

# Legislative Council

Thursday, 13 June 1991

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

## MOTION - STANDING COMMITTEE ON GOVERNMENT AGENCIES

### *Twenty-seventh Report Tabling*

HON N.F. MOORE (Mining and Pastoral) [2.34 pm]: I am directed to present the twenty-seventh report of the Standing Committee on Government Agencies, entitled A Review of Operations for 1990. I move -

That the report do lie upon the Table and be printed.

Question put and passed.

[See paper No 431.]

## MOTION - SELECT COMMITTEE ON GOVERNMENT SURVEILLANCE

### *Second Interim Report Tabling*

HON PETER FOSS (East Metropolitan) [2.35 pm]: I am directed to present the second interim report of the Select Committee on Government Surveillance. I move -

That the report do lie upon the Table and be printed.

Question put and passed.

[See paper No 432.]

## MOTION - LEAVE OF MEMBERS

*Brown, Hon J.M., Charlton, Hon E.J. - Smith, Mr Robert, Prosecution Evidence*

On motion without notice by Hon J.M. Berinson (Leader of the House), resolved -

That Hon J.M. Brown and Hon E.J. Charlton be granted leave to attend and give evidence in the prosecution of Robert Smith for alleged perjury committed before a Select Committee of Privilege of this House.

## MOTION - JUVENILE CRIME, SOUTH HEDLAND

### *Reduction Achievement*

Debate resumed from 12 June.

HON TOM HELM (Mining and Pastoral) [2.37 pm]: I recognise the efforts of some members of the South Hedland community who have played a great part in reducing juvenile crime in that town; I apologise if I overlook some people. The first community policeman in South Hedland was Greg Dalwood, and he set the pattern for the improved relationship between the police and the community.

The PRESIDENT: Order!

Hon TOM HELM: The superintendent of police in South Hedland was responsible for developing this relationship, and his name is John Oversby. The present community police officer is Kevin Wells. The coordinator of the youth involvement council was Ron Bowman. As brought to my attention by Hon Barry House last night, Ron Bowman is moving to greener pastures. The regional superintendent of the Department for Community Services who played a major role in improved relations in the area is Lex McCulloch.

The PRESIDENT: Order!

Hon TOM HELM: As the chairman of the youth involvement council, my electorate secretary and shire councillor, Bob Neville, represents the community very well.

The PRESIDENT: Order! I called for order twice to indicate that members should stop their audible conversations. The moment I finished my comment members recommenced their conversations. The audible conversations, which seem to be part and parcel of the behaviour of a certain group of members, must cease.

Hon TOM HELM: I will conclude by mentioning the local member for Pilbara, Mr Larry Graham, who played a very active part in ensuring good liaison between the police and the community. He also assisted by ensuring that the youth involvement council and the police and citizens' youth club were well serviced from the facilities provided in his office. It was through being community conscious that he involved himself, because he lives in South Hedland and has three small children who will be part of the youth of that town.

I thank the House for giving me the time to explain what happened in South Hedland. I have no doubt that the measures put in place will be helpful in other communities facing the same problems. I apologise for speaking for so long and sounding a bit parochial, but I am quite proud of the town of Port Hedland. I was glad to be there when we went through that traumatic time and I am glad I live there now to see it recovering from those times.

HON N.F. MOORE (Mining and Pastoral) [2.42 pm]: I support the motion moved by Hon Tom Helm and commend him for bringing it before the House. It is important that occasionally we hear some good news about our community rather than continuing to debate the bad news which, I regret to say, is all too prevalent these days in Western Australia. Hon Tom Helm quite fairly explained what has occurred in South Hedland. Prior to 1989 it was not part of my electorate and as a result my knowledge of that area at that time is relatively limited. However, since South Hedland has become part of my electorate, I have become aware that a considerable amount of work has been done by many people to overcome what was potentially an extremely serious problem. A number of public meetings were called, as the member explained, and I am pleased he acknowledged the role of the South Hedland branch of the Liberal Party. I also acknowledge the work of Pam Walsh in calling the meetings and drawing attention to the problem in that part of the Pilbara. I appreciate Hon Tom Helm's being prepared to give credit where credit is due.

The figures available on crime in South Hedland are very interesting and show that in 1988-89 a problem existed, particularly among juveniles. For example, in May 1988, 38 juveniles were arrested for a variety of offences. In Port Hedland a total of 216 arrests were made in May. That indicates a serious state of affairs. The public meetings mentioned by Hon Tom Helm canvassed a range of issues and resulted in action being taken for which I commend the Government. In March 1990 the Liberal Party conducted another meeting which attracted about 60 people in South Hedland - an indication that the problem was at last being addressed. However, in January 1990, 39 juveniles were arrested in Hedland - a higher number of arrests than any month during 1988 or 1989. That shows that the problem is likely to come and go depending on the month or what is happening in the town. A meeting was held in March 1990 which confirmed the proposition put forward at the meetings held in 1988, and I commend Pam Walsh from South Hedland for her work on that matter. As Hon Tom Helm said, a very successful range of actions took place.

He mentions in his motion the reason for the quite substantial reduction in juvenile crime in South Hedland. He also mentions the youth involvement council. However, I was rather disturbed to read in the 15 May 1991 edition of the *North West Telegraph* an article headed "Staffing crisis hits top youth program". Among other things it said -

Despite being heralded as one of Western Australia's most successful programs in reducing juvenile crime the Port Hedland Youth Involvement Council is being forced to operate at a reduced staffing level in the coming financial year.

YIC Co-ordinator Ron Bowman said it was impossible to maintain the success of the program at the proposed funding level and resigned from his position effective from June 30.

Hon Tom Helm acknowledged the work of Ron Bowman and explained that he had to go to greener pastures. I do not think he said that it is a pity Mr Bowman felt the need to resign because of what he regarded as the impossibility of maintaining the success of the program with the reduced funding. The article continues -

Ironically Mr Bowman was publicly congratulated by the Premier, Carmen Lawrence last Friday for the results achieved by YIC, along with the police and schools, in reducing the juvenile crime level in South Hedland.

According to Mr Bowman the funding for the next financial year allows for only two full time positions and one part time position.

"This is simply not workable," Mr Bowman said.

"This last financial year we managed to scrape up enough funding for four full time positions and two part time positions, although part way through the year we ran out of funding for one of the part time positions.

"Admittedly one of the full time positions was a separate 12 month grant."

The article continues -

"We have set up a network throughout South Hedland that enables us to have contact with both the parents and youngsters and be aware of what is happening," Mr Bowman said.

"Not much goes on without one of the workers being told about it or being asked for advice.

"This whole system cannot work efficiently with only two and a half staff.

"After 14 months of a combined and solid effort I am not prepared to stay and watch the system fall apart due to lack of support from the Government.

YIC Chairman Bob Neville said the committee were restructuring the organisation to accommodate the funding levels and subsequent reduction in staff.

He said it would be necessary for the co-ordinator to take on more of the administrative work.

"YIC will be lobbying the Government for increased funding in an effort to maintain the services for the youth of Hedland," he said.

It is disappointing to read that article when we are told about a program which is obviously working and which has prompted a local member to bring to Parliament a motion of congratulation for the persons involved. It is, therefore, rather strange that, at about the same time, a decision should have been made by the Government to reduce the funding for that program.

Hon Tom Helm interjected.

Hon N.F. MOORE: I am sure Hon Tom Helm will be able to explain about that when he responds. I would be interested to know whether the quote in the paper is correct and whether Mr Bowman is leaving for the reasons outlined in the newspaper report and whether the Government is reducing the funding for that program. I would be happy if Hon Tom Helm were successful in overturning the Government's decision.

There is a similar situation in Leonora where a community group has set up a program to assist young people. Young people are taught how to ride motorcycles and how to look after them. They are taken on excursions through the bush on those motorcycles. That has been an exceptionally successful program. However, in the same way as the South Hedland funds have been reduced, the funds for that program have also been reduced. It is a pity that positive programs which are proving to be successful in overcoming the problems of juvenile crime are suffering from funding cuts. I agree with Hon Tom Helm's comments about rehabilitation and positive programs to overcome the problems of young people. Having been involved in education for a long time, I am well aware of the sorts of treatments that help young people overcome their problems and the sorts which exacerbate the problems. It was always my view that the cane was the last resort and that it very rarely achieved anything positive. There are many other ways of helping young people to overcome their problems provided one has the energy and resources. It is a pity that these two positive programs are to have their funds cut.

The member also mentioned the need for some rearrangement of South Hedland, particularly with regard to the way the town is laid out under the Radburn plan. He also talked about the Hedland five year plan. Again, that is a very laudable plan and something that everybody supports. The problem again is that the Government is not providing the money for that plan. It is all very well our talking about wonderful plans. However, they will never be implemented and provide the benefits we want them to provide unless the money is made available for them. I am told the money is not forthcoming for the modification of the road network in South Hedland and for the provision of water to green South Hedland, which, I confess, is not the most attractive town in Western Australia.

Hon Tom Helm: Careful!

Hon N.F. MOORE: The member compared it with Karratha; he said Karratha was a green town and that South Hedland suffered by comparison. It does suffer in comparison with other towns, but it does not need to suffer if the ample water that is available is piped to South Hedland so that it can be used as part of a five year plan to provide more water. I strongly support that, but there will be no benefits from the plan until money is made available to do the work required.

I congratulate Hon Tom Helm for bringing this motion to the House and for the way he described what is a good news situation in South Hedland. However, it will be a pity if the Government does not put the money where Hon Tom Helm's mouth is. Therefore, it is vital that, if the Government wants to get the benefit from these sorts of programs which have proved to be successful, it provide the necessary funds and staff to enable them to continue. South Hedland will continue to have inherent problems, as the member explained to the House, unless some action is taken on the five year plan. I urge the Government, now that it is looking at how to spend next year's money, to channel some of it to South Hedland so that the road system can be changed and water can be brought into the town to make it a more attractive area in which to live. I support the motion.

Debate adjourned, on motion by Hon Tom Stephens (Parliamentary Secretary).

### **STANDING ORDERS SUSPENSION - ASSEMBLY'S MESSAGES**

On motion without notice by Hon Kay Hallahan (Minister for Education), resolved with an absolute majority -

That so much of Standing Orders be suspended as will enable the House to proceed forthwith to the taking of messages from the Legislative Assembly and thereafter to proceed to Orders of the Day.

### **ANGLICAN CHURCH OF AUSTRALIA SCHOOL LANDS AMENDMENT BILL**

*Returned*

Bill returned from the Assembly without amendment.

### **HUMAN REPRODUCTIVE TECHNOLOGY BILL**

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon Tom Stephens (Parliamentary Secretary), read a first time.

*Second Reading*

**HON TOM STEPHENS** (Mining and Pastoral - Parliamentary Secretary) [2.58 pm]: I move -

That the Bill be now read a second time.

For some time the Government has recognised that the practice of human reproductive technology is a significant health issue with complex medical, social and moral implications, which requires some form of community accountability through regulation.

Balancing competing interests, such as the pursuit of knowledge, the refinement of technology, compassion for the infertile, and respect for social attitudes and ethics is a complex and difficult task.

Reproductive technology operates on the very frontiers of science, law, ethics and human relationships. Developing the right balance for legislation in this State has dictated a slow and painstaking progress in which difficult decisions have not been taken lightly. The introduction of the Human Reproductive Technology Bill represents the culmination of a long and sometimes contentious process of policy development involving wide and intensive community consultation and drawing on the advice of scientific and medical experts in the field.

In vitro fertilisation - IVF - was first performed in Western Australia in 1980. The first IVF

baby was born in Western Australia in 1982, only four years after the first IVF baby in the world was born in the United Kingdom. The first Western Australian gamete intrafallopian transfer - GIFT - baby was born in 1986, the first frozen embryo baby was born in October 1986 and the first donor ovum baby was born in May 1987. By the end of 1987 nearly 300 babies had been born in WA as a result of IVF or GIFT treatment, and in 1988 alone, approximately 300 IVF/GIFT babies were born. By 1988 about 100 couples a month were commencing IVF or GIFT treatment cycles in the two WA clinics.

However, on the other side, some unfortunate, not to say tragic, incidents have occurred which have heightened community concern about reproductive technology. Two Western Australian IVF women have died - in 1987 and 1988 - as a result of anaesthetic related accidents; these were reported in *The West Australian* on 23 April 1988 and 22 September 1988. In 1989, because of alleged failure to comply with guidelines limiting the number of embryos used in each procedure, one of WA's IVF clinics was the only unit in Australia to fail to gain the national accreditation of the Fertility Society of Australia, which establishes and monitors voluntary compliance with agreed standards. This was reported in the *Daily News* on 8 March 1989 and *The West Australian* on 7 March 1989.

The first Australian case of stroke following the use of fertility drugs was also recorded in Western Australia; this was reported in the *Sunday Times* of 8 April 1990. For the past six years the Government, through three Government committees, has carefully been examining the issues, consulting widely in the community, undertaking research and developing recommendations and proposals for regulation of this difficult and controversial area. In 1983, the then Minister for Health, Hon Barry Hodge, established a committee to inquire into the social, legal and ethical issues relating to IVF and its supervision. This committee, chaired by Professor Con Michael, recommended that a statutory licensing and supervising authority should be established to oversee IVF in this State.

