

Legislative Council

Wednesday, 12 June 1991

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

STATEMENT - BY THE PRESIDENT

Ombudsman Appointment - Eadie, Mr Robert

THE PRESIDENT : I draw members' attention to the fact that on Tuesday, 11 June 1991 Mr Robert Eadie did take and subscribe the oath of office of Parliamentary Commissioner for Administrative Investigations in accordance with the Parliamentary Commission Act 1971.

MOTION - JUVENILE CRIME, SOUTH HEDLAND

Reduction Achievement

Debate resumed from 11 June.

HON TOM HELM (Mining and Pastoral) [2.37 pm]: When I started my contribution to this debate yesterday afternoon, I had no intention of banging the Government's drum, or of attacking the Opposition. My aim was, and is, to bring to the House's attention the reduction in the juvenile crime rate in the town of Port Hedland, of which South Hedland is a part. I want to demonstrate to the House how members can help reduce similar problems within their communities. The juvenile crime problem in South Hedland was tackled by the community, with the Government's assistance, and the result was a reduction in crime, in the number of juveniles appearing before the courts, and in some of the antisocial activities in which our young people often engage. The House should be aware of how communities, with help from Government agencies, can tackle problems and how their efforts can influence older people in the community who may be tempted to commit crimes or other antisocial behaviour.

For the benefit of members who are not familiar with the area, the town of Port Hedland consists of about four distinct communities. The port area, which is the oldest part of the town and which has been in existence for over 100 years, was first gazetted to take care of the pastoral needs and some of the early mining activity of that area. About 10 kilometres along the coast are the communities of Cooke Point and Pretty Pool, which contain mostly mining accommodation. The major population centre in the area is South Hedland, which was built in approximately the mid-1970s based on the Radburn system. The town housing was developed by a designer who won an award for that type of housing development, but which is totally irrelevant to the needs of the community. The community of Wedgefield, also known as the light industrial area of the town of Port Hedland, is the fourth distinct area.

One of the reasons that the town of Port Hedland has the highest rate of crime in the State is that it has four distinct communities. The total population would not be more than 13 000 people and would not drop much below 10 000 people because of the itinerant nature of the work that people do in the town. That gives members an idea of the geographical problems of that area being faced by the people. It also helps to explain the reason we were finding it difficult to tackle the juvenile crime problems in the town, problems made worse by the design of the town. In the major population centre of about 7 000 people, the Radburn system encourages people to walk from place to place. Therefore, there are many dead ends, closes and cul-de-sacs. In door knocking for election, for example, one could end up knocking at the same house three times - one could knock on the front door, later on the back door, and later on the front door again after walking around the block. It is rather annoying that Government's of all colours call elections in January and February, the hottest time of the year in the Pilbara. The Radburn system is not conducive to the apprehension of criminals by the police. Someone noticed committing a crime would find it easy to escape from the police because of the design of the place. People can do what they like. That geographical problem helped to encourage juvenile crime.

The other problem we had to face is that Port Hedland is essentially a town built up by the iron ore mining activity. I know many other exports go through the port of Port Hedland. It

is probably one of the biggest exporting ports in Western Australia, if not Australia. It was built to accommodate miners and their families. Even though a port it is recognised as being part of a mine site. The town was developed to provide the recreational needs of the adult population rather than those of the younger population. The statistics prove that the average age of the people of Port Hedland is about 25 years because of the high percentage of young families. There was no recognised need for the community to provide facilities for youth other than for sport, and sports are well catered for in the north west, as members will be aware. However, when dusk arrives around 7.00 pm, sports facilities, unless they are under lights, are very limited and there is little or nothing for the youth to do. That exacerbates the problems of juvenile crime.

Those were the two major, glaring problems that led to an increase in crime. In March 1987, there were 31 arrests of young people; in February 1987, 27 arrests; in January, the hottest part of the year, 42; and in December, 23. One of the facts we were able to glean from the juvenile court was that when funding for youth street workers was reduced and we were unable to put workers onto the street to contact young people, the number of appearances before the juvenile court for breaking and entering, car stealing and other crimes that occur in Perth also, increased. That was the problem until 1988, the year in which my house in South Hedland was broken into five times.

There were also reports of young people breaking into cars just to move them out of driveways and into the street. There was great bravado about what they were doing. Although people were taking precautions, including locking their cars and installing anti-theft devices, there was a challenge for the young people to move the cars from driveways into the street and leave the engines running to prove they could do it. The young people engaged in these activities for the most part were not stupid; in fact they were quite smart. That suggested to us that they would be able to respond positively to positive action by the community. There were also many incidents of public drinking offences, and the people who were being accused of being drunk and disorderly and of acting in an unsocial manner were the Aborigines. That introduced a measure of racial tension into the town. People were encouraged to believe that it was not the young people across the board who were misbehaving, but young Aborigines.

Many people believed that the only way they could solve the problem was to form vigilante groups and to walk around with baseball bats. One young man and his wife came to see me in my office. They were extremely frustrated and had decided to join a vigilante gang and take matters into their own hands. I talked to that young couple for three or four hours. They had three or four children. I told them that vigilante groups were illegal. I also told them that joining one would be the most negative thing they could do. I told them that, in my experience, when one suggests might is right, eventually one finds somebody mightier. I told the husband that the best thing that could happen to him was that he could be caught and sent to gaol. But then there would be no-one to take care of his wife and children. The worst thing that could happen was that he could get into a fight with somebody with a bigger baseball bat and be killed. I told him that that would not solve the problem. He was adamant that he could do nothing else. I understood his frustration because, as I said, my house had been broken into five times. I went public to try to discourage people from forming vigilante groups. As a result, somebody sent a letter containing a noose through the post which was opened by my electorate officer. It upset her greatly. I was seen to be soft on crime in that I was positively discouraging those people who wanted to take the law into their own hands. It has been my experience, and history has proved, that those things do not have a positive outcome. They may provide a short term solution, but they are not positive in the long term. That was the scene when it was decided to call a public meeting so that we could face the negative emotions people had below the surface, which were not only anticrime but also of a racist nature. It was necessary to get those problems into the open and to search for positive solutions in which we could all take part, so that we could get Government help, where needed, and put the talent and commitment from people in the town towards addressing the problem. I pointed out earlier that the problem was multifaceted and it needed to be addressed in a number of ways.

The Mt Newman Mining Co Pty Ltd, now the Broken Hill Proprietary Co Ltd, allocated \$50 000 for a study to be made of the community at South Hedland in order to determine the best way of channelling Government funds into the town to make it more aesthetically

pleasing and acceptable to the residents. It must also be understood that to a large extent the populations in the Pilbara are no longer itinerant populations, as in the past. More and more adults are setting up homes and making lives for themselves and their families in the Pilbara. After spending 10 years in the Pilbara I can understand why. As a result of the changing nature of the population it was necessary for an in-depth study to be carried out to determine the best way to channel funds into the community to improve the town. Mt Newman Mining recognised that and donated the \$50 000 which was used to establish ways of addressing, for example, the dust problem and recreational activities for young people, and reducing the level of juvenile crime. The social structure in Port Hedland had been based on booze and many of the recreational activities, such as civic engagements, rock and roll groups, and live music, revolved around the hotel.

The study was the first step, from which came the five year plan for Port Hedland which resulted in the modernisation of the Radburn system, and a proposal to build a recreation centre, particularly for the benefit of the young people in the town. It provided a centre in which young people could congregate and do the sorts of things that young people in the city do. It was recognised in the community that young people need a centre such as this where they can meet their friends. That was part of the Port Hedland five year plan. The Government allocated \$7 million to address the mistakes that had been made in the past, through the Radburn system. That allocation was for upgrading Homeswest houses, supplying water and more efficient dust suppression measures, and greening the town of Port Hedland. Anyone who has visited Karratha and Hedland would immediately be aware of the contrast between the two, although they have similar soil types; Hedland has few or no trees and little or no grass, and Karratha has sufficient of both. It is only because of the effort and funds put into the town of Karratha that it has become a green town. Also, the needs of Port Hedland were not recognised and, as a result, it was not as aesthetically pleasing as Karratha. The difference arose because Karratha was purpose-built for Hamersley Iron Pty Ltd employees and the company's operations, but Port Hedland was already in place when the mining operations began. It was the poor relation of the Pilbara towns because it had been built one hundred years earlier. The mining company improved facilities and spent a lot of money on infrastructure at the port to load the iron ore ships, but it did not spend a great deal on providing facilities in the town, as had Hamersley Iron and Woodside Offshore Petroleum Pty Ltd in Karratha, Roebourne and Dampier. Not only were there bricks and mortar problems, but also an inability to meet the changing needs of the community. The town was unable to adapt to the changing needs of the population. Some Government input was needed, some initiative from the mining company and also some input from the community. It is an ongoing affair. I cite the case of the landscaping committee set up in the town which is responsible for making various areas of the town more acceptable.

The catalyst for tackling juvenile crime was the meeting held in the Matt Dann centre on 5 May 1988. The meeting was attended by Ian Taylor, in his capacity then of Minister for Police and Emergency Services, and Pam Buchanan, the member for Pilbara. Tom Clews, who was Assistant Commissioner of Police Operations, John Oversby of the Criminal Investigation Branch, and Lex McCulloch, regional manager of the Department for Community Services also attended the meeting, which I chaired. The Matt Dann centre was built as an annexe to the Hedland Senior High School and it is jointly funded and run by the school and the shire council. It was built to hold 350 people, but at that meeting somebody counted 510 people in the hall. So many people were present that some had to sit on the stage and some in the aisles. If a public health inspector had been present, he would have closed the meeting! The meeting addressed the problems of vandalism, car thefts, and breaking and entering offences. In some cases gang wars had been erupting; people of Aboriginal and non-Aboriginal descent were walking around carrying baseball bats, and the feeling in the town was very bad. It was an angry, oppressive and suspicious town. Pam Buchanan and I, as elected representatives, and Ian Taylor, as then Minister for Police and Emergency Services, felt that that situation could not be allowed to continue. Obviously, the people in that community did not want it to continue and the meeting was held to discuss the problems affecting the town.

It must be understood that in that situation some people were angry because they felt they were being victimised, not just by the police, but also by the community as a whole because members of their family were recidivists and were continually breaking the law. Emotions

ran high and I did not think it was in our interests to suppress those emotions; it was better that they came to the surface.

One of the problems was that people thought that the police staffing ratio in the town was too low; and that matter was brought to the attention of the meeting. We were told that there would be a new roster system, that there would be a forensic officer in Port Hedland, and that patrol times would be altered so that more police would be available to deal with violent activity and fights when the pubs closed. It was decided that liquor outlets should have some accountability for their actions in selling liquor to intoxicated and under age persons. Some time ago I stated during an adjournment debate that the response of Liquorland, which is one of the largest liquor outlets in Western Australia, has been to put up a notice outside its outlets stating that it will not serve people who are intoxicated or under age or who are buying liquor for persons who are intoxicated or under age. On a number of occasions I have gone to Liquorland outlets to praise the staff for the way they have been stringent in not allowing the sale of alcohol to those persons.

As a result of the severe problems that were experienced with Aborigines outside liquor outlets, the Alcohol and Drug Authority is to send two councillors to Port Hedland to look at the long term problems of people with drink-related illnesses. At that time there was no shelter in Port Hedland for people who have been found drunk on the street and who are unable to look after themselves, and the Bloodwood Tree Association has committed itself to providing a shelter for those people. It was clear to most of the people in the audience, as it is clear to most of the people who live in Port Hedland, that the Aboriginal drinking situation is highlighted because most of the Aboriginal people who come to Port Hedland do not necessarily live in the town but are passing through or have come in from the outlying stations to get their stores and to meet friends. Many of our social activities involve the use of alcohol, but we can go home and drink behind closed doors, and other people may not know about that activity. However, many Aboriginal people do not have closed doors behind which they can drink, so they have no alternative but to carry out their drinking in public.

It was also pointed out to us at the meeting that it is all very well for us to talk about our young people and to ask what do they get up to at all hours of the day and night, but it is also proper to ask where are the parents and whether our young people know where their parents are. It is vitally important that young people know where their parents are. It was also moved at the public meeting that we pay more attention to the Neighbourhood Watch scheme which has been put into effect in Port Hedland. Not only has lip service been paid to that scheme, but also there has been a misunderstanding on the part of many people about what that scheme means and about what sort of commitment is required from the people who take part in it. A community police officer has been transferred to the town to support the Neighbourhood Watch scheme and to restore some feeling of respect for the police, which has been lost in many towns in the Pilbara, particularly Port Hedland. The community police officer who is now in the town, Kevin Wells, has done his job in an excellent manner and has built up a rapport not just between young people and the police but also between older members of the community and the police.

Not only has there been a reduction in the crime rate but also the police have become more involved in community activities. Mr President, you would probably be aware that there is a tendency in country towns for school teachers and the police to not engage in community activities. However, in Port Hedland there is now greater intermingling of Government employees and the community, and people who have been in the town for only two years are becoming more involved in community activities. That has been a major step forward. However, it is all very well to talk about what members of the community believe should take place, but the major issue that came up at the public meeting was that there was a need for the community to be involved in what young people were doing and also to press their elected representatives - State, Federal and local government - to recognise the needs of young people and to meet those needs.

A report back meeting was held on 3 June, which attracted fewer people than the first public meeting, to let people know whether the promises given and the commitments made by the Government at the first public meeting had been carried out. I was able to report at that meeting that six additional police officers had been appointed to help to catch offenders because of the geographical difficulties we face in Port Hedland. That has helped to reduce

the number of break-ins because those offenders have been apprehended and sent to Longmore or Riverbank.

I do not intend to state this as a criticism, but there is an active Liberal Party branch at Port Hedland, and its members also were concerned about what was taking place and called a meeting, which was attended by Hon George Cash. The topics discussed at the first public meeting were also discussed at the Liberal Party meeting. One of the matters that was raised was that the street lights should be left on during the night; people thought that the reason that crimes were being committed was because the town was in darkness at night. The shire council agreed to leave the lights on at night, but it seemed that people who left their curtains open while the lights were on outside were not able to sleep, so they would not have been burgled anyway because they were wide awake all night. That is an indication of the way the community was trying to address the problem. On one hand there was the extreme view of vigilante groups; on the other hand some sensible and perhaps some less than sensible propositions were put forward at public meetings called to address the problem. There was also a headline about the meeting called by Hon George Cash. The major issues at that meeting were, firstly, the Radburn town plan system, which had been modified to address the difficulties the police were having; and secondly, leaving the street lights on at night.

While talking about our method of addressing the situation, I must say that, overall, the Government responded to what the community said it needed. That was a departure by this Government from the procedure adopted by all previous Governments in this State. Usually public servants, bureaucrats and Ministers tell the people in the north what is best for us. They usually present us with solutions which are not necessarily the sorts of things we think are the solutions, and we may or may not implement them. Usually we do not; usually we can demonstrate that the taxpayers' money is not being used appropriately but is wasted on the schemes some public servants and some ministerial staff have come up with. However, in this case there was a good and positive response from the State Government. It did not come up with any shiny tails or appointments of experts. It gave us the money to set up the Youth Involvement Council, which is a committee of community people from various disciplines. It includes some public servants but for the most part it comprises people who have interests in day care centres and various other businesses and organisations in the town.

The Youth Involvement Council is given an allocation of funds to provide for a coordinator and street workers, and it has gone on to provide a drop-in centre for young people. So although we do not yet have any purpose built recreation centre, which was the intention of the five year plan, an empty building has been taken over so that the young people in the town have a place to go if they are not interested in sport or if they wish to pursue an activity which interests them. Young people need to be able to just hang around with their friends, not necessarily to have any structured entertainment but just to be with each other, and that kind of facility was sadly lacking in Port Hedland. The drop-in centre helps to cater for that need. It is also a place where the police can go to as the need arises, not just to pick up people who may be suspected of wrongdoing, but to talk to the young people and to demonstrate that they have some human traits. They try to build up the trust that is needed between the young people and the Police Department in order to reduce the rate of crime and to show young people that there is a better, different and more productive way of spending their time.

I wanted to demonstrate the response of this Government to the problem in Port Hedland and to explain that the Liberal Party played a very positive role. Some headlines indicate that is not always the case. For instance, in an article in the *Warren-Blackwood Times* Paul Omodei, the member for Warren in another place, talks about imposing stiffer penalties, mandatory sentences and so on. We think we have gained a little maturity since the time when there was a popular cry for stiffer penalties. I am sure members will find that sentences, and the ability to punish wrongdoers, have been more draconian under the Labor Government. That is against the things we believe in but has been done nonetheless in response to community outcry. Sentences are stiffer.

Hon George Cash: The statistics do not show that to be true.

Hon TOM HELM: I am not saying that judges and juries are implementing the ability to put the sentences in place, I am saying that the sentences, the fines, and the potential punishment for crime is much stiffer than it was.

Hon George Cash: There has been some increase in penalties; however, on balance there is a perception in the community that Labor is soft on crime.

Hon TOM HELM: That is true; there are no two ways about it. It is a cross that the Labor Party must bear. We have increased the penalties but the public perception is that the Labor Party is soft on crime.

One of the symptoms of the malaise that affected the town of Port Hedland was that when these offences took place and the young people were apprehended - and there was quite a high rate of apprehension, and some gave the impression that they did not care about being caught - they were taken to Longmore or Riverbank. If any members have been to either of those facilities they will know that they are not places one would go to happily, particularly not from a town like Port Hedland, a thousand miles away. However, those young people were coming back into town, committing the same crimes, getting caught again, and going back to do another six or nine months in Longmore or Riverbank. They were committing breaking and entering offences, or what could be described as petty criminal offences. I can sympathise with those people whose houses were broken into, as mine was broken into five times. On one occasion I was out of the house for only two hours; I had brought things back home from Perth on a Friday night, from a parliamentary sitting, and those things were taken. If I could have laid my hands on the people who took those things I would have committed an offence myself! I am not saying that people should be soft on crime. I do not want to catch the person who breaks into my house or attacks my family, I want to stop him before it happens.

In Port Hedland we found that the best solution was to find a way to divert the energy and intelligence of those young people. If they break into a car fitted with the most sophisticated burglar protection, just to start it up and take it down the drive, it is quite clear that they do so just because they can. I suppose human nature is about meeting and beating challenges. In this case it transpired that the young person wanted to do that for no other reason than that he could, even though he would be taken down to Longmore or Riverbank, or out to a station. One of the measures of our success was that between October and December last year about 13 young people - 13 recidivists or active young criminals, if I can describe them that way - were due to come back to our town. We thought, "We will know this exercise has not been successful if the crime level rises and more appearances are made in the juvenile court." But no such increase occurred, or no perceived increase. In fact there was a decrease in the crime level. We have graphs showing that the amount of criminal activity by young people and the number of court appearances decreased. One headline of which we are quite proud said that during one week in June 1990 there was no reported crime at all in the town of Port Hedland. It was a totally crime free week, which shows the sort of levels we have achieved.

I am trying to encourage members of this House, when next their attention is drawn to a headline about juvenile crime, whether it be in the City of Perth or in any of the other towns in their electorates, to realise that there is more than one way of dealing with the juvenile crime rate. Hon Sam Piantadosi had a copy of the Liberal Party's law and justice policy -

Hon Sam Piantadosi: Have you got my copy of that policy?

Hon TOM HELM: The member lent it to me. It reads -

There is justified concern in the community about the increasing crime rate in our State. There are many factors including prevention and apprehension, and the balancing of just punishments to achieve both a deterrent force and rehabilitation, but in all of these we will place the interest of the community first.

I will demonstrate to the House that community interest is not served in this policy. The part of the policy referring to criminal justice extends from part (a) to part (j), yet in none of the parts is rehabilitation mentioned following the preamble. Surely, when discussing the resources of our State and nation, we have no more valuable resource than our young people; and we have no better way of spending our dollar than on programs designed to ensure that our young people can gain the benefits of living in this State and this nation. By doing that, young people will show a responsibility which will extend into the long term future. We must move away from the belief that the answer to crime is to put people behind bars and not

give them any chance to change their lifestyle. We must show them a better way, particularly young people, as we will not change their ways by locking them up.

In the time of difficulty in Port Hedland, before and during 1988, young people were moving around town proud of the fact that they were Longmore and Riverbank boys; doing their time was seen as a mark of respect. Coming from the City of Liverpool in the United Kingdom, and having spent most of my life there, I can say that that kind of attitude could be found in the working class areas in the UK. It was regarded as something special if a person had been to Borstal or to the Isle of Man and had birch scars on his back. It was no deterrent at all. If it were not for my upbringing, I could have been attracted by this bravado; unfortunately, some of my friends were and they were involved in not only juvenile crime, but also adult crime in the high security prisons in the UK.

We must spend money to listen to what the community is saying and we must encourage the community not to put forward only a negative view. If we continue in a negative vein we will have not only juvenile crime ad infinitum, but also a flow-on effect into adult crime. How many Casuarina Prisons will we need to build if we do not change people in our society and if we do not move away from the philosophy that if a person commits a crime he will spend time in prison? We should encourage the view that such a person can be shown a better and different way. I was pleased to hear Hon Eric Ripper discussing closing Longmore because the facilities are limited at that institution for teaching woodwork, metalwork and trade skills to be used in the workplace. Teaching these sorts of skills is what should be done when young people are incarcerated. That must be part of the disciplinary system, because the inmates have nothing else to do. They should be taught new and useful skills rather than how to break into houses and cars. Many of these young people are very intelligent and they need activities to expand their minds.

Unfortunately, the best way to describe the living facilities at Longmore is to say they are like huge public toilets, and at worst they are the most miserable, oppressive, unforgiving and cold places in which to sleep. It is worse than members might dream them to be. I have visited a few gaols around the world and one of the places I would want to avoid with all my heart is Longmore, especially the sleeping quarters. The facility is like a wild west fort in that it has a huge wall around it and it does not have a decent area in which a game of football can be played. The swimming pool comprises three lanes, and the young people keep bumping into each other. This does not provide an opportunity for rehabilitation. If the young persons who were excellent at their skills, be it metalwork, woodwork or whatever, were brought back into the community - as was done at Port Hedland - the opportunity for rehabilitation would be increased. To remain at the same facility would provide no positive benefit.

A great deal of money is spent on training people to train young people. We spend money to provide facilities and expertise. I believe that the most we can have in a working group is six persons, and this ratio of staff to students imposes a great cost on society - it costs an arm and a leg. What is the point of it when these offenders return to society and then repeat their offences? Hon Gordon Masters, the former Leader of the Opposition, provided a list of young persons who had been caught for repeat offences, and the list was so long it reached to the ground.

Hon Barry House: Before your time expires, tell us why the coordinator of the Port Hedland project resigned.

Hon TOM HELM: Ron Bowman was the best coordinator we had for a long time. He was committed to the north west. However, I believe he had an offer from an insurance company - the Prudential I believe - to go around the towns in the north west to explain what had occurred in Port Hedland and how an improvement could be achieved in other places. Ron Bowman played a large part in the success in Port Hedland, and he is able to explain to community groups how this was achieved.

I wonder whether the briefings will affect the funding of such programs. The funding that was provided to the council was based on one-off packages for each year. That left those people uncertain. In some cases that is difficult to handle and in others it suits the lifestyle. However, the funding must be linked to the consumer price index. The Government appears to be funding this program for at least another three years and linking that funding to the CPI. Therefore, those working in that area will have the ability to plan ahead for that period. But

to answer the member's question, Ron Bowman left the area. He is a man who revelled in taking on hard work. He was the coordinator for the Western Australian Lands Council for some time, and he worked hard for the community. He had five by-pass operations, and his commitment was so total that he burned himself out in many ways. His commitment to his job of helping socially deprived people was remarkable. His health was not the best and the job he was doing was probably the same as the one I have been trying to do; that is, explain to people that these problems can be solved in other ways. If we can recognise the problems, finding solutions to them is usually quite easy. We do not need to continue allocating money to try to solve the problems; we should be trying to fund organisations which can facilitate or assist in solving them.

[Debate adjourned, pursuant to Standing Order No 195.]

LOAN (FINANCIAL AGREEMENT) BILL

Second Reading

Debate resumed from 5 June.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [3.31 pm]: This Bill seeks to authorise the borrowing of \$160 million for redemption of a maturing financial agreement debt. It is also a result of meetings between the States and Commonwealth which were concluded in part at the Loan Council last year. At that meeting it was agreed that in future, rather than continue the old system of the Commonwealth borrowing moneys on behalf of the States, the States would be able to borrow funds on their own behalf. The Bill is directed solely - as is stated in the long title - at the State's assuming responsibility for refinancing its own debt. The Liberal Party supports that principle because it believes that the States should have greater autonomy over controlling their debts. That has not been the case in recent years where the Commonwealth has assumed that responsibility. The practical effect of this Bill will make the State's debt more visible by creating a higher global borrowing requirement, although the Commonwealth will still set the global limits for borrowing. Members will be aware that at the Loan Council meeting last year it was agreed in part between the States and the Commonwealth that the State would pay the interest differential. In fact, an up-front payment has been agreed to by the Commonwealth for the States to cover those differential payments.

The State Labor Government has made some political mileage out of this agreement by advertising what it intends to do with the bulk of those up-front payments. The \$160 million the Bill seeks to authorise will refinance maturities that will expire in 1990-91. That will be an amount in the order of \$95 million. Also, an additional \$65 million will be required to finance the maturities due to expire in the early months of the 1991-91 financial year. The Bill is straightforward and acknowledges earlier agreements between the States and the Commonwealth. The Opposition will support the Bill. However, part of the agreements between the Commonwealth and the States on the refinancing of outstanding debts are based on the indication that the State should be no worse off than if the Commonwealth had continued to finance the debt. That is one of the reasons for the Commonwealth's agreeing to pay differential interest payments. Clause 4 of the Bill clearly sets out how those borrowed sums will be applied.

This Bill is an additional piece of legislation to the usual financial Bills which come to this House. It allows members an opportunity for general debate; however, I do not intend to use this time to enter such a debate. I will do that during the debate on the Treasurer's Advance Authorization Bill and the Supply Bill.

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 J.M. Berinson (Attorney General), and passed.

TREASURER'S ADVANCE AUTHORIZATION BILL*Second Reading*

Debate resumed from 11 June.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [3.40 pm]: The Opposition supports the Treasurer's Advance Authorization Bill. The Bill declares the purposes for which the Treasurer's Advance Account may be applied, it specifies the limit for the advances that may be authorised from that account in the financial year commencing 1 July 1990, and it amends section 4 of the Treasurer's Advance Authorization Act 1990.

