

Legislative Council

Thursday, 12 August 1993

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

PETITION - WITTENOOM

Fortescue Hotel, Closure Reconsideration; Nevill Report, Recommendations Adoption

The following petition bearing the signatures of 668 persons was presented by Hon Mark Nevill -

To: The Honourable The President and members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

WE, the undersigned citizens of Western Australia who are "Friends of Wittenoom" request the Legislative Council to call on the State Government to:

1. Reconsider the decision to close the Fortescue Hotel and demolish all Government buildings in Wittenoom.
2. To adopt the principle recommendations of the Nevill report "Inquiry into Asbestos Issues at Wittenoom".
3. To that purpose, Mark Nevill MLC and Alan Rogers to address Cabinet on the report of the "Inquiry into Asbestos Issues at Wittenoom".
4. To transfer title of the Fortescue Hotel and other Government buildings to the Shire of Ashburton.
5. To promote tourism in the Karijini National Park which is a world class attraction.

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

[See paper No 506.]

STATEMENT - BY THE PRESIDENT

Channel 7, File Footage

THE PRESIDENT (Hon Clive Griffiths): Questions without notice will be taken at 4.00 pm today. I remind members that we have agreed that on this occasion Channel 7 will be permitted to take some file footage without sound.

Hon Graham Edwards: Is there any chance that anyone could be suspended by way of replay of any of the film that the channel takes?

The PRESIDENT: As the honourable member knows, a procedure exists for asking the President a question. The member should drop me a line.

Hon Graham Edwards: I withdraw the question.

MOTION - SELECT COMMITTEE APPOINTMENT

Waste Minimisation, Waste Storage and Disposal

HON DOUG WENN (South West) [2.34 pm]: I move -

- (1) That a select committee be appointed to inquire into and report not later than 1 March 1994 on waste minimisation, waste storage and disposal, in the State and in particular -
 - (a) methods of treating, storing, managing and disposing of waste;
 - (b) regulation and control of waste including self-imposed regulation or control;

- (c) environmental, including occupational health, safety and welfare, issues relating to waste and its categorisation;
 - (d) incentives that are or might be made available to local government and the private sector to encourage efficient management and control of waste disposal.
- (2) The committee have power to send for persons, papers and records.
 - (3) Subject to the right of the committee to hear evidence in private session, the proceedings of the committee during hearing of evidence to be open to accredited representatives of the news media and the public.

Members, particularly those from the country - I am not sure about those from the city - will realise that waste disposal is a major problem for shires and councils throughout the State. My move to bring this motion before Parliament is not taken lightly. As my colleagues will realise, it has taken me about four years to get it here. I have discussed this matter seriously with the shires in my region. I was surprised from the response I received. I have received a great response from everyone to whom I wrote about this matter. One of the letters I received was from the Shire of Collie, and it states -

I refer to your letter dated 12 July 1993 advising Council that it was your intention to submit a motion to Parliament calling for a Select Committee to be appointed to report on waste minimisation, waste store and disposal in the State.

As you would be aware, Council has been investigating ways in which to effectively manage its waste disposal methods and your proposed motion to Parliament deals with many issues that Council has been grappling with. Council at its most recent meeting wholeheartedly supported the proposed motion.

On behalf of Council I would like to thank you for taking this matter further and I trust that the Select Committee will be appointed.

I received a similar response from all the shire councils to which I wrote. Many individuals also came to me in response to what they had heard I was proposing. The Collie Shire Council has a major problem with the storage and disposal of waste. As members would be aware, that council has been investigating ways of disposing of waste. However, it is not always feasible to dispose of waste.

Hon Sam Piantadosi: It sits on the water mound.

Hon DOUG WENN: All the suggestions received suggest that some of the disused coal mines could be used as waste disposal sites. That would be a total disaster as a way for us to manage our waste.

Hon Peter Foss: It is waste minimisation.

Hon DOUG WENN: I will cover that. It has been made clear to me by one of my colleagues on this side of the House that many reports have been conducted on this issue throughout Western Australia. Waste disposal is an Australia wide problem. Often the people who conduct those reports get a story for two or three days in the Press and the reports are then put away. All the reports completed on waste management in Western Australia have not come together as one. If the proposed select committee can achieve that it might be in a position to offer recommendations to local government on how to handle waste disposal. The proposed committee would inquire into domestic and commercial waste, which includes chemicals, and I will come back to that later.

I will refer to my motion in detail to outline the areas I envisage that the proposed committee would investigate. Paragraph (1)(a) refers to the methods of treating, storing, managing and disposing of waste. The committee could start deliberating on the problems associated with sewage disposal in this State. The Australian mentality is that if one cannot use an item it can be disposed of by burying it, but sewage is disposed of by pumping it out to sea. I can assure members that if they were divers they would understand that it is not a pretty sight. Sewerage systems around the world have been refined and in some instances the sewage is recycled as drinking water and the solid waste is combined with chemicals and used as fertiliser.

I enjoy watching scientific programs on television and recently I watched a program titled "Making steel out of sewerage". The program revolved around the activities of BHP, which had employed Professor Warner, who is 80 years old, to investigate how to best utilise waste management. For instance, BHP recycles sewage and the recycled product is used in its steel mills. I am unable to explain to the House how that process occurred, but the program was a mind bender. It illustrated the problems that are created by pumping sewage into the ocean. I have not had the opportunity to swim at Bondi Beach, but I understand it has a huge problem which must be controlled. I hope that through the proposed committee we - I say we because I hope to be nominated to serve on it - will be in a position to encourage the Government to give consideration to better sewage treatment management.

Paragraph (1)(b) of my motion deals with the regulation and control of waste. We have a huge problem in this State with polychlorinated biphenyls; asbestos, which is a major issue; and uranium, the dreadful stuff that is pulled out of the ground and sold to other countries which try to give it back to this State. PCBs should be disposed of in an appropriate manner. I am continually saying to people that we create waste from raw materials but cannot dispose of that waste in the proper manner. If the proposed committee were to be appointed I would urge it to investigate this thoroughly. I said at the outset that Australians have the mentality that if waste cannot be hidden it should be broken down and buried, but that has created a huge problem. I represent the Bunbury region and the Shire of Harvey and the City of Bunbury have amalgamated their resources and have established a joint rubbish disposal site. The two shires should be congratulated for their efforts in operating a joint rubbish tip, the establishment of which has eliminated the smells which emanated from the previous rubbish tips in Bunbury. I acknowledge that after the recycling process a certain amount of waste is left and generally it is buried.

Hon Sam Piantadosi: Is the new rubbish tip lined?

Hon DOUG WENN: No, it is not. It has been established in a sandy area.

Hon Sam Piantadosi: What about leaching?

Hon DOUG WENN: There is very little water in the area. The cost to the appropriate authorities in collecting waste is huge and is met by the residents. The people of Bunbury have been supplied with magic green bins, but they have been charged \$80 per annum for that facility. This is an added cost to items purchased simply because the packaging has to be disposed of. It is a major problem.

Last week the Deputy Premier launched the Recycle '93 seminar in Perth to launch the State's recycling blueprint, a plan to halve the amount of waste sent to landfill by the year 2000. The seminar produced a number of recommendations, one of which was that local authorities should charge householders according to the amount of rubbish generated and should collect recyclable materials free of charge.

Hon Peter Foss: That is a good idea.

Hon DOUG WENN: It is, but it raises questions. Another recommendation from the seminar is that people should be encouraged to compost garden waste as part of a campaign which would ultimately stop the material being collected as rubbish. It is a great idea, but what about the people who live in flats and home units? They do not have the facilities to compost waste to use in gardens. It all comes back to cost. I am not knocking these recommendations; it is wonderful that people are considering this subject and are suggesting ideas.

The seminar also recommended that charges for using landfill disposal sites should fully reflect the cost of operating, rehabilitating and replacing the sites. That is happening with the Bunbury-Harvey joint rubbish site and I understand it happens with most of the city rubbish disposal sites. For example, a householder can dump rubbish without charge for a limited number of times and after that he is charged.

The report also contains recommendations on how to reuse car tyres, as well as a number of other recommendations. Last week I asked the deputy president for a copy of that

report, but it was not forthcoming. I am a little critical of the recommendations in the report, but I commend those who compiled it for having a go because that is what it is all about - inviting private enterprise to be part of the recycling system throughout Western Australia.

Recycling already occurs in the south west where South West Waste Disposals Pty Ltd handles the waste from almost every town. I understand that Germany subsidises the transport of huge amounts of paper to Indonesia for recycling. This places a strain on recycling in Australia and other parts of the world. We should be considering how we can stockpile paper. I have spoken to the manager of South West Waste Disposals who says that he has so much waste that he cannot store it so it must go to the rubbish dump. He charges people for disposing of that paper and that income is added to the bonus he gets from recycling paper. It may be that the community should look at a situation similar to the one applying to wool and some other items which are kept in storage sheds until the world market is ready for them.

The real answer to this problem is downstream industry; in other words, having steel mills, paper pulp mills and similar industries in this country instead of sending our waste overseas and then importing it as a product. Regulations and controls related to waste recycling are something that the proposed committee could look at. We have set in progress the elimination of chlorofluorocarbons in Australia in an attempt to remove their greenhouse effect. This is a world problem. If this proposed committee made recommendations they could be put forward by us as legislators in Western Australia.

I have brought this matter before the House because it is time that we, as legislators, did something about this problem and stopped leaving it to people who do not have the resources to attempt to solve it. This should start with Government. One of the problems with recycling is the "plastic magazines" as they are called. I have a number of glossy magazines which come into that category: *Electricity Supply*, which comes in a plastic bag; *Real Action*, which is about tenancy action; *WA Retail Training; Guide to Training Programs and Services*; *Western Australian Tourism Commission*; and *Western Post*. The banks have also got into this area with their glossy newspapers. Telecom, Westrail and the Auditor General all have similar magazines, and it goes on and on. I have about 15 such magazines which I received at my office in one week.

Hon Derrick Tomlinson: How many tonnes of books does the member think were generated by the previous Government?

Hon DOUG WENN: I do not care what was generated by the previous Government, but I do care about what is generated by this Government from now on because it is the Government and that is the way it is. It may be that we, as legislators, can move there will be no more glossy magazines in this State.

Hon Derrick Tomlinson: Ha, ha, ha.

Hon R.G. Pike: The member's reading will be severely restricted without the pictures.

The PRESIDENT: Order!

Hon DOUG WENN: It may be that Hon Bob Pike, the Parliamentary Secretary who does not know what he is doing is right when he says that I look at the pictures. However, I made the point to a friend of mine the other day when he said that glossy magazines provide better colour pictures than if one looks at *The West Australian* one sees that it has no trouble getting colour into its pictures on ordinary newsprint paper. This may seem far fetched to members opposite, but it is something which we can consider and about which the committee may perhaps be able to say, "Let us regulate. We have done it with CFCs, why can we not do it with plastic paper to get rid of it?"

Some members on the Government side who go shopping with their wives regularly in major stores, as I do, would have noticed that one of the signs seen frequently says "environmentally friendly toilet paper" yet that paper is wrapped in plastic.

Hon A.J.G. MacTiernan: You are not going to recycle that are you?

Hon DOUG WENN: No, that comes from other recycled paper. However, this paper is

wrapped in plastic, which completely defeats the purpose of making it environmentally friendly. Members opposite can be jovial about these matters, but the serious side relates to the safety and welfare of people. My friend in the south west has a recycling company which uses a conveyor belt system which comes under the safety and welfare provisions of the Act.

Some members may be aware that I went overseas last year and on the way back dropped in at Los Angeles to see some people about recycling. One small factory I visited was handling 4 000 tonnes of waste each day, and it hopes to expand that to 6 500 tonnes each day by the end of this year. By the year 2000 it will be handling over 15 000 tonnes of waste each day. It had a huge conveyor system and little material was wasted. Garden waste was mulched or put through a shredder or chipper and put aside to be sold as fertiliser after additives were included. About 50 or 60 people were working three shifts a day on the conveyor belt. The noise was horrendous. If people get into recycling waste to that massive degree they should be looking at the safety and welfare of the people working in the industry.

In addition, the fumes coming from waste recycling are heavy, as people who take rubbish to the dump would know. If we do get a company up and running this sort of recycling business we must ensure it is people oriented. The company I visited last year had millions of dollars worth of machinery sitting idle because it found it was not thorough enough and had returned to using people to do the work. That must be looked at as it is a great thing that people can be employed.

One of the good innovations in Western Australia recently was implemented by a small company which put down a pipe to draw off the gas produced from an unused rubbish tip which it uses to generate 20 megawatts of electricity which is fed into the State grid. No reason arises why we should not be considering that sort of activity. In America hundreds of acres of dump land in one area are being used in the same way to turn out hundreds of megawatts of power which are supplied to the State. There is no reason why that should not happen in Western Australia. It is something I would like a committee to consider.