In July 1988 a major health services research project was published by the Health Department of Western Australia which provided unique information on who was having IVF treatment, what the procedures were, how successful they were, as well as how much they cost. This was followed by the establishment of the reproductive technology working party, chaired by Mr Michael Daube, which produced legislative proposals for regulation of reproductive technology practice and research, and of surrogacy, based on the Michael report and South Australia's Reproductive Technology Act. This report was considered by the Legislative Assembly Select Committee chaired by Dr Judyth Watson. This committee recommended that an urgent need existed for legislation to regulate reproductive technology. In December 1989, legislative proposals based on the Select Committee's recommendations were circulated widely for public comment. More than 120 submissions were received from a wide variety of interested people, and of these nearly 60 per cent came from the general public, nearly one-quarter from the infertile in the community and about 10 per cent each from IVF practitioners and other doctors.

As stated earlier, drafting legislation in this field is a very complex exercise. The nature of this legislation goes to the very heart of the structure of our society, for in this Bill we had to consider the impact of reproductive technology on accepted social relationships, on the structure of the family, on the nature and status of the embryo and on those who seek the benefits and outcomes it offers. Such far reaching ramifications inevitably produce strong polarity of opinion, and with it deeply felt convictions. Clearly the Government needed to steer a responsible course that kept as its goal the promotion of safe, moderated clinical practice to those in genuine need. Understandably, groups will exist in the community which will perceive this Bill as going too far in facilitating technologically assisted pregnancies. Equally, groups will challenge the Bill for its restrictiveness and over-concern in areas of research and licensing. However, the Government, as is the case for all duly elected Governments, needed to respond prudently to the overall constituency of Western Australia - reflected through public submission and comment - and not to adopt the views of one section of it. The Bill before the House, in promoting a powerful but flexible approach to the regulation of the practice of reproductive technology, reflects the appropriate balance of views on these issues based in these consultations. This consultation will be ongoing through a requirement of the Western Australian Reproductive Technology Council established under this Bill to consult and promote informed debate in the community.

The question may well be asked, why do we need to regulate reproductive technology when

other areas of medical treatment are not so regulated; for example, all doctors practice within a code of medical ethics under the Medical Act. However, the issues raised by reproductive technology and rapid advances in the treatment of infertility involve not only medical issues, but also scientific, social, religious, ethical and legal issues which go far beyond the bounds of traditional medical practice and the private doctor/patient relationship. Many health professionals other than doctors are involved.

As recently as June 1990 recommendations from the "Consensus Meeting on the Place of In Vitro Fertilisation in Infertility Care", organised in Copenhagen by the World Health Organisation, stated -

Every country needs to develop an adequate system of quality assurance for all health care. This is especially true with a service like IVF, which is invasive, expensive and involves serious risks. Quality assurance includes: Certification of all service providers; mandatory reporting of data; ongoing monitoring using selected indicators and independent audit; and enforceable sanctions for non-compliance.

Legislation for IVF and embryo research has already been enacted in Victoria and South Australia, as well as in the United Kingdom, Norway, Spain and Sweden. Legislation is in progress in France, Germany and Denmark. In most of these countries legislation has established statutory bodies, as is proposed in this Bill. In the United States 19 States have laws which restrict embryo experimentation. Currently there is no direct regulation of reproductive technology practices in this State. Generally in Australia there is a code of practice for IVF clinics established by the Fertility Society of Australia through the Reproductive Technology Accreditation Council, but compliance is voluntary and cannot be enforced.

It became clear during public consultations that widespread community concern exists about the practice of reproductive technology. Issues raised include the welfare of children born; the impact on traditional family structures; the welfare of embryos; the high cost of the technology; the entrepreneurial nature of some reproductive technology practices; and the exploitation of women. There is also the possibility of disputes in relation to human embryos without any rules or law to guide the community in resolving them. Other issues indicate the moral and ethical dilemmas associated with this technology. These include research on embryos, donation of gametes, the use of selective termination to reduce high multiple pregnancies, cloning, creation of animal/human hybrids and so on, all of which are now, for the first time, technically possible.

The words of Cardinal Bernardin of Chicago in his addresses on the need for a consistent ethic of life are pertinent here. He has stated -

Living, as we do, in an age of careering technological development means we face a qualitatively new range of moral problems.

Ironically, the rapid expansion in medical technology, while creating innovations in how we care for people, also potentially threatens the wellbeing of life at the same time. Science and technological knowledge are undoubtedly needed to help fathom the difficulties faced by humanity. However, in facing these concerns we need to subject technological application to sound analytical scrutiny. Again, quoting the Cardinal -

The essential question in the technological challenge is this:

In an age when we can do almost anything, how do we decide what we ought to do?

The even more demanding question is:

In a time when we can do anything technologically, how do we decide morally what we never should do?

This Bill will ensure that the technology used to treat infertility is safe, effective and in line with accepted community standards.

At the World Health Organisation meeting, the increasing role of industry - for example, drug companies and large commercial interests in IVF - was a cause for concern. As a consequence of the concerns relating to the multitude of interests and the varied influences impinging on this technology, a very comprehensive and detailed Bill has resulted. It will regulate reproductive technology practice and enforce adherence to adequate standards and

ethics, but in such a way that beneficial development is not stifled. It seeks to strike the appropriate balance between the rights of infertile couples seeking treatment and the rights of any children born, and to maintain equity, welfare and general standards in the community. It will promote informed public debate and encourage decisions in this difficult area that reflect the pluralistic society in which we live.

The PRESIDENT: Order! The defiance of the Chair by Hon P.G. Pental is unacceptable. I have twice said that audible conversations would not be tolerated and that the next person who indulged in it would be on the receiving end of an invitation to leave the Chamber. There will be no further warnings.

Hon TOM STEPHENS: The knowledge gained in the course of the monitoring and evaluation called for by this Bill should contribute to the generally accepted understanding of where these treatments most appropriately fit in the hierarchy of treatments for infertility. Further to this, consideration is needed to determine where infertility treatments lie in relation to other health care treatments, in order of priority, and thus in relation to public funding in general.

Again at the recent World Health Organisation consensus meeting significant recommendations were made. In relation to health planning and resource allocation it was recommended -

No country can afford to apply every health technology to every person it might benefit. Health needs must be assessed, priorities set, and resources allocated accordingly. For the purpose of rational planning, countries must bring together information on: The prevalence of infertility; the availability of all service options (medical and social); the effectiveness of infertility prevention programs; the effectiveness, risks and benefits of all medical options including IVF; and the costs of medical and social services and prevention strategies.

This Bill covers a number of issues that have been the subject of community concern. It will regulate eligibility for IVF procedures, which will be limited to heterosexual couples who are married or have been cohabiting for at least five years. It will control the storage of human embryos, human eggs and sperm, and their use. It will govern all research carried out related to the practice of reproductive technology.

However, the scope of the Bill is limited to reproductive technology, IVF and other forms of artificial fertilisation. This means it cannot cover everything of concern. For example, although it regulates the use of drugs that cause the ovulation of multiple eggs as part of IVF, it cannot regulate the use of these drugs otherwise. All prohibitions relating to the egg in the process of fertilisation and embryo can only cover those developed by IVF or flushed from a woman's body before implantation.

The Bill will establish a system of licensing whereby persons will require a licence if they carry out artificial fertilisation procedures such as IVF or gamete intrafallopian tube transfer; or maintain storage facilities for human sperm, eggs or embryos.

In vitro fertilisation generally refers to the fertilisation, outside her body and in the laboratory, of eggs taken from a woman. After successful fertilisation embryos are replaced into the uterus usually after one or two days. GIFT is not an IVF procedure, but the stimulation of the ovaries and collection of the eggs is similar. However, the eggs and sperm are placed together in the woman's fallopian tubes and fertilisation takes place inside her body.

For the purposes of the Bill, artificial fertilisation procedures are intended to include all IVF related procedures, and artificial insemination. An in vitro fertilisation procedure itself is intended to include IVF, GIFT, and also isolated embryo transfer procedures not directly associated with egg collection; for example, following freezing of embryos or embryo donation.

Any laboratory procedure involving treatment of eggs removed from a woman's body, leading to their fertilisation, or to embryonic development and the culture and maintenance of those embryos is to be included in the definition of an IVF procedure, and a licence will be required. The definition does not include the collection or removal of eggs for other purposes, such as for diagnostic testing or other medical reasons. Storage, for example by freezing, of human gametes and embryos is to be licensed separately under the storage licence provisions.

Medical practitioners who routinely carry out artificial insemination can apply for an exemption from licensing if they comply with established standards of practice. Regulations will be promulgated to exclude from any licensing requirement certain groups of people, such as nurses working for a medical practitioner, or husbands in couples who need or wish to carry out the procedure of artificial insemination for themselves, using semen obtained from a licensed storage facility. A storage licence will be required for sperm banks or embryo freezing facilities and, if developed in the future, for egg banks. This licence will also be required by those who facilitate the supply of semen from multiple donors, even when this semen is not frozen. Licences will be granted by the Commissioner of Health as the licensing authority, on the advice of the Reproductive Technology Council as to suitability of the applicants, and will be dependent on compliance with a code of practice to be developed and monitored by the Reproductive Technology Council. A system of licensing is the most appropriate way to approach regulation in such a complex, fast moving area of medical science. Enforcement of standards on licensees will be primarily through disciplinary action, leading to licence suspension or some lesser penalty. Those who carry out unlicensed procedures relating to reproductive technology practice or storage which require a licence, will commit a serious offence, carrying a maximum penalty of \$25 000 or five years in prison for individuals, and \$50 000 for bodies corporate.

Disciplinary action against a licensee can occur when there is a breach of the proposed Act, or failure to comply with rules in the code of practice, conditions of a particular licence, or a direction by the commissioner. This will involve a committee of inquiry established by the Reproductive Technology Council, which must be conducted according to the rules of natural justice. The committee will report to the Reproductive Technology Council, and the commissioner, on the advice of the council, will impose a penalty if that is justified. The commissioner may also make a summary determination, with the consent of the licensee. The Bill establishes a detailed appeal process to a judge of the Supreme Court, against decisions of the commissioner in relation to licensing.

It is the view of the Government, which is strongly supported across the community, that specific procedures need to be prohibited in the practice of reproductive technology. More than one-half of the 120 public submissions addressed the issue of human embryo experimentation and revealed widespread opposition to such research. It is clear that harmful research involving embryos is not being condoned by the community at large. Further to this, strong differences of opinion exist within medical and scientific communities over the usefulness and necessity of embryo experimentation. Professor Jerome Lejeune, a leading world geneticist, told the Australian Senate committee that there was no need for human embryo experimentation for IVF programs to continue, and many leading Australian IVF specialists have admitted that human embryo experimentation is unnecessary for successful IVF.

Strong arguments have been made for the unethical nature of human embryo experimentation. The Helsinki and Tokyo declarations of the world medical assemblies declare that -

In research on man, the interests of science and society should never take precedence over considerations relating to the well-being of the subject.

Embryo experimentation that is destructive to the embryo does diminish the status of the embryo. However, research can be done that is therapeutic, that treats the embryo as a human subject, and that gives full ethical regard to the wellbeing of the embryo upon which it is carried out. Consequently the approach being taken in this Bill is that while research that is harmful to the embryo is unacceptable, and therefore, prohibited, there is still a place for research or diagnosis that is non-detrimental to the wellbeing of the embryo. This is not contrary to concerns previously quoted, but rather is based on a refinement in the Bill of what is considered to be acceptable. As such, concerns about the misuse of embryos for experimentation and research have not been disregarded. In fact, respect for the wellbeing of the embryo has been maintained. It must also be noted that this clarification will promote the continuing development of successful and safe laboratory procedures within the practice of IVF.

Where research or diagnosis is therapeutic in intention and medically and scientifically justified as non-detrimental to the particular egg in the process of fertilisation or embryo,



such research or diagnosis could be allowed. However, all research and diagnosis involving human eggs in the process of fertilisation or embryos that are considered by the Reproductive Technology Council to be detrimental to the wellbeing of the subject upon which it is carried out will be prohibited.

The Bill will also prohibit the deliberate production of a human clone, or of a living human or animal/human hybrid or shimaera, including an early stage such as that produced by the binding of a human sperm to a hamster egg. It will prohibit embryo flushing, the keeping or using of a human embryo beyond 14 days' development, and the sale of human embryos or gametes. "Sale" is interpreted so as to permit payment of reasonable expenses to the supplier, but to prohibit other valuable consideration in return for gametes or embryos, such as the offering of discounts or priority for treatment. These absolute prohibitions reflect general community abhorrence of these practices; indeed, of even the possibility of these practices. These offences will carry maximum penalties of \$25 000 or five years in prison for individuals, and \$50 000 for bodies corporate. For the purposes of enforcement of the licensing and offence provisions, the Bill also provides powers to enable authorised officers to enter premises, search records and information, ask questions and so on, of licensees and others who may be contravening the Bill. In addition, for the purposes of equating liability for contravention of the Bill with real responsibility for licensed practices, the Bill makes extensive provision to ensure that individual persons are identified in positions of responsibility or authority, in relation to licensed facilities where the licensee is a body corporate, or is not involved in the day to day supervision or management.