Members will be aware that this Bill represents a procedural measure which allows the Government to draw funds in advance of the Budget allocation for the next financial year. Members will be aware that this year the Government seeks a Treasurer's Advance of \$200 million and it is indicated in the Minister's second reading speech that this amount is \$20 million more than the limit authorised in the financial year ended 30 June 1991. The Minister's second reading speech indicates that the \$20 million is to be used, in part, to fund "unforeseen and unavoidable expenditures" - they are the exact words used - and of that amount \$18 million is required for the Department of State Development.

I ask that the Attorney General, when responding, indicate which unforeseen and unavoidable expenditures make up the \$20 million. I am not sure whether the \$18 million which is attributed to the Department of State Development is the actual amount and whether, therefore, there is a need for us to examine that matter. The Parliament is entitled to know which departments will receive funding from that \$20 million.

Members will be aware that the Treasurer's Advance Account has been used in previous years for matters which were not strictly within the law. In 1987 the fund was authorised to a limit of \$175 million. In 1988 the Treasurer's Advance Authorization Act, which was assented to on 29 June 1988, increased this limit to \$210 million. The extra \$35 million was, in part, used to increase the capital base of the R & I Bank Ltd and also to absorb certain increased liabilities of the Teachers Credit Society.

In recent years the Auditor General has reported that the Government has overspent its Treasurer's Advance Account, a matter which clearly concerns the Opposition - not that it should have happened once, but that the Auditor General should have had to report that it has happened on a number of occasions. Given the Auditor General's report and the Burt Commission on Accountability report and the fact that the Government said it would institute certain measures to ensure that its dealings with the public purse would not cause it to breach the Statutes of the State, I question whether those safeguards that the Attorney General has spoken of in the past have been put into effect and whether there will not be an overspending of the Treasurer's Advance Account in the next financial year. The \$20 million increase over last year's amount which the Government is seeking requires further explanation.

Clause 4 of the Bill is titled "Treasurer's Advance Authorization for 1991-92" and it is important to note subclause (3), which reads -

In this section -

"existing works and services advance" means so much of any advance made before 1 July 1991 under an enactment corresponding to section 5(1)(b) or (c) as has not been recouped before 1 July 1991.

Sitting suspended from 3.45 to 4.00 pm

Hon GEORGE CASH: It may interest members to know that in recent years the following amounts have been authorised, as they present a rather interesting story. In 1985-86 the amount drawn was \$152.7 million. In 1986-87, \$100 million was authorised of which \$112.1 million was drawn against the Treasurer's Advance Authorization Act, \$40.6 million less than the previous year, or a decrease of 26.6 per cent. In 1987-88, \$210 million was authorised by the Parliament. Members would be aware that \$211.4 million was funded under the Treasurer's Advance Authorization Act. It involved an increase of \$99.3 million or 88.6 per cent more than the previous year. In 1988-89, \$285 million was authorised of which \$271.6 million was drawn, an increase of \$67.2 million or 31.8 per cent on the previous year. In 1989-90, \$250 million was authorised. In 1990-91, \$180 million was authorised. The amount for 1991-92 is \$200 million.

Hon J.M. Berinson: I do not think you gave a figure for the amount actually drawn in 1989-90.

Hon GEORGE CASH: I do not have that figure. I draw those figures to the attention of the House to confirm the report of the Auditor General who said in respect to the 1987-88 drawings that the Government had exceeded its authorisation by approximately \$1.4 million. That happened again later. Members would be aware that the reason for the substantial increase from the 1987-88 authorisation of \$210 million to the 1988-89 authorisation of \$285 million was the need for the Government to pay a considerable amount to pick up some of the liabilities of the Teachers Credit Society and for other dealings it had entered into. This is certainly not a static figure which increases on an inflation index. It is all over the place, depending on just what the Government is funding out of this account at a particular time. One would hope, given the admonition of the Auditor General and the undertaking the Government has given in this House, that perhaps things will stabilise in the use of this account in future years.

As members would be aware, the Treasurer's Advance Authorization Bill enables a general debate. It is my intention to refer in particular to the current problems of the Fremantle Port Authority. Members would be aware that for many years I have asked numerous questions about the activities of both the Fremantle Port Authority and the Western Australian Coastal Shipping Commission, or Stateships. Members would further be aware that Stateships in general has been losing in the order of \$15 million a year for a number of years and that its losses since inception are a staggering amount. I will not enter into the arguments for or against Stateships today as that can be done at another time. However, I will relate the situation becoming evident at the Fremantle Port Authority where a recent announcement was made that for the first time in the authority's history it will lose money, in the order of \$15 million in this financial year.

I turn to the findings of a recent report commissioned by the board of commissioners of the Fremantle Port Authority. By way of explanation, members should be aware that the deteriorating situation at the Fremantle Port Authority has caused concern not only to commissioners of the port but also to users of the port and clearly the Parliament in recent times. As a result of that concern the board of commissioners employed Deloitte Ross Tohmatsu to conduct an investigation into the port and to make recommendations how improvements could be made to the efficiency and effectiveness of the administrative process. The terms of reference for the consultants are outlined in the report as follows-

The review was commissioned by the Board of the Fremantle Port Authority to recommend improvements in the efficiency and effectiveness of administrative processes. Where possible, immediately realisable efficiency gains were to be identified. However, it was recognised that the greatest and enduring benefits were likely to arise from better management systems and practices, increased workplace productivity and a consequent reduction in workforce numbers. The review report -

To which some members of this House no doubt have had access -

- therefore has commented on a range of corporate management and organisational issues, as well as on administrative procedures and use of resources.

Under the heading "Organisational Conditions Influencing General Administrative Effectiveness" the report of the consultants states -

The Fremantle Port Authority has been a closed organisation for much of its history. Efficiency has not been valued and little attempt has been made to hold managers accountable for results. Organisational conditions reflect this history and generally impede rather than assist the development of efficient and effective administrative processes. Among these conditions are:

- . inadequate information systems;
- . lack of resource management policies;
- . poor budgeting and planning;
- . limited enforcement of accountability;
- . little concern for value to clients;

- . continuation of manually intensive processes;
- . questionable selection and appointment processes;
- . minimal systematic training and staff development;
- . insufficient managerial attention to employment relations.

Those are just part of the comments made in what is a very comprehensive report. Under the chapter headed, "Overview of Major Findings and Recommendations for Change", there is a recommendation that the continuation of surplus staffing to the extent of an estimated 20 per cent of the total administration and management staff be addressed. That means that the consultants recommended that between 40 and 50 full time equivalents be made redundant in respect of the operations of the port. It is interesting that under the heading "Implementation Issues and Action" it recommended that the agreed target for reduction in staff be phased in over a period of three to six months. That is a relatively short period to be getting rid of 50 members of staff, and I would expect that when the members of the staff of the Fremantle Port Authority get an opportunity to read and digest this report, there will be a fair amount of anxiety in that organisation, considering some of the recommendations.

Over the period I have worked in life - and it seems to have been a very long time - when the temperature is 110 degrees and one sees road workers leaning on shovels, it has never been my view that one should criticise the person leaning on the shovel. If we were doing that sort of work the chances are that we would be leaning on a shovel or looking for the shade of a tree.

Several members interjected.

Hon GEORGE CASH: The point I am making is that it would concern me if the only remedies put in place to be implemented would mean that we were sacking welders, forklift drivers, fitters and turners and people working in those activities down at the port without looking at the management levels of the Port Authority itself. The reason I referred to people leaning on shovels was that it seems to me that we should not be blaming the bloke leaning on the shovel; we should be looking for the engineer in charge of the project, because if the temperature is 100 degrees, my experience is that there is a good likelihood he will be sitting in an air-conditioned car, probably under the shade of a tree, and not managing his men or the job they are doing in an efficient or effective manner. The bottom line is, I am suggesting that we look at the management of the FPA and not at those further down the line.

Attached to the Deloitte Ross Tohmatsu report is another document titled "Overview of the Ministerial Review of the Fremantle Port Authority." This report contains very interesting and very relevant information. I say interesting and relevant because this is the first time in the history of the port that it has lost \$15 million in a financial year. On the first page of the overview document is a statement that the review was initiated to examine the existing role, structure, financing, organisation and operations of the Fremantle Port Authority with a view to maximising its efficiency. The document goes on to state that one of the key issues identified is the large financial loss expected by the FPA this financial year to the extent that a substantial overdraft has had to be put in place in order that the FPA can continue its operations. The document then sets out a number of factors which have contributed to this very substantial loss. It is said that the downturn in trade through the port is one of the significant factors. The rural crisis we face at the moment is another of those factors, but the bottom line is, according to the report, that there is a need for the FPA to be significantly down-sized. That seems to be the new buzz word. Down-sizing really means that people need to be sacked; there must be a substantial reduction in staff levels at the port before it will be able to turn itself around and become profitable again.

A number of areas have been identified by way of the review of the port's operations which indicate that the FPA has been a party to competing with the private sector for a number of years in areas which are clearly not able to be sustained. Some of those are the vehicle maintenance area, and the manufacture of canvas, fibreglass and furniture products. These are things which the FPA will have to consider as it works to turn itself around. As one might expect, there is clearly a comment about inefficient work practices in regard to port operations, such as overmanning and unnecessary demarcation. This occurs not just at Fremantle; it is common to most ports on the Australian waterfront. The report clearly indicates that there will need to be a systematic elimination of the unnecessary demarcation disputes and a review of the manning levels in the port.

Examining the financial situation in regard to the FPA, we see a very serious financial position. The document indicates that it has already been necessary this year for the FPA to use a substantial proportion of its reserves - its leave and superannuation provisions. These reserves were represented by investments of \$13.02 million as at 1 July 1990, and they had dwindled by 31 December 1990 to \$5.6 million. It is noted that a further \$2.5 million will be required within the next two months to cover superannuation and leave entitlements of staff previously employed in the stevedoring operation which ceased on 21 January this year. The FPA's operating loss in the six months to 31 December was \$6.4 million, compared with a previously budgeted loss of \$1.5 million. It is expected that the overall loss for 1990-91 will be in the order of \$15 million.

Another interesting point raised in the report is the fact that one Government department owes the Fremantle Port Authority \$8 million for work done on behalf of that department by the FPA some time ago. The \$8 million relates to an agreement in respect of a WA Inc style deal. I refer to the Anchorage developments at Fremantle; the Government, for reasons of its own, and reasons which will probably come out in due course when the Anchorage deal is fully investigated by the Royal Commission, arranged for a transfer from the leaseholders who had riverfront properties within the Anchorage Development site. These were commercial boat operators, and the arrangement was that the properties should be transferred to a new commercial facility which was to be constructed at the Rous Head development.

Part of that construction involved deepening the harbour. The Government had determined to shift the riverfront tenants in the East Fremantle area. The Government believed that there was a need to deepen the harbour and that by using the spoil from the deepening it could create the Rous Head harbour development and transfer to it the people who occupied sites within the Anchorage development. It was agreed that the Superannuation Board, which was keen to advance the development of the Anchorage area, would pay the Fremantle Port Authority \$8 million for the work done. Even though that work was done some two years ago, presently the \$8 million has not been paid by the Superannuation Board to the FPA. That has added to the financial crisis faced by the FPA. An amount of \$2 million has been lost through interest forgone on the \$8 million. Again, that adds to the serious financial woes of the port authority. Work on the harbour deepening incurred considerable cost overruns. Originally, that was to be completed for less than \$30 million, but by the time the job was completed the cost had increased to \$36.5 million. Obviously that has also had an adverse effect on the operations of the port.

I must emphasise that, first, it is fair to acknowledge that the Government has attempted to recognise the significant problems in the management and operations at the Fremantle Port Authority. In that regard, the Deloitte Ross Tohmatsu report will be of benefit to the Government in the restructuring of the Fremantle Port Authority. Second, it is fair to recognise that the Minister for Transport has accepted many of the recommendations contained in the consultant's report. As I understand it, the report proposes to Parliament various recommendations in the document "Overview of the Ministerial Report on the Fremantle Port Authority". However, in the end, a very serious look must be taken at the operations of the Fremantle Port Authority so that we can remove from that body all the unnecessary work being undertaken - in particular, the work that clearly can be done by the private sector, probably at a lesser cost than that involved now. That would offer some positive reform of the operations of the port.

It is said that the Fremantle Port Authority, compared with the Brisbane Port Authority, comes a long last. Of all the other ports in Australia, the Brisbane Port Authority offers the closest comparison by way of size of port and trade through a port. The Port of Brisbane made a profit of \$18.16 million in 1989-90. It has not increased its port charges since 1982-83. Therefore, if one considers the inflation rate, that equates to a reduction in charges of about 80 per cent in real terms. Since 1982-83 the cargo throughput at the Port of Brisbane has increased by about 74 per cent. It is currently the cheapest major Australian port. It has a work force of 235 staff, compared with 646 staff at the Fremantle Port Authority - excluding the Waterside Workers Federation workers. That was the figure at 31 December 1990. It would be possible to go on at length regarding the recommendations contained in the various documents to which I have referred.

I have raised this matter in Parliament today to indicate that an opportunity exists for change at the Fremantle Port Authority. Unless we grasp that opportunity, unless we are prepared to

recognise that positive reform can be put in place for the benefit of the port - and, as a result, the benefit of the port users - shipping will not be able to call at the Port of Fremantle because of the prohibitive costs that will result if no change take place. People talk about nuclear free ports, but we may witness the Port of Fremantle becoming the first ship-free port in Australia. We do not want that. Fremantle is the principal port of Western Australia, and it is time that the Government - with the support of the Opposition and, one would hope, the support of the user groups - recognised the plight of the FPA. The Government should take positive action to rectify the problems at the port in an attempt to turn the FPA into a profitable trading organisation, as it has been in the past. I hope that it becomes a profitable trading organisation comparable to the Port of Brisbane. The Opposition supports the Bill.

HON PETER FOSS (East Metropolitan) [4.27 pm]: I wish to raise with the House again the operation of the Family Law Court. Two members of the other place - Mr C.J. Barnett and Mr Norm Marlborough - have raised this matter with the Attorney General and the Law Society respectively. My remarks are targeted not so much at the content of the matter but rather to the legal consequences of the effect of the Family Law Act, and in particular at the provisions of that Act relating to media law. Members may recall that I spoke on this matter once before.

There is a large distinction to be made between those parts of the Family Law Act which deal with what is, strictly speaking, family law and those parts which deal with what is, strictly speaking, media law. The media law provisions of the Family Law Act and the Western Australian Family Court Act impose a virtual ban on the public discussion of matters of contention relating to the Family Law Act and the Family Law Court. The reason for this is that we are not able to identify people - and that has been defined in such a way as to include, for instance, saying where a person comes from or allowing identification by extraneous reasons. For example, if a person appeared on a talkback radio program and someone recognised that person's voice, that would be an offence under the Act. If someone appeared on a current affairs program on television and that person was recognised, that would be a breach of the Act.

The most effective methods for allowing public debate of issues are denied to people who go through the Family Law Court. The law may be good, the law may be bad; the court may be good, and the court may be bad; but my concern has always been that the public are left with the impression that nothing is wrong with either and that nobody in the community is concerned with either simply because they do not see any public discussion of the law or of the court, and because they do not hear people making that criticism. The reason for that is that when these people go with their tales of woe to the media they are told that due to the constraints placed upon them by the Family Law Act and the Family Court Act, they are not in a position to conduct a proper analysis and publication of the dispute. A particular concern of mine is that we, as members of Parliament, all too often hear one side of the dispute. One cannot make up one's mind what changes need to be made in the law if one hears only one side. We need to hear a public debate in order to make up our minds what has occurred and whether it is fair.

I will not read this rather extensive note I have from the wife, in this case. However, even if a quarter of it were correct it would be something which a person would validly like to have aired in public, have the husband called upon to answer the allegations that the wife has made in public, have the law and the operations of the court made the subject of public discussion. At the end of all that, the result may be that people will come to the conclusion that the law is right, or that the court has acted correctly. The important point is that there will have been public discussion and the public will know that somebody is feeling strongly affected by the operations of the law or of the court. It is a distressing situation where people feel they have no real remedy, that the court has acted in a way that has disregarded their interest, and that they do not have an avenue of complaint or redress. I know we can all appeal, but one of the problems of which this woman complains is that as a result of the operation of the law she has been left penniless and unable to protect herself by using a solicitor, whereas her husband has had adequate access to a solicitor and has been using that access in order to make her life extremely difficult. I do not know whether that is correct. However, from my knowledge of the law it is quite possible that one has a legal right, but as a result of the cost of the legal process one might not legitimately have access to that legal right; one is denied that simply because the law is too expensive or one is too poor. The net

result of this case is that this woman said that when she went into the marriage all moneys were contributed by herself or her parents - her husband brought nothing into the marriage - but various assets were purchased at various times after the marriage. Through the processes of the Family Law Court, nearly all the money has been transferred to the husband.

I am not by any means saying that the wife has been completely without fault in this matter, but the net result is that she now finds herself without sufficient money to fight the case and, as far as she is concerned, everything she has contributed to the marriage has been taken over by the husband. One of the strange things about this is that she is in business, in partnership with another person, and he has been affected by an order made by the court relating to property. As I understand it he was neither joined in the proceedings nor heard in the proceedings. There is a power in the Family Law Act for third parties to be affected. I had one venture into the Family Law Court when I represented a financial institution that was affected by an ex parte order made against it with regard to a mortgage on the matrimonial home. I had been instructed to appear on behalf of the financial institution and was able to be heard, but it was within the power and ability of the court to make orders affecting the rights of third parties without that third party being either joined or heard. Another matter this woman complained about was the ex parte making of orders for imprisonment. This is something that the court is extremely reluctant to do but is not precluded from doing. That matter needs some sort of public examination, because I had previously met another woman who complained about an ex parte order being made for her imprisonment.

I am not seeking in this speech to canvass these points; I am seeking to say that if these allegations are being made, they are of such seriousness that they merit public discussion. I do not see how the Family Law Act will ever be amended unless there is public discussion. That is the way in which demands for the law to change have always come about. We as a community become aware that things are happening which we believe are not correct, and we form a view that something needs to be changed. We cannot form a view of what needs to be changed or how it needs to be changed unless there is intelligent and useful discussion in the community. I have here one side of the story. I am sure that if I spoke to the husband I would get a totally different view. However, I am sure that if I were able to speak to both of them I would come to the conclusion that somewhere along the line perhaps this system could be improved.

As a community we are not putting our minds to this problem, we are not being alerted to the considerable amount of misery and hurt in our community. We as members of Parliament know of that, yet when constituents come to us we feel powerless. What can we do? We can tell them to go to the Attorney General, the Law Society or to seek legal aid, but we cannot really do anything more beyond that. We cannot say to these people, "Go to the Howard Sattler show and complain about it there", which is often a piece of advice I give to constituents who need to raise an issue in the public mind. We cannot suggest they raise the matter with the newspaper, or take their complaints to the public where they can be properly aired, where their views can be challenged by the public and stand up to the scrutiny of the public. None of that can be done in the case of the Family Law Act because of the restrictions in the Act which effectively prevent proper debate. I appreciate that it is not an absolute prohibition, but if one asks the media whether they can deal with this matter, the answer is "No, we cannot." Talkback radio and television shows feel particularly constrained by the provisions of this law.

I am coming back to a point I have made before: As a basic principle, the administration of justice must be completely open, not only for people to see that it is being done properly in the court, but for it to be capable of being fully reported and discussed by the community. I fail to see how we will ever have a proper discussion of family law while there remains in the Family Law Act and the Family Court Act a prohibition such as we presently have on media publication of details in matrimonial causes. I urge members to think back to occasions when they have been approached by constituents with complaints about this and see whether they can join in promoting the idea and discussion that we must have a change in both the State and Federal laws to enable this area of the law to be properly canvassed, and to enable the court, the law, the lawyers and the litigants to be subject to the scrutiny of the public so that some advances will be made in this area. I support the Bill.

HON REG DAVIES (North Metropolitan) [4.40 pm]: In this debate on the Treasurer's Advance Authorization Bill, I would like to refer to a number of areas that concern me in my

electorate. However, I intend addressing only one issue that should concern all of us on this occasion. I refer to the education prospects of young people from disadvantaged families. Without being too dramatic, there are nights when my sleep is disturbed by concern for youngsters who live in the area in which I live and work.

Hon Sam Piantadosi: I was told that was a permanent condition.

Hon REG DAVIES: I hope that Hon Sam Piantadosi will share the same concerns that I have for the futures of young people in disadvantaged areas. I do not mind if he is flippant throughout my speeches. Most of my speeches are punctuated with remarks by Hon Sam Piantadosi. Sometimes they are helpful.

Hon Sam Piantadosi: I was trying to be helpful.

The DEPUTY PRESIDENT (Hon Doug Wenn): Order! The member will return to the Bill before the House.

Hon REG DAVIES: I could go on all day, but in deference to you, Mr Deputy President, I will not.

Parts of the district are among the most disadvantaged in Australian society. I refer to the suburbs of Balga, Girrawheen, Mirrabooka and Koondoola, which are all situated in North Metropolitan Region.

Hon Sam Piantadosi: And Nollamara.

Hon REG DAVIES: Yes, to a lesser extent, Nollamara. As people tend to tighten their belts more in this depression -

Hon Mark Nevill: We had a positive growth last year.

Hon REG DAVIES: - other areas are also becoming more disadvantaged. There is a chronic over-representation of these young people in our courts. One can safely assume, from a cursory appraisal of crime statistics, that crime is a reflection of severe disadvantage. When we look at what society offers children from the area, right from the time they are small, we can see that it is "not a whole lot". Here I am referring particularly to their access to a good education, which is something that goes hand in hand with opportunity in employment and a way up the social ladder. So many children in low socioeconomic areas from deprived backgrounds have been deserted by our education system. I do not believe anybody in this place could deny that a decent education is the least that every child should expect. They are being denied that opportunity by what I perceive to be an uncaring Government which chooses to misappropriate public funds to forgotten causes and dead issues such as the breweries. Schools are operating on a skeleton of what they should be. Teachers and aides have been removed from classrooms where social, physical and emotional disadvantage is the norm. Teachers are being asked to teach classes with an average of 30 students each, with the disadvantaged portion sometimes totalling 25 per cent.

I have a year by year analysis of the number of disadvantaged pupils in a primary school in the area I mentioned earlier. The list includes classes from years 1 to 7 and gives the numbers and types of disadvantaged in the classes. I have already said there were roughly 30 students per class. I will quote figures from the list at random and refer to year 6 at this school. The overall number of students at year 6 totals 54. The disadvantaged in those classes include five Aboriginal students, five students with English as a second language, four students with severe health problems, three students with severe handicaps and six who are emotionally disturbed. "Emotionally disturbed" indicates that they are receiving guidance or counselling because of severe behavioural problems. They are a very disruptive factor in the classroom. They have little special consideration other than the priority schools program, which is Federally funded. The PSP grant provides children with excursions and outings which these children cannot expect as a part of their ordinary, everyday lives. Where children come from deprived households and where their exposure to interesting events and activities is negligible, the school is the only institution that has even the vaguest possibility of rescuing them from the intellectual abyss which is their birthright. Currently, teachers there have to cater to the needs of both the physically and culturally deprived child as if that were the norm, without any extra teaching assistance, teaching aids or aides, or even a rationalised number of students. So much for any real appreciation of social justice in the Ministry of Education.

I suggest that the people who are holding down "seen to be doing good" jobs, such as in the

area of social justice, would do better if they were employed in trying to reverse the deprivation of these people who need help. So much for equal opportunity, so much for social justice.

We all appreciate that integration of every type of disabled or problematic student is desirable. It removes the stigma and has compounding and positive effects on every student if properly managed.

Hon Sam Piantadosi: Have you spoken to the guidance officers at those schools?

Hon REG DAVIES: Those schools that have guidance officers that have not suffered through the current squeeze.

Hon Sam Piantadosi: Which ones?

Hon REG DAVIES: Obviously, I have spoken to people in authority in the Ministry of Education, and in the schools, otherwise I would not be saying what I am saying. I said that integration, if properly managed, is beneficial and would have positive effects on our students. However, to foist upon teachers and other students a disproportionate number of students with special needs and then to expect everyone to get on with it is totally unrealistic because everyone ends up being disadvantaged, not because they are intellectually unequipped, but because their equal opportunities and their right to considerations of equity are not so equal as they are for children from more affluent areas. We can all see the gap widening further between the haves and the have nots flourishing under socialist Governments, and why. It is an ignorant and impoverished voting population who believe that the party of the workers is earnestly and honestly -

Hon Mark Nevill: That is insulting and gratuitous.

Hon REG DAVIES: A lot of the people in those low socioeconomic areas, such as Balga, are kept out of the education system. They cannot get a good education because of the lack of teaching staff, and they think that the Labor Party is the party of the workers, so they vote for that party. It is in the interests of the Labor Party to keep those people in that area so that they continue to vote for the Labor Party.

Hon T.G. Butler: Is that why you called them ignorant?

Hon REG DAVIES: There is no way I called the people in that area ignorant. I said a lot of them were -

Hon Mark Nevill: You had better doctor your speech.

The PRESIDENT: Order! That is dangerously close to being totally out of order, but it is out of order nonetheless.

Hon REG DAVIES: The current Ministry of Education do-gooder programs are ludicrously inept at even attempting to redress the inequities of poverty. I believe the ministry staff are also very aware of this because the arrogant distortions of the truth, which are contained in answers to parliamentary questions, are a clear demonstration that the ministry has something to hide. I quote an example of a question I asked the Minister for Education this session -

Would the Minister define the term "disadvantaged" as it pertains to primary school children?

The answer I received was -

The Ministry of Education prefers to address specific needs and contributions of identifiable groups; that is, students from non-English speaking background, students with disabilities rather than address the term "disadvantaged".

Hon Mark Nevill: How would you define it?

Hon REG DAVIES: It does not include in the definition of "disadvantaged students" children with enduring low socioeconomic backgrounds, and yet both the Karmel report and the Beazley report do.

Hon Mark Nevill: What does "enduring" mean?

Hon REG DAVIES: A long term socioeconomic disadvantaged background - such as that of the people from the areas in the northern suburbs, to which I alluded earlier.

Hon Mark Nevill: Are you talking about poor people?

Hon REG DAVIES: Yes, precisely. The second question I asked was -

Would the Minister define the term "disabled" as it pertains to primary school children?

I received the following answer -

The Ministry of Education when referring to the disabled uses the convention "students with disabilities" to focus attention first on the students and then on the disability. The general term "students with disability" is used by the Ministry of Education to refer to students with sensory, physical and intellectual disabilities.

Once again, the ministry does not define children from those poor backgrounds as being disadvantaged. Once again, the Karmel report and the Beazley report do. Is it a disability to come from an area of low socioeconomic background, often from a one parent family where that parent must go to work, and to not have enough clothes or equipment? I suggest that it is a disability. As I said, the Western Australian Ministry of Education does not recognise that as a disadvantage although both the Karmel and Beazley reports do. On the same day I asked the following question -

What special considerations are given to teachers with disadvantaged/disabled children in their classes?