If I could use the statement "I have a dream" it is that in time - and it will cost much money - there should be no waste buried anywhere and all waste will be totally recycled. I have spoken to many people about this who have said this dream is way down the track but is worth looking at. To implement that dream everything must be broken down. Paper would have to be thoroughly sorted and sent to waste paper factories. Scrap metal, plastic and materials of similar nature along with food waste would also have to be broken down. This sounds like a very far fetched idea, but we could even have a giant compost bin converting gas into electricity and providing power to a small industrial area. It is a wild dream but it could happen; there is no reason why it should not.

Many studies have been undertaken into waste minimisation and the storage and disposal of waste, and many programs written about what should or could be done, but they have not really come together. I encourage this select committee to amalgamate all those studies and, in consultation with the authors of those reports, to attempt to provide a single report which can be of benefit to all Western Australians. Unfortunately, our select committee system does not allow us to appoint people from outside the Parliament as members of those committees. I have suggested that the committee comprise three members of this House because that would enable it to be very mobile and to meet more easily. I would have liked to see representatives of both local government and private enterprise on the committee; however, the committee can call such experts to give evidence and use their experience and knowledge. Paragraph (3) of the motion is self-explanatory.

Many people have encouraged me to move for the appointment of this select committee into waste minimisation, storage and disposal, including John Cooper from the Busselton Shire Council, who is also the south west representative on the State body of waste management, and Len Cainegia, the Shire Clerk of the Augusta-Margaret River Shire Council. I spoke to Len for about one and a half hours on this issue and he told me that

at one time, because of the diversity of towns there, his shire had 23 rubbish tips within its boundaries. Through good management that number has been reduced to 13; Len would like to see it reduced further to nil, but as that is not feasible he aims to cut the number to a minimum of four. He and his shire have worked hard to do that. I have also been encouraged by Peter Clarke, the Acting Shire Clerk of the Collie Shire Council, who wrote the letter I read to the House earlier. He agrees that the committee should be set up, and hopes it will achieve all it sets out to do. I mention also Jim Tollmachoff, who represents private enterprise and who foresees that, in time, local councils will have no responsibility for waste. However, that will take time, and it will be a huge project for whoever wants to tackle it. In fact, some countries have almost no waste disposal problems. If we are to achieve that, it will mean the expenditure of big money. Perhaps through this select committee we will be able to recommend to Governments and local councils that it is worthwhile to advance funding to assist someone to achieve that goal.

Waste minimisation, storage and disposal is an enormous problem in this State and it is time that we as legislators examined it and considered legislating to help resolve the problem - not monetarily, but by way of recommendations and facilities. Although a bit of frivolity has taken place here today, I hope members will treat this matter seriously. I commend the motion to the House.

HON P.R. LIGHTFOOT (North Metropolitan) [3.04 pm]: I cannot give Hon Doug Wenn any assurance that the Government will support the establishment of a select committee into waste minimisation, storage and disposal, but I am very interested in the subject, as are all Western Australians. However, I wonder why the motion does not place more emphasis on uranium waste.

Hon Doug Wenn: I did mention that.

Hon P.R. LIGHTFOOT: I believe the member said that uranium was "dreadful stuff that we keep pulling out of the ground".

Hon Doug Wenn: And sending overseas.

Hon P.R. LIGHTFOOT: We have not pulled it out of the ground - "mined it" might be a better term - in Western Australia for many years, mainly due to the three mines policy of the Hawke Government, perpetuated by the Keating Government. Had we mined it, more emphasis might have been placed on uranium waste in this motion.

Hon Sam Piantadosi: Is there no radioactive waste here in Western Australia?

Hon P.R. LIGHTFOOT: Yes, there is some quite low level radioactive waste.

Hon Sam Piantadosi: There is a considerable amount, from hospitals.

Hon P.R. LIGHTFOOT: Hospitals do generate radioactive waste, and I would have thought that the establishment of the committee proposed by Hon Doug Wenn would present an opportunity for the Parliament to examine problems with waste of all natures, particularly radioactive waste. I say that because I am a strong advocate of the Lucas Heights nuclear research facility's being transferred to Western Australia's goldfields.

Hon Graham Edwards: You should have gone across with Hon Phil Lockyer and Ian Taylor.

Hon P.R. LIGHTFOOT: Yes, I should. I know Hon Phil Lockyer supports that facility's transfer to the goldfields.

Hon Graham Edwards: I understand they had a very good trip.

Hon P.R. LIGHTFOOT: Yes. This select committee could pre-empt the decision as to whether the Federal Government will transfer the facility to Western Australia. It would be ideally situated in the goldfields, but I do not want the committee, or this House, to be seen as a place that has some significance with regard to the dissemination of information on nuclear power and the waste it generates. For instance, it is rather a pity that the uranium about which Hon Doug Wenn spoke was not dug out of the ground, as that has cost Western Australia billions of dollars. For instance, in the early 1970s Western Mining Corporation Ltd built a pilot plant in Kalgoorlie, which I think cost \$30m in

round figures in those days, to treat uranium from a substantial deposit at Yeelirrie. When Whitlam came to power he brought in a policy of not exporting uranium at all, which meant that vast resource died. There is some low level radioactive waste at that resource of substantial tonnages at Yeelirrie, but Whitlam's policy did not stop the proliferation of the bomb as it was intended to do - the philosophy was quite plain. Nor did it stop the burgeoning of nuclear power plants throughout the world. What it did was to stop the development of a bona fide mine in Western Australia and the royalties that would have flowed back to Western Australians as a result, and we were penalised for it. That policy was perpetuated under the misguided concept that a three mines policy in Australia somehow would stop the proliferation of nuclear weapons.

This proposed committee deserves some support, but it is a matter to be decided by my colleagues in due course. Unless members opposite give a firm undertaking to seriously consider the disposal of uranium - at low, intermediate and high levels - the committee might end up a farce. Our discovered uranium, and that yet to be discovered, should be exported and export licences should be granted. Therefore, we should look at its waste minimisation, storage and disposal.

Over the years we have perfected a method of storing radioactive waste. In fact, a Western Australian company has United Nations support for storing radioactive waste in the Commonwealth of Independent States, as Soviet Russia is now known. This method is titled Synrok, by which radioactive waste is combined with, and ultimately secured into, a geological substance closely emulating natural rock. This could be further developed at the Mt Walter toxic disposal site to the east of Southern Cross.

Western Australia has been emasculated by the transfer of power to Canberra, and we have no say in what we export. If we did, I am sure that over the past 15 or 20 years substantial amounts of uranium would have been exported. In that case the Namibian, formerly South West Africa, Rossing mine would not be the largest uranium mine in the world. Australia is the Saudi Arabia of uranium. We have approximately 30 per cent of the known uranium reserves in the world, yet the generic figure for our exports is approximately 10 per cent of the world market, which is ludicrous. Canada has about 10 per cent of the world's reserve of uranium, yet it exports about 30 per cent of the world's market. Therefore, the funds entering Canada for these years through this market could have been flowing into Australia. Canada has no problem with waste disposal, and has 20 nuclear power plants. We often compare ourselves with that country. Although slightly off the subject of the motion, Canada has completed building a substantial part of its hydroelectric scheme, known as HydroQuebec, which proposes to produce in excess of 25 000 MW of power. In this State we are arguing about 300 MW! This massive generation scheme does not include the 20 nuclear plants in operation in that country. Also, power swapping takes place between Canada and the United States of America, which has 110 active nuclear plants, some of which sell power for 1.5¢ a kilowatt hour on the national grid. However, we are the Saudi Arabia of uranium - a wonderful, clean source of power.

Hon J.A. Scott: What about Chernobyl?

Hon P.R. LIGHTFOOT: I know about Chernobyl and Three Mile Island, and that is why we should consider the proposal very seriously. I am also aware of the Turkish disaster in which 400 miners were killed in one underground coalmine explosion. Thousands of people do not lose their lives through nuclear power, uranium mining or uranium enrichment. Such power generation is the sensible way to go. Political expediency was evident in South Australia when the resource was used to return a Premier to power. The Olympic Dam project and a uranium mine were given the go-ahead in spite of the Australian Labor Party's policy not to mine or export uranium.

Points of Order

Hon GRAHAM EDWARDS: Mr President, I draw your attention to the motion we are debating. Are the member's comments entirely directed to the motion?

Hon P.R. Lightfoot: May I speak to the point of order, Mr President?

The PRESIDENT: No, the member may not. I have been out of the Chamber on business, and on my return I wondered whether we had changed the item before the Chair. I have just read the motion to determine what it is we are discussing. I suggest that the member return to the motion. The only place within the motion that I can see reference to power is where it states that the committee should have power to send for persons, papers and records. At least the member should occasionally mention the motion.

Hon SAM PIANTADOSI: It is obvious from what has been said by the Leader of the Opposition and by yourself, Mr President, that we should consider Standing Order No 81. This would cater for the member, taking into account his condition.

The PRESIDENT: That is not a point of order. Hon Ross Lightfoot strayed from the subject matter of the motion, to which I suggest he return.

Debate Resumed

Hon P.R. LIGHTFOOT: I was mentioning uranium because it perceptibly has the most important position in Hon Doug Wenn's motion. We should not continue to disregard this resource. However, I take note of your advice, Mr President. We should not disregard the subject on which I dwelt for a few minutes. The Lucas Heights research facility, which may come to Western Australia, generates waste. If we go ahead with the committee this subject will become entwined with the committee's inquiries and the answers it delivers to this place. The nuclear power industry is entwined with the subject of waste, which is one of the great inhibitors of such power generation throughout the world.

Hon Doug Wenn: The committee will refer to hospital waste.

Hon P.R. LIGHTFOOT: I am trying to support the member's motion. We should look at uranium more seriously. Hon Doug Wenn said that uranium was dreadful stuff to keep pulling out of the ground. Firstly, uranium is not dreadful stuff, as it saves many lives; secondly, regrettably we do not pull it from the ground - although we should. Therefore, we must consider its waste disposal well before the position arises in which so much uranium waste is generated to cause concern. That is why I lingered on the subject of uranium, which is an essential power source; if that is not recognised, we will be losers. If the nuclear research facility comes to Western Australia, it will generate waste. If that is the case, we will need to consider it and its disposal.

HON J.A. SCOTT (South Metropolitan) [3.19 pm]: Unlike Hon Ross Lightfoot, I do not want to dig up uranium; I want to talk about waste disposal. Firstly, when we examine waste disposal, minimisation and storage we should consider what we do in this House - one should always look at home first. It is my understanding that very little is done in this House to recycle paper or to follow any similarly environmentally sound practices. We do not have air-conditioning but that is for another reason. The first place in which we should institute sound environmental practices is here.

Secondly, as far as I know we have 127 incinerators in this State which are not covered by any guidelines or controls; it is left to the operators to decide what they will burn and when. Much more is involved in the disposal of waste than cost savings, sickness prevention and so on. The United States of America is now shipping waste from New York to countries such as the Marshall Islands, where it is filling the atoll with waste.

Hon P.R. Lightfoot: We cannot do much about that here.

Hon JIM SCOTT: It is costing the US \$8 a tonne to get rid of it. I am not suggesting we nuke it either!

Hon John Halden: That is the end of Hon Ross Lightfoot for the day. He has been stumped by a new member; his ego will not stand it.

Hon J.A. SCOTT: Many problems arise at waste tips; for instance, at the Stirling tip people refuse to pay rates because of the odours and seepage into the groundwater caused by the waste. Another example is Sir Charles Gairdner Hospital, where radioactive isotopes are washed down the sewer. When the problem was discovered the people concerned thought they would fix it by adding a bit more water.

Hon P.R. Lightfoot: These radioactive isotopes only have a very short half life.

Hon Sam Piantadosi: I will tell you a bit more about that later.

Hon J.A. SCOTT: Although it might seem to Hon Ross Lightfoot a good idea to dig up uranium here, I do not go along with that idea. I understand that at the moment the Synrok solution is being used at Mt Walton. At this stage I do not think the evidence that Synrok will be a long term solution is conclusive.

Hon P.R. Lightfoot: It is, and that is the whole point. It is the best long term solution we have.

Hon J.A. SCOTT: It is not a proved long term solution, unfortunately.

Hon P.R. Lightfoot: It is a proved long term solution and is used in a great many countries.

The PRESIDENT: Order! The best solution would be for the interjections to stop and Hon Jim Scott to tell us.

Hon J.A. SCOTT: The greatest problem of course is in areas in which we produce too much waste. Most people look to the idea of getting rid of waste once it has been produced. However, the problem is best treated by not producing it in the first place. We must look at what is happening in our supermarkets, where packaging is huge and attractive in order to induce people to buy the products because they believe that the packages are full, when they are not. Another solution is to stop using wrapping materials that are not recyclable. People in the community are beginning to become much more aware of these problems. In our society we tend to seek the most efficient methods of doing things. For instance, to dispose of our organic waste, people are considering buying a very large American built truck which will pick up organic waste. Only one man is needed to operate the truck and take the material to a council tip to be composted. People can then pick up the compost and put it on their gardens. However, it would be far more cost effective for people to have their own composting arrangements in their back gardens. That would also save a great deal of energy.

