bryce: Yes.

Mr Cash: You might ask the Minister for Agriculture if he was the same person who was charged in one of our courts. Let us get our facts straight.

Mr GRILL: It might well have been the one. He was the one so sensitive yesterday in respect of any criticism of the book, and who said in respect of our criticism of the book that we were engaging in some sort of character assassination; the same person who went

back 25 years to dig up facts improperly—and quite incorrectly stated in the book. I might add—to somehow endeavour to get a point across about the sale of the Midland abattoirs. Traffic convictions, or the dismissal of traffic prosecutions as happened in this case, had nothing to do with the Midland abattoirs. It was quite improperly raised in this book.

Mr Cash: Whose traffic convictions were they?

Mr GRILL: The member for Mt Lawley should read the book and find out.

Mr Cash: But you are not suggesting they were the only charges you faced?

Several members interjected.

Mr GRILL: I congratulate the member. I should never have read the book; I should have taken his advice and left it alone.

PASTORAL LEASE

Meda: Sale

236. Mr COURT, to the Minister for Lands:

- (1) Has the Minister approved the sale of Exim's pastoral lease known as Meda?
- (2) If yes, who was the purchaser?
- (3) Will the Government make the details of the sale public?
- (4) If no, has he been advised of negotiations for the sale of this lease by Exim?

Mr WILSON replied:

- (1) to (4) There has been no recommendation to me from the Pastoral Board, which is the normal course of events on these matters, and I can give the member no further information on that.

Mr MacKinnon: You must be the only one who does not know.

INDUSTRIAL RELATIONS POLICIES

Liberal Party: Effect

237. Mrs BUCHANAN, to the Minister for Labour, Productivity and Employment:

What material is available to the Minister to indicate the likely effect on the relations between workers and em-

ployers if the Liberal Party had an opportunity to implement its industrial relations policies?

Mr PETER DOWDING replied:

There are very few opportunities ever to test the policies of a political party before one finds that political party in office; and at the present time, given the fact that there is a Federal election imminent, it is difficult for the public really to grapple with the issue of which party is able to present the most believable industrial relations policy. It would be difficult, were it not for the fact that there is, in the statistics available to the community, a clear demonstration of the failure of Liberal policies in the industrial relations arena.

I was reminded of this situation when I read a Press release from the Leader of the Opposition's office recently suggesting that Western Australia had a very poor record in industrial relations. I take this opportunity to remind the House that when the Liberals were in office, the 12 months to February 1982 produced in Australia 835 working days lost per 1 000 employees, compared with 293 for the 12 months to February 1987 in Western Australia. Members should compare 586 in February 1982 in Western Australia with 293 in February 1987; they should compare 314 in February 1983 with 293 in February 1987.

What is important about the figures for the 12 months to February 1987 is that they include the one demonstration of the implementation of Liberal Party industrial relations policies. That was, of course, the Robe River dispute.

Mr Court: It has been the saviour of the north.

Mr PETER DOWDING: Of course it has, according to the member for Nedlands. The Robe River dispute produced 44 740 working days lost. If ever there was an illustration of the mechanisms of the implementation of Liberal Party industrial relations policy, it can be seen from that figure. That represents roughly 30 per cent of the total man days lost in Western Australia during that period. The

people of Western Australia can see that if they go for the Liberal Party in the coming Federal election and its policy is implemented, they will get that sort of result in terms of lost productivity. The people of Western Australia have suffered nearly 45 000 days of lost productivity as a result of the implementation of Liberal Party policy. There are few opportunities for the community to suck it and see; let me remind the people of Western Australia that this is what that lolly will produce.

SCIENTIFIC EXPEDITION

Kimberley Disruption

238. Mr BLAIKIE, to the Minister for Aboriginal Affairs:

- (1) Will he ensure that Aboriginal groups do not prevent the endeavours of the Royal Geographical Society and the Linnean Society of London from staging a joint Australian-British scientific project in the Kimberley district next year concentrating on botanical, zoological, ecological, and geomorphological exploration?
- (2) As the endeavours of a very prestigious group known as the Kimberley 200 Committee are aimed at recognising the 1988 bicentenary of Australia and the 300th anniversary of the landing by William Dampier on the Kimberley shoreline, and this project will represent a major scientific contribution not only to Australia, but Western Australia in particular, what action is the Minister and the Government taking to ensure this project succeeds?

Mr BRIDGE replied:

- (1) and (2) Discussions have been held already. Only in the last few weeks I had Ron Davies ring from London in respect of some aspects of this plan, seeking a response from me as to how they could assist in ensuring there was a minimum of concern, anxiety, and

disruption. Plans are being put in place by the Government, the people of the Kimberley, and the group involved to address all those sensitive areas that might be touched upon by this matter.

I suppose it is reasonable to say to the House that I do not expect there will be any problems, but one cannot go beyond that and one cannot be sure what might occur when the studies begin in the Kimberley. They are factors which will need to be considered at the time.

Mr Blaikie: Is it a major project for Western Australia?

Mr BRIDGE: We see its importance. We are as keen as anyone to see that, however it is done, it will be in such a way that everybody associated with it adopts a sensible and constructive approach. That is as much as I can say. That is the only assurance I can give tonight. We are looking at all the areas of sensitivity. There have been discussions with the Aboriginal people in the Kimberley and with the group coming out here, and at this stage we do not anticipate any problems. That is the state of play currently, but one can never be too sure what might happen afterwards.

Mr Blaikie: Has the Government given the green light for the project to go ahead?

Mr BRIDGE: As I understand it we have done that but there are certain conditions that we put in place. I have tried to be as definitive as I can in answering the questions by saying that a fair amount of discussion has taken place to look at the areas of sensitivity. As I understand it, general agreement has been reached upon how this whole thing will proceed. In the conduct of that the Government has given the green light, as the member terms it, with certain conditions which are considered necessary and which are to be understood by everybody involved. That is as far as I can go tonight.