I received the following reply -

A wide range of education support services and special placement provisions is available to meet the diverse learning and support needs of students with disabilities. Teachers in regular classrooms have access to advisory support relevant to particular student needs.

I was not happy with that response because I believed the specific issue of the low socioeconomic factor was being avoided. I again asked the Minister on 8 May this year, in connection with an answer the Minister gave on 1 May, whether the Ministry of Education considers that unequal teacher/aide distribution should exist in classes with high numbers of disadvantaged students. Part (2) of that question asked -

If the answer is yes, will the Ministry for Education consider providing differential staffing in schools which prove marked educational disadvantage?

The reply stated -

The Ministry of Education recognises that additional staffing is one strategy to support students disadvantaged by socio-economic status, race, or physical and/or intellectual disability.

In other words, it recognises the problem but does not provide a differential staffing formula. Part (2) of the reply skirted around the problem as follows -

Differential resourcing, including differential staffing, occurs through specific programs and services. Current support to schools gives schools access to additional resources, including staff, to assist students or groups of students with special needs.

We all know that blind children, and those with cerebral palsy and spina bifida, receive a visit from a special teacher approximately once a week to determine whether they are coping with their specific disability. However, the socially disadvantaged are not taken into account in any special way. My questions could have been answered quite simply by the Minister's saying that, although the ministry would like to address the problems unique to this impediment by the provision of unequal resources, no funding is currently available to do so. That would have answered my questions about insufficient funds being available to provide extra staff in those schools. I wanted to bring to the attention of the House that the answers to my questions were skating around the issue, rather than addressing the problems in the community. I asked those questions not to have the Minister's staff running around doing extra work but to try to satisfy my genuine concern for the youth in those poor areas. Often, the Minister makes one feel like a crook for daring to ask a question involving her portfolio. However, there are dramatic problems in the education system in this State. We regularly receive longwinded answers from the Minister, a trip around Australia and back, and rarely is

the problem acknowledged, or a remedy suggested. I single out the Minister for Education on this occasion because I am referring to educational issues. It would take a whole day to discuss other ministerial answers, especially matters relating to law and order.

The Ministry of Education could have changed the lot of those children who sit in turbulent classrooms and are unable to comprehend exactly what the teacher is talking about. I am sure that we can all picture a teacher who is teaching grade 7 work to children aged 11 and 12 who are a good two years behind in their academic achievement. Those children have not the faintest hope of doing well.

[Continued on p 3083.]

[Questions without notice taken.]

STATEMENT - BY THE PRESIDENT

Question Answers - Ministerial Responsibility

THE PRESIDENT (Hon Clive Griffiths): I am a little disturbed at something happening in the House, although I have not done anything about the matter. A notice of a motion was given yesterday and some questions were asked today about the status and future of some questions on notice. While it is not for me to comment about whether questions are being answered quickly or otherwise - I do not want to get into that argument - if a member asks a Minister in this House a question, either on notice or without notice, which relates to the portfolio of a Minister in another place, I tended today to detect a suggestion that it is the responsibility of the Minister in the other place to determine when the answer would come back. That, clearly, is not the situation. The responsibility belongs with the Minister in this House to obtain the answer. Where the Minister gets the answer is the Minister's business, whether it be from the Minister in the other place or the public library. The fact is that it is the responsibility of the Minister in this place to get the answer, not to suggest that the Minister in the other place is being slow in providing an answer.

I bring that to the attention of members only because it seems to me that if one does not keep going back to the beginning one frequently drifts away and the end becomes the beginning. I do not want to start a debate on the matter.

HON J.M. BERINSON (North Metropolitan - Leader of the House) [5.34 pm] - by leave: Mr President, I have already indicated that I do not propose to start a debate on your comments. However, the least that should be said is that a distinction must be drawn between the theoretical and practical application of the standard to which you have referred. As a Minister representing Ministers in the other place, my invariable practice when I am asked to pursue a question is to go through the Minister's office. Last week, for example, Hon Barry House asked about, I think, five of his questions that had been unanswered for some time. I think I am correct in saying that as a result of my inquiry five have since been responded to.

Hon Barry House: Fifty per cent were replied to. I asked 10 questions and received answers to five of the 10; that isn't bad.

Hon J.M. BERINSON: With respect, it does not help to say that it is the responsibility of the Minister in this House to procure an answer by any time because the only route to the information, other than recourse to the library as a remote possibility, is through the Minister. Ministers in this House do not have access to departments under the control of other Ministers and they have no authority over departments which are subject to other Ministers. In other words, they are not in a position, as with their own departments, to require any particular response by a certain time. That may or may not fit within any theoretical stand, but it is the practical reality we face. A matter very similar to this has, on another occasion, gone to the Standing Orders Committee and it might be worthwhile to have the particular aspect you now raise also reviewed by that committee.

I try - I think I can say the same for other Ministers in this Chamber - to respond promptly to questions within my area of responsibility. We also try, especially when prompted by references to delays by other Ministers, to expedite answers from them. However, it is important that I state our position because, much as we are prepared to accept full responsibility for matters on which we can reasonably be held responsible, the situation is a

little difficult if we are also to be held responsible for matters over which we have no control.

THE PRESIDENT : I hope the Leader of the House is not suggesting I was being critical of the time in which answers come back, because I do not have any view on that. I indicated I did not want a debate and I will not have one, but I will not allow what I said to be misinterpreted. I have called a meeting of the Standing Orders Committee and have asked the Clerk to make this one of the items on the agenda. I was simply reporting to the House that I was prompted to do that because either yesterday or the day before I heard a member give notice of a motion on the subject. I then exercised my mind about why the member would be wanting to do that, added to the point the Leader of the House referred to about Hon Barry House, because I also heard him make reference to the delay.

I made the comment today because the Minister for Education - I am not critical of her either - said that the Minister for the Environment in another place was probably responsible for her not having answered a question. She looked around as though the responsibility for providing that answer to the member was the other Minister's. I do not care whether the Minister answers the question, because I try to tell members again and again that they are not required to answer a question at all if they choose not to. They will not be directed by me in any other way. However, having accepted the question, the House is entitled to expect the Minister to whom the question was directed to chase up whoever is being slow. It is not for the member to have to chase up the Minister who then chases it up.

If, at the eleventh hour, I have started a gigantic Federal case, I did not mean to. That the Minister is a member of this Government does not interest me; I would say the same thing to a member of any Government. We must remember - I have said this on other occasions - that we should not waive the rule simply because it is comfortable to do that today, because next week it may be uncomfortable and we may not want it waived. I realise we have much work to do in the next day and a half, but as I have been elected to be the custodian of the rights, privileges, customs and traditions of this place, should I fail to protect them I would be entitled to be criticised, and I do not want that to happen.

TREASURER'S ADVANCE AUTHORIZATION BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

HON REG DAVIES (North Metropolitan) [5.40 pm]: The disadvantages of low income and difficult home environments are simply not being countered. It would appear that at surface level they are not being acknowledged. Naturally, we can expect that such students will be disruptive. All those with children will understand that to sit through an entire day, week or year unaware of what is being taught can result in outbursts of rebellious behaviour. Children from poor backgrounds will probably never catch up to children from privileged backgrounds because the education system is simply not structured to suit those who do not have everything going for them. The education system ignores the abject misery, frustration and painful encounters of daily school life which confront the poor and powerless.

A report produced by the Western Australian poverty task force on participation in the work force discussed the anguish which children from low socioeconomic backgrounds experience in classrooms. Those students feel that teachers do not know, like or understand them. They believe that the class sizes are too big for slow kids - they even think of themselves as being slow. They think that much of the work which is being taught is simply unexplained to them and they are made to feel dumb. Teachers and those who set the curriculum often assume that students have some background in what is being taught. Children who are experiencing difficulty usually have to spend much of their time just surviving life's difficulties. They have little capacity to concentrate on learning. Eventually they become classified as failures and often become disruptive and resistant learners. We should face the fact that learning is difficult even if one comes from a loving and caring background, and even if attending an upmarket school where learning is the teachers' and students' main concern.

The Ministry of Education had the financial capacity to try to equalise the lot of these disadvantaged children. However, the rights of the underprivileged children have been ignored. The Ministry of Education sent \$5 million back to the Consolidated Revenue Fund last year. These funds could have gone towards helping those kids cope. However, that

money went back on the pretext that the ministry did not need it. There is no other area which is in more need than helping these children. The Ministry of Education is simply concentrating on balancing the books. It spends all of the Federal funds so it can come up tops and hand back a budget surplus. What can the powerless poor do about that situation anyway?

Hon Derrick Tomlinson: What can the powerless school teachers do about it?

Hon REG DAVIES: Yes. The school renewal report, enclosed in its glossy cover, was tabled on 8 May this year and contains empty rhetoric which will not negatively affect children from areas in which parents have had the advantage of higher education. This program will ensure that an increasing percentage of students will be alienated from the system. Of course, these youths are perfectly powerless to solve the problems of a faulty school structure. Proper access to education is crucial to everybody's existence. The education system has proved a great success for very few. What more must it do? There are some students from affluent areas who achieve successful participation in academic work, athletics, music and other extracurricular activities. These students naturally gain access to the most rewarding and prestigious careers. Their parents before them have probably achieved the same results. That has not occurred because such people have been born with a greater intellectual capacity but because they have had the opportunity to do so well. Evidence compiled by many sociological researchers clearly demonstrates that children from affluent areas generally achieve better results within the school system than their less wealthy peers. Naturally, they are not often represented in the criminal statistics. They achieve high standards simply because they have had greater access to the education system and the education system has been relevant to their lives. The school renewal program is a thinly veiled exercise in cost cutting at the expense of the powerless people who have been kept firmly in their subordinate places. In that way the Ministry of Education will be able to boast its successes. The poor will remain powerless and the status quo will not be altered.

Hon Derrick Tomlinson: There will be no change in educational reform.

Hon REG DAVIES: That is right. If we examine the circumstances of kids who pinch cars we may be confronted with the realisation that they will never have the privilege of owning such cars. That is the underlying cause of their deviant behaviour. It lies in their inability to change their current situation or to participate in mainstream society. It seems to be a commonly held view that children who display oppositional behaviour in the classroom or who often miss school or hop periods are not the responsibility of the Ministry of Education. Teachers are not social workers and they cannot be expected to deal with this situation. Who is responsible? Where does the buck stop with kids who are lost in the system? They will probably end up unemployed and resort to substance abuse and/or juvenile crime.

The Department for Community Services obviously does not survey households to see how children are surviving traumatised lifestyles. It can treat only those cases in which there is an awareness of child abuse. Members of the Police Force cannot be assigned to the task of examining children's home lives and they cannot be in contact with every child on a regular basis, but teachers are. Perhaps the way to minimise Western Australia's low crime rate - it has the highest rate of incarceration of juvenile offenders in Australia - is to address the real underlying factors which lead to criminal activity. The University of Western Australia's crime research centre report indicates that a poor education and unemployment are common denominators among prisoners in this State. These factors also feature prominently in juvenile criminal records. It is common practice to deal with juvenile crime through judges and the Department of Corrective Services. What purpose does incarceration or probation achieve? It is a bandaied treatment only and it does not benefit society or the children who stand a good chance of being included in the recidivist offender statistics. The indicators show that improved education leads to greater employment opportunities which, in turn, means the opportunity to make a positive contribution to wider society. It will result in fewer people being involved in crime and, therefore, fewer people in our prison system.

The Ministry of Education needed those funds which were at its disposal. Children from poor families might have been rescued from their potentially disastrous future if their disadvantaged position had been considered by the ministry. Why has the Ministry of Education chosen to leave the poor to languish in their misery for which they will eventually be blamed? It is a clear case of blaming the victim.

In summary, we need a rational and objective examination of the needs of disadvantaged schools. The Ministry of Education must focus its attention on improving opportunities for the disadvantaged. In other words, we need long term planning which will benefit our entire society. With those few words, I support the Bill.

HON J.M. BERINSON (North Metropolitan - Attorney General) [5.53 pm]: In the nature of these money Bill debates the area of discussion is unlimited and in common with our general practice I will not attempt to answer all the matters raised. Those that I do not address will be referred to the respective Ministers. However, there are two matters to which I should respond and one relates to a question asked by the Leader of the Opposition going to the amount in the Bill and the second question was raised by Hon Peter Foss in respect of the reporting of Family Law Court proceedings. I will deal with the latter matter on this occasion because it comes within my portfolio.

The Leader of the Opposition asked for some greater detail on the need for an additional \$20 million in the Treasurer's Advance Account. My general response to that is that we cannot separate one \$20 million from the other.

Hon George Cash: It was the last \$20 million I was talking about.

Hon J.M. BERINSON: What the Leader of the Opposition is really looking at is a generalised Treasurer's Advance Account which totals \$200 million. Again, it is in the nature of that account that it is not itemised. The reason for the Treasurer's Advance Account is precisely because it is not possible to anticipate in advance what allocations might be necessary from that account. This arises because one of the main categories for these advances is overspending by departments. It goes without saying that original allocations to the departments are intended to meet their full requirements. When they go over that amount we are in unanticipated areas and when the figures are totalled it comes to the amount that has to be met.

It may assist the Leader of the Opposition and other members if I give one or two major examples. The second reading speech referred to \$18 million required by the Department of State Development and the point was made that this was not excess expenditure, but expenditure for a department which did not exist before and expenditure which would be matched by savings in departments which were absorbed by the Department of State Development. During the break I checked with the Treasury Department and I found that that figure is now \$19.4 million, but it is still, in fact, to be fully met by savings from the absorbed departments. Another major item was an amount of \$12.2 million. This was, at an earlier stage in the year, transferred from the hospital building and equipment trust fund but it was then found that that procedure was not acceptable. The requirement for a refund to the trust fund account took another \$12.2 million from the Treasurer's Advance Account. I could go down the list to relatively small amounts. One of the better known of the provisions we will find when we come to the detail in the Budget papers will be a figure of between \$4 million and \$5 million which will be required because of the overrun of anticipated costs of the Royal Commission. Another amount of roughly the same proportions will be required for State taxation refunds. At the end of the day it is necessary to simply add those up rather than to point at any one of them as an explanation for the \$20 million. The point I am trying to make is that the explanation for the \$200 million will emerge from the Budget papers. I take the further point by the Leader of the Opposition about the overruns in one or two previous years and he can be assured that Treasury is now very sensitive indeed to those and there should be no question of that recurring.

I indicated that there was one other matter to which I would respond, and that is related to Hon Peter Foss' comments on what he called a virtual ban on media discussion of issues before the Family Law Court. Members may recall this was a subject of a separate exchange some time last year between Hon Peter Foss and me. At that time I suggested that his view of the limitation of reporting was exaggerated and that it was not nearly as limited as he was suggesting. He did not accept it then and I thought he had since, which is why I had not raised the subject again. However, he has raised that matter again and mainly along the previous lines. Arguments can go back and forth on a theoretical basis, but the proof of the issue is in our practical experience. In this respect I refer the House to a very interesting report by *The West Australian* which was published just after the earlier exchange to which I referred. That report went into very great detail about a particular case but without infringing

on the rules leading to identification. It was an interesting case because it had many unusual features and *The West Australian* reported those fully. On some theoretical basis it might have been said it infringed the rules. I can assure members it was subject to close attention and everybody concerned, including the court, was satisfied that it did not. In other words, *The West Australian* report indicated how far that could go and I believe there is substantial scope for reporting Family Court issues - I stress "issues" - rather than persons and I am sure that is what Hon Peter Foss was emphasising as well.

I commend the Bill to the House.

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 J.M. Berinson (Attorney General), and passed.

Sitting suspended from 6.01 to 7.30 pm

MOTION - SHARK BAY MARINE PARK

Disallowance of Order

Resumed from 11 June.

On motion by Hon Kay Hallahan (Minister for Education), resolved -

That the House resolve itself into a Committee of the Whole for the purpose of considering the motion.

Committee

The Deputy Chairman of Committees (Hon D.J. Wordsworth) in the Chair; Hon Kay Hallahan (Minister for Education) in charge of the motion.

Hon KAY HALLAHAN: We are about to take part in an important debate which demonstrates the conciliatory and cooperative approach that often occurs in this Chamber. I am sure we are all possessed of the notion that we are locked in combat in this Chamber on this matter, but although there has been some combat both inside and outside the Chamber on this topic I am happy to report tonight that a position has been agreed upon regarding the importance of the Shark Bay Marine Park. I am pre-empting the comments of Hon Phil Pental, which is not something I do often or lightly, as members appreciate; however, I understand that Hon Phil Pental will seek leave to withdraw the motion. He has reached this position, as I understand, as a result of action taken over the past few days.

I will refresh members' minds. On 10 June the Shire of Shark Bay wrote to the Minister for the Environment, Hon Robert Pearce, setting out its concerns regarding the establishment of this marine park. As a result of that letter and debates that have taken place since, ongoing concern has been expressed about the great importance of this unique marine habitat. We have before the Chamber tonight a letter I will be happy to table which was sent to the president of the Shark Bay Shire Council, Mr Les Moss, today, as I understand. It states -

Dear Les,

Thank you for your letter of 10 June 1991 about the Shark Bay Marine Park. None of the five points you raise in your letter amount to insurmountable difficulties. In fact each has been either addressed and agreed to in the explanatory documents issued with the Notice of Intent and further, in earlier correspondence, or is subject to final discussions in the current management planning process. As I understand the current situation, the following comments can be made about these five issues:

1 Wooramel Bank Channels

There is a practical difficulty in defining the channels. Nevertheless, I

understand that CALM staff have already had several discussion sessions with local people on this issue and that it is on the agenda for the meeting between representatives of the two Shires and the NPNCA to be held Friday. I believe we can look forward to resolution of the matter in the management planning process.

2 Powers of the Fisheries Act

It is a fact that the Fisheries Act "shall prevail" in the event of any conflict or inconsistency between its provisions and those of the CALM Act relating to commercial or recreational fishing in the Park. The CALM Act was amended to that effect in 1988 to accommodate the Government's intentions for a multiple use Shark Bay Marine Park. Copies of the Act amendments were made available to the Shires at the time and have been quoted several times in public documents and correspondence about the Marine Park previously.

3 Boundaries

As you know, the boundary of the park as shown in the Notice of Intent was amended in the Gazetted Notice so that the trawling grounds are excluded. This was a response to the fishermen's submission and indicates that the fishermen's interests and operations have been taken into account. There are three very small areas where those overlap. An understanding was reached between CALM and the Fisheries Department before the boundaries were gazetted that transgressions by the trawlers across the boundaries, although unlikely to occur often, would be provided for in the Management Plan.

4 Pastoral Lease Boundaries

The Marine Park is not adjacent to Hamelin Station. The question of the Station boundary with the Hamelin Pool Marine Nature Reserve is an entirely different issue being dealt with elsewhere.

The western boundaries of Carbla, Yuringa, Wooramel and Edagee are separated from the Marine Park by either a 40m strip of vacant Crown land or an existing Land Act reserve. The Marine Park boundary as Gazetted, does not impinge in any way on the pastoral leases. What is at issue is the location of the inner boundary of the 40m strip and Land Act reserve. That is nothing to do with the Marine Park and is being negotiated separately with the pastoralists concerned.

In the case of Faure Island and Nanga Station the situation is similar.

The principle that management of the Marine Park will not impinge upon pastoral operations has already been agreed to. These boundary and pastoral questions have been discussed with the pastoralists individually and your Council has been briefed several times. Written advice has been provided to the lessees and to the Pastoralists and Graziers Association.

5 Sanctuary Zone Boundaries

Within a Marine Park location of Sanctuary Zones are a matter for the management planning process. The boundaries suggested in the Preliminary Draft Management Plan presented to the two Shires for discussion late last year and again early this year, will now be put to the NPNCA. I understand that the two Shires will be present at that meeting.

When the NPNCA is satisfied that the Sanctuary Zones are reasonable, it will release a Draft Management Plan for public comment. The Shires will again be consulted when the public submissions are received prior to the final plan being put to me for approval. As you know, the Act already requires that the Minister for Fisheries must agree to the proposal with respect to fishing matters before I approve the final version. Once finally approved, the Management Plan and its zoning boundaries cannot be changed unless the whole process of participation is gone through again.

I am not able to give any assurance that the final Management Plan zoning

scheme will be exactly as proposed by CALM in the Preliminary Draft. The matter must be put out for public comment before the final decision is made. However, you will acknowledge that the Shires and local people have had, and will continue to have, very significant input to the process.

These procedures are spelt out in the three documents ("Why Have Marine Parks", "Proposed Shark Bay Marine Park and Hamelin Pool Marine Nature Reserve" and "Strategies for Marine Conservation in Shark Bay" provided to your Council previously. Additional copies of the first two documents are enclosed.

I am very confident that all the issues that you have raised can be resolved satisfactorily during the management planning and public participation process now that the Marine Park is Gazetted. Resolution of such issues is of course the reason why the procedures of management planning are spelt out so clearly in the CALM Act.

Yours sincerely

Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

12 June 1991

This is a happy event. I understand from Hon Phillip Pendal, and from Hon Philip Lockyer, that the motion of disallowance - which would effectively destroy the legal entity and the recognition of the Shark Bay Marine Park - is to be withdrawn. I understand that will be done on the basis of discussions that have either taken place between Hon Phillip Pendal and the Shire of Shark Bay or have been reported to him about the satisfaction of the shire with the letter received from the Minister for the Environment. On such a harmonious occasion, one is reluctant to add a discordant note. The matters outlined in the letter to the shire from the Minister for the Environment, probably contrary to what will be said by members opposite, are matters that have been dealt with on multiple occasions by both the Minister and by officers of Department of Conservation and Land Management. That should be placed on the record. Members opposite can grimace, but I do not know what has happened in local discussions which have been so confused.

Hon P.H. Lockyer: I will tell you in a minute.

Hon N.F. Moore: The Minister always accepts what she is told.

Hon KAY HALLAHAN: I have seen the evidence. I have been told by more than a few people involved, that it is difficult. The member sees the situation through one set of eyes, otherwise he would not have moved such a ridiculous motion; I see the situation through a different set of eyes. However, we have reached a point where we think the matter is important -

Hon N.F. Moore: The Minister accepts advice and trots it out willy-nilly.

Hon KAY HALLAHAN: Hon N.F. Moore thinks that I accept all advice from whatever direction. I can tell him that the people who work around me wish that was the case; they know that it is not the case.

Hon N.F. Moore: The Minister trots out the advice, and reads the speeches - it is not on!

Hon KAY HALLAHAN: When I represent a Minister in another place, I certainly take advantage of advice but I do not accept carte blanche what is said. I am fortunate in that I have the opportunity to discuss matters with a number of people. The member should not think that he is the fount of all wisdom, as I can make a counterclaim. As we know, Hon Phil Pendal will need to justify the position that he has taken to threaten such a beautiful marine park of World Heritage class.

Hon P.H. Lockyer: You will get a serve now!

Hon P.G. Pendal: Minister, I think the less you say the better.

Hon George Cash: Be gracious and retreat; sit down.

Hon KAY HALLAHAN: Let us get straight just who is to retreat.

Hon George Cash: Then be gracious, and sit down.

Hon KAY HALLAHAN: I will revert to my position of being eternally grateful for the good sense that sometimes descends on the Chamber; this is such an evening. Hon Phil Lockyer has said that he wants to give me a serve; and that is okay.

Hon P.H. Lockyer: A lecture.

Hon KAY HALLAHAN: Before he does that, I congratulate him for his role in bringing what I think is a sensible resolution to the matter.

Hon P.H. Lockyer: Now that the Minister is coming over to my side, I am beginning to be worried. I was on the ladies' side this afternoon on television.

Hon KAY HALLAHAN: At least the member has changed his mind about saying it is nice to have women around the Parliament. The member has learnt, but he can learn more. That would be good for us all.

The Shark Bay Marine Park is of world renown.

Hon P.H. Lockyer interjected.

Hon KAY HALLAHAN: The people who come after us will know that. We must indicate that we appreciate the park; we are creating history tonight.

Hon P.H. Lockyer: I will give the Minister the rundown on the park.

Hon KAY HALLAHAN: Hon Phil Lockyer possesses even more wisdom than the collective wisdom of all experts and all technological knowledge. That will be interesting to hear. Everyone in this House, and the Minister for the Environment in another place, should take credit for the outcome tonight because we are proceeding towards voting on a foreshadowed motion by Hon Phil Pendal.

Hon P.G. PENDAL: I had hoped earlier that we might be able to put a birth notice in *The West Australian* in the morning along the following lines -

To the Government and Opposition -

A healthy marine park born today after a pregnancy of elephantine proportions, supervised by local authorities, the Department of Conservation and Land Management, fishermen, pastoralists, and environmentalists - and to be named "the Shark Bay Marine Park".

As everyone knows, births are not always happy occasions, free of difficulty. We were five minutes into the final stages of the birth of this marine park when we ran across some rancour. On behalf of the Opposition, I intend later to seek leave to withdraw the disallowance motion that was moved some weeks ago in order to bring about some clarification on the part of certain industries and local people at Shark Bay. However, I will begin by saying that this Committee would know that the proposal for a marine park in Shark Bay has not been without controversy. Much of that controversy has been unnecessary and resulted from the water's being muddied by the proposal to list this area of Western Australia under the World Heritage Convention in Paris.

A lesson for members in this Chamber and in the other Chamber, and for Governments of whatever persuasion, is that if ever we want to impede the creation of new marine parks and land based national parks, we should go down the path of muddying the waters with a World Heritage listing.

I will dwell on that point because the proposal to preserve Shark Bay via a World Heritage listing has been the controversy in the equation, not the proposal to create a marine park per se. Members would be aware, and if they are not I will remind them, that marine parks are created in Western Australian law under the Conservation and Land Management Act 1984. Under the provisions of section 13 it is possible to create marine nature reserves, which are different creatures entirely, or to create a marine park. A marine park has any one or a combination of the following properties. It can be for the conservation of -

- (a) aquatic or terrestrial flora and fauna generally and their habitats;

- (b) marine and freshwater flora and fauna generally; or
 - (c) any specified marine or fresh water -
 - (i) animal; or
 - (ii) plant life,
- or class thereof, or a combination of any of those purposes.