Paragraph (1)(d) of this motion reads -

incentives that are, or might be made available, to local government and the private sector to encourage efficient management and control of waste disposal.

That is a very important factor. At the moment, rather than incentives, the community is being given disincentives. The incentives are not working; in fact, they are working in reverse. For instance, there should be more incentives for manufacturers to develop more recycled paper. Although this touches only partly on the subject, incentives should be developed to encourage the plantation of paper producing forests.

We should remember that one of the major differences between other cities and our city of Perth is that we now get most of our drinking water from ground water. When problems arise with our ground water, we are in a much worse position than people who collect it from the surface. Our present ground water supplies are very much under threat. In Jandakot, very unwise decisions have been made which have allowed a considerable amount of building to take place on the Jandakot mound. We have also had proposals from the Federal Government to extend the airport land on the Jandakot mound. It is intended that golf courses be developed on that land, and the resultant use of fertilisers will create many problems for the water table because they will find their way down to the water. In Perth, in future, our ground water will be our most precious commodity, so we must be very careful with it. In the north, rubbish tips have been built on top of ground water supplies without very much thought having gone into their placement, despite many objections from people who knew better. Petrol stations also have been built close to many of our ground water supplies. Stricter controls should be in place to prevent their waste from finding its way into our drinking water. Both directly and indirectly, waste is costly to our community. If we do not make an attempt to deal with the disposal of waste in the most efficient ways possible we will be failing the community.

The PRESIDENT: I can hardly hear the member because there is too much audible conversation.

Hon JIM SCOTT: We must examine more comprehensively the methods of storage and disposal of this waste. In Australia we have been very lucky with the many innovative ideas which have come forward for waste disposal.

Some of these ideas have been sold overseas for very good money. When we consider programs for the investigation of waste we should always remember that the technology that goes with these innovations is very useful as a method of providing employment and an export income.

As I said before, the regulations are rather loose at the moment, with no regulation on chimneys for example. Very little consideration is given to the siting of Federal airport operations in association with other facilities that go near airports, especially when different State departments are working against keeping our ground water clean, such as the Department of Planning and Urban Development's opposition to the establishment of the Beeliar regional park. On the one hand, the Department of Planning and Urban Development says it will be okay if more building -

The PRESIDENT: Order! I intend leaving the Chair early until the ringing of the bells. I would normally do that in 15 minutes time. I do not want to alarm members but there is a strong suggestion that we might be on fire because I can smell smoke. The House Controller is coming up to have a look at it to see whether there are any problems.

Sitting suspended from 3.33 to 4.01 pm

[Questions without notice taken.]

MINES REGULATION AMENDMENT BILL

Third Reading

Bill read a third time, on motion by Hon George Cash (Minister for Mines), and transmitted to the Assembly.

ACTS AMENDMENT (STUDENT GUILDS AND ASSOCIATIONS) BILL

Introduction and First Reading

Bill introduced, on motion by Hon N.F. Moore (Minister for Education), and read a first time.

Second Reading

HON N.F. MOORE (Mining and Pastoral - Minister for Education) [4.39 pm]: I move -

That the Bill be now read a second time.

The issue that this Bill seeks to address - freedom of association - is one of the fundamental democratic rights and civil liberties. When the Labor Party came to power in 1983, the then Minister for Education, Mr Pearce, introduced a Bill to reintroduce compulsory guild membership in Western Australian tertiary institutions. That legislation has meant that students in this State are effectively compelled to become members of student associations. This Bill will remove the compulsion from Western Australian universities and restore students' fundamental right to freedom of association. This Bill seeks to do no more than acknowledge this Government's obligation to uphold internationally recognised democratic rights and freedoms.

Australia is a signatory to three international agreements specifically outlawing the practice of compulsory association. Article 20 of the United Nations Universal Declaration of Human Rights states that "everyone has the right to freedom of peaceful assembly and association". Australia is also a signatory to the International Covenant on Civil and Political Rights and the International Labour Organisation's convention concerning freedom of associations. These conventions specifically denounce the practice of compelling individuals to become members of associations. UN General

Assembly resolution 217(iii) of 10 December 1948, in addressing these statements on human rights, stipulates that "every individual and every organ of society should strive to secure their universal recognition and observance". Governments have an obligation to protect the rights and liberties of their citizens. As legislators, we have an obligation to uphold and defend those rights and freedoms which have been universally recognised, including the right to freedom of association. This right to freedom of association is not an abstract, peripheral concept; it is a right strongly supported in the platforms of the Australian Labor Party and the Liberal Party. The Liberal Party's platform states that "the Liberal Party vigorously advocates individual liberty and the right of freedom of speech, religion, organisation, assembly, procession and non-violent dissent".

Hon Sam Piantadosi: Since when?

Hon N.F. MOORE: Similarly, among its central tenants the Australian Labor Party's platform lists "recognition and protection of fundamental, political and civil rights including freedom of expression, the Press, assembly, association, conscience and religion". I might say, since when? I repeat: Recognition and protection of the right to freedom of association.

Clearly, both major political parties represented in this House support the basic principle which this Bill seeks to address; that is, no person should be compulsorily required to join an association against his or her will. Where a citizen is subjected to a compulsory requirement to become a member of any organisation, particularly one whose activities, aims and policies he does not support, that citizen's democratic rights are clearly infringed upon. Australian students are compelled to pay considerable sums of money each year, either in the form of a guild fee or a payment to a charitable body in lieu of that fee, before they are entitled to officially enrol in a tertiary institution. Although the facility for conscientious objection exists in Western Australia, students are still required to pay a sum of money, equivalent to the guild fee, to a charity. Although this option of conscientious objection offers students some element of choice, extracting the equivalent of a guild fee from students who choose that option simply amounts to the imposition of a fine for exercising a democratic right. As I have said in this place on other occasions, my chief reason for opposing a system of compulsory student guild membership is my opposition to any statutory requirement for a person to become a member of any organisation or effectively incur a fine for not doing so.

As well as allowing students to exercise their internationally recognised democratic rights, this Bill provides an opportunity for student organisations to enhance their performance by allowing them to operate and compete in an open and free marketplace. Currently, student guild administrations serve a captive market. While student guilds can continue to rely upon receiving a steady flow of funds annually, there is little, if any, pressure on those administrations and the groups or individuals who control them to perform in a responsible, responsive and accountable fashion.

It cannot be argued with any credence that legislation providing for voluntary membership of student guilds will amount to an attack on services which students need. Under this legislation, student associations will have the impetus to improve their performance and offer potential members a range of services and amenities which are responsive to their needs, reflect their interests and are cost effective in order to encourage student participation. This legislation provides a positive challenge to student guilds and their administrations. They have nothing to fear. All that this Bill seeks to do is remove compulsory student guild membership and allow students to decide for themselves whether it is advantageous to become members of a student association. Universities jealously guard their independence and proudly declare their support of the right to free inquiry and free speech; yet they are a forum in which people's basic right to freedom of association is ignored. Freedom of association is an elementary democratic right and should be afforded protection within the Statute book. I therefore call on all members to support this Bill as it is a reflection of an important principle which transcends party politics.

I commend the Bill to the House.

Debate adjourned, on motion by Hon Tom Helm.

JUDGES' SALARIES AND PENSIONS AMENDMENT BILL

Second Reading

Debate resumed from 6 July.

HON N.D. GRIFFITHS (East Metropolitan) [4.44 pm]: The Opposition supports the Bill. The Bill ends the doubt about the entitlement of a widower or widow of a judge to receive an adjustment of pension. It satisfies what is a reasonable test of retrospectivity; namely, it is legislation where the problem to be overcome is one of an error on the part of Parliament itself. It does not result in criminal penalties, nor does it affect the rights of parties inter se.

The **PRESIDENT**: Order! Members in the gallery who are holding up those placards are out of order. I suggest that they cease doing so if they want to return to the Public Gallery in the future.

Hon N.D. GRIFFITHS: This retrospective legislation is in marked contrast to other forms of retrospective legislation that have been foreshadowed by the colleagues of the members opposite in another place.

Question put and passed.

Bill read a second time.

Committee and Report

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

Third Reading

Bill read a third time, on motion by Hon George Cash (Leader of the House), and passed.

POISONS AMENDMENT BILL

Second Reading

Debate resumed from 3 August.

HON A.J.G. MacTIERNAN (East Metropolitan) [4.50 pm]: The Opposition supports the proposed amendments to the Poisons Act and the Misuse of Drugs Act contained in the Poisons Amendment Bill. The amendments provide statutory protection to personnel engaged in putting into effect Government approved needle and syringe exchange and distribution programs which were introduced into this State by the Labor Government in 1987. As the Minister said in his second reading speech, the programs have been an outstanding success. Western Australia has one of the world's lowest rates of immunodeficiency virus infection among intravenous drug users. The Minister also pointed out that HIV infection rates in this group are less than one per cent in this State. These results have been replicated in other places where needle exchange and distribution services have been conveniently located and properly publicised. For example, the city of Glasgow, which is a instructive case, now has approximately 28 000 persons using its exchanges annually. In that city the prevalence of HIV among drug injectors has fallen from around 10 per cent to one per cent.

The Minister agreed that it is necessary to make this incursion into prohibitionist policy to minimise harm to drug users and to the community at large. I note that this attitude contrasts markedly with the situation in the United States of America, where fanatical adherence to prohibitionist policy has prevented the introduction of any similar programs. The Minister provided the House with figures which show that cities in the US have HIV infection rates among injecting drug users of 50 per cent. The figures which have come to my attention suggest that the situation may be even worse than that. For example, in New York the infection rate in that group has reached 70 per cent. It has been suggested in the US that the main source of HIV infection there is through contact with intravenous drug users. This could perhaps explain the huge rise in the US of the infection among the heterosexual community.

Generally, the Opposition supports the Bill and considers it worthwhile. However, it fails to put in place all the protections that are necessary for the success of such a program. Drug users who go to exchange and distribution centres with used needles and syringes are still at risk of prosecution, by virtue of being found in possession of an implement which has been used in the administration of prohibited substances. This issue has been dealt with in other Australian States. In South Australia a regulation to the control of substances Act provides an exemption for syringes and needles to the general statutory prohibition on the possession of drug-related apparatus. In Queensland a person who has in his or her possession a syringe or needle which has been used in the administration of a dangerous drug and who fails to dispose of a hypodermic syringe or needle in accordance with procedures prescribed by regulation commits an offence. However, the drug misuse regulations set out a prescribed procedure. A person will not be subjected to the provisions of the Act if he gives a hypodermic syringe or needle to a person who is a medical practitioner, a pharmacist or other authorised person. Other authorised persons include people in authorised needle exchanges. The situation in both those States is that people travelling to exchange centres with their used needles are not under risk of arrest and prosecution.

The provisions I have mentioned are important if intravenous users are to be encouraged to participate in needle exchange programs. Anecdotal evidence strongly suggests that certain subgroups of intravenous users, particularly young males who perhaps are more inclined to meet with police officers, are very wary about carrying used needles and syringes in case they are intercepted by police. This reluctance is understandable and has denied to a substantial group the health benefits of the exchange program. It not only puts at risk those individuals who are not using it, but also threatens all those with whom they come in contact.

This is not a matter of HIV positivity, which in some respects seems to be well under control among intravenous drug users in Western Australia. However, as the Minister said in his second reading speech, hepatitis B and C are of grave concern among intravenous drug users and represent a major threat to the health of the community. We have an obligation to reduce that threat by removing the spectre of prosecution from those wanting to exchange used hypodermic gear to avoid the need of needle sharing. I understand that this development may be objected to by some members of the Police Force, but we have the responsibility to weigh up the risks with the health benefits that would accrue, as the previous Government did in 1987 when it introduced the needle exchange program. Obviously, other States have had the same problem but they have managed to resolve it and have found that the legislative protection given to users returning needles is working.

I ask the Minister to seriously consider expanding the scope of statutory protections contained in the Bill. The Opposition requests that the Committee stage of this Bill be deferred until next week to enable it to consider appropriate amendments in the light of the Minister's reply to this debate. It will give the Opposition the opportunity to discuss the Minister's comments with the constituency and to determine whether it should proceed with amendments either to this Bill or to associated regulations.

I have a few further comments related to the general HIV/AIDS policy. The Opposition supports the current program. It is interesting to note that many of the successful programs around the world, including the Glasgow program referred to previously, have combined various other services with the needle exchange service such as advice on safe injecting techniques and safer sex, first aid, and simple primary health care. In economically and socially depressed areas these have been successful programs. They have certainly assisted in rehabilitation and harm minimisation.

We should consider development of our service along such lines. I noted that the Minister commented by way of interjection last week that he was strongly in favour of harm minimisation programs.