The 11 member Reproductive Technology Council is established as a statutory body by this Bill. This council will have a vital, central role in the administration of the Act. One of its key functions is to compile and review the code of practice that is to set the standards of ethics and practice for the licence holders. It will have an important advisory role to the Commissioner of Health on all matters relating to licensing, monitoring of compliance and disciplinary matters, as well as to advise the Minister on reproductive technology, and generally as to the administration of the Act. It will also provide a forum for public debate and education on reproductive technology, and approve research carried out or facilitated by licensees on gametes, fertilising eggs, embryos and participants.

The membership of this council will be crucial if it is to be able not only to provide proper representation reflecting social, ethical and public health views, and a community and expert perspective, but also to be sensitive and informed about the needs of those providing or using reproductive technology treatments. To this end the Bill specifies the balance of expert and community membership, and seven organisations that are to nominate members are named in the Bill or regulations. The Minister for Health will nominate the remaining three members and the chairperson. The 11 members will be approximately equally divided between men and women, and provide expertise in reproductive technology and public health, as well as providing ethical guidance and representation of the infertile, women, parents, children born of reproductive technology, and the general community.

The nominating organisations named in the Bill are the Australian Medical Association, the Royal Australian College of Obstetricians and Gynaecologists, the Law Society of Western Australia, and the Department for Community Services. Organisations to be named in regulations will represent the infertile, practitioners in reproductive technology, and the interests of women. The Bill limits to one the membership of those who have a direct pecuniary or other beneficial interest in the practice of a licensee, although exceptions to this can be prescribed.

The Bill specifies procedures for the operation of the council, and requires its annual report to be laid before Parliament each year. The council is to be funded from within the Health Department of WA budget. The most significant role that the council will have will be to formulate the code of practice, after widespread consultation with relevant members of the community. The code of practice will set the ethical and practice standards that must be observed by licensees. This code will set out rules that will have the force of law if not disallowed by Parliament, and that may also refer to conditions of licence to be complied with. The code will also include guidelines, which will provide the details as to how the rules should be observed and the practices carried out.

The Bill contains a number of directions to the council as to which matters are to be included

in the code. Other practices will be prohibited through a code of practice, such as the mixing of multiple sources of human reproductive material in a single procedure in such a way as to confuse the biological parentage of any child born, and the development of IVF embryos not likely to be needed in treatment of a particular couple. It is also required to regulate certain other procedures; for example, ovarian stimulation carried out by licensees in the course of artificial fertilisation, and procedures that may lead to multiple pregnancies. Other vital elements in the code of practice relate to the counselling of participants and the establishment of criteria for obtaining their informed consent. This will ensure not only that participants using licensed reproductive technology treatments will have access to adequate information and whatever personal support they need, but also that appropriate consideration is given to the future welfare of any child born from the procedures. In relation to these aspects, the code will also require in the provision of services to participants the separation of screening for eligibility from counselling for personal support.

The Bill directs the council to ensure in the code that the primary purpose of storage of embryos or eggs in the process of fertilisation should be their future implantation, and restricts the length of time any embryo can be frozen to three years maximum. Other difficult matters to be resolved in the code include limitations on the use of gametes, whether or not known donors can be used, and whether posthumous use is appropriate.

The Bill provides for regulation of certain permissible research or experiments that are carried out by licensees, or authorised by them, as they must obtain general or specific prior approval from council for all experiments on human eggs or sperm that are intended for use in an artificial fertilisation procedure, experiments on eggs in the process of fertilisation or embryos, or for research involving participants. The council may also require approval of a specific institutional ethics committee for the research and may adopt such approval as sufficient for its own approval.

The Bill also addresses the difficult questions of who has power to deal with or dispose of gametes, eggs in the process of fertilisation and embryos, and who must consent to how they are used. With the possibility of long term storage and of donation, it is inevitable that gametes or embryos may be not needed for the purpose for which they were originally provided or created, or that disputes will arise as to the use to be made of them. The Bill provides that control over gametes and power to deal with and determine use of them will always be with the original providers of the genetic material, unless those persons donate their gametes to someone else.

Embryos or eggs in the process of fertilisation can only be created or donated to implant into a particular woman as part of a couple, and the rights of control are vested in that couple. Under this system a licensee can never create or "own" "spare embryos". In the case of a dispute over an embryo or egg in the process of fertilisation the ultimate resolution will be made in a court of competent jurisdiction. If both members of a couple die, the residual rights of control vest in the Commissioner of Health, who must direct that it be made available for the purpose of providing treatment for a specific recipient.

Division 6 of part 4 details the records that must be maintained by the licensees or holders of exemptions as a condition of licence, including identity of participants in the procedures, their consent to the procedures, and the procedures undertaken. This information must be maintained in a secure manner and for a specified length of time. In addition, the commissioner has power to establish registers of information, which will include information supplied by the licensees or obtained from their records. The details of these registers will be prescribed, but they will include identifying information relating to participants, procedure, and any children born as a result of artificial fertilisation procedures.

Strict confidentiality provisions and offences in the Bill will ensure the safe maintenance of this information. Any officer authorised under the Bill to be allowed access to confidential records will be able to do so only in prescribed circumstances. These records will serve two purposes: Firstly, information on gamete or embryo donors and children born as a result are important to maintain information on the biological parentage of these children. This information might be important for medical reasons, or to provide background information to the children about their genetic parents. However, the Bill does not provide access to identifying information as this is to be the subject of separate legislation; but it is important that provision be made for the records to be kept. Secondly, the records will allow objective

evaluation of the success rates and problems of reproductive technology procedures, including the evaluation of any long term risks to participants or children. In this way research carried out can reassure patients, practitioners and the general community that the procedures are indeed safe and beneficial.

The Bill also sets out the relationship between the Minister, who has overall responsibility for the administration of the proposed Act, the Commissioner of Health as the licensing authority, and the council. The Minister for Health may direct the council, provided the directions relate to the objects of the Bill. If the council disagrees with the Minister it must comply, but a record of the disagreement may be placed before each House of Parliament. Intervention by the commissioner into council functions can be taken only in the interest of public health, with written approval of the Minister, and details subsequently must be placed in the annual report.

In addition the commissioner has general powers as the licensing authority. He or she can refuse to grant a licence, even if all conditions are met, if there is not in his or her opinion a genuine social need for the licence, although this decision is appealable. He or she can grant a licence when all conditions are not met, if this is in the public interest and if the non-compliance is not substantial. For example, it may be the case that all required facilities and staff for the IVF laboratory are already provided by the licensee, but some formal national accreditation, as required by the code, has not yet been finalised. He or she may also at his or her discretion, and without referring the licensee for disciplinary action, immediately suspend a licence, if he or she believes any person's health is seriously endangered, or, with three months' notice, if he or she believes this to be necessary in the public interest. However, exercise of this power is appealable and it is anticipated that it would need to be used only rarely. The commissioner has the power to give directions to licensees, provided these are not inconsistent with the Bill or code of practice. The Bill provides a general power for the Governor to make regulations in an emergency, where the code is silent or the council has not reached a decision. These regulations could override the code.

The House has before it a Bill of tremendous significance. From what has been said and from what can easily be perceived when reading the Bill, a great amount of disciplined work has gone into this legislation. I publicly thank all who have contributed to the compilation of the Bill. The people of Western Australia are indeed grateful to all who sat on committees, produced submissions and worked on the drafting process. I am confident that this long awaited legislation will provide appropriately and sensitively for the regulation of this important area of medical practice and scientific advancement. Throughout we have attempted to respond compassionately to the infertile to allow the provision of safe and reasonable treatment. At the same time we have had to act prudently and to be mindful of the social ramifications of this new technology. The Bill represents a balanced approach to a most contentious issue. It will meet community demands for evaluation and accountability for the development and use of the technology, while being responsive to the needs of the infertile and of children born as a result of the treatments, and yet be sufficiently flexible to allow beneficial scientific progress. Accordingly I commend this Bill to the House.

Debate adjourned, on motion by Hon P.G. Pandal.

## **WYNDHAM-EAST KIMBERLEY SHIRE (ALTERATION OF STANDARD TIME) BILL**

### *Introduction and First Reading*

Bill introduced, on motion by Hon P.H. Lockyer, and read a first time.

### *Second Reading*

**HON P.H. LOCKYER** (Mining and Pastoral) [3.32 pm]: I move -

That the Bill be now read a second time.

This Bill will amend The Standard Time Act 1895. The Shire of Wyndham-East Kimberley is situated close to the Northern Territory border and for some years concern has been expressed about western standard time being used within the shire. The shire's close proximity to the Northern Territory border and the situation with regard to the longitude to Western Australia makes it more practical that the shire should go onto central standard time.

The Wyndham-East Kimberley Shire decided to hold a referendum in conjunction with its May local government elections in 1991 to ask people of the shire whether they agreed that the shire should go onto central standard time. The result was that 75 per cent of those who voted were in favour of the shire's moving to central standard time.

This Bill will allow the Wyndham-East Kimberley Shire Council to put its clocks forward one and a half hours from 1 January 1992 for a 12 month trial period. The Bill has a clause which will make it necessary for the shire at its own expense to hold a referendum, no later than 30 June 1992, of all electors in the Wyndham-East Kimberley Shire to gauge their response to central standard time after approximately a six month period. If the referendum is favourable, central standard time will become the norm for the shire. If, however, the Wyndham-East Kimberley Shire electors reject central standard time, its use will lapse on 31 December 1992.

The Bill is brought before the Parliament at the request of the Wyndham-East Kimberley Shire and I commend the Bill to the House.

Debate adjourned, on motion by Hon Fred McKenzie.

### **ROAD TRAFFIC AMENDMENT BILL (No 5)**

#### *Introduction and First Reading*

Bill introduced, on motion by Hon George Cash (Leader of the Opposition), and read a first time.

### **SHARK BAY MARINE PARK**

#### *Order Discharged*

**HON J.M. BERINSON** (North Metropolitan - Leader of the House) [3.34 pm]: I move -

That Order of the Day No 12 be discharged from the Notice Paper.

This motion follows from the resolution of the House yesterday on a related matter.

Question put and passed.

Order discharged.

### **MOTION - LEAVE OF MEMBER**

#### *Moore, Hon N.F. - Smith, Mr Robert, Prosecution Evidence*

On motion without notice by Hon J.M. Berinson (Leader of the House), resolved -

That Hon N.F. Moore be granted leave to attend and give evidence in the prosecution of Robert Smith for alleged perjury committed before a Select Committee of Privilege of this House.

### **SUPPLY BILL**

#### *Second Reading*

Debate resumed from 12 June.

**HON MAX EVANS** (North Metropolitan) [3.36 pm]: I support the Supply Bill. This time last year members on this side of the House were arguing strongly that the House should not pass the Supply Bill 1990. We wanted to withhold Supply for the purpose of forcing the Government to establish a Royal Commission inquiry into the deals of WA Inc. We decided that something had to be done to bring the matter to a head. History will record that the debate was not finalised and that we did not block Supply. The Government would have had sufficient money to operate until 31 August. It had the equivalent of one-fifth of the total Budget, so if we had stopped the Supply appropriation in June the Government would have had sufficient money to continue until August and call an election. Our action held no risk for the community. With hindsight it was one small step for mankind, and one great step forward for Parliament!

Hon Mark Nevill: You are off the planet.

Hon MAX EVANS: The Government was off the planet; we brought it back to earth. Many people are claiming credit for bringing about the Royal Commission. Many people would

like the praise and the trophy for having the most impact on the appointment of a Royal Commission. My prize would go to a previous member of this House, Hon Tom McNeil. What did he have to do with the Royal Commission? In May 1988 Tom McNeil successfully moved to set up a Select Committee to inquire into the operation of the Burswood Casino and to report on the actions of the police and Corporate Affairs Department in respect of the casino. Hon Tom McNeil had many troubles in that committee and most were because of Hon Neil Oliver.

Hon Mark Nevill: That is grossly unfair.

Hon MAX EVANS: I will leave Hon Mark Nevill to judge that after he has heard my speech. Hon Tom McNeil should definitely get the trophy. On 24 June 1988 Hon Tom McNeil said in this place -

Hon Neil Oliver had refused to disqualify himself from the committee and when it was suggested that I refer to part of the evidence I had, he threatened legal action by a Queen's Counsel from the Eastern States who had advised him in relation to any attempt to table the material, etc. I was not permitted to table the evidence, but it was offered to the member to inspect and he refused, as Hon Norman Moore said, acting on legal advice.

For the benefit of the Press let me make it clear that never at any time has access to that information been refused to Hon Neil Oliver. As chairman of the committee I have been put in a position where day after day I have read comments in the media or heard items on the television to the effect that I had prevented the member from examining the information. That is not true.

At the end of that debate and in response to a comment by Hon Fred McKenzie, Hon Tom McNeil said -

It has been a very emotive subject and one which has been the subject of great public interest. The only thing I regret is that I have had any part of it. My instinct said that I should not be part of it, and I wish I had followed that feeling.