In simple language that means that a marine park has a multiplicity of purposes, unlike other forms of parks or reserves which are created where we restrict people's activities in a fairly dramatic way. Effectively a marine park is created to preserve that area's conservation value, its recreation value and, in this case, its fishing value. That shows that Western Australia has the facility to save its aquatic or marine environment. The Act states that implicitly, so we need not rely on World Heritage listing. The Opposition feels that World Heritage listing does not present any problem where that listing occurs as a result of agreement with not only the Commonwealth Government, which nominates the areas to Paris, but also the State in whose territory that listing occurs, and in consultation with the local people and the variety of interests that they represent. It is not without significance that all of that came to pass in 1988 when the then Premier, Mr Dowding, released the Shark Bay region plan. That plan foreshadowed a number of things, one being a marine park at Shark Bay. That proposition was endorsed by the Parliamentary Liberal Party and the National Party, so that 1988 document was a bipartisan approach. We may not have agreed with every word but in the main it was endorsed, certainly by the Liberal Party. That was before I had any responsibility for the Liberal Party's environmental portfolio.

Hon Kay Hallahan: Would it have been any different?

Hon P.G. PENDAL: It would have been a less bumpier road to have negotiated for all of us.

It was when the present Government wanted to introduce the element of World Heritage listing that the matter became the subject of fear at the local level. People were saying, "There is sufficient protection of the environmental values of the area, of the fishing and recreational values under State law; we do not need to have World Heritage listing". Why does World Heritage listing make us extremely nervous, given that we do not quibble with the principle? Australia is one of the few countries in the world, if not the only country which enshrined World Heritage listing in Federal legislation. So effectively a World Heritage listing, if we adopt it in this country, becomes an area subject to Federal law and not State law because of the Commonwealth's World Heritage Conservation Properties Act. I make no apology for the fact that we do not see World Heritage listing as a positive move, when that means control is taken from the State and the area is potentially subject to Commonwealth law. We make that objection because on many occasions successive Commonwealth Governments have abused external affairs power, and that is not acceptable.

The Minister has quite correctly said that this whole matter came to a head at the weekend. We were confronted by a situation that, if we chose to proceed with the disallowance motion, the creation of the marine park would be destroyed. I have said all along, and I understand that other members of the Opposition share the view, that would be a great pity. Indeed, having listened to the people of Shark Bay I know that many, if not all, share that concern. However, they want a marine park created under terms and conditions that will not only look after the legitimate conservation values at stake, but also will not endanger their livelihoods as fishermen or impinge on reasonable pastoral and tourism activities.

The matter came to a head at the weekend when the Opposition circulated what was called a document, titled "Cover Note Shark Bay Marine Park - Preliminary Draft Management Plan". This document was signed by Mr G.W. Mercer, the regional manager of the Department of Conservation and Land Management on behalf of the management team that was attempting to establish the marine park. Mr Mercer made a point which cut across something that the Minister said in her opening remarks tonight and what the Opposition, local authorities and the local people had feared for some time; that is, that all of the processes had not been observed and exhausted. For example, Mr Mercer said at one stage -

The issues addressed and management strategies proposed have been collated by a Department of Conservation and Land Management team after limited consultation with individual community members and organisations.

I ask members to dwell on those words.

Hon Kay Hallahan: Did you hear my speech last night?

Hon P.G. PENDAL: I heard the Minister's speech. Mr Mercer went on to say that -

The normal and desirable process of having an Advisory Committee for consultations on issues was not available to the Planning Team in this case.

A little later he also stated -

As a result there are recommendations in the document -

That is the document to which this was attached -

- that have been developed without the extensive community consultation which normally occurs in the evolution of a Management Plan.

That valid concern was expressed in the memo and shared by the people at Shark Bay who felt that they needed more reassurances before the Opposition moved to withdraw the motion of disallowance. Therefore, on Monday, after I held discussions with the Shark Bay Shire Council, a minute was sent to the Minister for the Environment, Mr Pearce. That minute addressed five issues which are the issues to which the Minister for Education has now responded on behalf of Mr Pearce. That letter was sent to Mr Pearce by councillor Les Moss, the President of the Shark Bay Shire Council. It was not simply a letter sent on his behalf but a letter which represented the views of the Shark Bay people. Les Moss was the collating agent for the Carnarvon local authority and its shire president. Councillor Tom Day has also taken a vigorous interest in this matter. Councillor Moss was to speak on behalf of pastoralists, those in the fishing industry and other interests in the area. That meant one person was presenting a united view encompassing all interests.

The letter also requested that the Minister give the reassurances in writing. A letter signed by the Minister for the Environment containing those reassurances was received today and it was those terms which the Minister for Education read into the record tonight. I do not intend to retread them, suffice it to say that this afternoon I and other members of this Chamber were able to contact those people in the region to find out if the contents of that letter gave them the reassurances they were seeking. Councillor Moss said to me that the assurances were acceptable; he had called a number of people this afternoon asking for their views on the letter. However, in fairness to those people, he said that they were not deliriously happy with everything but that they believed that the assurances addressed the substance of the affairs and they were pleased to receive them. I note also - and I say this without rancour because this motion is important and is not an exercise at scoring political points - that it is important people understand that the assurances contained in that letter, unlike the statement of the Minister for Education, were not assurances that those local people have received before.

I have spoken with some Government officials overnight and have been told that Mr Pearce personally believes that these assurances are similar to the assurances that have been given in the past. Human nature being what it is, an assurance is not worth a lot if the person to whom it is directed does not feel reassured by it. Therefore, the Government may have felt that it has given certain reassurances in good faith in the past; however, the fact remains that the local people are confident that the reassurances they sought had been received before. I do not intend to argue what is right and what is wrong. The job of the Opposition is to represent the views of all people who believe they are not being considered by the Government of the day. I hope, within the shortest possible time, we will give the Minister and her colleagues the chance to show their aptitude at representing those interests in Western Australia.

Hon Kay Hallahan: We are much better in Government.

Hon P.G. PENDAL: The letter represents a breakthrough in the granting of the reassurances that those local people have been seeking for some time.

I am pleased about the results; however, on Monday I received a telephone call from Mr Norman Halse, the Chairman of the National Parks and Nature Conservation Authority, after remarks of mine appeared in the Press. Mr Halse raised a number of matters with me on that occasion. However, I had to say to him that it disappointed me that he was the first

Government official to contact me on this matter. His was the first response I received from anyone in the Government in the five weeks since I moved the motion to disallow the order. I did try to get back to the Government, through Mr Halse - who is a retired officer of the civil service - the message that the Opposition felt it had been discourteously treated in this matter because it was hoping that it could have finished with it at an earlier stage. Nonetheless, I was pleased to receive that message from Mr Halse. However, there is a message in this for the Government, Ministers and officers of Government departments; that is, when the Opposition moves motions of this kind it is forced to move them and does not do so because it has nothing better to do. It moves these motions in the real hope that it will receive information that will allow it to back away from a course of action on which it has embarked.

Finally, it has been put to me by a number of Government officers that they have never before been through so much pain and agony in attempting to create a marine or national park as they have been on this occasion. I tried to isolate why it was that other Government officers and Ministers have been able to create national parks and marine parks at both the officer and ministerial level without the dreadful level of rancour that we have experienced in this case. It is true that at the root of this dispute has not been the issue of a marine park because that has been resolved elsewhere in Western Australia with fishermen and local conservationists. Government officers will tell us that they have been able to sort those things out with compromise from many people. The element that was present on this occasion that was not present on previous occasions was World Heritage listing.

Hon Mark Nevill: And a marginal electorate.

Hon P.G. PENDAL: I have undertaken privately to keep the debate on the highest level possible.

Hon Mark Nevill: You have said "finally" three times.

Hon P.G. PENDAL: Hon Mark Nevill knows me better than that.

It is very important for every member to understand that the hitch in this matter is the question of World Heritage listing. The Federal legislation is a bad piece of legislation and I would like to see it withdrawn. I hope that we have learnt something so that, in the future, proposed marine parks in Western Australia will not have to run the gauntlet that this one has had to run. Recently people in the fishing industry in conversation with me drew a contrast between what has happened on this occasion at Shark Bay and what is happening with the Abrolhos Islands. I have been told that the Abrolhos Consultative Committee was formed and is advising the relevant Ministers on matters relating to the Abrolhos, including appropriate management measures and zoning, prior to its creation as some form of marine park. The message coming from the fishing industry is that matters are proceeding in the Abrolhos for the Government's next step of creating a marine park and it is occurring with a fair bit of consultation and with a degree of cooperation from conservationists, the fishing industry, recreationists and other people. That is being done without World Heritage listing which seems to have been the stumbling block on this occasion and I hope it is not in the future.

I intend to leave my remarks there because I understand that, when other members have spoken, your advice to me, Mr Deputy Chairman, will be that I should seek leave of the Committee to withdraw the disallowance motion and that, after that, you will report to the President, that the report will be adopted and that, on the adoption of that report, the matter will be disposed of.

Hon P.H. LOCKYER: I welcome the decision by the Minister for the Environment to send that letter to the Shark Bay Shire President today. When this matter was first brought to the attention of the House in November last year, I, as is every good local member's right and duty, took it to the Shires of Shark Bay and Carnarvon, to the Denham Fishermen's Association and to anybody who was interested in it. We had accepted in principle the proposal for a marine national park in the area and at that stage it had come down to the final points. Will the Minister indicate by way of interjection whether she has been to Shark Bay?

Hon Kay Hallahan: I do not think that makes any difference.

Hon P.H. LOCKYER: It sticks out like dog's ears. It is amazing that people try to impart upon their fellow members of this Chamber knowledge that they do not have. I am sorry that

the Minister has not been to Shark Bay. May I, on behalf of my constituents, extend to her an invitation to visit it at her earliest convenience.

Hon Kay Hallahan: I thought you were about to talk me out of it and say it was not a unique area.

Hon P.H. LOCKYER: No.

Hon Kay Hallahan: All right then, don't offend me.

Hon P.H. LOCKYER: I will not offend the Minister because that would be like running over her with a truck. She is about as subtle as a train smash. I have no hope of offending her; I have been trying for the last nine years.

The DEPUTY CHAIRMAN (Hon D.J. Wordsworth): Order! The member will not reflect upon another member.

Hon P.H. LOCKYER: We should recognise first that dolphins at Monkey Mia are a unique world class tourist attraction.

Hon Kay Hallahan: Don't you think I can read and understand that, having not experienced it?

Hon P.H. LOCKYER: I would normally give the Minister the benefit of the doubt. However, I will go through this step by step so that when she visits the area and gets down to her bare feet to feed the dolphins, as we arrange for the more illustrious visitors, she will recognise that for long before the Government thought of a marine national park for this area, these dolphins have been looked after extremely well.

Hon Kay Hallahan: And they deserve to be looked after for all time.

Hon P.H. LOCKYER: We agree at last. The dolphins are a world class attraction. The attention that has been given to those dolphins over the last 10 or 11 years has been incredible. Because of them, the road has been bituminised, firstly from the Overlander Roadhouse to Denham then from Denham to Monkey Mia; all for a dozen dolphins.

Hon E.J. Charlton: They have not used it, have they?

Hon P.H. LOCKYER: For the benefit of Hon Eric Charlton, it is the second most visited tourist attraction in Western Australia. The only other place that is more visited than Monkey Mia is Rottnest Island. That is not bad for a place 800 kilometres from Perth. There is no question that local people and the people concerned with tourism in this State have recognised the importance of these dolphins. However, when we introduce regulations in this House to protect the marine national park, bearing in mind that we agree with that, another species that we must give particular consideration to is the species called *Homo sapiens*, human beings, the local people. When I took the regulation to them and we went through it clause by clause, while they agreed with most of it, there were some areas about which they wanted to ask questions. We put those questions to the Minister concerned. Undoubtedly there is no more hard nosed Minister around than Bob Pearce, and I respect him for it. However, the trouble is, he struck some other hard nosed people. The first person he struck was the new President of the Shark Bay Shire Council, Les Moss, who happens to be pretty hard nosed also. He also struck the President of the Shire of Carnarvon, who is also hard nosed. He also struck the President of the Denham Fishermen's Association, Dick Houl, again a pretty hard nosed person. They do not trust everybody -

Hon Kay Hallahan: Because -

Hon P.H. LOCKYER: It so happens that they have already had the experience of World Heritage listing and they did not want it almost to a person. The only person in Shark Bay in favour of World Heritage is a respectable fellow too. Those people have a bit of history on their side. They thought that, once they had these matters cleared up, they would accept it.

Hon Mark Nevill: That is nonsense. One person in Shark Bay supported it?

Hon P.H. LOCKYER: Public meetings were held.

Hon Mark Nevill: I attended some of those meetings.

Hon Kay Hallahan: Was everybody there?

Hon P.H. LOCKYER: Very few people were not there. Only one person, Doug McCleary, a highly respected businessman in the town, voted in favour of World Heritage listing.

Hon Kay Hallahan: Did only one person at the meeting support it?

Hon P.H. LOCKYER: The whole town were there. The people of the township of Denham and the Shark Bay area did not want World Heritage listing. Unfortunately, the Minister's Federal colleagues saw fit to introduce it over the top.

Hon Mark Nevill: What has that to do with Homo sapiens?

Hon P.H. LOCKYER: I am getting sidetracked, but it is important to explain the situation to the Minister so that she does not make the same mistakes she has consistently made in this regard. No response was received to all those queries, and following the requests from the people of Shark Bay, through the Carnarvon Shire Council, the fishermen's association, and fishermen generally, the only method left open to us was to move the disallowance motion. I am happy that after all the mucking about, and after dragging the Minister screaming and shouting to the barrier, a satisfactory outcome will be achieved. The people of Shark Bay are satisfied that they have that assurance in writing, and I have no doubt that the matter will now go through smoothly. It would have been so much easier if that had been done last time.

I advise the Minister that the Government cannot disregard the voice of the local people. In this case the Minister has learnt a lesson. Sometimes people will give up but the people of Shark Bay, particularly the Shire Clerk, would not do so and they stuck to it like glue. I have the greatest respect for Mr Mercer, whose document was leaked tonight, and I hope he does not get into trouble because of it.

Hon Kay Hallahan: It was not a leaked document.

Hon P.H. LOCKYER: Mr Mercer is a good officer; he carries out his duties in an impeccable fashion and has done a good job in difficult circumstances. The Minister should not have thought that the people of Shark Bay were not dinkum; fortunately, commonsense has prevailed at the end. I hope in future that it is not necessary for us to go to these lengths. I reiterate to the Minister - for the last time on this subject - that everybody in the area acknowledges that a national marine park will be for the betterment of the area. However, consideration must also be given to the human beings trying to earn a living in very tough circumstances. I believe it will work and I will in due course support my colleague's move to withdraw the motion.

Hon N.F. MOORE: I want to take the Minister back into some history. The original idea, as she mentioned yesterday in the debate, for a national park in Shark Bay was contained in the Red Book Conservation through Reserves Committee report. That suggested that the whole Shark Bay area, on land and at sea, be made into a national park. At the time, I did not agree with that because it would have affected existing industries in Shark Bay on land and at sea. When the Labor Party came to office the question of World Heritage listing raised its ugly head in Shark Bay, and members will be aware that a number of public meetings were held in Denham to gauge public opinion. The Minister for the Environment, Mr Pearce, gave an undertaking - I heard it personally on two occasions - that he would not move unless the people of Shark Bay agreed to World Heritage listing. I made some comments about his adviser at that meeting, who I did not think was the sort of person who should be advising the Minister on these matters. Everybody in the area was led to believe that Mr Pearce would support them if they did not agree to World Heritage listing. In 1989, when the Federal election was held, the Hawke Federal Government announced that it would place Shark Bay on the World Heritage list. It did so at the same time that it announced the Australianisation of the North West Cape of Exmouth and a few other things, which it thought would win it some votes among the greens in Sydney and Melbourne. Mr Pearce did not have a lot to say at that time with respect to World Heritage listing, and he left in the minds of people a doubt about where he stood. I was prepared to accept his word because I know him to be, as Hon Phil Lockyer said, to be a hard-headed politician.

Hon P.H. Lockyer: I said "a hard-nosed politician".

Hon N.F. MOORE: It means the same thing - they are on the same part of his anatomy. On Tuesday, 31 July 1990, while driving in my car I was listening to the "Drive Time" program on the radio hosted by Kevin Hume. His guest on the program was none other than Bob Pearce, who was under attack from the green organisations about an issue, the details of which I cannot recall. In seeking to defend himself he said words to the effect that they should not be criticising him now because he had "helped organise World Heritage listing for

Shark Bay". Those were the actual words he used, which I ascertained from the tape at the radio station. He said that in 1990 after the promises made by the Federal Government in 1989 to provide World Heritage listing for the Shark Bay area. I had been prepared to accept the Minister's word, given that at two public meetings I attended he said that listing was only on the cards if the people of the area wanted it. At both meetings I attended the voting was 330:1 or 330:2 against World Heritage listing. Yet, Bob Pearce said on the radio to a city audience in his own defence that he had "helped organise world Heritage listing for Shark Bay". How can one trust a Minister who adopts that approach? A moment ago the Minister for Education interjected when my colleague was speaking, with the word "trust" in such a way that she hoped the member on his feet would comment on the Minister's trustworthiness. In my view the Minister is totally untrustworthy on these issues. Bob Pearce is one of the most blatant, cynical politicians in Western Australia.

Hon Kay Hallahan: You are going close to having to withdraw your comments.

Hon N.F. MOORE: There is nothing unparliamentary about that; it is probably a compliment to a member of the Labor Party.

Hon Garry Kelly: Surely you are not being blatant and cynical?

Hon N.F. MOORE: If someone said I was a cynical politician, I would not get upset. Mr Pearce reminds me of Senator Richardson because he adopts the same style of politics; that is, he looks at an issue, works out the votes and then takes a position. They do not let principles interfere with their judgment; they decide where the votes are. Mr Pearce has been appointed Minister for the Environment, in the same way that Senator Richardson was Minister for the Environment, to extract every single green vote from the system that they can get their hands on. The cynicism of their attitude is demonstrated by the remark I quoted from Mr Pearce on the ABC radio that he had "helped organise World Heritage listing for Shark Bay". He wants to claim credit for that on city radio but at Shark Bay he says he is not in favour of it if the residents do not want it. He said his job was to work out what the people wanted. Mr Pearce now comes before the Parliament with a proposal that a marine national park be established at Shark Bay, and says that this House should agree to the boundaries of that park.

I hope - and I know the people in the area hope - that that is as far as it will go. Once we get a marine national park in Shark Bay, that should be the end of the story. I do not believe World Heritage listing is off the agenda. This is an interim measure leading up to the ultimate objective of imposing World Heritage listing on the area of Shark Bay, which would be detrimental to the people of the area. The whole system is being dealt with the wrong way around. What we are being asked to decide tonight is the boundaries of this park, but we are not being told what will go on inside the boundaries. I had my office telephone the Minister's office on three occasions and ask for a copy of the draft management plan for Shark Bay. On each occasion I was told that I could not have one.

Hon Kay Hallahan: It is still being drawn up.

Hon N.F. MOORE: One is available; it was given to the shires.

Hon P.H. Lockyer: I have one too.

Hon N.F. MOORE: My colleague has one which was given to him by one of the local councils. The Minister is deciding who can have one. I telephoned for one and I was told by the Minister that I could not have one. Local members cannot have copies of the draft management plan from the Minister's office.

Hon Sam Piantadosi: Are you saying Mr Lockyer is not a local member?

Hon N.F. MOORE: Of course he is, but he got his from another source, not the Minister's office.

Hon P.H. Lockyer: From the Shire of Shark Bay.

Hon N.F. MOORE: The Government is asking us to approve the boundaries of a marine national park, but it is not letting us know what will go on inside those boundaries until such time as we agree to the boundaries. That is the absurdity of the proposition being put before members tonight.

Several members interjected.

Hon N.F. MOORE: That is why I supported the motion.

Hon Kay Hallahan: Oh dear, oh dear, oh dear! You did not listen and you have not read my speech of last night.

Hon N.F. MOORE: I do not listen to or read the Minister's speeches because they are usually written by somebody else.

Hon Kay Hallahan: They set out the legal requirements, you silly fellow.

Hon N.F. MOORE: This order which we have moved to disallow determines the boundaries of the marine park.

Hon Kay Hallahan: You are wrong!

Hon N.F. MOORE: The Minister should read it herself. Has she not seen the Order in Council? It has a schedule that determines which area will be covered by the marine park. That is what we are debating; the boundaries, not what goes on inside them.

Hon Kay Hallahan: That is exactly what I explained.

Hon N.F. MOORE: The Minister has it the wrong way around.

Hon Kay Hallahan: The law stands -

Several members interjected.

The DEPUTY CHAIRMAN (Hon D.J. Wordsworth): Order!

Point of Order

Hon BOB THOMAS: The member quoted from a document from the ABC. Can we have a copy tabled?

Hon N.F. Moore: Oh, come on; I have one minute left! Read your Standing Orders. Wait until I have finished.

The DEPUTY CHAIRMAN: There is no point of order.

Debate Resumed

Hon N.F. MOORE: I agree; and the gentleman should read his Standing Orders. He should ask at the end of my comments.

What we are being asked to approve in this regulation is the boundaries of the marine park, not what goes on inside. It should be the other way around. We should work out what goes on inside, then determine whether the boundaries are satisfactory for that purpose, and then give ultimate approval. That is where the order is wrong. If the law says that is the way we have to go, and I believe it does, it should be changed.

[The member's time expired.]

Hon BOB THOMAS: I seek leave to have the document referred to by the honourable member tabled.

Hon N.F. Moore: It is a Press release. You can have thousands of them.

Several members interjected.

[See paper No 426.]

The DEPUTY CHAIRMAN: Order!

Hon KAY HALLAHAN: I do not want to add rancour -

Several members interjected.

Hon KAY HALLAHAN: I am feeling a little unhappy about things I have heard because last night - it seems a million years ago but it was only last night or yesterday afternoon - I set out why the park was being set aside. It has unique attributes, and many of them. We all say we agree with that tonight, and that is a great step forward; it is super. I also set out the processes which had taken place with regard to consultation, and there has been consultation. Hon Phillip Pandal said a couple of interesting things, and I shall go back to one of them in a minute. Hon Mark Nevill made an interesting comment by way of interjection. Yesterday I set out what the law says, and the law says that we have to gazette a marine park; we have to create it. That is what happened in December, and that is what we are debating now.

Hon P.H. Lockyer: It is the same as Ningaloo.

Hon KAY HALLAHAN: Once we have the boundaries in place and we have created this national park, the law says that we should go about drawing up the draft management plan, and that is precisely what is happening now.

Several members interjected.

Hon KAY HALLAHAN: From Hon Phil Lockyer's speech and from Hon Norman Moore's speech one gets the impression that members opposite did not understand that that is the legal requirement for this Government, for all its officers, and for everyone else.

Several members interjected.

Hon KAY HALLAHAN: It may be a silly law, but that is how the law stands and we are obliged to go with it.

Hon P.H. Lockyer: You have to get the boundaries right; they have to be acceptable to the people.

Hon KAY HALLAHAN: That is right. From the point when the notice of intent was issued to the time when the boundaries were gazetted adjustments were made to take into account the expressions of concern from local fishermen and others; there has been a responsiveness to local concerns.

Hon P.H. Lockyer: There are only five things left.

Hon KAY HALLAHAN: There have been many local concerns. There has been a responsiveness by the Government and by the Minister for the Environment, and we are now down to five concerns.

Hon P.H. Lockyer: That is good.

Hon KAY HALLAHAN: The Minister for the Environment truly believed these concerns were being addressed in a reasonable way. What Hon Phillip Pental said which was pertinent to this debate is that, although it may be that the Minister for the Environment had a very genuine belief that the issues were being dealt with, the local community apparently was not aware or did not accept that a genuine attempt to address these issues of concern was being made.

Hon P.H. Lockyer: They accepted it, but they wanted it in writing.

Hon KAY HALLAHAN: I tell members sincerely that what they have in writing in that letter today they have been given verbally by the Minister for the Environment and by officers of the Department of Conservation and Land Management over and over again. I have spoken to officers of CALM -

Hon P.G. Pental: That is true, but Mr Moore made the point that it came down to a matter of trust in the end, and they did not trust the verbal undertaking.

Hon KAY HALLAHAN: Let me make it clear. Hon Phillip Pental made two other points which need addressing. I said last night that it was not a leaked document because there was sensitivity in the local area. The Minister had the department go to extraordinary lengths. Rather than go into the draft management plan process and draw up a draft management plan, he had the department go through the process of preparing a preliminary draft management plan so that people could understand the processes by which a draft management plan would be drawn up. The document referred to by Hon Philip Lockyer as being leaked was not leaked; it was the preliminary draft management plan.

Hon P.H. Lockyer: No.

Hon KAY HALLAHAN: It was. It had a covering note from Mr Mercer.

Hon P.H. Lockyer: I did not say it was a leaked document.

Hon KAY HALLAHAN: The member did tonight. He said it again.

Hon P.H. Lockyer: I did not. I said the letter was reporting a draft management document. I did not say it was leaked. It was freely given to me by the shire.

Hon KAY HALLAHAN: Exactly. It was given to the member by the shire to show how the process evolves and how the shire would be involved in the draft management plan process.

The shire is in no different a position today from what it was in yesterday without that letter. The draft management plan is still in the process of being drawn up. There will be a meeting this Friday with the National Parks Authority, which is working on a draft management plan. I read into *Hansard* last night this memo which was alleged by members of the Opposition to have been leaked, but it was not leaked. There had been limited consultation and this park had been developed without the extensive community consultation which normally occurs in the evolution of a management plan. The reason that there was limited consultation and that that amount of extensive community consultation had not taken place is that it was only a preliminary draft management plan, it was not the formal draft management plan. I hope I can make it clear to members tonight that two separate processes were involved.

Hon N.F. Moore: Why can't we have a copy of it?

Hon KAY HALLAHAN: I have no idea. I have not asked the Minister for a copy of it myself.

Hon N.F. Moore: How can we trust somebody if we can't get a copy of it?

Hon KAY HALLAHAN: I do not believe Hon Norman Moore when he says the Minister said he could not have it.

Hon N.F. Moore: I rang his office about four times and was told I could not have one. I am not lying to the Chamber.

Hon KAY HALLAHAN: Hon Norman Moore should have put it in writing and he would have had an answer in writing. He tells me everyone wants everything in writing; it is the same argument. Let me make it clear that we are talking about a preliminary draft management plan, so it is no good going up there and unsettling the local people.

Hon P.H. Lockyer: They are already unsettled.

Hon KAY HALLAHAN: Even officers of the department referred to limited consultation, because it was not the draft management plan. It is really quite an extraordinary exercise. It is a miracle that we have come as far as we have.

Hon George Cash: It is a miracle, given the fact that you have not been there.