Another matter we need to consider in relation to our AIDS policy is the position adopted by AIDS professionals around Australia and in particular in this State. It is their view

that we should consider lowering the age of consent for homosexual activities to at least 18 years. The Minister will recall when this legislation was put through.

Hon Peter Foss: I do remember that.

Hon A.J.G. MacTIERNAN: At that time the age of consent was changed by amendment to 21 years. It is the view of a considerable body of AIDS professionals and health professionals that a large number of the new HIV infections in this State are occurring among young gay men. Currently it is impossible for the professionals to target their HIV prevention legislation at those under 21 years of age. The reality is that many young men, both heterosexual and homosexual, become sexually active well prior to 21 years of age and education programs need to be targeted at them before then or at the time they become sexually active.

It is further suggested by these professionals that the current legislation has a negative effect on the self-esteem of young gay men and in that way affects their capacity and willingness to adopt safe sex practices. I know that these issues are contentious, but as important consequences for the health of our community are involved I hope that we can discuss them in a bipartisan manner and look forward to the Minister's considered comments on the matters raised.

HON PETER FOSS (East Metropolitan - Minister for Health) [5.05 pm]: I turn first to the question of whether protection is needed for drug users. I believe that is a misconceived idea. First, the principal way in which this needle program has been carried out has not been by way of needle exchange.

Hon A.J.G. MacTernan: As a point of information, I think there has definitely been a move towards needle exchange. Once the various groups started charging for needles there was a much greater incidence of needle exchange.

Hon PETER FOSS: I have the figures on that. The major basis for the supply of needles is Fitpacks. It was never intended that needles be exchanged. About 300 000 of these packs are supplied each year. The intent is not that needles be exchanged but that they be returned to the Fitpack and it be disposed of in ordinary rubbish. That is the thing we hope will happen.

The needle and syringe program is a program to facilitate the safe disposal of used hypodermic syringes. Therefore, it is still possible for a person, if the program is one involving the disposal of syringes, to plead section 36A; that is, being an act to facilitate the safe disposal of a used hypodermic syringe provided it is done in terms of one of these needle and syringe programs. The principal problem that led to this legislation is one not capable of being addressed by any of the suggestions in any other State; that is, that the reason people are likely to be prosecuted for selling these needles is because one can, by other evidence, show that the person to whom the needle is being sold is going to use it for an illegal purpose - that is, injecting an illegal drug.

If one has that sort of evidence against a person to whom the needles are being sold then presumably one would have evidence against him regarding the possible use of an illegal drug. That is what the person would be prosecuted for, not for having the needles.

Hon A.J.G. MacTernan: It involves being found with a used needle or implement that has been used for the administration of drugs.

Hon PETER FOSS: The opportunity is there to dispose of that needle. One does not have to produce a needle to be given a needle under this program.

Hon A.J.G. MacTernan: I agree that a large proportion is in that distribution program. There is also a considerable element that is in an exchange program.

Hon PETER FOSS: That can still be dealt with. If it is part of a program that would certainly be the case. It would never be acceptable for a person to say he had a needle as part of a program because it would then be almost impossible to prosecute any person who said they were doing it as part of a program.

Hon A.J.G. MacTernan: That is not necessarily a bad thing.

The DEPUTY PRESIDENT (Hon Derrick Tomlinson): Order! It would be better if this exchange occurred during the Committee stage of the Bill.

Hon PETER FOSS: If we had an acceptable program and not just an excuse for every drug user found with some injecting instrument to say he was going to participate in a program we could perhaps look at the matter. However, there is no way the Government will open up a loophole that can be used by anybody, whether or not they are participating in a program, as a way of avoiding prosecution. The terrible thing about that would be that we would not be minimising harm and would in fact be minimising our capacity to take action against people engaging in criminal activities under the Misuse of Drugs Act.

We are trying to reduce harm. If we can do something that reduces harm I will support that. I will in no way support anything which would in anyway undermine the use of the Misuse of Drugs Act. It would be entirely unacceptable to the Government to have an open ended opportunity for people to say they are participating in a program when returning needles when they do not have to return those needles as Fitpacks are available and allow disposal without exchange or return of needles. The police, in particular, would find their job impossible if people who happened to be found with a needle could merely say they were participating in a needle exchange program.

Hon A.J.G. MacTiernan: Has this been discussed with the Minister's counterparts in Queensland and South Australia?

Hon PETER FOSS: We have discussed the matter with the police. We found it would be counter productive to the present highly cooperative attitude between the police and the Health Department in relation to this program if it were changed. We have the power, if need be, to approve such a program. I do not foresee that occurring in the short term because I do not believe it could be done easily or in a way which would enable the police to carry out their work without some people using the program as a means for excusing themselves from prosecution. I do not believe we need to go further at this stage as a perfectly acceptable system is in place whereby people can obtain needles without a needle exchange program. In particular, I would prefer that they continue to get Fitpacks, because that is the major way in which they are being supplied and they are able to dispose of their needles safely without having to go anywhere else.

Hon A.J.G. MacTiernan: What is the cost?

Hon PETER FOSS: It is \$3.50 for a Fitpack of five needles. The important thing is that people do not share needles - that does not say they cannot reuse them. Harm minimisation must not be allowed to end up as merely an open ended excuse for people to get out of the possibility of being charged because they have been found in possession of a needle.

What does Hon Alannah MacTiernan say, for instance, in the case of a person who obviously has not participated in the program but who just happens to have used a needle and has been apprehended by the police? She would not suggest that under those circumstances the person should be excused, but if we were not careful in the way in which we drafted the program that person would be able to plead that as a defence.

Hon A.J.G. MacTiernan: We understand that, but it is a question of balancing the risks.

Hon PETER FOSS: I agree. The provision is in the Bill and it is open for that to occur. I do not believe that will occur, because of the difficulties I have outlined, but I see no need to amend the legislation as that provision is there if need be. Our proposal is that we deal with programs for the supply of needles; that is our preferred way of doing it. It appears to be working well; it has worked well in the past even without this legislation and I believe it will work even better with it. Why one would want to go a little further and undermine the position of the police totally, I do not know. Hon Alannah MacTiernan may be able to persuade the police and the health authorities that a program for the return of needles should be included in the legislation, and if she is able to persuade everybody to that effect perhaps such a program would be allowed by the Commissioner of Health. However, to demand that as a prerequisite for passing the

legislation will defer the day when the legislation comes into effect and we can start giving protection to pharmacists and other health workers, who are the people I principally wish to assist by these provisions. This program has worked for some years now without the slightest statutory protection to either party. The people I am concerned about are not the drug users but the health professionals. I also regard the position of the police as important, and I do not believe we should undermine their position. It is probably best to wait and see how these provisions work in practice. This is not a major exchange program, and the Bill does not even refer to exchange programs.

Hon A.J.G. MacTiernan: But your second reading speech does.

Hon PETER FOSS: Yes, but the Bill is not predicated on there being an exchange program.

Hon A.J.G. MacTiernan interjected.

Hon PETER FOSS: Yes, and that can still occur, because I do not think we need to undermine the police in this respect. The whole point of this Bill is to protect the position of health workers and pharmacists. It is not intended to protect the position of drug users. It could, if we felt it was helpful, allow a program where needles were delivered up, but at present that is not intended.

Hon A.J.G. MacTiernan: The program does not work unless the police turn a blind eye, and you are saying you want to legitimise this. We are saying that if you want to legitimise it, let us legitimise it more thoroughly and more completely.

Hon PETER FOSS: No, the program works so far as the health professionals are concerned, because the police do not prosecute them. I am very pleased that that is the case. I am not intending to protect the drug users.

Hon A.J.G. MacTiernan: But seriously, would this program work?

Hon PETER FOSS: We will see in due course whether it works. However, as I have said - and Hon Alannah MacTiernan does not seem to have heard it - the provision is in the Bill. No matter what she says, it is already in there. If she wants to read the legislation as if it did not contain paragraph (b) of the definition of "needle and syringe programme" she may do so, but it is in there.

Hon A.J.G. MacTiernan: That is a very apathetic attitude.

The PRESIDENT: Order!

Hon PETER FOSS: That is fine, but it is in there. I certainly do not intend to amend it and I would like to get this legislation passed in order to protect the people we intend to protect.

I turn now to the safer sex program and programs for injecting drug users. Those programs are already in existence, so we are making certain that people who inject drugs are given information as to proper sterilisation and other practices. Much literature has already been disseminated in those forms and we are now looking at a general program to promote safer sex. My views on what is euphemistically called lowering the age of consent for homosexual acts are well known; I do not agree with it. I do not consider that it even makes sense to talk about lowering the age of consent because it totally misunderstands what the legislation and the amendments are intended to do. Hon Alannah MacTiernan and I are not on the same wavelength about that and it is not worth my continuing to discuss it. If the member bothers to read even the most vociferous supporters of that move she will find that even they do not say it is a high priority. It is considered to be a very low priority matter and I believe that it is a case of people using health as a means to promote other views that they have. I certainly will not support it, I know the Government will not support it, and it is probably a waste of time for me to deal with that.

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Hon Barry House) in the Chair; Hon Peter Foss (Minister for Health) in charge of the Bill.

Clause 1: Short title -

Hon A.J.G. MacTIERNAN: I was somewhat disappointed in the response by the Minister to the second reading debate. It was certainly my intention to try to come to a bipartisan position on this Bill as I believe we should on issues like this. I was of the view, perhaps misguidedly, that we have a relatively enlightened Minister for Health.

Hon Peter Foss: You have.

Hon A.J.G. MacTIERNAN: He has suggested in his addresses that he is a great lateral thinker. I am not suggesting that this Bill is not worthwhile as it stands. I agree that it provides statutory protection for people who require it. This Bill is a worthwhile project in itself even without amendment. I was seeking to bring to the Minister's attention the fact that some concern exists that we could be providing a greater range of protection than is included here.

The Minister takes the view that he is not interested in drug users; he is interested only in those nice people who do not take drugs, and those working in pharmacies and syringe exchange programs. It is a fantasy to suggest that the needle exchange and distribution program would work if the police did not turn a blind eye to the prosecution not just of the health workers but of those persons acquiring needles. It would be very easy for the police to stake out the various needle distribution centres and track down those persons who use them. Many of the people who go to those centres - perhaps they are not regular users but are more incidental users - arrive at the centres with illicit substances in their possession. They would certainly shy well away from the centres if that were not a general understanding or general knowledge.

The CHAIRMAN: Order! Members should refrain from conducting conversations around the Chamber. It is hard for members to follow the debate.

Hon A.J.G. MacTIERNAN: Currently, a worthwhile agreement exists between police, health workers and the Government. Two classes of people are not prosecuted; namely, those working in Government-approved exchanges and those who use these exchanges. Although the Bill is worthwhile in itself, it fails to provide protection to the latter class of people. I understand that the Minister, because of his personal views and predilections, considers that the second group of people are not as worthy as the first group; nevertheless, both groups require protection. It is a matter of whether the protection is to be a continuation of the current turn a blind eye arrangement or we give statutory legitimacy to the system we acknowledge is working. The Minister rightly and proudly indicates that we have a one per cent HIV infection rate among intravenous drug users; that is an excellent result. However, it is unfortunate to single out one side of the equation for statutory protection. The Minister said that if the amendment were passed, the police could apprehend Joe Bloggs in the street with a syringe containing an amount of illicit substance which is not quantifiable, but could not charge him. He claimed that would be a complete travesty, but that is hard to understand. In that circumstance, it would be clear that Joe Bloggs was a drug user; however, in the overall scheme of things society would not suffer greatly as a consequence of that.

We entered this scheme in 1987 with the view of balancing competing needs. The idea that we encourage more people to use needle exchanges is worth that risk, if it can be called that. The Minister's claim will certainly occur, but no dire consequence to the functioning of our community would arise from not putting the occasional person in the slammer. It may save through court costs, court diversionary work and the cost of incarceration. Importantly, it will encourage greater usage of the needle exchange service.

At this stage I have only anecdotal evidence on this matter through talking to HIV and intravenous drug user groups. It appears that a subclass, which tends to consist of younger males, perhaps who have altercations with the police - coming from all

socioeconomic groups - is very fearful of exchanging their needles. I understand the Minister's comments about moving to the Fitpacks, and this has some legitimacy. However, as indicated in the Minister's address, and in information provided to me, a number of centres are still operating needle exchanges. In fact, the WA Aids Council has moved away from distribution to exchange. Therefore, a substantial exchange program still operates within this State.

The Minister's final point was that this legislation, interpreted in its broadest sense, would provide the protection to the second group to which I referred. That is too unclear. Interestingly, the Minister's interpretation of the Act did not feature within his second reading speech. He confined himself to the fact that it provided protection to those workers "workers participating in a needle and syringe program". The Minister does not believe that amendment to proposed section 36A(b) is required to provide protection to the latter class of person.