I am pleased that Hon Tom McNeil set up that Select Committee and that it went the way it did. Undue pressure was placed on Hon Neil Oliver by the committee until the transcripts of a conversation between him and John Samuel were given to the media on Tuesday night and published in the Press on the Wednesday. He knew exactly what had been said and it was not even relevant to anything the committee was discussing; however, he was treated by the members of that committee as if he were a criminal and had done something wrong. His back was up and so he went to the Australian Federal Police and reported the matter. He sent a telex to the then Federal Attorney General, Lionel Bowen, in Canberra and within one hour the Federal Police were on the steps of Parliament House to take a statement from him. If Hon Tom McNeil had not acted in the way that he did on the Monday or the Tuesday and if other members of the committee - two of whom had copies of the transcripts which was not known to the committee at the time - had not treated Hon Neil Oliver so harshly, they may have all laughed, shrugged their shoulders and forgot about the matter. However, when this transcript appeared giving the members of the committee a reason to get Hon Neil Oliver off the committee that made him react and call the Federal Police into the matter.

That resulted in the Federal Police investigating the matter for two months. A Select Committee of Privilege was established to inquire into the matter. It was not known at that time that Robert Smith had tapped those telephone conversations. Is it not coincidental that I am making this speech just before three members of this House are to appear in court to give evidence in the trial of Mr Robert Smith? This is the third trial into this matter, with another two to go. Those three members will be giving evidence on what Robert Smith said in the Privilege Committee. The Privilege Committee was established to find out who had acted against a member of Parliament.

Some two months later, in his room, Hon Neil Oliver told me the Federal Police had rung him to say that no evidence could be established to charge Robert Smith. Some two months after that Mr Craig Quartermaine came to the Australian Federal Police and said that he had done the phone tapping on the day that John Samuel had spoken with Neil Oliver. That admission changed the whole course of history because the police went to Robert Smith's house and found a locked briefcase which contained the "GOVT" file and the diary kept by

Robert Smith. This evidence gave the police the opportunity to immediately search the rest of Robert Smith's house and the house of Robert Martin. The police discovered more transcripts and references in the diary to a BB. The report of the Select Committee into Government Surveillance reveals more about this matter, particularly the "GOVT" file, BB and the diary. From this point people started asking who paid Robert Smith. Was it the Government or Brian Burke personally? As early as 1991, when Brian Burke returned from overseas, he made the statement, before anyone else, that it was not the Government who paid Robert Smith but the Australian Labor Party. However, Mr Michael Beahan said that it was not the ALP which paid Robert Smith; he was paid with money from the leader's account. That was the first we knew about the matter. However, the State police soon discovered from where the money came.

I now refer to November 1990 when startling revelations were made by Martin Saxon of the *Sunday Times* who told us all about the diary, the "GOVT" file and that the references to BB were referring to Brian Burke. These revelations prompted Barry MacKinnon to write to the Ombudsman requesting he examine the matter. I quote from an article which appeared in *The West Australian* on Wednesday, 14 November titled, "Ombudsman wants secret papers probe". The article stated -

OMBUDSMAN, Eric Freeman has called for a Fitzgerald-style royal commission into matters raised in the secret files of disgraced private investigator, Robert Smith.

In a surprise statement tabled yesterday in the Legislative Council, Mr Freeman said growing public concern over these matters and the Stirling City Council bribery affair would not be put to rest.

"The public interest will, in my view, be satisfied only by a royal commission with extended powers - as was the case in the Fitzgerald inquiry - investigating this and other related matters," he said.

The Ombudsman's call was contained in a 1 page statement on his inquiries into the police investigations into the bribery allegations.

The statement followed a complaint lodged last week by Liberal leader Barry MacKinnon about alleged police inactivity into the allegations surrounding the Stirling City Council.

*Sitting suspended from 3.45 to 4.00 pm*

[Questions without notice taken.]

Hon MAX EVANS: The article continues -

Premier Carmen Lawrence said later that she would seek a meeting today with Mr Freeman to clarify his statement.

"The Government will give serious consideration to his view on this matter," she said.

"It is a serious matter and we need to have more information than is provided in this letter, which is very brief.

"I want to talk to him about his reasons for reaching the conclusion that the public interest might be better served by holding a royal commission.

It is history that not much later the Government established a Royal Commission. Hon Tom McNeil worked hard towards that end through his actions during the inquiry into the Burswood Casino deals. The Ombudsman's view was called for because the police had possessed that information for two years - since October/November 1988. The inquiry was established to ascertain why nothing had been done for two years.

From a political point of view, if the police had acted in 1988 in the same way that they acted subsequently in 1990, we would have known much earlier about the leader's account, the donations, the large sums of money involved and so on. All that information would have come out three months before the 1989 election. That information should have been in the public arena and made available to the Press and to the Parliament much earlier. A delay of two years occurred before any action was taken on the files, and in that way the public were precluded from knowing and did not receive the benefit of a proper election in 1989. The facts should have been faced that year.

As a result of actions by Hon Tom McNeil, the Australian Federal Police undertook an investigation; they took possession of files, researched information and carried out arrests. Subsequently, the police investigated where the money had come from for the telephone tapping and it was discovered that the money came from an account run by the Premier of the day, Brian Burke. As part of that investigation, the police came across files concerning telephone taps in the house of Garry Aslan at the time of the Martin/Brush trial. I will outline how the Martin/Brush incident was discovered. Much of the information which has come to light over the last few years has been as a result of citizens' speaking out in public.

On Tuesday, 25 November 1986 in the Legislative Assembly, question 1955 was asked by the Leader of the Opposition, Mr MacKinnon, of the Treasurer -

- (1) Has the Superannuation Board invested any funds in the Western Reefs Ltd company?
- (2) If so, what is the extent of that investment?
- (3) When was the investment made?
- (4) Who authorised the investment?

Mr Burke replied -

- (1) Yes.
- (2) 4 118 000 shares.
- (3) Between 29 July and 9 October 1986.
- (4) The Superannuation Board.

Members may say, "So what! How does this relate to the Royal Commission, the telephone taps, and the information about Martin and Brush?" It had a lot to do with that. An article in the *Sunday Times* on the following Sunday referred to the investment by the Superannuation Board in Western Reefs Ltd to pump up the price of shares, and to the fact that certain shareholders had to be saved. As a result of that article, Garry Aslan telephoned Ross Lightfoot, who said that he could give a far better story.

Hon Mark Nevill: Pumping up shares is a security industry offence. Why were they not charged?

Hon MAX EVANS: Maybe the Corporate Affairs Department did not take any action. The member should ask the Attorney General for an answer. It is outside my jurisdiction to raise such questions with the Superannuation Board. The member should not forget that the Superannuation Board has Crown immunity, and maybe that is the reason no-one was charged. The Attorney General could have asked Corporate Affairs to press charges.

Garry Aslan came forward with details of two cheques for \$50 000 paid by Robert Martin to Len Brush. The matter was placed in the hands of the police, but at the same time the lawyers at the Superannuation Board telephoned Ross Lightfoot and asked him about the "three" cheques. Mr Lightfoot thought there were only two cheques. However, the lawyers knew that three cheques were involved, totalling \$150 000.

It is history now that Mr Brush was taken from the Superannuation Board and promoted to FundsCorp of the Western Australian Development Corporation because he had done such a good job! That occurred around February 1988; subsequently, he retired as a result of the investigations.

Hon T.G. Butler: Wasn't he acquitted?

Hon MAX EVANS: I am not talking about that. I am outlining how all this information came out.

The PRESIDENT: Order! Hon T.G. Butler obviously did not hear me when I spoke earlier. I indicated that conversations that were audible would not be tolerated this afternoon. I indicated that I would not give anyone more than one warning. Hon T.G. Butler has just had his.

Hon MAX EVANS: As a result of a question asked in Parliament, all the deals were discovered. The Anchorage deal also became a financial nightmare for the Superannuation Board, and it will continue to be a nightmare for many years to come. We might never have

known about such deals if not for the simple action and consideration of an ordinary law-abiding citizen saying that someone should know all about it. It is an important matter to be brought out. I hope that more people speak out and assist the Royal Commission. I hope that more people give evidence in an effort to open up the whole issue.

I have saved this speech for some months, expecting to deliver it during debate on the telecommunications legislation, but that has been delayed. I have much to say but my time has run out. I support the Supply Bill.

**HON SAM PIANTADOSI** (North Metropolitan) [4.39 pm]: I support the Supply Bill, but before I comment on it I will clarify points raised some time ago. Hon Reg Davies and Hon Phillip Pental questioned my source of information on the Hepburn Heights issue, and whether the Environmental Protection Authority had given approval for the proposal. I refer the members to question 582 asked by the Leader of the Opposition in this place to the Minister for Education representing the Minister for the Environment. The answer indicates that the EPA gave approval for the development to proceed. Again, had they consulted with their leader at the time, he would have clarified the situation and saved them more embarrassment.

Another point I wish to clear up concerns a matter raised by Hon Mark Nevill last night about immigration. It is a pity that edition of *The West Australian* came out about an hour after he had made his speech.

Hon Mark Nevill: They never report me anyway.

Hon SAM PIANTADOSI: He was not reported, but had he waited an hour he would have been able to see the correct figures on immigration. He maintains my figures are wrong and I maintain they are right. The article headed "Gearing up for census" clears up the matter.

Hon Mark Nevill: I cannot comment; I am not allowed to interject.

Hon SAM PIANTADOSI: I accept Hon Mark Nevill's interjection. I may be able to clear up the matter even further for him, with respect to you, Mr President. It clearly indicates his and Mr Campbell's information about immigration is wrong.

The PRESIDENT: Order! The member should direct his comments to the Chair and cease having a private conversation with the member, who does not want to be on the receiving end of my stringent rules for this afternoon.

Hon SAM PIANTADOSI: Thank you, Mr President; I will try to spare members your wrath. Hon Reg Davies and Hon Phil Pental were wrong about Hepburn Heights and must be embarrassed. I also want to set my colleague, Hon Mark Nevill, on the right track about the immigration problem.

The other night I mentioned a proposal put out by the Liberal Party under its policy for the future of Wanneroo. I was tackled by Hon Bill Stretch about some of the comments I made on horticulture. I do not understand why Hon Phil Pental and his mates do not bother to consult their own policy before they ask questions. Their policy concerning water supply states -

Tighter controls will be implemented on the disposal of sewerage and industrial waste to ensure that it does not pollute our ground water supplies. This will require extensive capital works to cut the reliance on septic systems in the metropolitan area. Special attention will also be focused on the use of fertilisers in farming areas in order to minimise pollution of estuarine systems such as the Peel-Harvey Estuary.

The Liberal Party's policy is clearly indicated on page 10 of that document. Yet what did the Liberal Party propose for Wanneroo in an attempt to win votes in that area? It proposed to cut down a few trees and start a horticultural industry. It is unfortunate that the opposition members for North Metropolitan Region are not here to try to refute my comments.

Hon N.F. Moore: They are outside on parliamentary business.

Hon SAM PIANTADOSI: If they were in their electorates on parliamentary business more often they might find out about the problems at Wanneroo. However, they obviously do not have that interest. The Opposition spokesman for the environment is more interested in scoring political points than providing facts.



Hon N.F. Moore interjected

The PRESIDENT: Order!

Hon SAM PLANTADOSI: Perhaps during the coming recess the Leader of the Opposition in this House will pull members opposite into line and ask them to refer to their policies before they discuss issues. As I indicated the other night, they have already begun discussing the environment. Judging by the number of questions on the environment asked by the Leader of the Opposition and other members, three or four members have become the official Opposition spokespersons on the environment.

Hon Reg Davies: Are you condemning us for that?

Hon SAM PLANTADOSI: No; I am commending members for helping their colleague. It is time they bailed him out as Hon George Cash bailed him out on the Hepburn Heights matter. It is good to see some camaraderie existing opposite. I am more than willing to assist members opposite with information. I indicated to the Minister for Education that Mr Pearce could also provide Hon Reg Davies with information; the member is in dire straits and in need of assistance. During the debate on Hepburn Heights Hon Reg Davies, in a round about way, supported a proposal by the Wanneroo City Council to establish golf courses in the wetlands. Page 12 of the Opposition's policy document on water supplies states -

With the large draw of our groundwater resources in the metropolitan area a great deal of concern has been expressed about the damage to our wetlands.

With gazetted groundwater resource areas where water is drawn for public use -

- . natural wetland has to be maintained in its pre-public use condition, allowing for climatic variations
- . the acquired rights and reasonable expansion of existing users has to be safeguarded
- . competing public usage (like pine plantation) to be only maintained if its cost benefit is favourable to the local community and to the extent of not using more water than the natural environment did before its creation.

It is obvious from the information available that golf courses use more water and more fertiliser than the existing wetlands can withstand. Yet no commendation has been made by Hon Reg Davies, Hon George Cash, Hon Max Evans or Hon Bob Pike - he is never here so we do not know what he thinks. I am referring to a major proposal which would permanently damage the wetlands in the North Metropolitan Region, yet not a whimper has been heard from members opposite. They have no interest in the matter; the only interest was their desire, firstly, to seal the plantation and, if that were not successful, to take the next step and poison the ground water.

Hon George Cash: What was the matter you were raising?

Hon SAM PLANTADOSI: I was talking about poisoning the ground water.

Hon Fred McKenzie: You have 20 minutes left.