Hon KAY HALLAHAN: Absolutely. In any event, I think we are nearly there, but some of these things cannot be left. I hope members are clear now about why there was limited consultation. On a draft management plan there is full consultation, and we are yet to reach the full consultation phase when the local population at large is taken into account. At present discussion has taken place with the shires and fishermen's associations, so it is still focused and limited. It must go broader and the letter to the shire today points out that nothing can be confirmed until that broader consultation takes place, and that is still to happen. Hon Phillip Pental said that he was affronted, surprised and disappointed that there had been no contact by a senior Government officer since he put this motion on the Notice Paper.

Hon P.G. Pental: Not even a junior one. An under clerk would have done.

Hon KAY HALLAHAN: I am not the Minister for the Environment but when I saw that motion on the Notice Paper I thought members opposite were all crazy and playing some outrageous political game, and that they were not serious. It never occurred to me that they were serious, or to suggest to the Minister for the Environment that some discussions might be useful. I thought they had taken leave of their senses.

Hon George Cash: That is an outrageous statement. If that is the way you deal with parliamentary business, God help the country.

Several members interjected.

Hon KAY HALLAHAN: I take the point that Hon Phillip Pental makes, that if members of the Opposition put something on the Notice Paper it should be taken as genuine.

Hon P.H. Lockyer: Aren't we entitled to represent our electors?

Hon KAY HALLAHAN: Yes, members are entitled to represent them, but my understanding is that the likes of Hon Philip Lockyer and Hon Norman Moore were actually trying to stir up the local populace against something which was quite remarkable and which needed to be achieved.

Hon P.H. Lockyer: Has it occurred to you that they might be trying to stir you into some action?

Hon KAY HALLAHAN: It is important that Hon Phillip Pendal has made the comment he has. I am interested in it, and I am explaining to him why I thought he had taken leave of his senses.

Hon P.G. Pendal: That is not very charitable.

Hon P.H. Lockyer: Are you sure you were not abrogating your job as a Minister to carry out your duties, to come and ask us whether we were dinkum?

Hon P.G. Pendal: Why did the Minister not just say she could not understand it and ask a few questions?

Hon KAY HALLAHAN: Why did Hon Phillip Pendal not come to me and say, "We have a real problem. Could you negotiate with your colleague?" Many other members do that. We can all talk about shifting shoes to different feet. I thought that needed explaining, because if it was a mystery to Hon Phillip Pendal as to why there was no contact, I thought it was an extraordinary thing to find on the Notice Paper and I thought it was there for very poor motives.

Hon P.H. Lockyer: If looking after one's electors is a poor motive, I will stick with that.

Hon KAY HALLAHAN: I am delighted to find at the eleventh hour that it is put in the guise of representing the local people. Hon Philip Lockyer might want to put it in terms of looking after the local people -

Hon P.H. Lockyer: In the 11 years I have been here I have never stopped representing my electors, as I was elected to do.

Hon KAY HALLAHAN: I think we all have a responsibility to represent our electors. We all are here for that purpose, and we are all here by that very process. In addition, we have a responsibility to exert some leadership.

Hon N.F. Moore: Please do that, and set an example. What about broader issues, like jobs?

Hon KAY HALLAHAN: Exactly. Employment is very important.

Hon N.F. Moore: You are the Minister for Employment and Training.

Hon KAY HALLAHAN: The irony of all this is that Hon Bob Pearce actually knows the area extremely well, knows the people involved, and has a real appreciation of the needs of the fishing industry.

Hon N.F. Moore interjected.

Hon KAY HALLAHAN: I have not been sordid about that, but Hon Mark Nevill made an interjection about marginal seats and the activity of some members, and really I thought that was what this was all about - a sordid exercise by Hon Philip Lockyer and Hon Norman Moore.

Hon P.H. Lockyer: Do you think we brought this in because it was a marginal seat?

Hon KAY HALLAHAN: I did not know what to think.

Hon P.H. Lockyer: Yes or no? It is important because this *Hansard* will be going up there to those local people, who will examine it.

Hon KAY HALLAHAN: I think they should look very carefully at the leadership they have representing them in this place, and I am sure they will feel comforted that other people also are interested in assisting their cause.

In any event, I am pleased to hear that the Houtman Abrolhos negotiations and consultations are going well. Also, while it is very clear that *Homo sapiens* is very important, it is the very fact of our existence and the attraction of so many people to that remarkable area that puts greater pressure on the area and means that some preservation measures must be put in place. For those local people to have an ongoing, economically viable area, those natural attributes need protection because in the long term that area will benefit enormously from tourism and all the services that will follow from that, which could easily be destroyed if the area were not preserved adequately. There are two ways of looking at this, and employment too. Apart

from the unique natural attributes there, which is our main focus, there will be local economic spin-offs in protecting the area. I am sure we are agreed on that too.

Hon N.F. Moore: So that is your priority.

Hon KAY HALLAHAN: I think the priority is to preserve something unique which, once destroyed, would be impossible to recreate. We have a responsibility to look after it, but in doing what seems to me to be eminently the right thing to do, there will be economic benefits for the local people.

Hon P.H. Lockyer: There will be no arguments about that from the local people.

Hon KAY HALLAHAN: Good. Another thing I must say is that, despite what Hon Norman Moore reported about what he heard on ABC radio on the afternoon program called "Drivetime" and the reported comments he made about the Minister for the Environment, from what I have heard of the account delivered in the Chamber tonight I can see no conflict by the Minister. I think he has carried out a very difficult task.

Hon N.F. Moore: No, he said to the people of Shark Bay that he would not support World Heritage listing unless they supported it, then he said on Perth radio that he did support it. It is a totally contradictory position.

Hon KAY HALLAHAN: I am not convinced by Hon Norman Moore's account. I have heard stories in this Chamber, and when I have investigated them I have found them to be without foundation.

Hon N.F. Moore: You should ring the ABC and obtain a copy of the transcript; I did.

Hon KAY HALLAHAN: No. The member is telling me that Mr Pearce attended a public meeting in the area to facilitate the airing of public opinion and to have the matter discussed. That is an important part of the process to which he was fully committed. I do not accept the account put before the Chamber tonight. No conflict existed between what Mr Pearce said on radio and what he said at Shark Bay. I do not think the member gave, or is capable of giving, a fair view of the Minister's role.

Hon P.H. Lockyer: He admitted himself that he had changed his mind due to the pressure exerted.

Hon KAY HALLAHAN: I have not heard that, and I will not believe it until I hear it from Mr Pearce himself.

The good thing which arises from this debate is that we agree that Shark Bay is a special area which deserves protection, and the local people now understand the situation more clearly. They are happy with the letter sent by the Minister for the Environment to the Shark Bay shire through to the people of Shark Bay. The members of the shire contacted people in the area this afternoon and indicated they were happy to proceed with the measure under the draft management plan to progress the matter. If members are feeling a little more relaxed with the process because they have a letter signed by the Minister today, that is a good outcome. I do not want to be uncharitable, but I have been vexed by this issue. However, I commend everybody on both sides of the Chamber who have had anything constructive to do with this matter to assist in reaching a satisfactory outcome.

Report

The Chairman reported that the Committee had considered the motion and had recommended that it be withdrawn.

Report adopted.

Motion, by leave, withdrawn.

SUPPLY BILL

Second Reading

Debate resumed from 11 June.

HON MURIEL PATTERSON (South West) [8.54 pm]: I shall refer to several matters, but mainly to that of business. Take any group of Western Australians and ask them to name their biggest worry, and the answer will be jobs. That reply will consistently out poll others no matter how large or small the sample. The fear of being out of work is a fear consistently

held because unemployment is the social equivalent to acid rain: It stunts economic growth, thins the range of opportunities and eventually kills hope. This fact is recognised by the large number of so-called job creation and job retraining schemes proposed, and in many cases adopted, by Governments at the State and Federal level. However, is it possible that we are trying to solve the wrong problem? All of the talk about mopping up pools of unemployment tends to assume that an unlimited supply of productive mops is available in every town and suburb ready to absorb the jobless if they are willing to work. However, before any person can return to employment, an employer must have a good reason to pay that person a good day's wage for a good day's work.

I know that this concept is ideologically distasteful for some people as they still equate the employer with the cartoon character of the fat man in a pin-striped suit and a top hat labelled "Boss". However, the fact must be faced: Australia does not have a labour shortage, and this is vividly indicated by the monthly returns from the Commonwealth Employment Service. Men and women of courage who are willing to mortgage their lives to build up a small business will in due course create work for others. At present hundreds of such people are going broke every month in Western Australia alone. Unless this trend is halted, no sustainable solution will be found for the bigger problem of unemployment. Indeed, small business is big business when measured by the number of men and women it employs. Therefore, every action which reduces the many financial and administrative burdens placed on small business will increase the chances that another person will stay in work or another will become employed. This is a theme I will return to later in my speech, but initially I will target one area for immediate reform; that is, the cost of electricity.

This is a cost which is basic to every industrial and commercial undertaking, and, therefore, is fundamental to job creation. At present no less than nine separate tariff charges apply for electric power in Western Australia. These range from a flat 12.05¢ per kilowatt for domestic users; up to 18.46¢ per kilowatt for small business, industry and farming; and down again to a discounted level of 4.1¢ for an off peak unit for large scale commercial and industrial users. To fully appreciate the absurdity of the situation, members should consider that the largest body of employers in this State faces the highest impost. Members should imagine the response if a State monopoly were applied to the production of meat pies. Let us assume that the cost of producing a meat pie was constant, be it night or day, Sunday or Monday. Imagine the justifiable confusion and anger that would be felt if every householder were told that the price of a pie was \$1.20, but that a person in small business and farming would be required to pay \$1.80 per pie, regardless of the time at which it was bought; however, if some big corporation wished to buy a pie, it would cost 41¢ at night and 62¢ during the day. Substitute electricity for pies and shift the decimal point one place to the left, and that is exactly what is happening at the moment with electricity charges in this State.

Small business in Western Australia is being deliberately penalised with a discriminatory tariff structure. The State Energy Commission is costing an essential service in a way that is providing a disincentive to the creation of employment in the private sector. However, this is one area it is possible to address and SECWA has recognised the inequity of the situation because it is now providing off-peak rates for domestic hot water use. It also has a trial scheme operating in the horticultural industry in Manjimup providing a reduced rate for irrigation in the 14 hour off peak period. There are many reduced accounts in the welfare pension sector, which, incidentally, I understand uses the most electricity in the domestic scene.

I urge the Government to abolish the present nine-part tariff and replace it initially with a uniform rate. Later, it should introduce an attractive off-peak rate, as Telecom does, to encourage a spreading of demand for electricity. I acknowledge that an adjustment period would be required. With today's technology this could be done in several ways, one being the "ripple control" method used in the Eastern States. This interruptible control has no time constraint and can be turned on and off by the commission when there is an abundance of supply. Provided they receive a supply boost during the 24 hours, a number of electrical appliances are effective when using this method; for example, cold storage units, air conditioners, commercial laundries, clothes dryers, bakeries, water pumps and pool filters. I understand it is possible to register the time changes through a radio transmitter. However, I would be happy to leave those decisions to the experts.

SECWA should immediately back off from a proposal to impose large security deposit

charges on farmers. It makes no commercial sense for SECWA to impose such a charge on the rural sector when every last dollar counts. We have heard in this House time and time again that farmers and rural businesses are in crisis. They cannot afford to stretch already overstretched budgets to help SECWA improve its trading position when Western Australians are paying the highest prices for electricity in Australia. I am told SECWA now holds deposits worth more than \$10 million.

I urge the Government to give business a fair go. To achieve that, the domestic and heavy industrial rate per kilowatt should be averaged out, and a corresponding reduction made in the charges to businesses and farms. Who can reasonably argue that such a shift is not long overdue? There is no rational justification for charging a small corner delicatessen 18¢ a unit for electricity to run its fridge when the food manufacturer filling it pays no more than 6¢ for precisely the same energy which costs the same to produce. To argue otherwise is to indirectly condone continued discrimination against the State's unemployed, who have lost employment because businesses cannot survive.

I am not suggesting the proposal be all give by SECWA. Benefits would go to all taxpayers in Western Australia. Gaining the most from power resource would enable SECWA to level the high peaks, transfer shift loads to off peak time, create a better utilisation of capital assets, level out the ozone debate, save money to build additional power resources or, by offsetting interest payments, reduce loan borrowing for under utilised plants. I urge the Government to listen to the small business and farming industries. It must save the goose that lays the golden egg; in this case, farming industries and small business. That would result in the creation of worthwhile jobs. I acknowledge that at the end of the day the electricity service must be cost justified. However, it must also be equal. When SECWA's tariff structure is eventually reformed - I am assured there is nothing to prevent this happening except a lack of political determination - Parliament will have given a massive transfusion of hope to the people best able to circulate it by creating more jobs, more opportunities and more consumer confidence.

Yesterday I received a letter from a constituent struggling to survive who cited Government charges for power, telephone and fuel as a major contributing factor to that struggle. He manages the branch of a company and he referred to high overhead costs for power of approximately \$23 000 a year and wages of \$130 000 a year, which are the biggest outlays. Understandably, the company insists on cost reductions in today's downturned business climate and the only suitable cost reduction is in the personnel sector. Accordingly, a retrenchment is to take place, saving the company \$22 000 in wages a year. As I see the situation, the stupidity is that the person retrenched will receive the unemployment benefit and cost the Government approximately \$13 000 per annum directly. The Government will lose personal income tax of about \$6 000 per annum and the subsidiary benefits of rent, travel and so on which are available to the unemployed. The total wage bill will simply transfer to the Government. The reality is the branch of the company will struggle with one less to maintain services, but no other business costs will diminish. The crazy part is that most of the \$22 000 saved by the company will be transferred to the Government, which will continue to increase charges to cover the increased unemployment burden on the State.

I refer to the use of the Treasury cheque to solve problems. Few can doubt we live in eventful times. Throughout the globe, benefits and ideology, which it seemed would last forever, are being elbowed aside by the people power of ordinary men and women determined to regain control over their working lives. We must not delude ourselves by thinking otherwise. Ordinary Australians are also responding to the change both at home and at work. One article of faith they are challenging with increased urgency is that a Government of any political colour can cure society's problems by writing a Treasury cheque. An example of this revolution in Australian attitudes was brought to my attention only a few days ago when the President of the Albany Chamber of Commerce, Jeanann Barbour, released the text of a letter to the State Premier which reads as follows -

Dear Dr. Lawrence, I wish to state the utter dismay of the Albany Chamber at the request you made from the Federal Government (quoted as \$2-million) for yet another "Job Creation Scheme."

Here in Albany we have . . . at least eight government agencies and two private ones engaged in job creation and employment. The Great Southern Regional College of

TAFE and the highschoools also run courses to this end. We consider that, for a population of under 20 000, this type of service is well supplied.

Unemployment in Albany is currently running at an official figure of 15%. While this . . . is in no way condoned by the Chamber, we consider yet another job creation scheme to be a total waste of taxpayers' money.

In our view the Government would better solve the problem, statewide, by improving conditions for business There are plenty of jobs to be done, and plenty of employers eager to lessen their own load and re-employ labour, but who cannot, at present, even consider such an idea.

It is not job creation we need, but job maintenance . . .

Who could doubt that she is right? If that \$2 million were taken off Government imposts and charges to small businesses and farming in the great southern region there would be a very high probability the number of registered unemployed in Albany's Commonwealth Employment Service would change much faster than if, for instance, an eleventh or twelfth agency set up shop in town. Assuming that money were to be allocated for that reason, the only jobs we could be assured of creating would be for half a dozen or so administrators and office staff who would be on the Government's payroll. If we add to that the cost of leasing premises, printing, stationery, telephones, travel and buying sundries we will find that the \$2 million will be rapidly expended. In the meantime not one retrained unemployed person would have been referred to the Commonwealth Employment Service to look for a job, which will not exist because, sadly, before we can have an employed person we must first have an employer. Seen in this light it is not job-takers that we lack, but job-makers. If we address that question the problem of unemployment will correct itself. However, if we insist on controlling events from this or that controlling authority - no matter how well intentioned is its program - inevitably the authority will perform poorly, if at all.

The point was vividly illustrated over 200 years ago when Frederick the Great of Prussia scolded his minister for finance for raising so many taxes and yet delivering so little to the Treasury. The ministry was sitting down to dinner when the minister took a lump of ice, showed it to the king, and asked for it to be passed around the table, from hand to hand, before returning it to the minister. Politely, the minister put the much smaller piece of ice into Frederick's hand and said, "That is what is happening, your Majesty." That is exactly what is happening to so many well intentioned schemes and initiatives two centuries later. The greater the number of departments handling amounts of money the smaller that amount of money will become until it disappears altogether. The Government will have nothing to show for it except wages and "busy-ness".

In the case of Albany's unemployed, it will be far better and cheaper to return those taxes to where they belong; that is, to the pockets of those who earned them. We should allow the laws of supply and demand to correct the imbalance between employee and employer. At times I wonder whether the Government is aware of the hardship it has placed upon industry and small business.

I now refer to the workers' compensation and assistance disallowance of regulation motion moved by Hon Murray Montgomery. This regulation is based on two false assumptions. First, that there is an objective test for hearing loss. In other words, there is a way of measuring the loss without referring to the person who claims to be suffering from partial deafness. According to medical advice there is no such method. Second, that there is some scientific, as opposed to anecdotal, evidence which shows how to ascribe a portion of hearing loss to the eight hours a person is at work and to the 16 hours a person is off work. I will deal with the first point - the objective versus the subjective report.

A person may, without too much effort, "swing the lead" when wearing the audiometric earphones and listening for the pure tones. When all is said and done, much depends upon the employee's goodwill, honesty and desire to be treated in much the same way as a person who is undergoing the test for a hearing aid. For example, a worker may be looking for a "ticket" to compensation. What would be the position then? It is really the worker's word against the results of the test. To this extent, the loss of hearing is on the same level as a person suffering from backache or repetitive strain injury: It is very difficult to identify. What can be measured and examined objectively is actual physical damage to the tympanum,

the middle ear, but that is most likely to happen after an accident in which a person was exposed to an explosion or other percussive injury to the ears. It is a legitimate cause for workers' compensation because it can be ascribed to a specific event. Progressive loss of hearing in the workplace is most frequently caused by exposure to industrial noise levels greater than 85 to 90 decibels for months or even years. This steadily damages the cochlear process, deep inside the ear, which can only be inspected surgically. In the early stage of hearing loss the middle range, at 4 000 cycles per second, is affected. Later or subsequent damage extends to the upper and lower registers of hearing. The lowest tones are least affected. Significantly, considerable damage can take place before a worker is aware of any hearing loss. In the United States of America, legislation has been enacted which requires a person to undergo pre-employment audiometric tests and regular checks throughout the term of his employment. Even so, it is very hard to pin a reported hearing loss to either the eight hours of employment or the 16 hours of off time.

This leads me to the second false assumption upon which this regulation is based; that is, that hearing is switched on only for the eight hours or so of an average working day, and that for the remaining 16 hours the worker experiences only soft tones and echoes, or even total silence. If this were the case any loss of hearing, assuming it could be judged objectively, could be ascribed entirely to the workplace. Is this the case? I venture to say that it is not. Hearing loss occurs at levels above 85 decibels in a workplace. It is therefore just as likely to occur in recreation venues such as discos, nightclubs, speedways, pistol shooting, and trail bike riding, and even where home carpentry is undertaken. Indeed, considerable hearing loss has been recorded among rock and roll musicians and the like - it is really industrial deafness for them. I noticed in the *New Scientist* of 13 January 1990 the following article under the heading "Personal stereos may damage your job prospects" -

The BBC is rejecting an increasing number of applicants for jobs because they suffer from hearing loss which could be related to an explosion in the use of personal stereo systems. According to officials at the corporation, about 3 per cent of applicants failed to win jobs for this reason. The figure confirms what one official described as a "general perception" that applicants suffering from hearing defects are more common now than a decade ago.

It is quite evident that a farm worker, alleging work induced deafness, would have to satisfy the following criteria -

- (a) respond honestly to an audiometric test to establish the degree of deafness which already exists;
- (b) prove that ear protection was withheld by the employer even though noise levels exceeded 85-90 decibels so that "temporary threshold shift" - nature's way of dealing with occasional loud noises - become "permanent threshold shift" - the onset of industrial deafness; and
- (c) prove that the worker never exceeded the levels in off time by putting on earphones and turning up the CD player for some heavy metal music and has never used power tools or a chainsaw or tuned a car motor with the muffler off.

The false assumptions would have to be addressed. It would be incredibly difficult to apportion the degree of deafness that can be ascribed to work versus leisure activities. I see a further problem and that is the social aspect. When does a person cease to be responsible for his actions?

Recently it was my very great pleasure to be invited to join the Rocky Gully citizens to celebrate the 40 year anniversary of the beginning of the soldiers land settlement scheme. Approximately 500 people attended the function in the course of two days. The locals catered for 350 people who attended the dinner on the Saturday night. In true country hospitality, and because the local people did not want anyone to be excluded due to the cost, there was no charge. As the evening progressed some of the older people reminisced and the real story of that 40 years unfolded. The development commenced with the coming of the sustenance workers who were provided with an axe and mallet and the solid front of a healthy forest. Such hardships would be difficult for today's generation to understand. Approximately 75 farms were developed over the next few years. The men brought in their

wives and children and they lived in tents for up to several years until their houses were built, not that any of them were strangers to hardships - although still young in years, all were old in experience. They were soldier settlers, men whose war service entitled them to that tract of land to provide the future that is now enjoyed. As ex-servicemen they had much in common. Indeed the capacity to improvise, to make do, and to scrounge that they had learnt in the Army, Navy and Air Force was perhaps their greatest asset in those difficult early years of clearing, fencing and cropping soils which had never felt a plough or drill. As ex-servicemen they also recognised the necessary disciplines of survival. Very possibly, some of the hardships those early families endured were greater than some that men endured on the battlefield during World War II. The work was soul destroying. Many of those on the land were inexperienced. The health of others could not stand the strain, while others were totally disillusioned. Most of these settlers sold because of hardship, trying to salvage enough money to buy a home for their retirement. I understand that today only five original owners remain, so there was not much passing on of the farm to the second generation. As near as can be estimated, 2 000 people have lived in Rocky Gully in those 40 years. Today the farms have increased in size. Of the original 75 farms 50 are left. The district population is 90 adults, 70 still living on farms and 20 living in the town. We salute these old-timers for the comfortable lifestyle Rocky Gully citizens enjoy today with their well developed farms and the town's various organisations, and the school, kindergarten, library, and cricket and netball clubs.

As part of the celebration I was honoured to be asked to present the town with the Australian flag. In doing so I saw this community facing a fight of a different kind, one for national recognition for the country's contribution to the nation's economy. I was pleased to see in the community a mood of change, a stirring of a new spirit, a renewal of Australia's heart as good men and women recognised that all country people are front line fighters in the war for national survival and integrity symbolised by the flag, because a nation's flag is far more than a coloured bit of bunting only to be remembered on Government gazetted holidays. A nation's flag is the living embodiment of its soul, of its collective memory, of pride in past achievement and a reminder that obstacles are but a stepping stone to a higher and better future. The flag served as a reminder to this district that our generation no less than the soldier settlers who came to Rocky Gully in the Australian bush also have a duty to keep the faith no matter how heavy the odds against them may seem to be. I believe there should be encouragement to have raising and lowering of the flag each school day, thereby teaching our children the real significance of this symbol of freedom. I ask that members of this House encourage decision makers to bring back the flag into our schools and use it at every available opportunity. I support the motion.

HON MARK NEVILL (Mining and Pastoral - Parliamentary Secretary) [9.25 pm]: I support the Supply Bill. I intend speaking on two topics, the first immigration and the second the fifth anniversary on 26 April of the nuclear reactor explosion at Chernobyl. At present about 150 000 immigrants come into Australia each year. I believe we should cut that figure substantially to a half or even a third of the present number.

Hon Tom Stephens: No more poms? Do you mind if we interject occasionally?

Hon MARK NEVILL: I make clear to Hon Tom Stephens that I am not against migrants and it does not worry me particularly where they come from. However, we need to cut immigration in the family reunion and skilled worker areas. We should increase the number of refugee immigrants to at least 20 000. In doing that we need to tighten up the selection criteria so that no consideration is given to what one can call "economic refugees". I believe we should be doing more to help genuine refugees to resettle in Australia. One of the problems of the present level of immigration is that we are enticing scarce, skilled workers from many third world countries. I can remember that in the 1950s one of Australia's major aid programs was the Colombo plan under which doctors, lawyers, dentists and agricultural scientists were trained. However, most of them ended up living in Australia. In the United States I met a professor who had been invited to a function on Independence Day, 4 July, who informed me that he did his Ph D in Adelaide and was originally a Singapore student under the Colombo plan. It is admirable that these people were trained, but they should have been required to use their skills back in their own countries.

Hon Sam Piantadosi: They have done a good job in their own countries.

Hon MARK NEVILL: I think it is wrong for us to indulge in this intellectual piracy. Having trained these people we let them stay here to use their skills. The whole idea of the aid program was for them to be trained and to use their skills in their own countries. In my view this makes a mockery of some of those foreign aid programs.

Hon Sam Piantadosi: Many did that for years.

Hon MARK NEVILL: I am sure they did. I suppose the question is the percentage. They should have all gone back and worked for at least 10 years in their own countries so that those countries got the benefit of their skills. However, many never went back.

Hon Sam Piantadosi: Ninety per cent did.

Hon MARK NEVILL: That may be the case.

Hon Sam Piantadosi: Your numbers are wrong also with respect to immigration.

The PRESIDENT: Order! The member will cease interjecting.

Hon MARK NEVILL: I used a figure of 150 000 people. It varies from 140 000 in recent years, but extra people have been added from different sources from time to time. Hon Sam Piantadosi should remember it does not include New Zealanders.

Hon Sam Piantadosi: What about the people who leave. The member does not take them into consideration when quoting his figure of 150 000. That is where he is wrong.

Hon MARK NEVILL: Hon Sam Piantadosi can do his own calculations but one still ends up with a net increase.

Hon Sam Piantadosi: Not from my calculations.

The PRESIDENT: Order!

Hon MARK NEVILL: The member can make his own speech, but the simple fact is that Australia's immigration rate is two to three times per capita the immigration rate of Canada and the United States.

Hon Tom Stephens: That is because we start with such a low base.

Hon MARK NEVILL: What does per capita have to do with a low base?

Hon Tom Stephens: What we need to strengthen our country is in fact more migrants.

Hon MARK NEVILL: I am arguing against that. Australia now has the highest population growth of any developed country in the western world, and at present rates we will double in population in 40 years. I am endeavouring to put a serious argument, and I think some of the frivolous comments from members reflect the attitude of the Press, academics and a lot of other people who do not want this issue discussed. This issue is regarded as taboo, but in my view it is an issue which should be debated publicly and I make no apology for it. In Australia over the years, organised labour has traditionally been opposed to high immigration because of its downward effect on wages and working conditions - because it is considered to add to the supply of labour. Business traditionally has supported high immigration for the opposite motive: It keeps wages low, and it also creates a larger market in which business can operate.