The legislation is too ambiguous. We simply ask the Minister, in the spirit of achieving the best statutory regime, that this matter be deferred until next week. In that time we can perhaps again check the evidence regarding distribution versus exchange, which the Minister believes is an important point; consider the effects of proposed new section 36A(b), although it has little meat; and obtain further evidence from South Australia and Queensland regarding the way police have been able to handle their regulations.

Hon PETER FOSS: I am pleased to hear that Hon Alannah MacTiernan described me as broad-minded and a lateral thinker.

Hon A.J.G. MacTiernan: Relatively.

Hon Tom Helm: She was going from anecdotal evidence!

Hon PETER FOSS: The mere fact that I disagree with her does not disprove that fact.

In this matter we are dealing with a political reality; namely, that for some years the Labor Party tried to pass this legislation. The Bill was eventually drafted but went nowhere. I suspect that although the member's efforts to improve the legislation are well intentioned, if she is not careful she will sink it. The sort of thing the member is proposing is the type of thing which raises bogeys in the minds of opponents of this legislation.

Hon A.J.G. MacTiernan: But they succeeded in a State like Queensland - it is extraordinary!

Hon PETER FOSS: The member must recognise, like it or not, that the Labor Party has not succeeded with this legislation in this State for some years - it could not even bring the measure into the Parliament. A powerful group against this sort of legislation is the police; they have concerns about its breadth. If the member wants this type of amendment - which will raise the bogeys - in the Bill, by all means she should try to achieve that; but were she successful the legislation would sink without trace. The very points raised by opponents of the legislation are the things the member proposes. The member should be pleased that the legislation has reached this far and hope that it passes through the entire Parliament. If she carries on as she has been, she will be doing a brilliant job for opponents of the legislation. People will read what she has said and say, "That is just what we were afraid of." I will certainly not jump that hurdle by including the amendment the member is suggesting. This is important legislation and it is vital that we help the people it is intended to protect. I also know that if I want to get this legislation through I should keep it within the terms of what is acceptable. The member may like to go further, but I warn her that her remarks ignore the political reality of this legislation. If she continues on that line I think we will lose it.

As I said previously, the Bill contains the power anyway. She said she did not agree with that. However, we should deal with that when we deal with the clause rather than her telling me the power is not there and my saying it is. I will not convince her, and she will not convince me, but at least we can put our views on the record. My saying I believe the power is there will help the interpretation of the proposed Act to show that it is. The member's saying it is not there might in some way damage the capacity for it to do that.

I do not believe she has read proposed section 36A carefully enough. It refers to not only section 36 of the Poisons Act, but also section 6(2) of the Misuse of Drugs Act. I think the situation is clear. When we reach the relevant clause we will deal with that. If the member wants this legislation to go through it must be in a form acceptable to the community and to those people who may find that legislation such as this is something of a bogey. I understand the point Hon Alannah MacTiernan is making but I will certainly not agree to a change, and nor will the Government; even if it did, politically it would be unacceptable legislation and that would be the end of it. We must face political reality and be thankful that, after all these years of people wanting this legislation, despite the reasons it failed to reach this House, it is here. This Bill was drafted by the Labor Government, but it failed to get anywhere because, frankly, it was too gutless to put it forward. We should deal with it in a bipartisan way. What the member proposes could hazard what I think is a very good program and what is reasonable relief for people who have participated in it for some weeks - people who are not drug users, but who recognise there is a health risk in sharing needles and that their sale and delivery is an important part of preventing infection from occurring.

Hon A.J.G. MacTIERNAN: I am a bit nonplussed by some of what the Minister has said about the Bill being under threat. I understand the only reason it was under threat previously was that members on his side of the Chamber did not support it.

Hon Peter Foss: It was not even put up.

Hon A.J.G. MacTIERNAN: The Labor Government did not have the numbers.

Hon Peter Foss: Many Bills were put up despite that.

Hon A.J.G. MacTIERNAN: At least we can be assured we would have a more broad minded response on this side of the Chamber. I am heartened by the Minister's interpretation of proposed section 36A(b) and that what he says now can be taken into account by the courts in assessing the intention and interpretation of the legislation. I can assure him that if and when the legislation is passed I will make sure that, among legal circles and those engaged in defending people on such charges, those comments and the Minister's interpretation are brought to their attention. I hope we can test in court the Minister's interpretation of his own legislation. As I said before, I would like this matter to be heard.

Progress

Hon A.J.G. MacTIERNAN: Therefore, I move -

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

Question put and negatived.

Committee Resumed

Hon PETER FOSS: Hon Alannah MacTiernan can report all she likes to the people she knows in the legal profession, but that still will not help them unless there is a program. I am trying to make quite clear to her that there is no intention to have such a program at this time. There is a purpose in the Bill which will allow such a program, but that does not mean there is a program now. Until such time as the Commissioner of Health has a needle and syringe program, no protection is granted under this legislation. Only to the extent that a person conforms to that program will he be protected. I am not indicating that there will be such a program as the member has envisaged; all I am saying is there is power in the Bill for that to occur.

Hon A.J.G. MacTIERNAN: If there is no program in existence, who are the people for whom we need to hurry the legislation and who are currently at risk?

Hon PETER FOSS: The member must understand that there cannot be a program under the Poisons Amendment Bill at present because it has not become law. Once it becomes law, it will be competent for the Commissioner of Health to implement a program - it must be one which he has approved. However, he cannot approve one under the proposed Act until such time as this legislation is passed.

Hon A.J.G. MacTIERNAN: The Act does not appear to provide that the program must be approved by the Commissioner of Health pursuant to any Act. It may well be that the informal arrangements which have been in existence pursuant to discussions between the Health Department, the police and the Government may be programs approved by the Commissioner of Health.

Hon PETER FOSS: I think this is a pretty useless conversation. If they want to have an offence, they must get evidence of approval under proposed section 61A. The member can argue about the procedures if she wants to, but it is quite obvious that once the Bill becomes law, programs will be approved by the Commissioner of Health by his referring to the fact that they are given pursuant to this amendment, signed by him and conform to the provisions of proposed section 61A. If that is not in place, one will have a hard time arguing one's defence under that proposed section.

Hon A.J.G. MacTIERNAN: I am trying to make sense of what the Minister was getting at when he referred to programs not in existence and that hence proposed section 36A(b) would not have any application. Is it the Minister's intention to direct the Commissioner of Health not to give approval - if indeed it is required - to exchange programs, but only to distribution programs? I am trying to see where the Minister is leading. Is he suggesting that proposed sections 36A(b) will not provide any protection because the only approved programs will be his Fitpack program and not exchange programs?

Hon Peter Foss: No.

Hon J.A. SCOTT: Before making up my mind on this legislation I would like the Minister to tell me about the concerns of the police for the sorts of things referred to by Hon Alannah MacTiernan.

Hon PETER FOSS: Police are always concerned about proving the offence when they apprehend people who have used illegal drugs. There may be a number of offences and there may be direct or indirect evidence to prove that offence. They are concerned that the person they arrest may be in the possession of a drug, needles or implements on which traces of the drugs are to be found and that all of those things can be used as the basis for evidence. They are concerned that, under proposed section 36A, anybody they apprehend will say that they were participating in a program. It has taken considerable work to offset their concerns and to assure them that programs will be directed towards the types of things that I have been talking about and which will not provide an open door for drug users to say every time, "I am participating in a program." I believe we can give that assurance to the police. I think it can be done in a way that will satisfy everybody.

The police are not obliged to prosecute people. Drug users are liable to prosecution apart from participating in a needle program. The problem really is not being in the needle program but because they use illegal drugs. The people who are not using illegal drugs but may be participating in a worthwhile health program because it is minimising damage and harm to the rest of the community are running the risk of prosecution because they are doing something that we regard not as antisocial behaviour but as social behaviour.

My problem is that Hon Alannah MacTiernan is trying to gain acceptance for part of those programs protecting the people who are participating in what is regarded as antisocial behaviour. We have been able to satisfy the police that we do not believe this problem will arise for them. However, there would be reasonable concern about our prescribing into the legislation the sorts of things that Hon Alannah MacTiernan is talking about. As I have said, there is room in the legislation for that to happen in any event. However, that is not the intention of the legislation and it certainly would not be done if we felt it was going to cause considerable concern and difficulty for the police.

For five years the police have shown a very mature and helpful attitude because they have not prosecuted the users or pharmacists. I do not believe that protection of the drug users has the same priority as protection of the pharmacist. The possibility exists but we would not contemplate undermining the whole project and that would undermine it. Even if we had a program such as that suggested by Hon Alannah MacTiernan is talking

about, the cooperation of the police is essential. The intention is to cooperate with the police at all times; they have cooperated with us until now. There is no reason for change and it would be counterproductive for us to not cooperate with the police. The legislation fits what is required.

Hon A.J.G. MacTIERNAN: The Minister has got himself trapped in a circle. He said in response to my concern that there is a need for either off the record or on the record protection for drug users for a needle exchange program to work. I ask him to put aside his own views about the social worthiness of those people. It is beyond dispute that a distribution program would not work unless there was at least an agreement by the police that these people would not be prosecuted. While we are regularising and legitimising an informal arrangement that has been made with the police, we should do it for both classes of persons, the workers and the users.

The Minister told the House that proposed section 36A(b) served that purpose. He said that these people were already protected by virtue of his interpretation of section 36A(b) and that if there was any doubt about the interpretation or the ambiguity of the provision, the mere fact that he said it and it had been incorporated into the parliamentary record was enough for it to be used assist in an interpretation of the provision.

He also acknowledged that we would have not only needle distribution programs, but also needle exchange programs. I will wait until the Minister gives this wonderful debate his undivided attention.

Hon Peter Foss: I am listening.

Hon A.J.G. MacTIERNAN: I am simply trying to point out the inconsistencies in what the Minister said. The Minister has said that we will have a needle exchange program. We can not have that without persons bringing needles to be exchanged. What he is basically saying then is that we will have a needle exchange program. However, it is an essential requirement that people are able to proceed from their place of drug use or their homes with their hypodermics and syringes. If that is the case, surely those people would be entitled to the protection of proposed section 36A(b). Having conceded that, and having said that this debate has extended the operation of this Bill, I am surprised that the Minister now says it will not work in that way. I find it hard to envisage how people who take their needles to a needle exchange program approved by the Commissioner of Health are not covered by proposed 36A(b). Now that the section has the benefit of his interpretation that now becomes part of the interpretation of the Bill.

Hon TOM STEPHENS: When the Minister was a member of the Opposition he would scream and yell when then Government Ministers did not show the courtesy of listening to his questions and answering them. I do not know how he had the gall to do what he did to Hon Alannah MacTiernan a moment ago.

The CHAIRMAN: Order! We are debating the short title and, although it is a wide ranging debate, the member's comments must be of some relevance to the Bill.

Hon TOM STEPHENS: I listened to the member address questions to the Minister, and watched his performance. I am also aware of the courtesy extended to him when in Opposition by a variety of my colleagues when they were on the front bench. I expect nothing more of him than the high standards the Minister demanded and which the then Government met.

Point of Order

Hon P.R. LIGHTFOOT: You, Mr Chairman, indicated that the member's comments must have some relevance to the Bill before the Committee. The courtesy of which he speaks is implied but it is not relevant to the Bill.

The CHAIRMAN: There is no point of order. I believe the member was in a vague way starting to refer to the contents of the Bill and I ask him to continue along those lines.

Committee Resumed

Hon TOM STEPHENS: It is a very sad day when at the beginning of debate on the Bill a member seriously addresses questions to the Minister for Health and he does not respond.

The CHAIRMAN: Order! I have just ruled a point of order out of order because I believed the member was getting around to speaking about the Bill itself. He must do that quickly or resume his seat.

Hon TOM STEPHENS: This Bill seeks to achieve a number of objectives. Hon Alannah MacTiernan has very correctly in my view drawn to the attention of the Minister -

The CHAIRMAN: Order! If the member is not prepared to make his remarks relevant to the clause, I suggest he resume his seat.

Hon TOM STEPHENS: Hon Alannah MacTiernan has drawn to the attention of the Minister the fact that this Bill endeavours to provide some legal protection for the health professionals who work in programs associated with needle exchange. She said we ran the risk after the passage of this legislation of those needle exchange locations becoming places around which participants in these programs could find themselves harassed or harangued by the police in the face of the laws as currently applied. That seems a most extraordinary situation. In that context I think the Minister owes the Committee a more detailed explanation than he has given.

Hon J.A. SCOTT: Are the participants in the needle exchange programs registered or is it the intention of the Bill that they retain their anonymity?

Hon PETER FOSS: An essential part of the program is anonymity.

Hon A.J.G. MacTIERNAN: I restate the question yet to be answered by the Minister. I am trying to come to terms with his earlier statements and to reconcile those with his subsequent statement.

The CHAIRMAN: It being 5.55 pm it is necessary for me to report progress on the Bill. I take this opportunity to remind members that even during the Committee stage members on their feet are required to address other members in the appropriate manner and not by their first names.