Hon SAM PLANTADOSI: I am not worried about that; I will finish my comments during the adjournment debate if I cannot finish them now. If Hon George Cash does not run away I will tell him about the ground water. I am concerned about what the Liberal Party intends to put on the aquifers at Wanneroo. He should see to it that his spokesperson on the environment is set on an even keel by reading the Liberal Party's water policy. Hon Norman Moore has disappeared also. I am concerned about his whereabouts because he provided a list of questions for the Minister for Water Resources some time ago and also sent me a copy of them. I am grateful he did that. However, it is somewhat amusing that when his colleagues have something to say on ground water, the wetlands and other issues, he sees fit to make me aware of matters of which I am already aware. At the same time, when his colleagues are on the wrong track he fails to act responsibly by providing them with the correct information.

Hon Peter Foss interjected.

Hon SAM PLANTADOSI: Hon Peter Foss should not worry about that. I may doze off occasionally, but I can assure him that I am more attuned to Liberal Party policies than many

Liberal Party members. Furthermore, during this break and during the spring session I will become more familiar with many of its policies. One still eludes me. I cannot find the multicultural and ethnic affairs policy, but I will endeavour to find it during the coming break. If I cannot, I will write up the policy for the Opposition and ask it to put it to its state council.

Hon George Cash: That is kind of you.

Hon SAM PLANTADOSI: I am always willing to render assistance, especially to Hon George Cash's deputy. In question 272, Hon Norman Moore asked the Minister for Water Resources -

- (1) Is it correct that some, or all, of Perth's underground water supplies are polluted?
- (2) If so -
  - (a) what has been the cause of this pollution; and
  - (b) what action is being taken to eliminate or reduce the pollution?

The Minister replied -

The major causes of pollution have been;

waste disposal from industrial and commercial activities  
domestic refuse disposal (rubbish tips) -

The Opposition supports the Mindarie tip -

- septic tanks -

and most interesting -

- fertiliser use for horticulture

In a blatant attempt to win the Wanneroo vote, the Opposition advocated expanding the horticultural industry in that area knowing its effect on the underground water supply. Members opposite, even though they were told in that answer the effect of horticulture, have not found it fitting to tackle this problem. In some other areas, the Opposition is on the right track, but it tends to get off track very quickly when it tries to score cheap political points.

Hon Reg Davies: You would not do that, would you?

Hon SAM PLANTADOSI: The member is being unfair. I have demonstrated over the past two weeks an attempt to try to put the Opposition on the right track on a number of issues and now I have been accused of being unfair. I ask you, Mr President, whether that is the case. You know that I have always rendered assistance, and you know me well. I am only trying to help the Opposition. I promise it further assistance. That remark by Hon Reg Davies is unfair. In fact, last year, the Liberal Party caucus deemed me to be very fair in my chairing of a certain committee. All of a sudden, I have become unfair. I guess people will judge who is fair and who is not. After speaking to Hon Ernie Bridge about a few matters relating to water, he gave me a quotation which I would like to read for the benefit of members opposite. It states -

They will follow in your footsteps while you're probing for the light, yet they'll run before you when they see you're going right.

That clearly indicates the attitude of members opposite. The Opposition tried to learn a lesson from the 1983 and 1986 elections. However, rather than get on with giving the people some facts, the proposal it put up were a sham. The Wanneroo proposal was a clear indication of that. The Opposition put out a policy on individual rights and data protection. We have not heard anything more of that. Its fisheries policy consisted of two pages; its community services policy, one and a half pages; its transport policy, two pages; its financial management in the open policy, four pages; and its community services policy, two and a half pages.

Hon John Halden: Was there a policy about electoral reform?

Hon SAM PLANTADOSI: No, it did not have one.

The PRESIDENT: Order!

Hon SAM PIANTADOSI: I am trying to set the record straight, Mr President, about the Opposition's policies and I will try to render assistance throughout the break. I am concerned about certain policies and especially the policy on Aborigines in which the Opposition referred to them as ethnics.

Hon Tom Helm: Ethnic Aborigines!

Hon SAM PIANTADOSI: Yes. However, the greatest insult is the Opposition's not recognising the 27 per cent of the community by not having a multicultural and ethnic affairs policy. The Opposition is not interested in 27 per cent of the electorate.

Hon N.F. Moore: That is absolute tripe.

Hon SAM PIANTADOSI: Mr Moore has decided to speak up. The only mention that was made about ethnic affairs was two paragraphs on migrants and English as a second language. The only recognition that was given to the word "ethnic" was in the Aboriginal affairs policy. Where is the Opposition's ethnic affairs policy?

Hon N.F. Moore: We do not believe in multiculturalism.

Hon SAM PIANTADOSI: I am very glad to hear that it is convenient for the member to believe that. Why does the Opposition bother in its education platform, then, to refer to English as a second language if it has no real interest in that area?

Hon N.F. Moore: To help them speak English. When they live in Australia, they need to be able to speak English.

Hon SAM PIANTADOSI: I am happy to quote Hon Norman Moore and his colleagues when he does the rounds of the ethnic clubs. In fact, I will send to most of the clubs a copy of the remarks he has made about the Opposition not being interested in this matter.

Hon N.F. Moore: You can send them to anyone you like.

The PRESIDENT: Order! The member will direct his comments to the Chair.

Hon T.G. Butler interjected.

Hon SAM PIANTADOSI: That is an indictment of the state of play and what the Opposition feels about 27 per cent of the community. The Opposition will be reminded of that fact come election time. I have not seen Hon Norman Moore getting much respect from his colleagues on this matter. Obviously, they did the right thing when they put him in the electorate he represents now because the only ethnics with whom he has contact are the ethnic Aborigines - and he cannot even get that right.

HON J.N. CALDWELL (Agricultural) [4.58 pm]: My contribution to the debate on the Supply Bill will be shortened. However, I have two fairly important items to bring to the attention of members which need discussing while the recession continues. We should think seriously about the two points that I am about to raise and perhaps do something about them in the future. The first that I would like to mention is water deficiencies and the carting of water.

It came to my notice when I visited Esperance about two months ago that the Salmon Gums area was very short of water, but it had not been drought declared. Although it was water deficient, it was not declared a drought area. I spoke to a lady some 30 minutes ago who assured me that the problem still existed. The area has not had adequate rainfall, and farmers in various regions are carting water. During my visit to Esperance I visited the Government dams situated in the Salmon Gums area of the Esperance Shire. It was interesting to see that, although the Government has said it will maintain the dams, most were empty or full of mud. Of course, when dams are full of mud, any water they do catch does not last very long. I have contacted the Minister for Water Resources, Mr Ernie Bridge, about this problem and he assures me he will attempt to allocate funds to upgrade these dams. I was most impressed by the willingness of the local people to assist in the maintenance of these dams. However, they cannot do much on their meagre incomes and this year they may not have any incomes at all, especially if they do not get some rain soon. It was gratifying to note Ernie Bridge's willingness to try to allocate funds for the upkeep of the nine dams for which this Government has taken responsibility. The difficulty is that they all have tin roofs over them which makes cleaning rather difficult. However, the local people have said they will do all they can to assist in the cleaning of those dams.

While I was in the region, a contract was let for the carting of water into one of the Government dams so that farmers could cart the water to their farms to keep their stock alive. I discovered that the Department of Transport awards contracts for the carting of water, and it was disappointing to note that a contract had been let to a contractor in Esperance who lived 120 kilometres from the point of delivery of the water. The cost of delivering the water that distance was more than \$17 a tonne. I also discovered that a contractor in Salmon Gums was quite willing to cart water and that one or two farmers had adequate water in their dams which they were prepared to allow the contractor to cart. In that case the cost of carting the water would have been approximately \$10 a tonne, representing a saving of \$7 a tonne. Bearing in mind that we, as taxpayers, are paying for the carting of that water, it might be more appropriate for a different department to have responsibility for awarding the contracts. The Department of Transport has its office in Perth, and its officers do not know the country areas. No doubt they have details of contractors who will cart water, but they do not know where those contractors are located in relation to other parts of the area. I do not understand why an Esperance contractor was awarded the contract to cart the water in this case. The additional cost to the community must have been many thousands of dollars. The Minister, Mr Ernie Bridge, has said he will also look into this matter and that he thought it would be a good idea for the local office of the Water Authority to allocate contracts to carriers. I agree with that. It is a sound idea because the local office would be aware of the location of the dams, the whereabouts of the nearest contractor, and whether he could carry out the job of filling dams to enable farmers to avail themselves of the water.

It was suggested by one person that the reason the Department of Transport awarded the contract to a person who lived so far from the point of delivery might be to influence the amount of money the department received for road maintenance. Of course, the contractor had to charge the amount he did because of the extra distance involved; he carried out the job adequately and efficiently. However, Esperance contractors should be used to cart water near Esperance and not at distances 120 kilometres from it.

Hon D.J. Wordsworth: Was that the only water available at the time?

Hon J.N. CALDWELL: Water was available east of Salmon Gums at the time. I spoke to the local farmer.

Hon D.J. Wordsworth: Was it of suitable quality?

Hon J.N. CALDWELL: Yes, it was of suitable quality and it would have required carting only 20 kilometres instead of 120 kilometres. That would have been a great saving.

The other item I briefly refer to is the Government's lack of support for enterprise in country areas. In 1984-85 support for business seemed to get out of hand, as we are now all aware. The Government has got itself into an enormous amount of trouble and, as a result, support for business is now almost non-existent. Hon Eric Charlton said in the House the other night that the group which is trying to set up a paper pulp mill in the Moora district has had very little help from the Government. The Government agreed that a railway line could be constructed to pick up the product but only if the company paid for it. The provision of infrastructure is one way in which Governments can help industries, which will create employment, to establish themselves.

I refer now to a proposed tanning works in Wongan Hills, which would have earned millions of dollars annually. This venture had a disappointing start. The downturn in the wool price crippled the enterprise initially. It approached the National Party to ask whether it could provide finance of \$250 000 to get the company on track again because it had nowhere else to turn for that finance. Unfortunately, like most political parties, the National Party is not financially overendowed. We did make some suggestions about where they could perhaps get help, but unfortunately we could not tell them to turn to the Government because I do not think the Government would have been able to help at all. I am not too sure that the Government is very interested in assisting industries to get going in country areas.

I turn now to a group called Bodoquena Pty Ltd which is proposing to establish a cotton industry some 120 kilometres south of Broome. That proposed industry would have enormous consequences for that area. The people who are proposing that industry have spoken to the National Party, and I believe their proposal has great potential. It is interesting that the business plan of Bodoquena which I have received must have been prepared by an

American because the area that is required is expressed as acres, and the amount of water that is required is expressed as gallons. The plan states that the project will require an area of 6 000 acres. A great amount of water will be required to irrigate that area, but we have been assured that there is an enormous quantity of water in that area at quite great depths. A six inch bore has demonstrated a flow of 1.116 million gallons daily, or 775 gallons per minute. It is estimated that up to 150 of these bores will be required to service that area. The company suggests that the area of underground water is the size of Spain. It is mind boggling to think of that huge quantity of water. This business plan was produced on 1 May 1991, but I believe that negotiations with Government have been in place for much longer than that. I believe this proposed project could be of enormous benefit to Western Australia, but would require cooperation from Government because the land which the company proposes to acquire is Crown land, so the Government would have to assist the company in gaining access to that land.

The company assures me that it would have no problems with Aboriginal people because if there were any Aboriginal sites in that area it could grow the cotton in between those sites. If a cotton industry were to commence in that area, a cotton gin would be set up at Broome, and that would create employment. Broome needs not only a tourism industry but also employment of that type, which would be a great asset to that area.

The whole of Western Australia has lost an enormous amount of momentum. It is up to Governments - State, Federal and local - and Oppositions in this nation to attempt to get things moving again, especially in country areas. Hon Eric Charlton gave members a good run down on what is happening in country areas at the moment - or, rather, what is not happening. The incentive has gone, and things are at a pretty low ebb, and the sooner we can get industries like this off the ground in Western Australia, the better off we will be.

**HON REG DAVIES** (North Metropolitan) [5.15 pm]: I am pleased to be able to speak in this debate, and I was pleased to hear that my colleague opposite, Hon Sam Piantadosi, has such an interest in Liberal Party policies. Unfortunately he is not in the House at the moment, but I thank him for that interest, and I only hope that he has learnt something from them. I believe he has every right to comment on the policies that the Liberal Party put forward at the last election. Any time that he may want to tour around the North Metropolitan Region, Hon George Cash, Hon Max Evans, Hon Bob Pike and I will be only too happy to accompany him and to set him right in a number of areas. It is one thing to go to the electorate with a policy; it is another to be elected with a mandate to fulfil the promises made in that policy. The 1989 State election policy of the Australian Labor Party had a slogan: "Peter Dowding, a future you can believe in". Is that a joke or is that a joke? The people of this State would probably be right to ask now: Peter who? At the State election before that the slogan was: "Brian Burke, showing Australia how". How what? How to go down the gurgler!

Hon T.G. Butler: Who dragged you back from the gurgler in 1983?

Hon Peter Foss: No-one knew what a gurgler was until your lot came along!

The DEPUTY PRESIDENT: Order! You are holding up the proceedings.