The roots of our immigration policy go back to the 1870s when the Australian Steamship Navigation Company replaced its European crews with Chinese crews. That caused a strike in all the colonies. In 1879 an intercolonial trade union congress was held, and one of the resolutions of that congress was to restrict the entry into Australia of Chinese immigrants, who were to be employed as seamen on those ships. In later years we had the development of the white Australia policy, and that was virtually supported until the Second World War. The threat of a Japanese invasion also had an impact on our immigration policy, particularly during the term of the Chifley Government, when Arthur Caldwell was the Minister for Immigration.

Hon Garry Kelly: He was the first Minister for Immigration, was he not?

Hon MARK NEVILL: Yes. The theme after the war was: Populate or perish. People believed that if we did not populate Australia, it would be taken over. The motive for immigration was basically security.

Hon John Halden: There was also another argument: Populate and prosper.

Hon MARK NEVILL: I think the main motive was fear. That is very clear. That resulted in a mass postwar immigration program, which was supported by both parties, and I am not suggesting anything unusual there.

In recent years there have been a number of inquiries into immigration policy. The Fitzgerald inquiry recommended that we increase immigration but suggested that we disengage ourselves from the Indochinese refugee program. Fitzgerald stated that we should increase the skilled immigration program. The Bureau of Immigration Research is a group which is very pro immigration; all its research papers strongly support immigration. Ethnic groups also strongly support high levels of immigration, as I said earlier. Business people, real estate operators and property developers all support high levels of immigration.

I now want to look at some of the arguments that support my view that we should decrease immigration. The main argument is an economic argument. A number of studies in recent years have come to the conclusion that in the longer term there is a large economic cost to Australia from immigration. A paper by Stephen Joske estimates that about \$6 billion to \$8 billion a year is added to the current account deficit from the present high levels of immigration. A report by the Economic Planning and Advisory Council states that if we were to cut immigration by half we would reduce the current account deficit by \$3 billion to \$4 billion. The basic theory behind those views is that Australia's savings are going into building unproductive housing, and infrastructure and that there are not enough savings in Australia to cover that cost. That has been a reason for the need for Australia to borrow from overseas.

Another argument against high levels of immigration is the impact of immigration on cities. Most of the immigrants come to Melbourne or Sydney, and they put tremendous pressure on the infrastructure of those cities. At the moment we are seeing what is called the "Sydney problem", which has resulted in congestion in Sydney and also in Melbourne. There is a lot of evidence to suggest that the very high level of immigration into Sydney has been responsible for the high growth in housing in the city prices over the last 10 or 15 years.

A further argument is that we should have a cut in the number of skilled immigrants coming into Australia. I believe that Australia should be training its own people. We should be putting a lot more effort into providing youth training apprenticeships and into retraining people in my age bracket - the more mature age workers - who will probably be unemployable in a few years' time. For far too long in Australia, as soon as we get a skills shortage we import people from overseas to fill that shortage. Business in Australia has never really addressed the training issue. It has never had to address it because it has topped up its skills shortages with people from overseas and has avoided tackling the problem of retraining. The Training Guarantee Act introduced by the Federal Government has started to address the issue of skills training. I believe that if that source of skilled labour from overseas were not so easy to turn off and turn on we would take a lot more care in the planning of our skills training in Australia.

Another reason that the immigration level should be cut relates to environmental issues. Immigration creates a demand for more land and more subdivisions, it means more encroachment on native bushland areas, and it puts pressure on public transport, roads, sewerage, and all the other necessary infrastructure. The situation becomes more congested and more polluted by the dramatic increase in population. We are talking about Australia having two or three times the capita rate of countries such as Canada and the United States of America. We should wind back immigration to their intake levels.

This is a fairly emotive issue, and one that people do not seem to like to discuss. I have always been amazed at the deathly silence of the Australian Conservation Foundation when it comes to the immigration issue. That body does not face up to immigration as a basic environmental issue in Australia. No-one should misinterpret my comments. I am not against immigration; I enjoy the cultural diversity that we have in this country. I believe that we should be developing a shared national identity; that should be the aim of this country. We should not develop individual groups within our nation. However, if we can reduce immigration to a more absorbable level we would have fewer problems and we would be in a position to tackle the basic structural problems in our economy, such as training and the renewal of cities. Recently, Deputy Prime Minister Howe pointed to the need for the

renewal of large cities. The pressures on large cities are enormous. Unfortunately, only a small percentage of migrants go to country areas or regional centres. The vast majority of migrants go to Sydney and Melbourne.

Hon Barry House: John Howard said the same thing three years ago and he was pilloried.

Hon MARK NEVILL: He did not use an economic argument. If he had, he might have avoided trouble and might not have lost his position as Leader of the Opposition.

Hon Barry House: He was branded a racist for saying the same things you are saying.

Hon MARK NEVILL: Yes. There is a big difference between what he said and what I am saying. He called for a cut in Asian immigration. He did not mention environmental or economic arguments.

I turn now to the fifth anniversary of the Chernobyl disaster in the Soviet Union in 1986. The anniversary has prompted a lot of Press comment both here and in South Australia. Looking at the accounts of that disaster in the popular Press, it is difficult to draw out the facts. The *Adelaide Advertiser* on 6 April ran an article called "Half Life" which basically was riddled with emotive comments. On examination, those comments do not stand up. Some of the more flamboyant passages read -

More than nine tonnes of radioactive material was hurled into the night sky - about 90 times more than the bomb dropped on Hiroshima.

At Collie, about 4.5 tonnes of radioactive thorium and radium goes up the flue of the Muja power station each year. That is, since the Chernobyl disaster, something like 22 or 23 tonnes of radioactive material has flowed from the Collie power station, against the nine tonnes of radioactive material that went up in the Chernobyl explosion. Another comment in the article is that -

The Kremlin officially sticks by the fiction that the explosion and fire killed 31 people and 200 others received serious doses of radiation.

The Soviet numbers seem to have been confirmed by all independent sources, but this article says that is fiction. Further on the article reads -

Last year, the Chernobyl Union, an unofficial organisation of veterans of the clear-up operation, estimated that of all those who had worked in the 30km zone, 5000 had died from radiation and another 350 000 were suffering radiation sickness.

That is, 5 000 were affected by the nuclear explosion. It is hard to reconcile that with the official death toll of 31, and there are reasons for that. Further on the article refers to -

... the first of the expected epidemic of long-term human casualties of the Chernobyl disaster are being treated now. They include cases of thyroid abnormalities, anaemia and leukaemia. Half a dozen children in Gomel have thyroid cancer ...

And further on -

The children's stories which have been emerging piecemeal from the masks of containment, are the stuff of nightmares. Most who have suffered thyroid and other disorders are aware of the shortened futures they face. Babies are still being born with severe defects because of genetic damage. Thousands of cases of fertility impairment have come to light.

And further on -

There, farmers slaughter foals with eight legs, and calves with no eyes and disjointed spines.

The article in the *Adelaide Advertiser* is heavy reading. An article appeared in *The West Australian* under the heading "Children of Chernobyl" written by Brendan Nicholson, an environmental reporter. I tend to think of him as an environmental advocate rather than a reporter but, to give him his due, in this article, although he starts with a flourish, later on he sticks to what is basically fairly factual material. He refers to the Chernobyl disaster in this way -

Parents fear for their children and themselves, they fear their food and they fear the air they breathe. Women are frightened to have children in case they are deformed so the number of births have dropped sharply.

Radiation lurks, a hidden killer on the plains where Cossacks once rode and in the picture postcard forests where daffodils brighten silver birch groves.

It continues -

Before the disaster there were only two or three cases of thyroid cancer in the Ukraine each year. Last year the Kiev Institute for Endocrinological Research carried out surgery for thyroid cancer on 20 children.

The article continues -

Already adult cancers are up by 366 per cent in some areas and the doctors say there is much worse to come.

Hon Tom Stephens: Mr Nevill, would you be one of those people who say atomic disasters are good?

Hon MARK NEVILL: Quite the contrary, they are not good at all. I am contrasting the popular Press' handling of the issue, which the majority of the public read, and the results of some more recent detailed epidemiological studies by 200 medical people who were invited to the Ukraine to conduct an independent study. Members can see the very stark contrast because, as I will point out later, despite there being a Chernobyl, these diseases would occur. The question is, to what effect has the explosion added to that? That is the factor that is left out in all the popular accounts.

How many people have died because of radiation released at Chernobyl? One member of a clean up team sent in to Chernobyl after the accident Vladimir Chernousenko appeared on British television and stated that between 7 000 and 10 000 of the so-called liquidators sent to Chernobyl to clean up after the accident had died from of exposure to radiation, yet the official toll is 31. A Swedish researcher, Evelyn Sokolowski, from the Swedish Nuclear Training and Safety Centre, said -

... the death toll given by Chernousenko is consistent with the natural mortality rate in the Soviet Union among a population of 600,000 averaging 29 years of age.

Of the 600 000 people in that area during 1986, one would expect 7 000 of them to have died since then even without the Chernobyl disaster. The other problem about the popular Press and all the reports of sudden cancers is that it usually takes five to 10 years before many cancers start to appear. Yet according to the popular Press they are appearing almost immediately. Those cancers that were observed are probably unrelated to Chernobyl and are part of the normal level of cancer in those regions. If we look at another article in *Nature*, dated 2 May 1991, which is probably the most prestigious international science journal published in Britain and contains all the major breakthroughs in medical science and astronomy, an editorial entitled "Facing up to the Chernobyl accident" states -

there is no reason seriously to doubt the account given by the Soviet authorities six months after the accident, at the meeting organized in Vienna by the International Atomic Energy Agency.

This statement is based on the work done subsequently by independent people. The editorial continues -

The cause of the accident was an ill-planned and unauthorized experiment carried through incompetently in circumstances in which malfunctioning nuclear reactors would not have been considered more remarkable than, say, trucks that had broken down.

It continues -

For those of us who live elsewhere, it might seem that the moral is that one should never buy a nuclear reactor from a Soviet organization, or rely on Soviet management for environmental protection

Further on -

... the rest of the world needs to know exactly what has happened after Chernobyl so as the more confidently to face the decisions it will soon be making on alternative sources of power.

It says that -

... the influence of small radiation doses on people's public health will become with the passage of time an invaluable resource. The same is true of the records of those more heavily exposed to radiation at Chernobyl. The only sufficient memorial to those who died there is that it should be made public in exhaustive detail.

The consequences of Chernobyl outside the Soviet Union have been what the authorities first claimed - minimal. Contamination of reindeer in Northern Scandinavia has abated. A few spring lambs are still considered to be over-contaminated with caesium at two sites in the British Isles, but only because of the precipitate tenfold cut in European safety levels in the first few days after the accident.

If those safety levels had not been reduced by that amount those lambs would still be in the acceptable range. That basically is a summary of the *Nature* editorial. It is saying that we must learn as much as we can about the Chernobyl accident for the benefit of future generations.

Another article which examines the Chernobyl region after five years is from the latest issue of *New Scientist* dated 1 June. The article reports on a study supervised by World Health Organisation personnel who coordinated 200 medical people involved and who recently held a conference in Vienna. The article states -

An international study, which found that none of the health disorders suffered by people living in areas contaminated by the Chernobyl nuclear disaster could be attributed directly to radiation, caused uproar at a meeting in Vienna last week.

The article continues -

Some 200 scientists took part in the research, coordinated by the International Atomic Energy Agency. They aimed to check Soviet assessments of levels of contamination, the protective measures taken by the authorities and health risks from the radioactive dust which spewed from the burning Chernobyl plant in 1986.

The study confirmed that Soviet maps of the contamination were accurate. Some 25 000 square kilometres of the Ukraine, Byelorussia and the Russian Federation are still polluted by radioactive caesium

It continues -

The most controversial results came from the investigation of how the accident has affected people's health. A team of physicians under Fred Mettler, professor of radiology at the University of New Mexico, carried out a meticulous, controlled study of a range of medical problems, including psychological state, children's growth, blood chemistry and thyroid function.

The strategy was designed to detect cases of immune deficiency and fetal and genetic anomalies which have been reported by Soviet doctors. The team also looked for radiation-induced leukaemias and cancers which were seen after the atom bomb explosions at Hiroshima and Nagasaki in 1945.

The physicians found no difference between people living in seven contaminated towns and six "clean" control towns, apart from signs of anxiety and stress in those from contaminated areas.

No-one is suggesting that the Chernobyl explosion will not increase the incidence of cancer among people in that region. However, those cancers will not become apparent for another five to 10 years and they will only add between 0.02 and 0.03 of one per cent to the normal cancer rate for that area; that is, about 5 000 people. That is only a marginal increase of up to three hundredths of one per cent.

Hon Tom Stephens: How many people would that involve?

Hon MARK NEVILL: Over 30 or 40 years about 5 000 people will be affected.

Hon Tom Stephens: That is still pretty horrific.

Hon MARK NEVILL: It is, but the relative risks must be considered. How many people are killed in coal mines, or by coal transport, coal power stations or the pollution they generate? Chernobyl was a poorly designed plant and was poorly managed. It was a disaster waiting to

happen. People were easily shocked by that disaster and did not consider the relative risks associated with that reactor. No form of power generation is safe. More radioactive material has gone up the Collie mine flue in two years than has been produced by this one reactor. How many coal fired power stations are there in the world?

Hon Tom Stephens: I do not know anything about this topic, but there must be substantial differences between what goes up the flue in Collie and what was forced on the people in Chernobyl. I am sure the quantity is different.

Hon MARK NEVILL: Radiation is radiation.

Hon Tom Helm: I would rather drink milk from Collie than milk from Chernobyl.

Hon MARK NEVILL: We need less fear and more information about these issues. That is the point I am trying to get across.

Hon Tom Helm: Information does not frighten people enough.

Hon MARK NEVILL: On 17 April this year a letter written by Judith H. Ford, a geneticist at the Queen Elizabeth Hospital in Woodville, South Australia, and Paul A. Mensforth, a pharmacist of Athol Park in Adelaide, appeared in *The Advertiser* in which they commented on the article I quoted from earlier. The letter states -

We NOTED with interest the article "Half life" on Chernobyl . . .

We were invited delegates to the Ukraine in September, 1990, and spoke not only at the conference to which your article refers but also to an open press conference in Kiev.

We feel the concepts presented in the article are entirely misleading even though the quotations attributed to Dr Bill East and Dr Richard Mould are undoubtedly correct. In context, these statements would not imply support for the views of the author of the article.

No one would deny that Chernobyl was a disaster. It is also clear that the disaster was accompanied by denials, cover-ups, untruths and manipulations that usually accompany issues of such obvious political blundering.

However, it seems that a different type of political manipulation may now be using the Chernobyl disaster for different goals.

One of the most obvious features of the conference which was held in Zeleny Mys, in the shadow of Chernobyl, was the total lack of information. The scientists who are trying to assess the genetic damage due to the radiation are somewhat disorganised and lack information about doses of radiation received by different areas.

Repeated media stories of eight-legged calves seem to be journalistic folklore. There was indeed remarkably little evidence of genetic damage.

In our observation, the legacy of Chernobyl was not so much a direct result of radiation but of stress, disorientation and confusion. The workers and their families who lived in the new town of Pripyat, about 1.5km from the reactor . . . were rapidly removed from their homes (uneaten meals can still be seen on the tables) and they have not recovered from the trauma. We met many of the ex-inhabitants and workers who had been involved in the clean-up operations and all were extremely depressed.

The most common illnesses in the Chernobyl region are depression and vitamin deficiency. Many people and children are seriously ill but not from radiation sickness.

The fear being spread by articles such as "Half life" is encouraging people to keep their children indoors, where they are now developing bone deformities from rickets.

There is a huge problem in the Chernobyl region but the legacy is an indirect, not a direct, effect of radiation. The people of the Ukraine and Byelorussia need our support to get accurate information, not more fear.

It is noteworthy that our trip into the centre of the burnt reactor four, and the 10 days we spent within the highly contaminated exclusion zone, gave us each a radiation dose equivalent to a quarter of a chest X-ray.

We must get these things into perspective. The article concluded -

The issue deserves closer examination.

That letter was sent by two scientists and it seems to present a fairly balanced treatment of some of the complex issues surrounding the Chernobyl explosion.

Hon Tom Helm: So you would not mind going to the reactor yourself?

Hon MARK NEVILL: It would not worry me. I would not stay there for a long time. In recent years, safety levels have been reduced to one millisievert. People receive 300 or 400 millisieverts from simply going to the beach, and people living on the granite outcrops on the Darling Scarp are exposed to hundreds of millisieverts of radiation. In many cases the development of safe levels is based on a reaction rather than on a considered decision.

Hon Tom Helm: Scientists would need to set the standards.

Hon MARK NEVILL: One of the most important aspects of the Chernobyl disaster is the question of low level radiation. I have read dozens of scientific papers on this matter which promote different standards. That shows that no-one can say one way or another that radiation is causing much damage. The differences are minimal. I will now refer to a letter published in *Nature* which addresses the question of low level radiation risks. The letter was written by F.C. Southern and S.C. Gandevis from the Institute of Neurological Sciences at the Prince Henry Hospital in Sydney. *Nature* is a scientific journal which carefully scrutinises anything that is published. The letter begins under the title "Radiation Risks" -

In assessing the decision by the International Commission on Radiological Protection to reduce the limits for annual radiation doses to radiation workers, it is important to distinguish between regulatory wisdom, however developed, and scientific substance.

Although the decision is based on some scientific evidence it also relies on the linear hypothesis which assumes that the biological effects of high levels of radiation can be extrapolated linearly to zero dose.

That is the graph. Instead of going above the zero line, they assumed it went through it. It continues -

While this hypothesis is convenient, its predictions correlate poorly with epidemiological data on the effect of exposure to low levels of radiation (that is, below 100 millisieverts, mSv). There is no consistent evidence of any hazard due to radiation at these levels; -

I am talking about consistent evidence. It continues -

- indeed, some data suggest that those irradiated have reduced risks. For instance, people living in areas with high background radiation tend to have a lower incidence of cancer, and the average lifetime of the Japanese bomb survivors now exceeds that of other Japanese.

That is a scientific fact. Hon Tom Stephens might find it very humorous.

Hon Tom Stephens: I do.

Hon MARK NEVILL: The letter continues -

The apparently increased risk of leukaemia in children of workers at the Sellafield nuclear reprocessing plant has not been corroborated, nor other explanations excluded.

When I say it has not been corroborated I mean that it has not been found around any other nuclear plant. They have looked at nuclear plants in France, Britain and Germany and they cannot reproduce those results. If a study of leukaemia were done anywhere in Australia, clusters would be found. A study of any disease will disclose clusters. Because one finds a cluster or an anomaly, one does not necessarily have a cause. If a cluster were found next to Hon David Wordsworth's shearing shed, it would not mean that his shearing shed was causing it. There is a random effect in a lot of cases.

Hon Bob Thomas interjected.

Hon MARK NEVILL: Probably the highest level of radiation occurs in double brick houses because radon gas comes from the bricks. Modern houses are very poorly ventilated. There

is a buildup of radon gas which comes up through the concrete floors. The major exposure of people to radiation is in double brick houses, as I said, because they are poorly ventilated.

Hon Bob Thomas interjected.

Hon MARK NEVILL: It would vary in areas, but there could quite easily be 100 millisieverts in a house, particularly if it is on a granite outcrop on the Darling Scarp.

Hon Bob Thomas interjected.

Hon MARK NEVILL: It depends on the type of rocks underneath which are releasing the radon gas. Some, such as granite or mineral sands on beaches, release more radiation than others. However, I am being sidetracked from the letter.

Hon Tom Stephens: Basically, from what you were saying earlier about these long living Japanese, a nuclear attack is good for you.

Hon MARK NEVILL: I do not think the people from the Institute of Neurological Sciences have any axe to grind. I will read it again -

For instance, people who live in areas of high background radiation tend to have a lower incidence of cancer, . . .

There are documented studies of that. I am saying that the evidence does not all come out one way. People selectively grab one thing and run off with it.

Hon Tom Helm interjected.

Hon MARK NEVILL: Some of them seem to have benefited from exposure to low levels of radiation.

The DEPUTY PRESIDENT (Hon Muriel Patterson): Order! The member will address the Chair.

Hon MARK NEVILL: The letter continues -

But the International Commission on Radiological Protection recently reduced the permissible limits for the public to 1 mSv, well below many natural background levels, and has now further reduced the limits for radiation workers below the levels at which any hazard has been demonstrated.

While accepting the desire to maximise the safety of the public, including those with occupational exposure to radiation, we question whether the long-term effects of these unrealistic radiation limits will be beneficial. The overall costs arising for compliance with the standards and from distortion of the roles of nuclear industries may be enormous.

Basically the letter is saying that the evidence is conflicting, and if there is any effect, it is almost immeasurable.

Hon D.J. Wordsworth: Do you think there is some confusion between the effects of radiation and some of the agricultural sprays that have been overused?

Hon MARK NEVILL: These are emotive issues. I spent a week with a friend, a Catholic priest, Father John Maguire, in Simpson in the western districts of Victoria. I spent a couple of years on Balgo Mission with him years ago. I went to the funeral of a woman in Simpson who died of cancer. Everyone told me about the number of people in that district who had died of cancer. The majority of the population in the Simpson district were Dutch dairy farmers. The land was cleared in the 1960s under Sir Henry Bolte's Government as a new land settlement area. When the land was cleared the whole area was aerial sprayed with herbicide. The milk from that district had to be taken off the shelves in Melbourne because it had a funny taste. Everybody in the district was sprayed with these herbicides. As I said, I was told by everybody of the high incidence of cancer; I was told it was horrific. I got in touch with the Victorian cancer council; it has a different name from ours. It can pull out statistics for every shire in Victoria. The figures it gave me indicated that the Simpson district had actually half the average Victorian cancer rate. I am trying to say that one cannot really take the stories one hears at face value without doing the epidemiological studies. It is the same at Chernobyl with the eight-legged lambs and the children with thyroid conditions.

Hon D.J. Wordsworth: I was referring to the Russian scene more than the Australian scene.

Hon MARK NEVILL: The same sort of parallel could be drawn in Russia. When one looks at something objectively, it is often different from when it is looked at subjectively or when one relies on anecdotal evidence.

Hon Tom Stephens: Sometimes science can be used to cover up what instinct tells us is fact.

Hon MARK NEVILL: I am sure it does. I am sure science often gives a very different conclusion from that we gain from instinct. I was getting to the last article in the *New Scientist* which includes a comment on the Chernobyl findings. The Japanese chairman of the international team, Mr Itsuzo Shigematsu, who also heads research into the effects of the wartime atom bombs in Japan, said -

... it is "too early" to see radiation-induced cancers. In Japan, the first such cases did not start to appear until some 3 to 5 years after the nuclear explosions.

He went on to say that the majority of them occur a lot later. No-one doubts that Chernobyl was a disaster. However, it was a preventable disaster. It has happened and we now have to try to get the facts on what happened. However, that is very difficult when an emotive Press is dealing with the issue. We must learn about the effects of low level radiation on the populations of those areas. A long term study has been set up in Russia, under the World Health Organisation, and other countries are being asked to commit funds to that study. The Japanese have pledged \$20 million but to date no other country has pledged funds. If there is one legacy of Chernobyl from which we can benefit, it is a detailed epidemiological study of the effect of radiation on the millions of people living in the area. It is not an easy task to deal with a fairly complex issue such as the effects of the Chernobyl disaster.

I have endeavoured to point out to the House that the situation depicted in the popular Press is often quite distant from the truth. We must rely on carefully controlled studies that operate at a high level of rigour before we can estimate what happened. Such a study has been put in place. It appears that the Soviets have not released any misleading information on this matter. The stories run about the 7 000 people dying of radiation induced cancer are absolute nonsense, because that is the number of deaths one could anticipate in the five year period from a population of 600 000 people. That figure has been emblazoned in every sector of the media throughout the world, yet it is quite misleading.

A lot more thought must be given to and debate must take place on the issue of nuclear power and nuclear energy. No-one is suggesting that it is safe; however, a coal fired power station is not safe either. It is a question of relative risk. At the same time I do not think we can afford to close our eyes to an alternative form of power generation. It does not mean that it must be embraced - it can be opposed - but we should make sure that the opposition to it does not stultify research into that form of energy. With regard to accidents, such as that at Chernobyl, we must make sure that detailed work is carried out for the benefit of future generations who may be forced to use nuclear power because no alternatives are available.

HON BOB THOMAS (South West) [10.24 pm]: I shall address my remarks in debate on the Supply Bill to a number of issues affecting my electorate. They include the need for urgent attention for the provision of an industrial waste treatment plant for the Albany foreshore industries, the Plantagenet development group, the Pemberton sewerage issue, the Totalisator Agency Board, the Lockyer redevelopment, some very positive effects of several initiatives implemented in Albany recently to combat crime, and the Albany post-release program.

Firstly, I refer to the urgent attention that must be given by the foreshore industries in Albany to waste disposal. At present five industries in Albany are licensed to discharge their waste into Princess Royal Harbour. For a long time that has caused no problems because it has not had any visible effect on the harbour. However, scientific research in the past few years has indicated considerable vitiation of the harbour environment, and that the disposal of industry effluent into the harbour has been the major cause of that vitiation. I have figures which indicate that from 1962 to 1988, 90 per cent of the seagrass in the harbour was lost. The loss was most pronounced between 1984 and 1988, and 60 per cent of the seagrass remaining in 1984 was lost by 1988. That caused some concern because we were rapidly progressing to total destruction of the harbour and the creation of another Star Swamp or an environmental disaster of that nature. The key to that was the amount of nutrients being pumped into the harbour and the effect of those nutrients on the seagrass. The seagrass acts as a nursery for

fish and it locks up nutrients. Healthy seagrass meadows equate to a healthy harbour environment. We found in Albany that we were moving along that continuum in the way in which other environments, such as Star Swamp, had moved, from a pristine state to one in which epiphytes were present on the seagrass. That is a hair-like algae which attaches itself to the seagrass, blocks out the light, stops the photosynthetic process and kills off large amounts of seagrass. The Princess Royal Harbour had gone past that stage and progressed along the continuum to the macroalgae build-up; that is, the nutrients exacerbated the growth of macroalgae. Large clumps of the macroalgae were created and it smothered the seagrass, causing the light to be shaded out, and further seagrass to die. Some of the research carried out indicated that the harbour was not far from the next stage on the continuum, which was the phytoplankton stage at which all the seagrass disappears, massive macroalgae remains and the nutrients in the sediment are released back into the water environment so that the whole harbour environment is out of control. No-one knew which way it would react, but it was certain that there could be a huge environmental problem, with total degradation of the harbour, perhaps putrid smelling lumps of algae being beached and so on. Given the dependence of Albany on the tourist industry, we certainly could not allow that scenario to develop.