Progress

Progress reported and leave given to sit again, pursuant to Standing Order No 61(c).

ADJOURNMENT OF THE HOUSE - ORDINARY

HON GEORGE CASH (North Metropolitan - Leader of the House) [5.57 pm]: I move -

That the House do now adjourn.

*Adjournment Debate - Minister for Transport, No Fuel Tax or Family Rebate
Removal Statement, Draft Cabinet Minute Concern*

HON JOHN HALDEN (South Metropolitan) [5.58 pm]: I take this opportunity in the adjournment debate to comment on a radio interview I gave between now and question time with regard to the Minister for Transport and the statements he made in question time and outside the House today. The Minister said the document referred to in question time was a draft Cabinet minute. He said it was a proposal by the Main Roads Department in which he had little involvement and that he would review the document and the like. I understand from a radio interview I had at 4.50 pm that the Minister has released a press statement to the effect that he will send the draft document to Cabinet for approval. If that is the case - one must question whether the Minister has had a much more extensive involvement in the preparation of that document than he indicated. In fact, it would be very strange for even a draft Cabinet minute not to have had extensive ministerial involvement.

This matter of the Minister's saying publicly that no metropolitan State fuel tax would be imposed and that the Government had no initiative to remove the family rebate from motor vehicle licences, and our then being presented with a Cabinet minute to the contrary is of the greatest concern. It must be remembered that two days ago the Minister said he would not increase those taxing items. Next week I intend to raise other

statements by the Minister in regard to this issue and his knowledge of this document. However, I think it is totally unsatisfactory for a Minister of the Crown to put forward a view in the public and in this House which is contradicted by a draft document, and then, presumably, minutes after question time release a statement to the effect that the document, which the Minister said was a proposition of the Main Roads Department, would be sent to Cabinet for approval. I am always a generous, tolerant and benevolent person.

Hon Graham Edwards: A do-gooder!

Hon JOHN HALDEN: Indeed; in fact, that has been said by the Minister. However, that interpretation of events as described by the Minister really does stretch my imagination and tolerance. This issue will have to be debated yet again. It is not appropriate to say, even in the Press, that one will not do something when quite clearly one has been considering doing the exact opposite. One can only imagine the considerations that the Opposition will have to take in regard to saying something in the House and then doing the exact opposite. This is not the first time that this has happened with this Minister, and the Opposition is tiring of answers being given in this place which do not reflect the facts of the matter. I have said before - and I do not wish to say this as a threat - that the procedure which the Minister adopts is not satisfactory for me as the Opposition spokesperson or for the House. I say in a generous way that perhaps the Leader of the House should talk to the Minister about how he could answer questions more precisely or, if I can say it, more carefully.

Hon Peter Foss: You do not listen very carefully.

Hon JOHN HALDEN: Perhaps if he could answer questions more carefully and not give so much information, it might not be so damaging to the House and to him. The actions of the Minister since 1 June, when he denied that there would be a metropolitan State fuel tax, compared with his actions today, leave a lot to be desired, and the Opposition obviously will pursue this matter.

Adjournment Debate - Bicycle Helmets Legislation

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [6.02 pm]: I refer to a report entitled "Bicyclist Helmet Wearing in Western Australia: A 1993 Review", put out under the auspices of the Traffic Board of Western Australia. I have not read the full report, but I draw attention to section 7.5, entitled "Injuries and Fatalities", which states -

The legislation has shown itself to be an effective tool in reducing cyclist fatalities and head injuries. The decrease in fatalities from 1991 to 1992 is so great that some caution is warranted. With only one cyclist fatality recorded for 1992, compared to an average of 8.3 per year for the previous six years, the legislation has obviously had an effect. As there have been two cyclist fatalities in the first half of 1993, the extreme reduction for 1992 may be a unique occurrence.

The data for head injuries has been described for the period since 1981. Post legislation, cyclist head injuries are the lowest in that period. This is a clear indication of how effective the legislation has been in reducing the number of head injuries.

It was believed from the data available that the legislation would lead to a reduction in road trauma and in road death and injury. Having run the gauntlet of much abuse about this legislation, much of it politically inspired during the lead up to the last election, it is pleasing to learn of the results of that legislation. I must say I am still very sympathetic to the argument that this legislation infringes upon civil liberties, but we certainly cannot deny the fact that it has reduced cyclist head injuries.

I congratulate the Minister for Police in another place, Mr Bob Wiese, because I know that he has come under an immense amount of pressure from sections of the community, and also from people within Cabinet and within the Government, for his firm stand on

this legislation, in the face of some persuasion and bullying from other members of his Cabinet in an endeavour to get him to shift ground.

Hon George Cash: Who is bullying the Minister?

Hon GRAHAM EDWARDS: If the Leader of the House does not know -

Hon George Cash: I want you to tell me.

Hon GRAHAM EDWARDS: I know who is bullying the Minister. The lack of leadership being shown by the Premier is incredible.

Hon George Cash: Name the people who bully the Minister for Police.

Hon GRAHAM EDWARDS: The amount of bullying which he has received from Graham Kierath is almost legendary. The Leader of the House should talk to some of his backbench members. I do not want to be diverted into pointing out which members of the Liberal Party are bullies. That is pretty well on record now in this State. This legislation has proved to be effective. I know it will be constantly under review. It is my view that eventually people will accept it for the reasons that it was introduced. I congratulate Mr Bob Wiese, and also the police for the way in which they have dealt with this legislation. It is difficult for the police when they are the ones who must enforce contentious legislation. It seems to me that most sections of the community have maturely and responsibly dealt with this legislation. I place on record my appreciation for the leadership shown by Mr Bob Wiese and the job that he has done on this issue.

Question put and passed.

House adjourned at 6.06 pm

QUESTIONS ON NOTICE

PORT KENNEDY - SECRET HARBOUR

Homes, National Estate Register; Blocks, Cost; Developer

219. Hon J.A. SCOTT to the Minister for Health representing the Minister for Planning:

- (1) How many homes have been included in the National Estate list at Port Kennedy and Secret Harbour?
- (2) How many homes are there at Secret Harbour?
- (3) What is the estimated cost of blocks at -
 - (a) Secret Harbour; and
 - (b) Port Kennedy?
- (4) What factors have changed since the State election to have caused the Minister to be now in favour of these developments?
- (5) Is the development still in the control of the same developers, Fleuris Pty Ltd, whom the coalition deemed unsuitable and inexperienced prior to taking office?

Hon PETER FOSS replied:

(1)-(2)

There are no homes at present in the Secret Harbour or Port Kennedy area that are included in the National Estate Register as the land is in the early stages of development. However, when fully developed the urban zones within this area could contain: North of Port Kennedy Drive, 1 700 dwellings; south of Port Kennedy Drive, 3 870 dwellings.

- (3) The proponents and the developers could advise the member on the cost of blocks and on the proposed sale price.
- (4) It is not a matter of having a view. The Minister for Planning administers this Act and the Port Kennedy Development Agreement Act allows the development to proceed.
- (5) Fleuris Pty Ltd is the proponent for the Port Kennedy development under the Act.

REPORT OF THE INDEPENDENT COMMISSION TO REVIEW PRIVATE SECTOR FINANCES - ESTIMATED CONSOLIDATED FUND DEFICIT

Higher Areas, if Accrual Accounting Adopted

292. Hon MARK NEVILL to the Minister for Finance:

Further to question on notice 237 of Tuesday, 6 July 1993, if private sector accrual accounting standards applied to the public sector, in what areas would the estimated consolidated fund deficit for 1993-94 be significantly higher?

Hon MAX EVANS replied:

The consolidated fund deficit is on a cash basis and may not change the results. The estimated real accrual deficit would be higher in all areas if accrual accounting standards were adopted in the public sector. It is not currently possible to quantify the impact in specific major areas. I would point out in this regard that in adopting full accrual accounting principles all assets must be valued and appropriate depreciation rates determined in order to reflect asset consumption during the accounting period. However, to the extent that non-cash items such as depreciation charges are not fully funded there would be a correspondingly reduced impact on

the consolidated fund deficit on a cash basis. Each department would incur the full cost of superannuation for current employees. Those departments occupying Government buildings at present rent free would be charged a notional rent. The cost of insurance for assets would be a cost of departments. All statutory authorities have had full accrual accounting since 1987 to reflect the true cost of their services. Public servants that have moved from departments to authorities recognise the benefits.

**REPORT OF THE INDEPENDENT COMMISSION TO REVIEW PRIVATE
SECTOR FINANCES - FIRST REPORT**

*Appendix 1 Financial Transactions, Treatment Reflecting
Private Sector Practice and Accounting Standards*

293. Hon MARK NEVILL to the Minister for Finance:

Further to question on notice 236 of Tuesday, 6 July 1993, does the treatment of each of the financial transactions in Appendix 1 of the first report by the commission of audit reflect private sector practice and private sector accounting standards?

Hon MAX EVANS replied:

It does not seem to me that the question of accounting standards, private sector or otherwise, is at issue in relation to appendix 1 of the commission's report. The issue is one of the then Government concealing the true financial manoeuvres and inconsistent practices designed to give the impression that the consolidated revenue fund was in balance when it was clearly being propped up by the creative accounting that the commission's report has exposed.

RACECOURSE DEVELOPMENT FUND - MINISTER'S POWER

301. Hon T.G. BUTLER to the Minister for Racing and Gaming:

In answer to part (2) of my question without notice No 165 of Thursday, 8 July 1993 concerning financial support to the Lark Hill training complex through the racecourse development fund, the Minister said he was not sure if he had control over the allocation of finance through the racecourse development fund. Would the Minister indicate what control, if any, he has of the racecourse development fund?

Hon MAX EVANS replied:

The Minister's power is restricted to a general power of direction as set out in section 7A of the Racecourse Development Act 1976 which reads -

- 7A (1) The Minister may give directions in writing to the Trust with respect to its functions and powers, either generally or with respect to a particular matter, and the Trust subject to subsection (2) shall give effect to any such direction.
- (2) The power to give directions under subsection (1) does not include the power for the Minister to give directions for specific works to be carried out.

**STATE GOVERNMENT INSURANCE COMMISSION - INFORMAL
NEGOTIATING FORUM, THIRD PARTY CLAIMS SETTLEMENT**
Efficiency Criteria

302. Hon A.J.G. MacTIERNAN to the Minister for Finance:

In answer to Hon Mark Nevill's question on notice No 243 of Tuesday, 6 July 1993 concerning the rapid increase in the settlement of third party claims arising subsequent to the establishment of the State Government Insurance Commission's informal negotiating forum, the Minister for

Finance replied that the forum was established to provide a more efficient claims settlement process and to keep legal costs to a minimum but the precise financial benefits were not quantifiable. What criteria are being used by the SGIC to assess that this informal negotiating forum is providing a more efficient claims process and is keeping legal costs to a minimum?

Hon MAX EVANS replied:

Due to plaintiffs' solicitors meeting with insurance commission staff at the insurance commission's offices, insurance commission staff are not absent from the office as with the formal pre-trial conference system which results in a significant saving. The insurance commission negotiates settlements without engaging legal assistance, which represents a significant saving in costs. Regarding plaintiff solicitor costs, in most cases legal proceedings are not issued and this results in a saving on court fees, allowance for the issuing of the writ, the statement of claim, discovery and related procedures.

LIQUOR INDUSTRY - REVIEW

324. Hon GRAHAM EDWARDS to the Minister for Racing and Gaming:

- (1) When will the review of the liquor industry commence?
- (2) When will it finish?
- (3) What are its terms of reference?
- (4) Who will chair the review?
- (5) How many persons will comprise the review group?
- (6) Will members of the review group be elected as individuals with knowledge of the liquor industry or will they be selected to represent interest groups?
- (7) Will public submissions be called for?
- (8) Will the same group be responsible for advising the Government on the introduction of gaming machines?
- (9) If not, who will?

Hon MAX EVANS replied:

- (1) The review of the liquor industry is expected to commence in September this year.
- (2) Planned completion date is by the end of February 1994.
- (3)-(4) The terms of reference and composition of the review body is presently being finalised for consideration by Cabinet.
- (5) Three.
- (6) Members will not be selected to represent interest groups.
- (7) The terms of reference will not preclude the calling of public submissions.
- (8) No.
- (9) In view of the gaming machine exclusivity provisions for the Burswood Casino contained in the schedule to the Casino (Burswood Island) Agreement, the terms of reference of the liquor industry will not provide for the review group to advise the Government on the introduction of gaming machines.

**REPORT OF THE INDEPENDENT COMMISSION TO REVIEW PUBLIC
SECTOR FINANCES - PRINTING COST; COSTS DISCLOSURE**

373. Hon N.D. GRIFFITHS to the Minister for Finance:

- (1) When will the expenditure incurred by the independent commission of audit associated with the cost of printing the reports be known?
- (2) When will it be made available?
- (3) Will the information disclose all of the costs of the inquiries of the independent commission of audit, including the costs associated with the preparation of the two reports and the individual payments to companies and consultants?
- (4) If not, why not?