Hon REG DAVIES: Mr Deputy President, that is the last thing I want to do. I know that we all want to get away and spend a lot of time in our electorates during the coming break.

Hon Sam Piantadosi, when looking at our policies, alluded to the fact that the more important the policy was, the more pages it had in it; so obviously, in his own words, if a policy is not an important policy, it will have only a few pages. One of the ALP policies in 1989 was entitled "Skills for Work - Training and Work for the Long Term Unemployed". One would expect that to be a fairly thick and detailed policy. However, when we look at it in detail we see that the first page is an introductory page, and that the remainder of the policy covers two and a half pages.

Hon George Cash: Almost contemptuous.

Hon REG DAVIES: Yes. Another area about which there has been a great deal of debate in the community and also a great deal of concern - and I am sure that members on both sides of the House share that concern - is the rights and needs of victims of crime. Once again, the ALP policy document on that matter is not a very worthy document. It comprises a couple of skimpy pages. We had a very comprehensive law and order policy which covered a variety

of issues, and I believe members should take the trouble to read it. I could go through all of these documents and make lots of jokes about them. They might not have been a joke before but they certainly are now, bearing in mind that this Government was elected with a mandate to follow through the wonderful "future you can believe in" with Peter Dowding.

Let us look now at the *Australian Labor Party WA Branch State platform 1989*, which also contains quite a lot of enlightening rhetoric. There were some areas relating to education that concerned me; I had them marked out but now I cannot find them. The education section of the platform is very small and very difficult to find; the union part is probably the biggest in the whole document. However, let us look instead at civil rights and law reform. On page 26 of the Labor Party's State platform for 1989 -

A Government member: That is an old one.

Hon REG DAVIES: It is the latest one from the library, and under the heading "Sexual Preference" it says -

- 20 Extend the provisions of the Equal Opportunity Act to include sexual preference as a ground for discrimination under the Act.
- 21 Ensure that in sex education programmes, homosexuality is presented as a capacity fundamental in some human beings, the expression of which is basic and natural.

The platform could well have been updated by now, in light of the change to the Criminal Code in 1989. However, it says also that homosexuality should be taught in our schools as something natural.

Hon Tom Helm: If you move the recommendation I will second it!

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon REG DAVIES: I must tell the House that I am sure Hon Sam Piantadosi was just being frivolous in his speech and endeavouring to bring a little light humour into the House because it is our last sitting day for some time. He is a very genial man and I have noticed since I have been here that he has been very helpful in some ways, when I have had difficulties. He has certainly helped me out and I am sure the way he presented his speech today was meant only to add some humour to the debate.

I am always disappointed when we have to listen to or have any participation in discussion about nationalism and republicanism. I believe that just by our being Australian, acknowledging our country as a longstanding and worthwhile homeland should be intrinsic to all of us. I suppose discussions of this sort go on because there are many among us who do not share the same sense of national pride in Australia, what it is and what it has always offered; that is, something which is unique and different from the rest of the world. Perhaps I could be accused of dwelling in the past, yearning for the return of the image with which I choose to identify and the mateship which I knew as a younger man. Australia at that time did not offer us much more than simple pleasures. Some people even talk of earlier days as days of hardship, striving and deprivation; I do not recall very much of that hardship. All I can remember are the feelings of togetherness -

Hon Sam Piantadosi: I agree.

Hon REG DAVIES: I am pleased to see Hon Sam Piantadosi back in the Chamber and participating in the debate. I recall that when I was a youth there was a different feeling within this country - a feeling of mateship and togetherness, of interdependence. There was an acknowledgment that we were a new country with a new society bent on succeeding, and a sense of pulling together as one nation. I remember the tried and tested Monday morning assemblies at school when we always recited the oath; that is, "I love my country, I honour my King and I salute my flag."

Hon John Halden: I bet the Queen felt good about that.

Hon REG DAVIES: No, I went to school in the time of His Majesty; that is showing my age. I can recall that when His Majesty died we continued to recite that oath each Monday morning at school assembly, and we continued to say "I honour my King" until the coronation of Her Majesty the Queen. None of us is more aware of the national spirit which existed among Australians than those of us who went off to fight for our country during war

time. Being Australian was a special treasure. Even if we were stripped of every other conceivable vestige of visible identification our Australianness remained intact, because we wanted it to.

We have an Australian flag. Sportspeople who achieve hard won fame in their fields, travellers abroad, people in the bush who carve an existence out of the barren ground, soldiers who fight battles on foreign shores - all have their heartstrings pulled at the mere sight of our Aussie flag. A national flag is not something which changes its identity because a few people in the community do not acknowledge the relevance of its very existence, it represents part of a country's unique history. A flag might change if a nation were to be overthrown by another, particularly if the conquering nation did not agree with the institutions, customs and behaviour of the original occupiers of the conquered land. If an entirely new history were to begin, there might be some reasonable grounds for us to change our flag. If the current criticism of the Australian flag is intended as a censure of the mistakes of the early colonists, to strip them of their part in history, we should acknowledge that that happened at a different time in our history, in a different framework. They made their errors.

Hon Sam Piantadosi: The Canadians did all right.

Hon REG DAVIES: I am talking about Australia and about my point of view, and I am not Canadian.

Hon Tom Helm: And you are not British.

Hon REG DAVIES: I used to be called British once.

Hon Tom Helm: Why do you want the British flag then?

Hon REG DAVIES: It is part of our roots, our history, our past.

Hon Sam Piantadosi: Our roots are another thing - you are wrong again. Is that why you refer to the Aborigines as ethnics?

Hon REG DAVIES: The Union Jack was the very first flag ever flown on these shores, and I hope it always stays on the Australian flag as a reminder of our past. We are too quick to throw off our past.

Several Government members interjected.

Hon REG DAVIES: Perhaps Hon Tom Helm should study a little of our history.

Hon Sam Piantadosi: Perhaps you should. You might learn something about who are the ethnics in this place. They certainly are not the Aborigines.

Hon REG DAVIES: The errors of the early settlers are part of the history of the Australian flag, and changing our flag would not wipe clean the mistakes of the past. People down under had to battle long and hard under harsh conditions for their survival, and perhaps even harder for the recognition of a country with dignity and national pride. It is unacceptable that a vocal minority should be able to change that symbol; it would undermine the unity for which I and others risked our lives to achieve and protect. Page 5 of the Liberal Party constitution states that the objective of the Liberal Party is to ensure the retention of and respect for the Australian national flag. I wholeheartedly support this goal. As a nation, how can we demonstrate that we care about our flag, or about our country for that matter? In most countries the national flag is displayed with affection and pride. It is generally accepted that Australians are not overtly emotional by nature; maybe that is one of the reasons we do not make any special effort to display our flag, except of course on Australia Day and Anzac Day. On those days flags are flown from Government buildings. Our apathy needs to be addressed. Why do we not fly our flag more often? A quick drive or walk around any city or town in this country would reveal that more flagpoles devoid of flags are evident than those flying flags. Government departments, businesses and clubs should set the example by flying flags each day - not just on special holidays and notable occasions.

Hon John Halden: That is why we need a new one.

Hon REG DAVIES: In the United States of America the President always has the American flag behind him when he is interviewed on television.

Hon Tom Helm: Does the American flag contain the flag of another nation?

The PRESIDENT: Order! Honourable members should not interject on the member, who has already used 17 of his allocated 15 minutes!

Hon REG DAVIES: Thank you, Mr President, for reminding me of that. The Australian Prime Minister should insist that our flag figures prominently when he is interviewed on television. The American flag is always prominently displayed in the American courts, and the same practice should be adopted with our flag in this country.

Hon Tom Helm: We could all sing "Long Live Our Gracious President".

The PRESIDENT: Order!

Hon REG DAVIES: In Australian schools, our early areas of influence on youth, no definite rule seems to apply regarding the flag; apparently the decision is left to the school principal. I applaud the principals who choose to fly the flag and I hope their actions will encourage students to have pride in and a sense of belonging to their country and a due respect for the national flag, and that this will carry on into adulthood. I fear that insufficient instruction is provided in schools regarding the history and symbolism of the Australian flag. Perhaps a little more instruction about the real meaning of the symbolism would engender a greater respect and love of our country through our national symbol.

It was interesting to read rule 10 published in the Commonwealth Government's outlines and recommendations regarding the flying of the flag. It states that the Australian flag should be displayed wherever possible in or near every Commonwealth polling booth on election day. Can any member recall seeing the national flag flying on election day near a polling booth? The recommendations also indicate that whenever a flag is used in advertising it should always be depicted flying free; this is how it is shown on the front of the document to which I refer. Unfortunately, in all Australian Labor Party literature depicting the flag only half the flag is shown. Are ALP members ashamed of it? In this literature the flag is never shown flying free and aloft. I am proud of the Australian flag, and I hope the community will find a renewed interest in it. The Australian flag flies out the front of my home in Balga every day.

HON W.N. STRETCH (South West) [5.38 pm]: I will take the opportunity in the Supply Bill debate to express matters of considerable concern to my farming constituents. A great deal of interest has been generated of late in land care, conservation and salinity control, and all its associated aspects. This issue has picked up a great deal of momentum over the last few years, and Western Australia has proceeded very well in this regard. It appears that the Federal Government is linking funding to the progress of the State plan, which appears to be a backward step.

I am concerned about this document titled "Decade of Land Care: Draft Plan for Western Australia". The document was released this week but it is dated 20 May 1991. As members would be aware, that is not this week. The document has reached the public in my electorate this week and it is of great concern to them. The document is about 100 pages long and includes another 15 or 20 pages in an attachment and a couple of explanatory letters. However, 10 days have been provided for the farmers to provide their submissions to the Government on this document. That might be all right if the farmers had nothing else to do; however, it has arrived right in the middle of the seeding period and farmers are flat out working on their tractors. They do not have time to study a document which could have far reaching consequences for them. The time scale provided by the Government is not realistic and the date should be extended for at least a month. I have spoken to Hon Ernie Bridge about this matter and he is considering my suggestion.

I received my copy of the document upon request, and as far as I am aware no member of Parliament was sent a copy. What is the reason for the rush? The Federal Government deadline is 22 July; the State Government has a deadline of 10 July, and the deadline for submissions from farmers is 25 June. If we must go down this track the time for submissions must be extended by at least one month. What the dickens does this matter have to do with the Federal Government? It supplies funding, but if the strings to the tied funding are to the detriment and progress of Western Australian programs, it is taking federalism to its ridiculous extreme.

I have farmed in both Victoria and here; Western Australians might as well be farming on a different planet. There is no correlation, and very little understanding, in the eastern seaboard of the Western Australian environment and what is required for good farming and



land management practices. This is yet another area of control Western Australia looks like losing to the Federal Government. I am concerned that the Federal Government will go even further and we will be facing heritage legislation covering pastoral and coastal regions. When one sees the impact that is being made on all those areas by the conservation lobby - not the sensible conservationists, but the extremists - I have grave fears for continuation of rural production in Western Australia. All Australians should be concerned about what will provide the backbone of their livelihoods if these productive industries are closed down. I ask members opposite - particularly Hon John Halden, who as Parliamentary Secretary now has some input to Cabinet decisions - to take particular note of what I say.

Hon N.F. Moore: He didn't even blush.

Hon W.N. STRETCH: The autonomy of Western Australia is in grave danger. I recommend that all members read this document. Hon T.G. Butler would agree because he was a member of the salinity committee chaired by Hon D.J. Wordsworth and he not only gained a great understanding of the problems facing people on the land but also made a considerable and intelligent contribution to that report. I regard this document as probably the most dangerous since Bill McKenzie's committee report tried to exert planning influence over all farming lands in Western Australia. This is a equally dangerous document.

I am very concerned that the agricultural budget has been cut by millions of dollars. Out of that very much constrained agricultural budget came the wages of Ms Jill Reading who, on behalf of the Australian Conservation Foundation, put great pressure on the pastoral industry and farmers. I am concerned at the input that the Australian Conservation Foundation and other organisations have into this sort of document. It is constraining the freedom of people making an honest quid for the State. I am utterly horrified at the document. It is Fabianism at its worst and I will condemn the State Government if it goes down the track of handing over its autonomy and general supervision of land schemes to the Federal Government.

Things do not work from Canberra downwards, but from the grass roots up. This is one instance where the Federal Government should keep its fingers out of the State. If we have to reorganise our State finances with a separate grant, I am certain that can be done. All members of Parliament and all farmers should have a copy of this document - not just conservation groups. Unless we are given another month at least to look at this document and make submissions, it will not get fair input. If the Government is determined to press on with this timetable it cannot avoid the criticism that it is trying to cover something up. This document could not have been presented at a worse time. If the State Government is not prepared to wear that criticism it should talk to its Federal counterpart and tell it, preferably, to get out of this altogether, or, if it must stay, at least to extend the deadline.

Finally, I raise the plight of livestock producers in Western Australia. The Government must address the question of meat processing costs in Western Australia, which are very high and are a great cost on the industry. It is essential that the Government talk hard to the unions involved; it is not a time to use union muscle to gain unfair advantage over the industry. It is a time, if the rural industries are to survive, to work to get the throughputs of abattoirs up. It is an old story, but the tally system in the abattoirs must be looked at very closely. I urge all members and those with an interest in the union system to look at what can be done to increase the productivity of our abattoirs and meatworks generally. This is not the time to go into the matter in great detail; I will leave that to the Government. It is an urgent matter and the Government must take urgent action to provide some relief to the livestock industry.