In 1988 and 1989 the Environmental Protection Authority carried out some detailed studies of pollution in the harbour and it released its recommendations in 1990. These are contained in bulletin No 442 of August 1990. Essentially it identified that in 1988 29 tonnes of phosphorus was released into the Princess Royal Harbour. Eighteen tonnes of that came from industrial sources such as CSBP & Farmers Ltd, Kailis and France, Albany Woollen Mills Ltd, Southern Processors Ltd and Metro Meat Ltd, with the largest amounts coming from CSBP. A further four tonnes of phosphorus was released from urban run-offs, and that included two tonnes of phosphorus coming from the primary wastewater treatment plant at Point King. A further seven tonnes came from agricultural sources. Included in that was a piggery slightly north of Albany, but its run-off found its way into the Princess Royal Harbour. There was also the saleyards just west of Albany. The Environmental Protection Authority recognised that about 60 per cent of the nutrients flowing into the harbour and causing the environmental problems came from industrial sources, and it made a number of recommendations to the general public, to local government, to agriculture and to industry. The recommendations I want to concentrate on tonight relate to a requirement for industry to reduce the amount of nutrients contained in the effluent pumped into the harbour in order to comply with EPA regulations, and to achieve that limit by 1992.

Industry expressed some concern at these recommendations. It felt that the cost of complying with them would be prohibitive, and that the rules had been changed. When operations were first set up it was okay to pump effluent containing nutrients into the harbour, and now it was not fair for the Government, through the EPA, to introduce regulations which meant that industry would have to expend a large amount of money to comply with those regulations. Industry was not in a profitable position and therefore not in a position to comply. For instance, Southern Processors contracted Binney and Associates to look at the issue of waste disposal from its vegetable processing factory. It was told that it would cost \$1.885 million to establish a self-contained waste disposal system on site to treat the waste so that the amount of nutrient in the effluent being pumped into the Princess Royal Harbour would comply with the EPA requirements. This matter was also taken up by Metro Meat, which indicated that its plant was old, it needed a lot of maintenance, it was not particularly profitable, it was feeling the pinch with the rural downturn, and it was against its best interests to spend the money on treating its waste so that it would meet the EPA requirements. The whole issue was further complicated by the fact that the domestic sewerage wastewater treatment plant at Point King was fast reaching its maximum capacity and a new sewerage wastewater treatment plant would have to be built in Albany to accommodate the urban growth and the increased sewerage generated in the coming years. This would have to be built within five years to take the pressure off the Point King plant. Industry felt it unfair to have to meet a two year deadline when the Water Authority had five years in which to build the sewerage wastewater treatment plant. Industry was precluded from waiting for that option to become available so that it could have a wastewater treatment plant large enough to accommodate its wastes.

The State Government was cognisant of the problems suffered by those industries, and it

wanted to ensure that Albany had a healthy economy and environment; an economy where jobs were available for those who needed them, and also a healthy environment as the basis of our rapidly expanding tourist industry. The Department of Economic Development, as it was called then, industry, and I think local government, formed a task force to study this matter in fine detail. Dr Ross Field and Dr Chris Simpson played vital roles. They researched the various options available, such as whether the Government should own and operate the plant; they examined the option of a sewerage plant large enough to accommodate industrial waste; they assessed the economic importance of those industries to the town; they examined the consequences if one or more of those industries were to close down as a result of not being able to meet the requirements for discharge being pumped into the harbour; and they costed these various options.

Early in November 1990, as a result of the work done by that task force, the Department of Economic Development wrote to the industries in Albany and asked them to give an expression of interest in participating in what was to be announced on 16 November as a centralised industrial waste treatment plant where the State Government would fund half of the estimated \$3.2 million, using the Campbell environmental group's hybractor technology. The Government was prepared to meet half the cost, or about \$1.6 million, from State revenue. Since then the State Government has extended that offer and has authorised the Water Authority to act as the lead agency and to coordinate, plan and implement the construction of that plant. The matter went to Cabinet in February, and the Government agreed to pay half the cost, but it required each of the four plants - Southern Processors, Metro Meats, Kailis and France, and Albany Woollen Mills - to participate in the plant. Subsequently the Water Authority appointed Mr Peter Moore, an engineer, to act as the project manager for that project, as well as for the domestic sewerage waste treatment plant.

All this took until March 1992, but Campbell and Associates indicated that at least 14 months was needed to obtain the approvals and construct the waste treatment plant. The EPA had set a deadline for March 1992, by which time industry had to comply with those nutrient levels in its waste. That was if there were no hitches and there was a free run at the construction of this plant. However, as we know, these things invariably develop hitches, delays and so on. Even if it went without a hitch it would be two months after the deadline set by the Environmental Protection Authority before this plant could be commissioned. Therefore, one of the first jobs that Mr Moore had was to approach the EPA and request it to provide an extension to the deadline for industry to comply with the nutrient levels for their waste discharge into the harbour. He did that in early May this year and the EPA went through its process and said it would consider the matter but would seek public comment on the issue. That is, the authority would ask the public whether they were prepared to accept that the industry should have an extension past the March 1992 deadline, and whether they would accept that that would cause some delay in the rejuvenation of the environment of the harbour.

Given that the rate of decline of the seagrass in the harbour had been quite prolific between 1984 and 1988, this was something on which the EPA felt it had to seek some support from the community before it agreed to an extension. The EPA was able to indicate to the community that, as a result of some of the measures already in place, the rate of decline of the seagrass in the harbour had plateaued. Between 1984 and 1988, 60 per cent was lost; that loss had stopped. In fact, it was evident that some areas of the seagrass were growing back, not because it was recolonising but because the rhizomes - that is, the runners from which seagrass grows - did not die. As a result of the reduction in the amount of nutrients flowing into the harbour there had been some respite and the rhizomes were growing new leaves. To its credit, CSBP Farmers had put in place quite an extensive program to minimise the amount of nutrient run-off from its site into the harbour. Initially in 1988 about eight tonnes of the 29 tonnes of phosphorus which flowed into the harbour came from runoff from the CSBP site. This year it has been reduced to about 2.8 tonnes and that has given some relief to the seagrass there. As a result, and because of some other factors including, I believe, the different tides pushing some of the macroalgae away from the seagrass meadows, some respite has occurred and some seagrass has grown back. The EPA told the community that there had been some respite, and that industry could not comply with the deadline and had asked for an extension to March 1993, and asked whether the community was prepared to accept that. A meeting of about 120 people was held in Albany a couple of weeks ago and I

believe that of those people who voted on the issue about 60 voted in favour of the proposal and four against, which was quite a strong indication that the community was prepared to accept that some room existed for movement. This could give industry some elbow room in which to move; that is, for an industrial waste treatment plant to be constructed to process its waste. I understand that the deadline for those public submissions closed either yesterday or on Monday and that the EPA is now in the process of making a decision on it.

I became aware in February or March this year that Cabinet had given approval for the Government to participate in this plant and to pay half the cost, but felt that it was prudent that construction of the plant be put out to tender because a number of other companies were interested in tendering for it. I became quite concerned because I knew such a long lead time was involved and that even if industry did commit itself and participate in the plant it would not be able to comply with that deadline. I wrote to the Minister for the Environment, Hon Bob Pearce, about this matter in early February or March suggesting that he give some consideration to that. As a result of the public meeting held in Albany the project manager, Mr Peter Moore, has written to all of the industries asking for a commitment from them to participate in this plant by today, 12 June. CSBP and Farmers is not participating because it has put in place its own management plan to contain its own waste. I believe it has spent about \$2 million to date, planted 40 000 or 50 000 trees, and managed to reduce the amount of nutrients running off its property by approximately 70 per cent. In fact CSBP is re-treating much of this runoff. It is able to reclaim many of the nutrients and is producing fertiliser from those nutrients. To date Albany Woollen Mills is the only industry which has expressed a commitment to participating in this plant. The project manager has also asked for exact details of the quantity and quality of the waste industries will be putting through this plant if they agree to participate. Though written to early in November, still the industries have not given a commitment to the plant, and to date some of them are not aware of the exact nature of the waste they would put through the plant.

My view is quite simple: We need industries in Albany because they provide employment for a large number of my constituents. Over 100 people work for Southern Processors Ltd, and 300 or more work at Metro Meat Ltd in the season. These are major industries in my town and I would hate to see them lost to my constituents. More important is the economic activity which is also dependent on those industries, and with the multiplier effect of two to one, members can see that hundreds of other jobs are dependent on the retention of those industries. However, I also believe that we need a healthy harbour because that is the basis of another very important industry to the town, tourism. I believe the foreshore industries should commit themselves to this centralised waste treatment plant as soon as possible - that is, by today's deadline - because those industries on the foreshore have had substantial Government assistance in the past. That assistance was provided by the Government because it wanted the economic benefits which flowed from having those industries in the town. For instance, Metro Meats received about \$961 000 between 1985 and 1990 in direct assistance from the Government. This took the form primarily of payroll tax exemptions. Southern Processors began operations in 1986, and during its formative stage it received a cash grant from the Government of \$100 000. A couple of years later it received another cash boost from the State Government as a result of some land transactions entered into regarding the old Hunt Cannery site. That resulted in Southern Processors receiving another cash boost of approximately \$190 000. At the same time, the State Government removed some conditions on the purchase of other land adjacent to the Southern Processors' site on the foreshore and it made it easier for the company to acquire land without meeting certain conditions. Also, Southern Processors had ongoing support from departments such as the Department for State Development. Recently an officer from that department, Kevin Strapp, went to great lengths and displayed great persistence in developing an overseas market for frozen vegetable products in Brunei. This project had many hitches and a great deal of negotiation took place between Mr Strapp and the consumers in Brunei. One shipment missed a deadline and on one occasion a wrong product was sent, but eventually a lucrative export order was secured. Albany Woollen Mills received assistance from the Government in the 1970s to renew its technology. The Government provided \$500 000 of \$2 million-worth of investment in new technology to improve productivity and efficiency.

It is clear that industry in this area has had significant support from Government in the past. It is time for the industry to put back some of the goodwill into the community. This should

take the form of a commitment to the centralised waste treatment plant in the area. I have been concerned for some time about the way a couple of these industries have used this issue as a lever to try to get the State Government to provide the total cost of this plant. Press articles have indicated that industries believe Government should pay for the lot; they have claimed that the viability of these industries was at stake and that jobs could be lost in the community. Many of my constituents have been concerned about this as they have aspirations and families to provide for; they sense a threat to their jobs. Many people are dependent on the economic activity generated by those industries. The community was happy to see the Government use taxpayers' funds to assist those industries, and now the industries should pay back some of the goodwill by committing themselves to the plant.

I now pat a few people on the back for the initiative shown during the rural downturn. Mt Barker, a town in my electorate, has probably been as badly affected by the rural downturn as any town in this country; this is probably more so than certain towns in the south west. However, a group of people in Mt Barker did not sit on their hands and whinge. They formed the Plantagenet development group, comprising representatives from Lions, Rotary, Apex and local business owners to encourage economic development in this town. The *Albany Advertiser* on 30 May contained an article in which a local spokesman, Mr Darryl Hockey said the following -

We really began to feel the pinch of the rural recession in December and decided something needed to be done to hold the town together . . .

The group's first short term initiative is a "shop local" campaign incorporating a survey and stickers to encourage Mt Barker residents to buy produce locally.

The campaign is not of vigilante proportions, Mr Hockey said, but aimed to get local businesses to provide goods and services currently not available to shoppers and to gain shire residents' support.

Incidentally, Mr Hockey is also State President of Apex in Western Australia. I applaud this initiative. It is easy for residents to drive from Mt Barker to Albany to shop. Albany has a large shopping centre containing a Coles and a Woolworths store with many speciality stores providing a range of products. These stores probably provide goods at a cheaper price than the local Mt Barker stores; however, by taking this initiative the group is saying to the local community, "If you shop outside our town, your job could go outside town too; if you shop locally, it is more likely that local jobs will remain." Also, when more people shop locally the local retailers have a higher turnover and have the capacity to provide a wider range of products.

Another issue of concern to me is the Totalisator Agency Board, the poor performance of which is largely self induced. We now know that TAB revenue is down two per cent compared with last year; and a growth of 6.5 per cent was projected for this year, so in real terms its performance is down by 8.5 per cent. Clearly, it is not competing with other forms of gambling such as lotto, the casino and instant lottery tickets. That is a problem because about 50 per cent of revenue of the principal racing clubs in Western Australia comes from the TAB as a proportion of its turnover. The Totalisator Agency Board is not marketing its product properly. All members would know that the West Coast Eagles are doing very well, and Eaglemania is evident in this State. Everyone I know stops on the Saturday or Sunday at 12 noon when the Eagles are playing to watch the game on television. I see children wearing Eagles scarves and carrying Eagles bags. Everyone is interested in the Eagles, and rightly so. However, the TAB is missing a golden marketing opportunity. I refer to the footo competition. On Sunday the Eagles beat the Brisbane Bears by 52 points, and anyone who had a 50¢ bet on that outcome would have won \$14.45; when the Eagles beat the Sydney Swans by 34 points, it paid \$10.20; and the Hawthorn result of 82 points, which was predictable, paid \$5.

Hon Barry House: You are one of those gamblers who only remembers the bets he won!

Hon Fred McKenzie: Do not answer the interjections; you have only 60 seconds left.

Hon BOB THOMAS: When the Eagles played Essendon the result paid \$24.25, and I was lucky enough to have two units on that result. I have yet to see the Totalisator Agency Board do anything to cash in on Eaglemania and to promote the footo competition. Many of the problems associated with the products sold by the TAB can be traced back to a marketing

problem. I suggest that it starts to cash in on this sort of sentiment which the West Coast Eagles has at the moment.

Debate adjourned, on motion by Hon Max Evans.

ADJOURNMENT OF THE HOUSE - ORDINARY

HON KAY HALLAHAN (East Metropolitan - Deputy Leader of the House) [11.00 pm]: I move -

That the House do now adjourn.

*Adjournment Debate - Multicultural and Ethnic Affairs - Liberal Party Policy
"Aboriginal Affairs Policy" Document*

HON SAM PIANTADOSI (North Metropolitan) [11.01 pm]: I indicated yesterday that I have been endeavouring for some time to locate the infamous multicultural and ethnic affairs policy of the Liberal Party. I said yesterday I found part of that policy within two or three of its policies. For example, I found part of it in its "Aboriginal Affairs Policy". I am not sure what the Opposition meant at the time, but I will read from that policy because I found it very interesting indeed. It was titled, "Australian Aborigines: A Policy for the Future" and it is the Liberal Party's recognition of Aborigines who are the indigenous peoples of this community. The policy reads -

These policies are based on the belief that all persons of Aboriginal descent are part of one people, one nation - Australia, not a nation divided on the basis of ethnic origin.

I was always under the impression that Aboriginal people were the indigenous people of our community and that we were the ethnics.

Hon John Halden: That is a minor mistake.

Hon SAM PIANTADOSI: Yes, it is. The policy continues -

These policies address issues relevant to the present and future relationships between all Australians. The idea of one nation would be threatened by the Australian community entering into a Treaty or Compact with one ethnic element within that community.

Again, we come back to the ethnic element. The only group of Australians mentioned some two years ago in respect of the treaty or compact was the Aboriginal community and not the ethnic community. At some future point the Opposition may like to expand on that point and inform the Government of its position.

The next point is even more interesting.

Point of Order

Hon JOHN HALDEN: Mr President, I wonder whether the member could identify the document from which he is quoting?

The PRESIDENT: I ask the honourable member to identify the document.

Hon SAM PIANTADOSI: Yes, Mr President. I am quoting from the Liberal Party's policy document which is titled "Aboriginal Affairs Policy" and it is for 1989.

Debate Resumed

Hon SAM PIANTADOSI: The policy continues -

The future of all Australians will be enhanced by the abolition of all programs administered on the basis of separatism. Where particular problems of Aboriginal Australia require special programs, those programs should aim to bring Aboriginal people to a point where they can utilise the programs which are available to all Australians.

It was only last week that a Select Committee of this House was appointed to investigate the endeavours and achievements of indigenous peoples of Australia. That proposal smacks right in the face of the Liberal Party's policy which refers to one people, one nation. Again, the Liberal Party has been misguided. I feel sorry for Hon Muriel Patterson because she has

been let down badly by her party because it did not advise her of the contents of its policy. It appears that this is yet another stuff up by the Liberal Party in respect of its policies.

I am sorry Hon Phillip Pandal has left the House but he would be interested in the document titled the "Liberal Cultural Affairs and Heritage Policy". The inside page shows a photograph of the Leader of the Opposition, Barry MacKinnon, and Hon Phil Pandal. It is stated that Hon Phil Pandal is the shadow Minister for The Family, but it has been crossed out and replaced with the word "Arts". Another mix-up. Some of the statements on pages 6 and 7 of this document are interesting. Page 6 of the policy is headed "Better planning . . . Better management". To a certain extent, he is right. We have demonstrated over the last few days that Hon Phil Pandal is unique and I agree with what he said on page 7 of the document; that is, that there is a need to preserve our heritage. The Liberal Party should read that policy again and reconsider Hon Phil Pandal's position. If members opposite want to preserve themselves in Opposition all they have to do is support the comments made by Hon Phil Pandal because he has certainly given them better planning, better management and better leadership into Opposition, which is where they will always remain.

Tabling of Document

Hon JOHN HALDEN: Mr President, I request that the document identified by Hon Sam Piantadosi be tabled.

[See paper No 427.]

Adjournment Debate - Dwellingup Timber Mill - Closure

HON BARRY HOUSE (South West) [11.08 pm]: I wish to inform the House of a situation which has soured an already uncertain situation at Dwellingup. Unfortunately, it is an example of a small group of people becoming victims of union thuggery. If a Government which can do something about it does not act, it reinforces the view that this Government is a captive of the union heavies which control this State. The situation concerns the closure of the Dwellingup timber mill which was announced by Bunnings Forest Products Pty Ltd several weeks ago. The news was devastating to the towns people as many of them are dependent on the mill for their livelihood. I guess in the long term it was not totally unexpected because people realised the situation involving timber resources, but the short notice of its closure took everybody by surprise.

It is understandable that there was strong local feeling about the closure of the mill and representations were made to the Minister for the Environment, Mr Pearce. It was announced about three weeks ago that the mill was to close on 24 May. A public meeting was held on 22 May at the Dwellingup hall. The meeting was well attended by residents who wanted to hear what the Minister wanted to say. I am sure that the Minister and his entourage were rather surprised that four Liberal members of Parliament were present. The meeting was not planned for us, but I attended with my colleague from this place, Hon Bill Stretch, and two other colleagues from the other place, the member for Warren and the member for Roleystone.

Hon Kay Hallahan: Don't you usually go to community meetings?

Hon BARRY HOUSE: Absolutely.

Hon Kay Hallahan: Why would he be surprised?

Hon T.G. Butler: Why were you there?

Hon BARRY HOUSE: There were good reasons. We were interested in the situation and were glad that a public meeting was held. We were not informed about that meeting but found out when we arrived.

Hon Tom Helm: Was it a secret public meeting?

Hon BARRY HOUSE: Along with everybody else in Dwellingup, we were pleased to hear what the Minister said. The Minister gave three assurances to the meeting which were well received. First, that he was 95 per cent sure that negotiations between Bunnings and a private operator would be successful. He was quite confident that the mill would reopen, possibly as early as the following Monday. Mr Pearce gave a commitment to the meeting that if that did not happen he would return to Dwellingup on the weekend and ensure that

negotiations continued so that the mill was reopened on the Monday. If it had proceeded it would have employed roughly half the work force - 12 workers - in a slightly different operation which would have eased many of their fears. The Minister did not return on the weekend and the mill did not reopen on the Monday, so Mr Pearce then had a problem with his credibility.

It is still not absolutely certain that a private operator will take over the mill, although we are all optimistic about it. I am prepared to give the Minister the benefit of the doubt because it appears likely that an agreement will be reached. Mr Pearce also gave assurances to the meeting that the Government would move to excise land from CALM on which 26 Bunnings homes were built. This would be necessary to protect the residents' homes and to provide them with an opportunity to purchase those homes at a reasonable price to secure their future. We gave our support at that meeting. I did that again subsequently through a media release and on radio. We support that course of action and I urge the Minister to bring legislation before the Parliament as soon as possible so that we do not have to wait for the Reserves and Land Revestment Bill which normally implements this sort of legislation but which often involves a lengthy and cumbersome process. They require the position to be clarified. We totally support that approach.

The third piece of advice given by the Minister, which was well received by the meeting, was that the Department of Conservation and Land Management was prepared to offer mill workers temporary work between the time the mill closed and when it, hopefully, reopened. Work on the Lane-Pool Reserve was mentioned. Generally we had an amicable meeting and everybody was pleased that something came out of the ashes of what seemed like a desperate situation. What happened three weeks later? The trade unions interfered in the situation, particularly the Australian Workers Union, which created an unpleasant atmosphere in the town. The mill did not open on the Monday, as indicated and hoped for, and it still has not reopened. However, everyone is optimistic that it will. The 12 mill workers were given work with CALM, as promised by the Minister, during the period before resuming their jobs at the mill. They were already members of the south west timberworkers' union. Negotiation followed between the AWU and the south west timberworkers' union and agreement was reached that each man would pay \$3.08 a week for union dues while employed by CALM. Shortly after it appears that the AWU reneged on that deal. I thought the amount was \$12 a week for three weeks, but found from reading tomorrow's *The West Australian* that they have been asked to pay \$75 for four weeks. That is equivalent to a half yearly fee for that union and indicates that the AWU is not intent on protecting workers' welfare but on milking them as dry as it can for as much as it can during the period it has some sort of control over them. I am disappointed that that occurred in a State Government jurisdiction. I understand it is illegal for any union to insist on membership before allowing workers to do their job. If that is not the case it is certainly immoral that this is happening in a State Government department. It indicates that the AWU is not interested in the welfare of these people but has seen this as a chance to grab a few dollars and milk them dry.

Hon T.G. Butler: Where did you get this information?

Hon BARRY HOUSE: From tomorrow's *The West Australian*.

Hon T.G. Butler: Have you checked with Bruce Wilson, secretary of the AWU?

Hon BARRY HOUSE: That information has been checked. I have drawn this matter to the attention of the Government because its response so far has been weak, to say the least. It can do something about this matter because it comes within a Government department's jurisdiction. These people are being exploited by a revenue desperate union. Perhaps it has learnt from the revenue desperate State Government. It is a situation in which the State Government should intervene to protect workers' rights.

Question put and passed.

House adjourned at 11.17 pm

QUESTIONS ON NOTICE

BLACKWOOD RIVER - CATCHMENT SIZE
Salinity Levels - Boyup Brook, Alexander Bridge, Bridgetown

472. Hon W.N. STRETCH to the Minister for Police representing the Minister for Water Resources:

- (1) What is the total size of the Blackwood River catchment area?
- (2) Since 1900 what year-by-year salinity levels have been measured in the river -
 - (a) nearest Boyup Brook; and
 - (b) nearest Alexander Bridge?
- (3) What are the most recent salinity levels measured at Bridgetown?

Hon GRAHAM EDWARDS replied:

The Minister for Water Resources has provided the following response -

- (1) The size of the Blackwood River catchment is approximately 12 800 square kilometres.
- (2) (a) Little sampling has been done near Boyup Brook. 1952 - 15 samples between 2 500mg/l and 3 360mg/l TSS; 1972 - eight samples between 3 280mg/l and 5 620mg/l TSS.
- (b) The Blackwood River at Alexander Bridge is tidal and no sampling has been done. A gauging station has operated at Winnijup midway between Bridgetown and Boyup Brook since 1980 collecting daily water samples:

	max TSS	min TSS	mean TSS	
1980	8 884	5 135	7 455	
1981	11 153	2 624	6 157	
1982	8 113	232	705	major flood
1983	9 467	762	2 088	
1984	9 450	2 455	4 504	
1985	7 235	2 565	3 997	
1986	8 955	4 826	7 185	
1987	8 743	6 287	7 549	
1988	14 096	1 416	3 355	

A gauging station has operated about 15 kilometres upstream of Alexander Bridge since 1983 collecting daily water samples -

1983	5 127	626	1 341
1984	5 363	871	2 036
1985	4 791	870	2 211
1986	2 742	796	1 843
1987	4 567	745	2 852
1988	4 290	786	1 503

Sampling has been carried out at sites near Nannup since 1940 and results are available from the Water Authority if required.

- (3) The most recent sample collected at Bridgetown was in March 1988 and was 8 742 mg/l TSS. Prior to that, 12 samples were collected in 1985 which varied from 3 300mg/l to 4 840mg/l.

Note: TSS - Total soluble salts.

CREDIT UNIONS - CREDIT ACT BREACHES*Trust Fund Exemption - Consumer Affairs Ministry Discussions*

480. Hon GEORGE CASH to Hon John Halden representing the Minister for Consumer Affairs:

- (1) Was a proposition that a trust fund be established to hold funds which would be the subject of an application for exemption under the Credit Act 1984 discussed at a meeting of the Ministry of Consumer Affairs Corporate Executive on 22 June 1990?
- (2) Did the Director of Consumer Services write to the Executive Director of the Ministry of Consumer Affairs on 25 June 1990 expressing his serious reservations at the proposal and advise that he considered the provisions of the Criminal Code relating to corruption and abuse of office may be breached by the proposal?
- (3) What position did the then Director of Consumer Services occupy prior to joining the Ministry of Consumer Affairs?
- (4) What position does that person currently occupy?
- (5) How many exemptions were granted in respect of previously identified breaches of the Credit Act 1984?

Hon JOHN HALDEN replied:

(1)-(2)

I am not in a position to comment on what discussions take place at internal Ministry for Consumer Affairs corporate executive meetings. Nor am I prepared to comment on the existence or otherwise of internal departmental memos.

- (3) At the time of his application for this position he was the Inspectorate Projects Research Officer, Western Australia Police Force.
- (4) Following a compulsory conference in the Industrial Relations Commission in January 1991 he now works at the Government Employees Superannuation Board.
- (5) Exemptions were granted to credit unions in accordance with the provision of credit order No 64 (1990) and its associated deeds of undertaking.

DENMARK RIVER - SALINITY LEVELS

482. Hon BARRY HOUSE to the Minister for Police representing the Minister for Water Resources:

I refer to the Denmark River and ask -

- (1) In which year were above normal saline levels first detected?
- (2) What is the present salinity level of the river?
- (3) Is this level still regarded as above normal?
- (4) If so, are there any plans to implement programs to reverse the salination?
- (5) What is the size of the total catchment area of the river?
- (6) How much of this area is forested?