Hon MAX EVANS replied:

(1)-(4)

Total expenditure of the Commission to Review Public Sector Finances will not be known until the commission has completed its inquiries and reported to Government.

**STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY
INSURANCE FUND
\$50 Levy, Actuarial Advice**

400. Hon MARK NEVILL to the Minister for Finance:

- (1) Was the new third party insurance levy of \$50 on each car each year for five to seven years based on an actuarial assessment of the fund or actuarial advice?
- (2) If so, who gave that advice?

Hon MAX EVANS replied:

- (1) Yes.
- (2) Dennis Barton, Actuary, West Perth.

PAYROLL TAX - REVENUE

403. Hon MARK NEVILL to the Minister for Finance:

- (1) What is the total revenue that the State received from payroll tax for the 1992-93 financial year?
- (2) What is the estimated revenue from payroll tax that the State will receive for the 1992-93 financial year?
- (3) How many businesses paid payroll tax at 30 June 1993 in Western Australia?
- (4) Approximately what proportion of businesses pay payroll tax in Western Australia at 30 June 1993?
- (5) What changes does the Government intend to introduce to reduce payroll tax receipts in the 1993-94 financial year and thereafter?

Hon MAX EVANS replied:

- (1) \$529m.
- (2) Current estimate for 1993-94, assuming no changes are made to payroll tax, is \$550m.
- (3) 7 600.
- (4) On the basis of the total number of businesses in Western Australia at August 1992 estimated by the Australian Bureau of Statistics, the proportion is approximately 12 per cent.

- (5) Any changes to payroll tax will be considered as part of the Budget process.

MINISTERIAL TRAVEL - CHARTER AIRCRAFT, TRIPS

407. Hon A.J.G. MacTIERNAN to the Minister for Mines:

- (1) On how many occasions has the Minister used charter aircraft since 6 February 1993?
- (2) What were the dates and destination of each trip?
- (3) What was the cost of each trip?
- (4) Who accompanied the Minister on each trip?

Hon GEORGE CASH replied:

- (1) Three.
- (2) 28, 29 May 1993 - Pilbara
11 June 1993 - Kalgoorlie
9 July 1993 - Exmouth.
- (3) Pilbara - Minister's share \$423
Kalgoorlie - Minister's share \$406
Exmouth - \$3 875.
- (4) (a) Pilbara - arranged by Hamersley Iron
M. Patterson MLC
M. Nixon MLC
B. Bloffwitch MLA
J. van de Klashorst MLA
W. Smith MLA
M. Board MLA
J. Day MLA
P. Rowe - Minister's office
B. Stevens - Minister's office
- (b) Kalgoorlie - arranged by Chamber of Mines and Energy
B. Stretch MLC
M. Patterson MLC
M. Nixon MLC
F. Tubby MLA
R. Johnson MLA
L. Ranford - Department of Minerals and Energy
P. Rowe - Minister's office
B. Stevens - Minister's office
G. Arcus - Chamber of Mines
- (c) Exmouth
P. Rowe - Minister's office
I. Fraser - Department of Minerals and Energy
J. Clarke - Department of Minerals and Energy
W. Rose - Department of Land Administration

MINISTERIAL TRAVEL - CHARTER AIRCRAFT, TRIPS

410. Hon A.J.G. MacTIERNAN to the Minister for Finance:

- (1) On how many occasions has the Minister used charter aircraft since 6 February 1993?
- (2) What were the dates and destination of each trip?
- (3) What was the cost of each trip?
- (4) Who accompanied the Minister on each trip?

Hon MAX EVANS replied:

- (1) Once.
- (2) 26 July 1993, Kalgoorlie to Perth, following Kalgoorlie Cabinet meeting - only due to the fact that Skywest flight delayed by two and a half hours.
- (3) No cost to the Minister, as charter was arranged by the Department of the Cabinet.
- (4) Other members of Cabinet.

QUESTIONS WITHOUT NOTICE

LIQUOR LICENSING ACT - REVIEW PANEL, COMPOSITION

278. Hon GRAHAM EDWARDS to the Minister for Racing and Gaming:

Some notice of this question has been given. I refer to the forthcoming review of the Liquor Licensing Act 1988, and ask -

- (1) Has the composition of the panel which will conduct the review into the liquor industry been established?
- (2) If yes, who are the members?
- (3) If yes, which sections of the industry do they represent?
- (4) Will public submissions be called for; and, if not, why not?
- (5) If the composition of the review panel has not been finalised, when will this occur?
- (6) Will all sections of the industry be represented?

Hon MAX EVANS replied:

I thank the Leader of the Opposition for some notice of this question.

- (1)-(3) The composition of the panel has not been established.
- (4) The proposed terms of reference will not preclude the calling of public submissions.
- (5) I am presently finalising the composition of the review panel for consideration by Cabinet.
- (6) Members will not be selected to represent interest groups or particular sections of the industry.

FUEL TAX - MOTOR VEHICLE LICENCE FEES, FAMILY REBATE ABOLITION

Government Intention

279. Hon JOHN HALDEN to the Minister for Transport:

Can the Minister confirm that it is the intention of the Government, on his recommendation or with his support -

- (1) To abolish the family package concession for motor vehicle licence fees with effect from 1 January 1994?
- (2) To impose a \$3.5¢ per litre special fuel franchise levy on petrol and diesel fuel sold in the Perth metropolitan area from 1 November 1993?

Hon E.J. CHARLTON replied:

(1)-(2)

I should firstly clarify a position which the member and the Opposition have taken. I have been made aware today that the Opposition has

obtained a copy of a report that was given to me at 8.00 pm yesterday, which was the first time that I saw it. That report was not signed by me. It is not a proposal.

Hon John Halden: I was going to agree with you.

Hon E.J. CHARLTON: The member used words to the effect that it was supported by me. *Hansard* will obviously verify that. It is important that I take some time to answer this question. It is a serious question because it contains some allegations. The report to which the member referred was printed by the Main Roads Department about 6.00 pm yesterday. It was handed to me at 8.00 pm. A copy of that report was, at some time between 8.00 pm yesterday and today, in the hands of members of the Opposition. As a consequence, the Premier is to issue a request to the police to investigate how a copy of that report came to be where it is. I finished the meeting with the Main Roads Department around 10.30 pm, and I left a copy of that recommendation in my office in the Parliament.

I have asked the Main Roads Department on several occasions since I have become Minister for Transport, and also since the announcement about the reduced Federal road funding for Western Australia, to give me a list of options and proposals from which we can plan State road construction for the next 10 years.

Hon John Halden: This was a draft Cabinet minute.

Hon E.J. CHARLTON: Mr Halden should respect a creditable organisation like the Main Roads Department, which came to me last night with a proposal -

Hon John Halden: A draft Cabinet minute.

Hon E.J. CHARLTON: - in the form of a recommendation to Cabinet. It had no covering Cabinet paper on it.

Hon Graham Edwards: You had no knowledge that it was coming?

Hon E.J. CHARLTON: Of course I had knowledge. I arranged that meeting last night with the Main Roads Department in order for it to give me a proposal. We met and discussed that proposal for some time, and after that meeting the Main Roads Department went away, obviously late last night, to investigate further options as a consequence of our discussions. The important point is that this has nothing to do with the Budget preparation for this year.

Hon John Halden: We understand that. The dates on which you plan to implement these measures are after the Budget has been handed down.

Hon E.J. CHARLTON: That is right. Accusations have been made today by members of the Opposition that I have misled the Parliament in my answers to previous questions about whether we will increase the State fuel levy - and various figures have been floating around - and also about whether the \$20 family rebate on motor vehicle licence fees, which the previous Government applied, will be withdrawn. That is not part of this Government's proposal. I asked the Main Roads Department to prepare that report for my benefit, because the Main Roads Department wants to plan a significant number of road projects for the long term future of Western Australian road users. Obviously those projects can be put in place only if we have sufficient funding.

Hon John Halden: You keep denying that.

Hon E.J. CHARLTON: I have been saying to members opposite and to the people of Western Australia that we do not have sufficient road funding to carry out our existing programs. However, that has not stopped me from

saying to the Main Roads Department that I want it to tell me what roads we will need in the next 10 years, and beyond in some cases, and it has come up with various proposals.

Last night it came up with another proposal. It is not the first one. The member quoted figures on previous occasions when he said what I would do.

The PRESIDENT: Order! We have already used 10 minutes of the 30 minutes allowed for question time, with the Minister and Hon John Halden having conversations. I suggest that the Minister answer the question as quickly as he can so that we can get on to more questions.

Hon E.J. CHARLTON: Very good, Mr President. That is what I intend to do.

Hon Mark Nevill: Who runs the Government?

Hon E.J. CHARLTON: The Premier and a few others. To answer the question I need to be as specific as I can. I cannot give a short answer because the range of accusations will continue to mislead the public.

The PRESIDENT: I understand that but forget the interjections.

Hon Tom Helm: Make a ministerial statement.

Hon E.J. CHARLTON: Be quiet. The proposal went to the Main Roads Department last night. I am expecting the department to come to me with further proposals. When that occurs, and if I consider that the proposals are the right mix for the long term and suggest the best way to fund them, I will put together a Cabinet minute, and Cabinet will decide.

ROADS - LANCELIN-CERVANTES COASTAL ROAD, FEASIBILITY STUDY

280. Hon B.K. DONALDSON to the Minister for Transport:

Some notice has been given of this question.

- (1) Is the Minister to instigate further feasibility studies on a proposed coastal road from Lancelin to Cervantes as a priority this financial year?
- (2) Is the Minister aware of the approximate cost of such a road?
- (3) Would any such road be subject to an allocation of funding from the Federal Government?
- (4) If a study is proposed, will this include access through the present Federal Department of Defence area and bombing range north of Lancelin?

Hon E.J. CHARLTON replied:

The whole question will be subject to funding.

- (1) Yes. I consider this road should be given priority for construction and on 4 May I asked the Commissioner of Main Roads to advise me what needs to be done to reach a point where construction can commence. The Department of Planning and Urban Development is carrying out a coastal study which is expected to be completed by December 1993. This study will include the general issue of a road between Lancelin and Cervantes. When the study report is released I will be able to further consider details of the road.
- (2) Not at this stage.
- (3) No.
- (4) The Department of Planning and Urban Development study will consider these issues.

**HARBOUR CITY CANAL ESTATE, MANDURAH - CREERY
WETLANDS
*New Proposal***

281. Hon J.A. SCOTT to the Minister representing the Minister for the Environment:

My question relates to the Harbour City Canal Estate which was proposed by Esplanade Mandurah Pty Ltd, a subsidiary of Cedar Woods Ltd, to be established on the Creery wetlands and approved by the Environmental Protection Authority. As a new proposal for development was put forward by the company on 11 June 1993, the only chance for public inspection of the plan was at an open day on 12 June. This was also the closing date for public submissions. It is my understanding that there was no advertising of this new plan.

- (1) Is this a legal time frame for approving such developments?
- (2) Did the EPA seek and receive legal advice from the Crown Law Department?
- (3) Will the Minister make this legal advice public?
- (4) Given the international significance of these wetlands, why was there such a short period of appeal in relation to the development?

Hon N.F. MOORE replied:

The Minister for the Environment has provided the following reply -

Regarding the opportunities for public involvement in the assessment of the new Harbour City Canal Estate at Mandurah, I am advised that a public information day was held on 12 June 1993 and written submissions were received by the EPA for a further two weeks. Information about the changes made to the proposal was freely available during this period. Notification about the new proposal and the public information day was made in the EPA's regular advertisement in Saturday's *The West Australian* newspaper. As well, the company notified the Mandurah community through local media sources.

There is a statutory two week appeal period during which time any person may appeal to the Minister against the advice and recommendations of the EPA. That period closes at 5.00 pm on Friday, 20 August 1993. In answer to the specific questions I am advised -

- (1) There is no statutory time frame for the EPA to review public comments during the assessment of environmental or development proposals.
- (2) I understand that the EPA sought and received from the then Crown Law Department advice on whether any decision and appeal determinations made on the earlier, and subsequently withdrawn, proposal constrained the authority in any way from reporting on the new proposal.
- (3) Consistent with past practice I see no reason for this advice to be tabled.
- (4) The duration of the public comment period is at the discretion of the EPA. The duration of the appeal process is statutory.

**MAIN ROADS DEPARTMENT - ROAD FUNDING REPORT
*Minister for Planning Involvement***

282. Hon JOHN HALDEN to the Minister for Transport:

In response to my first question today the Minister stated that the proposal was one between himself and the Main Roads Department, so why do the

words "Richard Lewis, Minister for Planning" appear on the draft Cabinet minute?