HON N.F. MOORE (Mining and Pastoral) [5.46 pm]: I will make two brief comments. Hon Sam Piantadosi raised the question of ethnic affairs and regrettably I do not have time to argue the matters he raised.

Hon Sam Piantadosi: You are on the run already, Norman.

Hon N.F. MOORE: This is an important issue and if Hon Sam Piantadosi will raise it by way of a substantive motion when the House resumes we can have a proper and sensible debate instead of having to interject across the Chamber, and have statements taken out of context.

Hon Sam Piantadosi: Tell me what your policy is?

Hon N.F. MOORE: I would be happy to.

Hon Sam Piantadosi: Where is it?

Hon N.F. MOORE: There used to be a convention in this House that members did not refer to other members' not being in the House. I remember that when I first came here I transgressed that tradition, and the whole House stopped and looked at me as though I had committed a mortal sin - which I had at the time, because it was a tradition of the House which was not to be broken. Over the years that tradition has been worn down and now members on both sides of the House refer to the absence of other members. That is regrettable because we all know that members who are not present are not here for a very good reason. They are not having a sleep somewhere or having a holiday, they are doing work that is vital to their constituency or attending to parliamentary duties. It is important that we remember conventions so that we do not have the situation of members' referring to the absence of other members in a derogatory way, when that is not the way we should be treating each other, bearing in mind that we all know the demands of this place on all of us. I ask the House to reconsider the continuation of that old tradition, and not refer to the absence of members from the House.

Hon George Cash: Hear, hear!

HON J.M. BERINSON (North Metropolitan - Attorney General) [5.50 pm]: I thank members for their support of this Bill and, in keeping with my usual practice, I will ensure that the comments of each of the speakers are referred to the relevant Ministers.

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.

**BILLS (8) - RETURNED**

1. Miscellaneous Repeals Bill
2. Local Courts Amendment Bill
3. Companies (Co-operative) Amendment Bill
4. Prisoners (Release for Deportation) Amendment Bill
5. Director of Public Prosecutions Bill
6. Supreme and District Courts (Miscellaneous Amendments) Bill
7. Vide Tapes Classification and Control Amendment Bill
8. Children's Court of Western Australia Amendment Bill (No 2)

Bills returned from the Assembly without amendment.

**CONSERVATION AND LAND MANAGEMENT AMENDMENT BILL**

*Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

**ADJOURNMENT OF THE HOUSE - SPECIAL**

On motion by Hon J.M. Berinson (Leader of the House), resolved -

That the House at its rising adjourn to a date to be fixed by the President.

**ADJOURNMENT OF THE HOUSE - ORDINARY**

**HON J.M. BERINSON** (North Metropolitan - Leader of the House) [5.53 pm]: I move -

That the House do now adjourn.

*Adjournment Debate - Select Committee on State Investments - Report Tabling*

**HON J.M. BROWN** (Agricultural) [5.54 pm]: Before the House adjourns I bring to its attention a matter I consider to be an absolute disgrace. We have reached the end of this session and the report of the Select Committee on State Investments relating to Rothwells, the Petrochemical Industries Co Ltd and WA Government Holdings Ltd has not been tabled in this House. I consider that to be most unsatisfactory and yet another unhappy episode in the so-called Pike committee on State investments.

To me it is scandalous and shameful that this House will not witness the tabling of the report and that following this session we will have a rerun of events which surrounded the tabling of the first interim report in April 1990. On that occasion, Hon Bob Pike, the chairman of the committee, presented that report with much fanfare but not with Hon Peter Foss, Hon Eric Charlton, Hon Fred McKenzie or me present; he presented that report all by himself. He called in the journalists and the television cameras so he could parade before them a report that should have been presented to members of the House first. On that occasion, because of the processes available to this House when it is not sitting he followed a convention of this place, which he is quite entitled to do. However, on this occasion he is not entitled to do that because there has been ample opportunity for the report to be tabled prior to the conclusion of this session so that members would have the opportunity to consider it. Members of this House have again been deprived of the tabling of a report of this committee and I consider it to be a total injustice to members of the Government and to members who support the principle of honesty, decency, and fair trading. Fair trading is what this is all about; it is about nothing else. It is a blow to democracy that this should have happened.

Members will not see Hon George Cash, Hon Eric Charlton, Hon Peter Foss, my colleague Hon Fred McKenzie, or me when Hon Bob Pike presents the committee's report to you, Mr President. No doubt there will again be a fanfare of trumpets on the occasion. On this occasion it will be a balanced report because a dissenting report will be attached to it.

The PRESIDENT: Order! I hope that the honourable member is not implying that when the report is handed to me there will be a fanfare of trumpets, because I can assure him that there will not.

Hon J.M. BROWN: Mr President, that is the furthestmost thought from my mind and it is something that I would not contemplate. On many occasions I have commented on your fairness and on the fairness of those members who sit in the Chair in your absence. We are all very pleased that that is the situation which prevails in this place. However, we have not been afforded the same fairness by the chairman of this Select Committee, who has already taken it upon himself to present another of the committee's reports. It will be another opportunity for "Butcher Bob" - Hon R.G. Pike - to go into the public arena and present his philosophies which will be apparent in the report. He will reject the opportunity for an equal and balanced presentation. The dissenting report prepared by Hon Fred McKenzie and me is minuscule compared with the report of members opposite. However, we should all have the opportunity to have our say.

I commend Hon Peter Foss for tabling the second interim report of the Select Committee into Government Surveillance today. The House resolved to print that report and the same should have occurred with the report that the chairman of this committee should have tabled, a copy of which I have.

The staff of the committee cannot be blamed in any way for that report not being tabled today; they have worked very hard to prepare it. The full responsibility rests with the chairman of the Select Committee. He has ignored the pleas of Hon Fred McKenzie and me to table the report before the end of the session. The Opposition members gave him licence to table the report either while the House was sitting or at some later time, and members can be assured we will not be advised of that time. Members can be assured also that he will want to have his answers to the dissenting report prepared so he can put his case to the media. It will be a repeat of the disastrous event which occurred in 1990 when he introduced the first interim report. We have magnificent facilities in this House to produce reports, but

members have been treated with the utmost contempt and ridicule. It is another shameful episode in the saga of what we call the State investments study, and Opposition members are trying to score political points. Hon Fred McKenzie and I have been able to put forward a document which will enlighten readers to another point of view. Irrespective of what anyone says, there are always two points of view to any issue.

I regret that at the closing stage of this session I must bring forward what I consider to be an unsatisfactory, unsavoury instability in this Chamber; that is, the fact that the Select Committee on State Investments relating to PICL, WAGH and Rothwells has not acted in accordance with what I consider were its terms of reference - terms of reference that I have always been pleased to uphold.

*Adjournment Debate - Unemployment in the South West*

**HON BARRY HOUSE** (South West) [6.00 pm]: The matter I bring to the attention of the House is not quite as controversial as the previous one but raises much controversy at the local level and is important for the future of this State; that is, the postponement of two mining proposals for the South West Region, the electorate I represent. Unemployment in the south west is running at 10 per cent or more with youth unemployment running at roughly 30 per cent. We cannot afford the situation that has developed regarding the Beenup and Jangardup mining proposals. Earlier this year the Jangardup mining proposal was shelved by Cable Sands (WA) Pty Ltd. In the past couple of days BHP has announced that the Beenup proposal near Augusta is to be postponed for about 12 months, as well. Both projects received environmental approval last year. The only proviso on that approval related to transport routes to be used to deliver the mineral sands from the mining operations to the Port of Bunbury. Both projects have been postponed and possibly been put in jeopardy because of a lack of leadership on this issue. We need an overall south west transport strategy to take cognisance of these proposals and the existing agricultural, industrial, tourism, and horticultural industries throughout the south west and to establish a 20, 50 or 100 year time horizon for them.

We are breaking new ground, yet we face a lack of proper long term planning for all transport options, including a heavy gauge rail line to transport industrial cargoes and perhaps the extension of the *Australind* passenger train service to Busselton. Bypass roads are needed around Capel and Busselton and an extensive dual carriageway is required further south. Proper consideration should also be given to air transport alternatives and the establishment of a decent airport for the region. All these things have been placed in jeopardy because of the ad hoc approach taken to the transport options for these two mines.

Hon Garry Kelly: Should the transport be by rail or road?

Hon BARRY HOUSE: I believe it should be by rail. That is the first option. However, we have never seen a proper analysis of cost comparisons between rail and road transport. The Minister for South-West in particular seems to have taken the running on behalf of the Government on this matter and has said that road is the better option. The proposed option would split prime agricultural land in half and seriously affect the lifestyle of many people. It is not acceptable to many people in the area. A large meeting of interested residents in Busselton was held in recent weeks. Hon Doug Wenn is aware of the situation as well as I am; that is, that many people are unhappy with the situation and concerned about the way it is going. The last straw came about a week ago when residents of the south west found to their horror that a power line was being considered from Picton to Augusta, once again through residential areas and prime agricultural land. Everybody had thought there would be no real problems in extending power supplies from Manjimup to the Beenup minesite until that suggestion arose. That was the last straw and it is obvious to everyone that it was an ad hoc decision. This has caused BHP to throw up its hands in horror and postpone its project for a year at least. I hope it is not postponed forever.

Hon Mark Nevill: Would it not have anything to do with the world price market?

Hon BARRY HOUSE: That is one factor of the equation. However, the Government has shown no leadership in this matter and has sat on its hands. A confusing mix of Ministers has taken an interest in the matter. The people and the proponents in the area do not know to whom they should talk. The Minister for Transport has played a role, as has the Minister for Mines and the Minister for Fuel and Energy.

Several members interjected.

The PRESIDENT: Order!

Hon BARRY HOUSE: The Minister taking the bulk of the running on the issue is the Minister for South-West. I may be uncharitable when I say that one factor that may have been considered in relation to the road option is the fact that the road would pass through the Warren, Vasse and Wellington electorates into Bunbury, the Minister for South-West's local electorate as the member for Mitchell. I do not think he gives a damn for the Liberal held electorates.

Hon Garry Kelly: That is a bit unfair.

Hon BARRY HOUSE: The history of the issue is unfair and unreasonable. It is important to inform members of the situation in the south west which has enormous potential to develop industries in a balanced and proper fashion. No-one denies that these industries should be developed in a balanced and proper fashion to protect the interests of the people and the environment, but we need a little leadership to do that and at the moment it is not forthcoming. I urge the Government to get its act together during the coming recess and to show some leadership on this issue.

HON R.G. PIKE (North Metropolitan) [6.08 pm]: Notwithstanding my best endeavours and those of the committee to get the committee's report published today, and notwithstanding the manifest efficiency and dedication of the staff, particularly Bronwyn Roberts and Mr Elliott, who worked to the early hours of this morning, the job was greater than we thought it would be. We were informed by Mr Elliott that he doubted the report would be completed even if we started work straightaway, and we were aware of that. The report was hand delivered to me at 4.05 pm this afternoon. I immediately commenced reading it. It is my responsibility under Standing Order 395 to sign the report. I am not in the business of spending 20 months researching a matter and then tabling it without it being properly checked. In the end, to quote the Latin saying, *res ipsa loquitur* - the report will speak for itself. I am happy for it to be the case. It is not for this House but for the public of Western Australia to judge. The report comprises 256 pages. I am concerned I came in late. I was up in the gallery reading the report and the adjournment debate came on early. I am told that Hon Jim Brown has the report in his possession. My instructions were that copies of the report were to be given to the Clerk, Mr Elliott and me as there are only three copies available for proofreading.

Hon J.M. Berinson: That is not my understanding.

Hon R.G. PIKE: It is my report.

Hon J.M. Berinson: What gives you a proprietary right which other members do not share?

Hon R.G. PIKE: It is my responsibility. If the Attorney General thought about it, he would realise that. I am responsible for the report and for signing it. Until it was complete and correct I was not in the business of giving it to members of the committee. If the Attorney General listened instead of yapping he would understand why.

Several members interjected.

The PRESIDENT: Order!

Hon J.M. Berinson: You still haven't said why.

Hon R.G. PIKE: Mr Elliott has been diligently reading the report since five past four. I have asked him to let me know as soon as possible of any errors, omissions or typing errors, and he will do that. There is absolutely no criticism of the staff. But I will not rush it. I will get back to the comments made by Hon Jim Brown. I have already found six corrections which will have to be made. I have found three errors in the report from the dissenting members and one matter which touches on parliamentary privilege which I am at present investigating.

Hon J.M. Berinson: Are you proposing to change the dissenting report?

Hon R.G. PIKE: One area at present appears to be a gross breach of parliamentary privilege.

Several members interjected.

The PRESIDENT: Order! The honourable member is out of order in following the course which he is following now. He should not be divulging that information because that is transgressing Standing Orders.