Hon GRAHAM EDWARDS replied:

The Minister for Water Resources has provided the following response -

- (1) In 1960 the maximum salinity in the Denmark River was 440mg/L TSS and the average salinity for the year was 320mg/L. By 1970 the maximum value had increased to 1 400mg/L and the average to 680mg/L. By 1981 the maximum value had further increased to 1 800mg/L and the average similarly to 790mg/L. The highest recorded salinity in the river was 4 200mg/L in 1987 which was a dry year.

- (2) For the last fully recorded year - 1990 - the maximum salinity reached 2 050mg/L TSS and the average river salinity was 860mg/L TSS.
- (3)-(4) The Water Authority in conjunction with the Department of Agriculture and CALM are currently undertaking a research program designed to both improve farm productivity and improve the water quality of the river. Through this program, based primarily upon improved farm design, improved farm drainage, and strategic commercial tree plantings, it is hoped that the long term salinity of the river will be reduced to below 500mg/L TSS.
- (5) 750 km².
- (6) 70 per cent of the catchment is uncleared. The majority of the saline inflows emanate from the cleared agricultural land in the upper catchment - 16 per cent of total catchment area.

Note: TSS - Total soluble salts.

HEALTH - HEART TRANSPLANT OPERATIONS *Western Australia*

488. Hon N.F. MOORE to the Minister for Education representing the Minister for Health:

- (1) When is it expected that heart transplant operations will be able to be carried out in Western Australia?
- (2) Why is it not possible for these operations to be carried out in Western Australia?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

(1)-(2)

At present, the small number of Western Australians who require a heart transplant are catered for at one of the nationally funded heart transplant centres in Melbourne or Sydney. While it may be feasible in the future for a heart transplantation service to be provided in Western Australia it is essential that such services only be developed when there are sufficient cases in the State to ensure that adequate skills can be developed and maintained, and that the service is cost effective.

In this regard Western Australia, along with all other States, is a party to a national agreement which provides for the establishment and provision of such very specialised and very high cost medical treatment by a limited number of national centres. In addition, to ensure that available resources are used cost effectively within the health system all proposals for extension of heart transplantation services in the various States are subject to assessment by the Australian Health Technology Advisory Committee of which WA is a member, together with the other States and the Commonwealth.

THEFT - KENSINGTON BUILDING FIRM *Police Arrests*

551. Hon P.G. PENDAL to the Minister for Police:

With reference to the recent theft of \$11 000 from a Kensington building firm, would the Minister advise -

- (1) Whether the police have made any arrests in relation to this crime?
- (2) If so, have those charged been found guilty and if so, what sentences were given?
- (3) Has any restoration order been given?
- (4) Was any of the stolen money recovered?

Hon GRAHAM EDWARDS replied:

- (1) Four juveniles have been charged and one is still sought.
- (2) The matters have still to be heard in the Children's Court.
- (3) Restitution will be applied for.
- (4) No money has been recovered.

POLICE - CARNARVON POLICE LOCK-UP
Meals Criticism

554. Hon P.H. LOCKYER to the Minister for Police:

- (1) Has the Minister read the article in the *Sunday Times* of 2 June where the Carnarvon police lock-up meals were criticised?
- (2) If so, is the article correct?
- (3) If not, will the Minister check the position with regard to meals to prisoners at the Carnarvon lock-up?
- (4) Is the Minister aware that the operation of the police and the supply of meals to prisoners is regarded locally in Carnarvon as very satisfactory?
- (5) What steps are being taken to support officers and wives of officers at the Carnarvon Police Station to reject inaccurate articles?

Hon GRAHAM EDWARDS replied:

- (1) Yes.
- (2) The accuracy of the article cannot be established.
- (3) The position with regard to prisoners' meals at Carnarvon police lock-up has been checked and it has been established that three substantial meals per day are provided to each prisoner. Kangaroo meat purchased from a local processor is only supplied to prisoners who request it.
- (4) Yes.
- (5) No action has been taken as the accuracy of the article cannot be substantiated or refuted. However, the three officers who have served as the sergeant in charge of the Carnarvon Police Station since September 1985 have been interviewed and all have denied having shot kangaroos or donkeys to use for food for prisoners. The persons who were in charge at Carnarvon before September 1985 have all retired from the Western Australia Police Force.

Commissioned officers from the Geraldton police regional office are aware that prisoners at the Carnarvon police lock-up are satisfied with the meals provided. Dr McKenzie of the Aboriginal Medical Service, Carnarvon, regularly visits prisoners in the police lock-up and medically examines them. He has not made any adverse comment concerning the diet of the prisoners.

CAR THEFT - UNAUTHORISED USE OF MOTOR VEHICLES
Charges Statistics

568. Hon E.J. CHARLTON to the Minister for Police:

- (1) What were the number of charges laid for car theft or unlawful use in the years -
 - (a) 1988;
 - (b) 1989; and
 - (c) 1990?
- (2) How many of these were dealt with by the Children's Court?
- (3) How many were repeat offenders?

Hon GRAHAM EDWARDS replied:

- (1) (a) 2 468
- (b) 2 990
- (c) 3 004

(2)-(3)

These statistics are not collated by the Police Department.

WATER AUTHORITY OF WESTERN AUSTRALIA - WOODMAN POINT
Effluent Discharge

579. Hon GEORGE CASH to the Minister for Police representing the Minister for Water Resources:

- (1) Does the Western Australian Water Authority discharge effluent into the ocean at Woodman's Point?
- (2) If yes -
 - (a) over what duration has this discharge occurred;
 - (b) what is the annual volume of the discharge; and
 - (c) what has been the nitrogen loading to the marine environment?

Hon GRAHAM EDWARDS replied:

The Minister for Water Resources has provided the following reply -

- (1) Yes, but the old Woodman Point outlet is only used as an emergency, gravity overflow for treated effluent in the event of power or equipment failures to the pumping station delivering to the new Cape Peron outlet. Even should these failures occur, various options are available to minimise effluent overflow.
- (2) (a) 1990-91 to date - three occasions for a total of four hours.
- (b) 1990-91 to date - one million litres - 0.003 per cent of yearly inflow.
- (c) Total nitrogen loading from overflowed effluent was 47 kg.

METANA DAM - NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL
GUIDELINES
Excess Characteristics

581. Hon N.F. MOORE to the Minister for Police representing the Minister for Water Resources:

Further to the answer given on 4 June to question on notice 518, will the Minister advise what the characteristics of the Metana Dam are which exceed the National Health and Medical Research Council guidelines?

Hon GRAHAM EDWARDS replied:

The Minister for Water Resources has provided the following reply -

Two isolated water samples from Metana Dam were tested recently and the following characteristics had values exceeding the NHMRC non-health guidelines -

	NHMRC	METANA DAM
	Guideline Value	Value
Colour	15 TCU	19 TCU
Manganese	0.1 mg/L	0.65 mg/L

Colour is generally noticeable above 15 TCU which is the level for aesthetic considerations. High manganese levels cause 'black water' problems in the reticulation system which generally result in complaints from customers.

Note: TCU refers to True Colour Unit which is the measure of the degree of colouration in a water sample.

SCALLOPS - SHARK BAY FISHERY

Quota - Boat Licences

603. Hon P.H. LOCKYER to Hon Mark Nevill representing the Minister for Fisheries:

- (1) What is the allowed take of scallops in the Shark Bay fishery?
- (2) How many boats are licensed to take scallops in this fishery?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following response -

- (1) There is no limit on the take of scallops in Shark Bay.
- (2) Forty-two.

ONSLow - STUDENTS

Transport Commission - School Vacation Transport Arrangements

606. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) What arrangements are being made with the Transport Commission to allow students to return from study outside Onslow during school vacations?
- (2) Has the possibility of flying them to Exmouth by Ansett WA and delivering them by charter aircraft to Onslow been considered?
- (3) If not, will an immediate examination of this possibility be carried out?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1)-(3)

The student subsidised travel scheme, administered by the Department of Transport, only provides for free travel on regular passenger transport services. A car subsidy is also paid for travel by private vehicle where the final destination is more than 56 kilometres from the RPT service.

There are no special arrangements for Onslow. However, due to the withdrawal of the Port Hedland-Karratha-Onslow air service on 8 May 1991, consideration will be given to providing a one off charter flight, only for those students confirmed as being unable to obtain tickets on the available RPT services. This has already been offered to the parent of an affected student. Parents whose children are in this situation should contact the Operations and Services Branch of the Department of Transport.

QUESTIONS WITHOUT NOTICE

SITTINGS OF THE HOUSE - THURSDAY, 13 JUNE

6.00 pm Conclusion

352. Hon E.J. CHARLTON to the Leader of the House:

Will the Leader of the House advise whether it is his intention that the business of the House will be concluded by 6.00 pm tomorrow?

Hon J.M. BERINSON replied:

It is my intention that the business of the House should conclude when the Bill that was under discussion before question time and the Supply Bill are passed, together with any other items which we may be able to dispose of in the meantime. I am hopeful and, indeed, I expect after some discussion between the parties that that will be possible by 6.00 pm tomorrow.

HOSPITALS - BENTLEY HOSPITAL
Ward Closures

353. Hon GEORGE CASH to the Minister for Education representing the Minister for Health:

- (1) Is ward 1 or any other ward or section of the Bentley Hospital to be closed because there are insufficient funds to pay the nursing staff; and if so, will the Minister provide details?
- (2) Is any ward or section at Bentley Hospital to be closed for any reason other than that stated above; and if so, will the Minister provide details?

Hon KAY HALLAHAN replied:

I thank the member for giving some notice of his question. The Minister for Health has provided the following reply -

- (1) Hospital executives are given a budget with which they undertake services in relation to community needs. In determining these needs, the executive manages the budget to reflect those needs. The management decision was to close ward 1 to ensure the hospital would come in on budget. A special budget allocation of \$293 000 was provided for the hospital to reopen ward 1 and a second operating theatre from 22 April 1991 to the end of the financial year to fund the waiting list reduction project. For 1991-92 Bentley will be required to reassess the need and the hospital's ability to maintain utilisation of ward 1. Again it will be a management decision on what course of action is necessary to remain within budget.
- (2) No other ward or section of the hospital will be closed.

TAFE - MIDLAND TAFE COLLEGE
Forrestfield Technical School Students - Art Classes Closure

354. Hon N.F. MOORE to the Minister for Education:

- (1) Is the Minister aware that when the Forrestfield Technical School was closed at the end of last year the art students were promised a place at the Midland College of Technical and Further Education?
- (2) Is the Minister aware that seven art classes are to be cut at the Midland TAFE college in the coming semester?
- (3) What action does the Minister intend to take to fulfil the commitment made to students last year that they would be able to continue with and complete their studies at Midland TAFE college?

Hon KAY HALLAHAN replied:

(1)-(3)

It is true that the Government has provided a magnificent TAFE college at Midland and that courses are being provided there for the surrounding areas. The official opening of the college will be within the next two weeks, and that will be my first opportunity to inspect what I am told are magnificent premises and which are in some ways underutilised, but of course the college has been built for the future so that it will have a capacity to take in new students. I am not aware whether art classes will be cut. I suspect that is a rumour. I will have the matter followed up, but I will say once again that although I do not mind following up matters, I will get very tired of doing that if I am sent on wild goose chases and find that there is no substance to the allegations that are made.

Hon George Cash: The students at Willagee appreciate the umbrellas that you sent them for when they are studying in the library!

Hon KAY HALLAHAN: That roof was fixed before the member asked the question in the House.

Hon George Cash: They will probably send back the umbrellas.

Hon KAY HALLAHAN: I will follow up the allegation of the member that seven art classes will be cut.

COMMISSIONERS FOR DECLARATIONS - FUTURE APPOINTMENTS

355. Hon BARRY HOUSE to the Attorney General:

Are any future appointments of commissioners for declarations to be made; and, if so, under what circumstances and what will be the criteria for applicants to qualify for appointment?

Hon J.M. BERINSON replied:

Appointments of commissioners for declarations are still being made and will continue to be made. I have indicated to members both in this House and by correspondence that future appointments will be limited, and that is to reflect the much wider range of people in the community who can now act as commissioners for declarations *ex officio*. Where circumstances arise in particular areas where the wide range of *ex officio* commissioners does not meet the need, I ask members to provide with their nominations some specific indication of that need, and that will be closely attended to.

SCHOOLS - SCHOOL DECISION MAKING GROUPS

New Regulations

356. Hon E.J. CHARLTON to the Minister for Education:

During the last session of Parliament the National Party attempted to amend the Education Act in regard to the role and responsibility of the people who comprise the school decision making groups. Those amendments were not accepted, and the Government advised us that regulations would be drawn to set out those details. Have those regulations been determined; and, if so, when will they be presented to the House?

Hon KAY HALLAHAN replied:

The regulations have either just been finalised or are very close to finality, and when they are finalised I will move to have them gazetted and tabled, and they will be available for members at the commencement of the next session. The regulations have not yet come to me but I understand that they are close to finality.

SCHOOLS - SCHOOL DECISION MAKING GROUPS

New Regulations

357. Hon E.J. CHARLTON to the Minister for Education:

Is the Minister aware of the uncertainty that has beset schools as a consequence of those regulations not being finalised; and, therefore, of the need for urgency?

Hon KAY HALLAHAN replied:

No one is more aware than the Minister for Education of the uncertainty and the representations I have had on this matter, and no one has pushed harder than I have to have these regulations drafted. That is why I am happy to be able to tell Hon Eric Charlton that they are very close to finality, and I hope to be able to read them very soon.

COMMISSIONERS FOR DECLARATIONS - FUTURE APPOINTMENTS

Application Criteria

358. Hon BARRY HOUSE to the Attorney General:

Further to my previous question about commissioners for declarations, is it the qualities and qualifications of an applicant or the number of people in the area available to perform the duties which is the most relevant criterion when approving or rejecting applications?

Hon J.M. BERINSON replied:

The latter.

DUCK SHOOTING - FRECKLED DUCK
Queensland Government Ban

359. Hon FRED McKENZIE to the Minister for Education representing the Minister for the Environment:

Some notice of this question has been given.

- (1) Is it true that the Queensland Government is considering banning recreational duck shooting in some shires frequented by the freckled duck?
- (2) Is it true that the freckled duck is found in all shires in the South West Land Division in Western Australia?
- (3) Does the Minister think it appropriate, therefore, that recreational duck shooting be banned in the South West Land Division in Western Australia?

Hon KAY HALLAHAN replied:

I thank the member for giving some notice of the question. The Minister for the Environment has provided the following response -

- (1) Yes, I understand that the Queensland Minister for the Environment is proposing to ban duck shooting in some shires frequented by the freckled duck.
- (2) According to the *Royal Australasian Ornithologists Union Atlas of Australian Birds*, the freckled duck has been recorded at some time in all regions of Australia except Cape York; however, reports of breeding are clustered in the Murray-Darling region and the south west of Western Australia. Detailed information is not readily available on a shire basis; however, the numbers of freckled ducks counted during annual waterfowl surveys in the south west has declined since 1986. This is cause for grave concern about the future of this rare species.
- (3) The declining numbers recorded for the rare freckled duck reinforce the Government's opposition to recreational duck shooting, because experience in Western Australia and elsewhere clearly shows that protected species are illegally shot during duck shooting seasons. Furthermore, institutionalised slaughter of any wildlife for fun is not acceptable. As a matter of principle this Government remains opposed to recreational duck shooting.

GRAVEL - MT LESUEUR NATIONAL PARK PROPOSAL
Question on Notice 533

360. Hon MARGARET McALEER to the Minister for Education representing the Minister for the Environment:

In view of the fact that the House expects to rise tomorrow, would the Minister for Education expedite the answer to my question 533 asked on 28 May which concerned gravel deposits in the proposed Mt Lesueur National Park area?

Hon KAY HALLAHAN replied:

I am not the Minister responsible for this matter; members would appreciate that it is a matter for the Minister responsible for the Department of Conservation and Land Management. As members will recall, an undertaking was given to the House during our debate on the motion to support the creation of the Mt Lesueur National Park that the question of adequate supplies of gravel would be negotiated before completion of consideration by the House of this item. That matter is being attended to by

the Minister concerned and I am not in a position to give an undertaking that it can be finalised by tomorrow. I suspect that the negotiations are ongoing, from what I have most recently heard.

GRAVEL - MT LESUEUR NATIONAL PARK PROPOSAL

Question on Notice 533

361. Hon MARGARET McALEER to the Minister for Education representing the Minister for the Environment:

Is the Minister for Education aware that my question 533 does not refer to negotiations but contains straightforward questions concerning the deposits of gravel which had been identified on private land in the Mt Lesueur area, the use by CALM of gravel in other national parks, the possible use by CALM of gravel in the proposed Mt Lesueur National Park, and so on?

Hon KAY HALLAHAN replied:

Is it not the subject of negotiations?

Hon Margaret McAleer: My question did not refer to negotiations and it does not need to take negotiations into account.

Hon KAY HALLAHAN: I ask that staff of the House provide me with a copy of question 533. I suspect that as I cannot answer it readily it would need to be referred to the Minister for the Environment. I cannot provide anything further, other than to say that I will ask the relevant Minister whether he is in a position to provide a response by tomorrow. As I think the matter is all tied up with the other, bigger issue, my understanding is that that is not likely, but I will see what I can do.

QUESTIONS - POSTPONED QUESTIONS

Answers

362. Hon D.J. WORDSWORTH to the Leader of the House:

Is it the intention of the Government to allow postponed questions to slide off the Notice Paper before the next sitting or to make an attempt to answer them, particularly as some of them have been there since March?

Hon J.M. BERINSON replied:

There is no intention to allow the questions to slide off the Notice Paper, nor is there any capacity to allow them to do so. The fact is that any questions which are not answered by tomorrow will remain on the Notice Paper, and unless answers are provided in the meantime they will still be there in August. I am aware that all Ministers are making every effort to get up to date on the answers, but the fact is that we are now up to question 619, and with the ordinary pressures of the parliamentary sitting I must say that we have done reasonably well so far. That does not mean we will not try to do better, and I hope that even by tomorrow there will be a significant reduction of the questions held over.

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY - AUDITOR GENERAL'S REPORT

Accounts 1988-89 Tabling Delay

363. Hon MAX EVANS to the Minister for Education:

- (1) A paper tabled today by the Auditor General says that the Country High School Hostels Authority 1988-89 accounts were signed only on 27 May 1991, nearly two years late. Does the Minister have any reasons for their being so late? They still have not been tabled here.
- (2) Does the Minister know when the 1989-90 accounts will be lodged, as they are now six months overdue?

Hon KAY HALLAHAN replied:

(1)-(2)

The Country High School Hostels Authority has been experiencing some administrative difficulties and I know that recently some arrangements have been made to strengthen that area of the authority. On the spur of the moment I can only think that that is the explanation for the delay.

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY - AUDITOR GENERAL'S REPORT

Accounts 1990 Tabling

364. Hon MAX EVANS to the Minister for Education:

Supplementary to the previous question, will the Minister find out when we might expect the 1990 accounts, which should have been tabled before 31 December last?

Hon KAY HALLAHAN replied:

I am happy to give an undertaking to see that those accounts are tabled as soon as possible and, indeed, to give Hon Max Evans an undertaking to advise him when that is to be done. If I am not in a position to do that by tomorrow, I could write to him, if that is necessary, to let him know when we can expect that document to be tabled.

SCHOOLS - AUDITOR GENERAL'S REPORT

Funds Audits

365. Hon MAX EVANS to the Minister for Education:

We had a debate last year about whether school funds had been audited and what would be done about them. The Auditor General's report of January 1991 says -

In the absence of audits having been undertaken of all schools, I am unable to form an opinion as to whether the statement of School Funds Receipts and Payments for 1989 and provided as supplementary information is fairly presented.

Has anything yet been decided about whether those funds will be audited for schools? Some of them run to \$2 million or \$3 million.

Hon KAY HALLAHAN replied:

I clearly remember the debate in which the matter was raised, but I cannot remember the resolution of the House. However, I am sure the ministry, and the schools for which it is responsible, will be complying with the legislation. That is a matter I will be happy to discuss more fully with the member after I have made further inquiries.

DUCKS - FRECKLED DUCKS

Flock Size

366. Hon PETER FOSS to the Minister for Education representing the Minister for the Environment:

In reference to an earlier question about the number of freckled ducks seen down south, does she have any idea of the size of the freckled duck flocks?

Hon KAY HALLAHAN replied:

I am aware that the population demographics indicate an aging of the human species, and as these ducks are decreasing in number it is possible that the species is undergoing the same aging process. However, one hopes that we will see the species survive and see the age of ducks span from birth through to old age - and subsequently death.

Hon P.G. Pendal: And anywhere in between!

Hon KAY HALLAHAN: The earlier answer indicated that the department was

unable to give a breakdown on a shire by shire basis so I presume it would be unable to provide a breakdown of the figures on the basis of age or gender but this could be the subject for learned students for a doctoral thesis or perhaps a masters degree.

DUCK SHOOTING - BIRD IDENTIFICATION TEST

Victorian Government

367. Hon FRED McKENZIE to the Minister for Education representing the Minister for the Environment:

- (1) Is it correct that the Victorian Government has introduced a bird identification test?
- (2) Is it also true that rescue teams this year recovered a record number of illegally shot protected waterbirds?
- (3) Is it true that this included freckled duck, black swan, pied stilt and galah?
- (4) What purpose does the Minister believe an identification test plays if shooters are mistaking galahs, swans and stilts for game species?
- (5) Is it true that, despite there being fewer shooters in Victoria, rescuers are recovering more protected birds than ever before?

Hon KAY HALLAHAN replied:

I thank the member for some notice of the question. The Minister for the Environment has advised on this very important matter as follows -

- (1) Yes, an identification test has been introduced; this commenced in October 1988 and shooters could do the test on a voluntary basis. The test was compulsory for new duck hunters only for the 1989 season and it was compulsory for all duck hunters for the 1990 season.
- (2) Information from the Victorian Coalition Against Duck Shooting is that as at 31 May 1991 a total of 485 protected birds which were unlawfully shot were recovered from only 10 wetlands by anti-duck shooting groups, including 128 rare freckled ducks. Figures have also been supplied by the Victorian Department of Conservation and Environment for the number of illegally shot protected birds collected in recent years: Those figures show that the numbers collected by anti-duck shooting groups were 425 in 1991; 374 in 1990; 273 in 1989; and 152 in 1988. In addition, departmental staff collected 119 in 1991; 80 in 1990; 392 in 1989; and 152 in 1988. For 1987 the total figure was 669. The Victorian department has pointed out that the number of protected birds collected is partly dependent on the level of collective effort expended and on wetlands conditions.
- (3) Yes, Victorian shooters did shoot other protected species including the freckled duck, black swan, pied stilt and galah.
- (4) The Victorian experience, where not only rare species of waterbucks but also other protected birds also continue to be shot, does not in any way convince me that an identification test for duck shooters can provide any assurance that protected species on wetlands are safe from being shot at and wounded, maimed or killed during a duck shooting season.
- (5) Exact figures on the number of duck shooters in Victoria in recent years are not readily available because, within the total number of people authorised as hunters, the Victorian licensing system did not distinguish between those who hunted ducks and those who hunted other animals such as deer. Nevertheless, Victorian Department of Conservation and the Environment estimates that there have been fewer shooters in recent years, yet, as I have already indicated, anti-duck shooting groups are recovering more protected birds than ever before.

**EAST PERTH LAND USE AND LANDSCAPE COMMITTEE - GOVERNMENT
DEPARTMENT RESPONSIBILITY**

368. Hon GEORGE CASH to the Minister for Education representing the Minister for Planning:

- (1) Who or what Government department is responsible for the East Perth land use and landscape committee?
- (2) What authority does that committee have to direct the Perth City Council in planning decisions?
- (3) What avenue does a private individual have to gain redress under circumstances where this committee has caused the loss of normal commercial property rights?
- (4) What procedures have been laid down to resolve property disputes arising from the implementation of plans by this committee?
- (5) Is the Minister aware that a leaseholder of railway land was prevented from effectively utilising leased land by the East Perth land use and landscape committee and has subsequently been disfranchised of his rights without redress or compensation?

Hon KAY HALLAHAN replied:

I thank the member for giving prior notice of the question. The Minister for Planning has provide the following reply -

- (1) This committee has ceased to exist. The Minister for Planning now has primary responsibility for the East Perth project.
- (2) Not applicable.
- (3) Any loss of rights would have to be demonstrated. The normal statutory avenues of redress are available at all times.
- (4) The normal statutory and common law procedures apply.
- (5) The Minister is not aware of any circumstances where a leaseholder has been improperly so disfranchised.

DUCK SHOOTING - QUEENSLAND AND VICTORIAN GOVERNMENTS

Ban Refusal

369. Hon P.G. PENDAL to the Minister for the Environment representing the Minister for the Environment:

Despite her answers to previous questions regarding duck shooting, is she aware that both the Queensland and Victorian Labor Governments have declined to introduce a ban on duck shooting?

Hon KAY HALLAHAN replied:

The member should put his question on notice to the relevant Minister.

Hon P.G. Pendal: But the answer is yes?

TAFE - CARINE TAFE CAMPUS

Child Care Centre

370. Hon REG DAVIES to the Minister for Employment and Training:

Yesterday I asked a question regarding the opening of the Carine College of TAFE child minding centre, in answer to which the Minister undertook to investigate the matter. I now ask -

- (1) Has the Minister investigated the matter?
- (2) If so, can she provide an answer?

Hon KAY HALLAHAN replied:

(1)-(2)

I am sorry that I cannot thank the member for giving prior notice of this

question. However, I had the matter looked at and my advice is that a new child care centre at Carine College will be opened as scheduled, and that the staff from the existing temporary child centre will be transferred to the new facility. If the member checks his sources of information again -

Hon Reg Davies: I did so this morning.

Hon KAY HALLAHAN: Then the member has tomorrow's question time to raise this matter again. However, there is no cause for concern whatsoever.

QUESTIONS - POSTPONED QUESTIONS

Answer Action

371. Hon GEORGE CASH to the Leader of the House:

In view of the number of requests by members concerning outstanding questions, can the Leader of the House indicate what specific action he has taken to expedite the answering of outstanding questions?

Hon J.M. BERINSON replied:

Action has been taken by the Premier. When I referred earlier to Ministers' being urged to attempt to complete their responses I was referring to a request by the Premier to all Ministers.

The PRESIDENT: Order! The posture adopted by some honourable members when they are deep in thought does not necessarily enhance the decorum of this place. I suggest when they are thinking they adopt a different posture.