Hon E.J. CHARLTON replied:

Very simply, it is because it is a 10 year program and the Main Roads Department and the Department of Transport consider it would require some amendments to the town planning scheme. As a consequence, it is imperative that the Minister for Planning be involved. He was supportive of the decisions -

Hon John Halden: Was he?

Hon E.J. CHARLTON: A range of proposals was sent back to the Main Roads Department for further evaluation.

EDUCATION - CHILDREN WITH DISABILITIES AND LEARNING DIFFICULTIES, TASK FORCE REPORT

283. Hon REG DAVIES to the Minister for Education:

- (1) Does the Minister intend to release for public comment the report of the task force on the education of children with disabilities and learning difficulties?
- (2) If yes, when will the report be released?
- (3) If no, why not?

Hon N.F. MOORE replied:

(1)-(3)

Yes. I am awaiting the return from overseas of Dr Ruth Sheen, the author of the report. As soon as she returns, the report will be released.

KARPA SPRINGS CASE - MINERALS AND ENERGY, DEPARTMENT OF, COSTS

284. Hon P.R. LIGHTFOOT to the Minister for Mines:

In relation to the Karpa Springs gold fraud case, several newspaper reports have referred to the involvement of officers from the Department of Minerals and Energy as expert witnesses on behalf of the public prosecutor. Will the Minister please advise the extent and cost of this involvement in supporting the police case?

Hon GEORGE CASH replied:

Several officers from the Department of Minerals and Energy provided expert scientific and technical advice over three years to assist the police in the Karpa Springs case. A geologist from the department's geological survey division was responsible for field sampling, and scientists in the chemistry centre carried out precise analytical measurements on the samples obtained. They were supported by technical officers and draftspeople in tasks ranging from ensuring the security of samples to the preparation of exhibits for the court. Overall, the cost to the department is estimated at \$784 000.

I would like to stress the essential role played by the department in this case. The evidence from officers of the geological survey and chemistry centre was pivotal to the prosecution because these witnesses could provide high quality specialist data, interpretations and explanations with no commercial or pecuniary interest or involvement.

This State is fortunate to have such expertise available and the officers are to be commended for their diligence.

**REPORT OF THE INDEPENDENT COMMISSION TO REVIEW PUBLIC
SECTOR FINANCES - VOLUME 2**

285. Hon MARK NEVILL to the Minister for Finance:

- (1) Has the Minister been provided with an advance copy of volume 2 of the Report of the Independent Commission to Review Public Sector Finances; that is, the McCarrey report?
- (2) If so, when was it received?

Hon MAX EVANS replied:

- (1)-(2) No.

**EDUCATION - STUDENT UNIONS, TERTIARY INSTITUTIONS
ASSOCIATIONS**
New Legislation, Disadvantageous

286. Hon TOM STEPHENS to the Minister for Education:

Does the Minister intend to introduce into this House legislation which would in any way place at some disadvantage student unions or associations on tertiary establishments in this State?

Hon N.F. MOORE replied:

There is notice of a motion to introduce a Bill on today's Notice Paper.

HOMELESS YOUTH - FIFTY ROAD, BALDIVIS, HOUSE PLANS

287. Hon B.M. SCOTT to the Minister representing the Minister for Community Development:

- (1) Does the Minister intend allocating land at Fifty Road, Baldivis, to be used to establish a house for homeless youth?
- (2) How many children will this accommodate?
- (3) What age will these children be?
- (4) Will there be any supervision by adults at this location?

Hon E.J. CHARLTON replied:

- (1)-(4)

The reply to this question will be forthcoming from the Minister for Community Development.

**RAILWAYS - PAMPHLETS DISTRIBUTION, METROPOLITAN STATIONS,
WESTRAIL STAFF STOPPAGE**

288. Hon A.J.G. MacTIERNAN to the Minister for Transport:

- (1) Were members of the staff of Westrail instructed to stop persons distributing information pamphlets on metropolitan railway stations this morning?
- (2) If so, was that instruction given under ministerial direction?
- (3) If not, does the Minister agree that restrictions of that nature are impediments to freedom of speech?

Hon E.J. CHARLTON replied:

- (1)-(3)

The answer to the first part of the question is certainly no. I did not give any direction to the Westrail staff.

Hon John Halden: No direction at all; that's the problem.

Hon E.J. CHARLTON: That is right, on this particular issue. On some of the

other issues I have played some small part in the decisions that have been made. In regard to the last part of the question about interference to what is happening, I remind members opposite that perhaps it is about time they started to act a little responsibly and to take a little notice of and interest in the well-being of the State and the nation and not continue -

Several members interjected.

Hon E.J. CHARLTON: The member and her party should not continue to go around adopting unsatisfactory practices and supplying misinformation in the public arena by using innocent people to try to detract from what the Government is trying to do: To put right the wrongs that have taken place in this State and this nation over recent times.

The PRESIDENT: Order! I cannot understand how some members frantically fight to ask questions and then proceed to use up time and ensure questions are not answered. Has the Minister finished answering the question?

Hon E.J. CHARLTON: I was only going to make it known to everybody that it seems that Opposition members have so much time on their hands that they can go around handing out leaflets on metropolitan railway stations.

**RAILWAYS - PAMPHLETS DISTRIBUTION, METROPOLITAN STATIONS,
WESTRAIL STAFF STOPPAGE**

289. Hon A.J.G. MacTIERNAN to the Minister for Transport:

Are we to conclude that the Minister is suggesting that the Government needs to vet all material that is distributed in a public place before the material can be distributed?

Hon E.J. CHARLTON replied:

The member can obviously draw any conclusion she likes. It is one thing to act to try to promote what a person believes is right; it is another to go out of her way to try to mislead the public.

**PASTORAL LAND - PILBARA PROPERTIES, STRELLEY STATION
*Pastoral Board Report***

290. Hon P.H. LOCKYER to the Minister for Lands:

- (1) Is the Minister in a position to indicate the steps he is taking with regard to the report given to him by the Pastoral Board about two properties owned in the Pilbara by an Aboriginal organisation?
- (2) Will he take any further steps through an independent reference to these properties?

Point of Order

Hon TOM HELM: Mr President, if you look at *Hansard* I think you will see that that question has been asked before in this place.

The PRESIDENT: Order! I am not aware whether it was answered. The Minister will tell us whether he has answered the question before.

Hon GEORGE CASH: I do not believe I have answered the question before. As I understand it, the question seeks further comment on what action I have taken in the meantime.

Questions without Notice Resumed

Hon GEORGE CASH replied:

(1)-(2)

I have had discussions with the chairman of the Pastoral Board and a member of the board about reports that were forwarded to me about the

Strelley station in the north. I have advised the chairman that I require further information from the Pastoral Board. I have had discussion with the chief executive officer of the Department of Land Administration and sought some advice from the department on certain other tenures which exist within pastoral leases. I have also asked an independent adviser to meet me tomorrow with a view to asking him to travel to the north west and provide me with some other advice on the matters raised.

VICKERY REPORT - PUBLIC COPIES

291. Hon KIM CHANCE to the Minister for Education:

- (1) Is the Vickery "Review of Education and Training" now available to the public?
- (2) Where are members of the public able to obtain copies of the report?
- (3) Are copies available in sufficient numbers to satisfy demand?
- (4) If not, when will sufficient copies be available.

Hon N.F. MOORE replied:

(1)-(4)

The report is available and has been available since I received it and announced it publicly. It is available at State Print but I do not know the cost. I do not know whether there are enough copies to meet demand. I have not been advised that there are not. If people want one, and cannot get one, they should let me know and I will ensure that they get one.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - LOGGING OF BUFFER ZONES/MANAGEMENT PRIORITY AREAS

Bradshaw System, Approval

292. Hon J.A. SCOTT to the Minister representing the Minister for the Environment:

- (1) Does the Department of Conservation and Land Management intend to allow the logging of buffer zones and/or management priority areas?
- (2) Does CALM intend to allow the use of the Bradshaw system, which involves partial clear-felling of the jarrah and poisoning of any existing jarrah regrowth and is competitive with future time crop trees?

Hon N.F. MOORE replied:

- (1) Management priority areas was a term devised under the particular land use planning approach used in the 1982 Forests Department general working plan. Some MPAs had a core and a buffer around them. The CALM 1987 regional management plans adopted a different land use planning approach and did away with MPAs and buffers. Conservation MPAs and their buffers were converted to nature reserves, national parks, conservation parks or, in some cases, State forest. Where they have remained State forest they are available, and will ultimately be used for, timber production on a sustained yield basis.
- (2) The jarrah silvicultural prescription is the approved mechanism by which timber for sale is removed from the forest. Use of it for this purpose is contained in the ministerial conditions issued on 24 December 1992.

The prescription will vary from light selection to thinning to gap creation, depending on the age and structure of the forest being cut. Where regeneration of the forest is the silviculture objective, the prescription requires the removal of those trees which will inhibit the establishment and subsequent growth of the regrowth. If this cannot be achieved by commercial means it may be accomplished by poisoning using approved chemicals and application techniques.

STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY
INSURANCE FUND
\$50 Levy, Legislation

293. Hon TOM HELM to the Minister for Finance:

Yesterday, the Minister was asked a question without notice by Hon Nick Griffiths, just after the Minister had accused the Australian Broadcasting Commission of doctoring a tape. He called it a "cut and paste job".

Hon Max Evans: I did not.

Hon TOM HELM: It is in the *Hansard*. He said that he was told legislation was not required to implement the \$50 levy, but that in fact legislation was required and had been drafted. When will the legislation be introduced and what type of legislation does he propose?

Hon MAX EVANS replied:

I am not certain whether I am allowed to answer the same question twice.

Hon Graham Edwards: Hon George Cash was.

The PRESIDENT: Order! It is a reflection on the Chair to suggest that my previous ruling was not correct. I take it that I did not hear correctly!

Hon MAX EVANS: The Bill will contain amendments to the third party insurance legislation with respect to the \$15 000 threshold and the cap. As I said in yesterday's debate, a third draft of that Bill has been completed and will be introduced within the next few days. However, I cannot guarantee that it will be in the House before next Thursday.

MOTOR VEHICLES - MOTOR VEHICLE LICENCE FEES, FAMILY
REBATE

Minister's Statements Reconciliation

294. Hon JOHN HALDEN to the Minister for Transport:

How does the Minister reconcile his statement to *The West Australian* on 11 August 1993, wherein he denied my claim that he was considering eliminating the \$20 family rebate on motor vehicle licence fees, when his own draft Cabinet submission recommends the abolition of that rebate?

Hon E.J. CHARLTON replied:

The speculation which has taken place both inside and outside this place for some time has been directly related to this year's Budget.

Hon John Halden: No, it has not. The Minister should read *Hansard*. He has said that outside this place and he is wrong.

Hon E.J. CHARLTON: Hon John Halden can interpret it any way he likes, which he always does. I stand by what I say. What he has managed to get his hands on in the past few hours is a project of overwhelming proportions, as he can see for himself. Does he know how much the projects are likely to cost? It has nothing to do with the increase in the fuel levy. That is something which may or may not happen in the long term.

Hon Mark Nevill: What proposal?

Hon E.J. CHARLTON: If Hon Mark Nevill manages to get his mate to get his hands on a few more documents he will know what the projects are. He will then be able to tell us all about them. Members opposite will probably even find problems with some of the projects. This matter is very important. A couple of members on the other side have made much noise over the past few weeks about why the Government does not extend the freeway or do something with Roe Highway or Albany Highway. The Main Roads Department has not only proposals on the planning board but

also new projects; that is right and proper. The answer I gave in this place and my comments in *The West Australian* to which the member referred have nothing to do with that. That is why I gave Hon John Halden and everyone else the same answer.

Hon Tom Stephens: What are you trying to hide?

Hon E.J. CHARLTON: Hon Tom Stephens.

Hon George Cash: I am trying to hide you from the Public Gallery so that you do not embarrass yourself.

Hon Mark Nevill: He intimidates the Government, doesn't he?

Hon George Cash: No he doesn't, but he worries the House sometimes.

The PRESIDENT: Order! I do not know whether members think that for some reason or other, now that the television cameras have gone we can resort to displaying undisciplined behaviour, but if we are to make any progress we should get on with what is on the Notice Paper.

ROAD TRAINS

295. Hon E.J. CHARLTON (Minister for Transport) - by leave:

I wish to elaborate on the answer I gave yesterday to question without notice 277 yesterday regarding roads south of Carnarvon being able to accommodate another trailer in addition to a B double trailer. Yes, B doubles can haul a trailer on routes where road trains of rigid truck and two trailer combinations - 36.5 metres - operate. These routes are on main roads and highways north and east of Geraldton, north of Wubin and north of Kalgoorlie, including the Kalgoorlie eastern by-pass.

Several members interjected.

The PRESIDENT: Order! If members want to entertain the people here in the gallery, I can give a lead by making reference to a standing order which will ensure that a couple of them are not here for the rest of the afternoon. I am sure they do not want that.