Hon R.G. PIKE: Thank you, Mr President. I am sorry about that. The report is at present being checked in detail. The errors are being corrected. The greatest possible effort was made by me in the printing of it and in the reporting of it in order to meet the deadline, but I am not in the businesses, nor will I ever be, of rushing in willy nilly at the last moment in order to get something on the Table of the House tomorrow or the next day.

Several members interjected.

Hon R.G. PIKE: I reject the matters raised by Hon Jim Brown. He was quite wrong, as he always is, in saying that when the interim report was properly presented to the President the TV cameras were called in. That was not so. Very few members of Parliament have the capacity to call the cameras in.

Several members interjected.

Hon R.G. PIKE: Hon Jim Brown was once before referred to as having a mind so narrow one would need a bread knife to prise his ears apart.

Several members interjected.

Hon R.G. PIKE: That is still the case.

#### *Adjournment Debate - Unemployment Numbers*

HON E.J. CHARLTON (Agricultural) [6.11 pm]: In the debate on the Supply Bill I omitted to mention the fact that over 647 000 people in this nation are unemployed. This was borne out tonight by a question asked about the 100 trees planted to commemorate the centenary of elected Government in this State. Some of the trees have obviously not survived, and the question was whether they would be replaced. Mention was made of the cost involved in replacing them. With 647 000 people in Australia receiving financial assistance, it is ludicrous for those who currently receive income derived from their own efforts to give some of it to these 647 000 people who are doing nothing for their money. Some of them, at least on a part time basis, should be involved in community activities such as tree planting, helping elderly people, doing various things around the districts in which they live, or helping in some of the country areas which are dying on their feet because Governments do not have the money to provide essential services. Those 647 000 people currently unemployed in Australia receive billions of dollars a year from other people's pockets, and they should be forced to take part in community activities so that the nation can receive something back for the billions of dollars expended in helping them to receive the necessary financial assistance to survive.

#### *Adjournment Debate - Select Committee on State Investments - Report Tabling*

HON FRED McKENZIE (East Metropolitan) [6.14 pm]: I support the remarks of Hon Robert Pike and the remarks of Hon Jim Brown. However, I want to bring to the attention of the House the fact that the only report Mr Pike is responsible for is the report of the committee. Mr Pike is not responsible for the dissenting report. He is not allowed to alter it. The provisions of Standing Order No 392 have been carried out.

Several members interjected.

Hon FRED McKENZIE: Mr Pike is not allowed to alter that report. It would be a gross breach of parliamentary privilege. We will suffer the consequences before this House. There is provision in Standing Orders for him to alter typographical errors without reference to the authors of the report.

Hon Jim Brown made a good point. This is the last day of the sitting. The report of the Select Committee on Government Surveillance was presented here very early in the day, and was sent away to be printed afterwards. We are living in a modern age. We have disks on computers, and it is very easy to make alterations. Text can be altered quite readily. It is not like the old days when one had to type a new page to correct a mistake. We have that equipment available here today. Mr Pike said, and I repeat it, that the staff did a magnificent job; there is no doubt about that. They had the report ready for presentation by Mr Pike by five past four. We had been through that report as a committee.

Hon R.G. Pike: It was ready for proofreading.

Hon FRED McKENZIE: The committee went through that report I do not know how many

times. I do not know how many times we made corrections to errors. We went through the report paragraph by paragraph, because Standing Orders provide that each paragraph must be read out separately. The one thing Mr Pike did not have was the dissenting report. He cannot alter that. Since he has read it he has had time to think about it. He knows that he cannot alter it. There is no reason for the delay.

I have not been given a report, but it is a large document. This is the size of the dissenting report. I know this is a big document, but the rest of it consists of appendixes. It is a disgrace! I know other members of the committee bent over backwards to ensure that this House would see this report tabled before we rose at 6.00 pm today. Nothing has changed. Committee members used their best endeavours to have this report ready. We will not have another meeting, but we could have talked the matter through. We knew that the staff had put in a super human effort on this report. They were cooperative, and we expected it to be tabled. I chased Mr Pike around this afternoon.

Hon E.J. Charlton: Did you catch him?

Hon FRED McKENZIE: I chased him around and I caught him. I rushed up to him at three minutes past four with a big smile on my face. He knows that. I said, "You will have it at five past four," and he got it at five past four. I did my checking because I wanted it here. I knew what had happened to the interim report in 1990. However, we did not get it. I do not need to say any more. The judges in this matter must be the members in this Chamber and if they are honest they will have a look at it. Members know what modern technology is, and the members of the committee know how many alterations were made. This report I have here is the last copy. Members should look through it.

Hon J.M. Berinson: That does not look like 256 pages, or whatever it was he said.

Hon FRED McKENZIE: They were not numbered. That is one of the mechanics of it.

Hon R.G. Pike: You are wrong, as always.

Hon J.M. Berinson: Are you suggesting you had to proof read the appendix at this late stage?

The PRESIDENT: Order!

Hon FRED McKENZIE: It is important that decency be maintained in this House. I hope this is the last time we have a matter like this. We should support each other. Point scoring on an issue like this does not really amount to much. At 4.05 pm Hon Bob Pike had the report. At 5.50 pm the adjournment was moved, and the report was not presented. It is only natural that we should use this debate to register our protest. It is our only opportunity to do so.

#### *Adjournment Debate - Balance of Select Committees*

HON SAM PIANTADOSI (North Metropolitan) [6.21 pm]: Like Hon Fred McKenzie and Hon Jim Brown, I am concerned at the games that Hon Bob Pike, Hon Peter Foss and their committees have been playing of late. On a number of occasions members on this side of the House have expressed concern about the balance of Select Committees and the members on those committees, and the Opposition's reluctance to have an evenly balanced committee, whether it be the Select Committee on State Investments chaired by Hon Bob Pike, the Select Committee on Government Surveillance chaired by Hon Peter Foss, or any other committee. This is a clear demonstration of why members opposite do not want that balance, and of the politics that people in the Opposition were playing.

Hon John Halden: It is a gerrymander.

Hon SAM PIANTADOSI: Yes, it is a gerrymander of the first order.

Our frustrations and concerns have been vindicated by the actions of members opposite this week. I certainly hope that the Leader of the House and members opposite examine the Select Committee system during the coming parliamentary recess and, after the fun and games that have been played during this session, genuinely consider having balanced committees so that we can avoid a repetition of what has occurred this week.

*Adjournment Debate - Tour of North Metropolitan Region*

Hon SAM PIANTADOSI: On a lighter note, my ears were burning when I was out of the Chamber and I know certain comments were made about me in my absence. I am told that an offer was made to me by one of my colleagues representing the North Metropolitan Region to take me on a tour of the region. The proposal is that Hon George Cash, Hon Max Evans and Hon Bob Pike, if he has finished with his committee, will take me on a tour of the region. I accept the invitation, on one condition.

Hon George Cash: Just name the day and I will provide the car and take you all over the electorate.

Hon SAM PIANTADOSI: The North Metropolitan Region takes in wetlands, horticulture, pine plantations, Hepburn Heights and a number of other areas. I think it is official that Hon Phillip Pandal will also be joining us on the tour, and I extend the invitation to Hon Norman Moore as well, especially after the comments he made about the ethnic communities in this State.

Hon N.F. Moore: Oh, come on!

Hon SAM PIANTADOSI: I suggest to the Leader of the Opposition that we might start our tour at the Italian Club in Fitzgerald Street and move progressively north. There are some 12 ethnic clubs in the North Metropolitan Region. I know the Leader of the Opposition is aware of those clubs and has been to them on several occasions and feels quite comfortable attending them, but I am not quite sure about Hon Norman Moore and I think it would be good grounding for him to be present.

Hon N.F. Moore: If you need me to help you in your electorate -

Hon SAM PIANTADOSI: Hon Norman Moore then might learn the difference between ethnic Aborigines and the ethnic communities.

Hon N.F. Moore: I did not write that policy, somebody else did.

The PRESIDENT: Order!

Hon SAM PIANTADOSI: I am quite happy to set aside several days so that we can take the member on tour. If we want to split it up we could have an ethnic tour on one day, an environmental tour on another day, and the wetlands tour on a different day.

Hon Derrick Tomlinson interjected.

Hon SAM PIANTADOSI: Hon Derrick Tomlinson can join us.

Hon Derrick Tomlinson: I would love to.

Hon SAM PIANTADOSI: He might learn something as well.

The PRESIDENT: Order! The decorum of the Chamber has been cut to ribbons. In seven minutes I will put the question that the House do now adjourn. I remind the members who are interjecting and prolonging proceedings that Hon Sam Piantadosi should quickly conclude his remarks because at least one other member has indicated he wishes to speak in this adjournment debate, which ceases at 6.33 pm.

Hon SAM PIANTADOSI: They are indeed an unruly lot, Mr President, interjecting on my speech.

The PRESIDENT: Order!

Hon SAM PIANTADOSI: I will endeavour to make my tour as brief as possible.

Hon E.J. Charlton: Mr President, he would not come on my tour and now he has not invited me to come on his!

The PRESIDENT: Order!

Hon SAM PIANTADOSI: I am trying to be brief but I must respond to that interjection by Hon Eric Charlton. It was unfortunate that a family matter caused my unavoidable absence from Hon Eric Charlton's tour. However, I think Mr Charlton, being the honourable man he is, would admit that I had been pursuing a trip to the country for some two years, especially with respect to the Agaton venture. In fact, I raised the matter with him on several occasions, yet it took him two years to arrange the tour.



Hon E.J. Charlton: I gave you plenty of time but still you did not come.

Hon SAM PIANTADOSI: If I did not know Hon Eric Charlton better I would say it was deliberate and that he did not want me to go on the tour.

Hon J.M. Berinson: But he can come on yours, can't he?

Hon SAM PIANTADOSI: He is more than welcome. While we in the North Metropolitan Region do not have the Agaton scheme we have the Gnangara mound, which will not be sealed or poisoned, and we have the wetlands, on which golf courses will not be developed.

I extend this offer, and I certainly hope the Leader of the Opposition sees fit, to include Hon Norman Moore on the tour, and Hon Phillip Pental, as well as the other members who represent the North Metropolitan Region - Hon Reg Davies, Hon Max Evans and Hon Bob Pike.

Hon T.G. Butler: Perhaps you could bring some ethnic Aborigines.

Hon SAM PIANTADOSI: I have a good friend in the Gnangara pine plantation, and as well as pine trees and water there is also an Aboriginal settlement, so we could probably introduce Hon Norman Moore to some metropolitan ethnic Aborigines as well as the ethnic clubs.

Question put and passed.

*House adjourned at 6.29 pm*

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## QUESTIONS ON NOTICE

### ORGANOCHLORINE PESTICIDES - BAN

21. Hon P.G. PENDAL to the Minister for Education representing the Minister for Health:

- (1) Are organochlorine pesticides like Aldrin, Dieldrin, Chlordane and Heptachlor banned to all persons in Western Australia except Government licensed pest control operators?
- (2) If so, when did such a ban come into effect?
- (3) If not, is the Government considering such a move and has any case been made out to implement such a ban?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) Yes.
- (2) Aldrin and Dieldrin - November 1987  
Chlordane and Heptachlor - September 1989
- (3) Not applicable.

### MEIYU AUSTRALIA PTY LTD - COX BAY DEVELOPMENT *Delays*

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

- (1) Is the Minister aware that a major development planned by Australia Pty Ltd at Cox Bay just south of Mandurah which will provide the area with much needed employment opportunities (including the provision of up to 50 building jobs during the five year construction phase and up to 20 permanent jobs when completed), is being held up by unnecessary bureaucratic delays?
- (2) Is the Minister aware that these delays are due in part to the granting of approval for the rehabilitation of part of the Peel Inlet adjoining the proposed development which the company plans to undertake as a community project at a cost of about \$5 million?
- (3) Is the Minister aware that the company does not need this approval as the company already can develop a major part of the site without environmental approvals?
- (4) Is the Minister further aware that the Environmental Protection Authority informally assessed this part of the project last year and that the district's own environmental committee had recommended its go-ahead?
- (5) When can the company expect a clearance to proceed with this development, which could have commenced 12 months ago had it not been for these delays?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) I am aware of the Estuary Gardens proposal - Lot 1147 Old Coast Road, Falcon - but not of any unnecessary bureaucratic delays.
- (2) The proposed development for recreational purposes of the foreshore adjacent to the Estuary Gardens and involving dredging of the estuary site is the subject of Environmental Protection Authority assessment as a public environmental review. The proposal was referred to the EPA on 25 January 1991, the public review period for the PER closed on 16 March 1991 and the EPA's report should be completed before the end of June. I do not accept that there has been a delay by the EPA.
- (3) The EPA assesses major projects adjacent to the Peel Harvey estuary.

- (4) Yes. The EPA informally assessed the Estuary Gardens project in May last year and again in May this year, when an amended development plan and new rezoning application were submitted by the proponent to the City of Mandurah.
- (5) I understand that the delay to commencing construction results from Meiyu Australia Pty Ltd wanting to change the existing tourist and landscape protection zone that applies to Lot 1147.

**NEWMAN - OPHTHALMIA DAM**  
*Mining, Yandicoogina - Environmental Effects*

224. Hon D J Wordsworth to Hon Tom Stephens representing the Minister for State Development:

- (1) What effect has the building of the Ophthalmia Dam at Newman had on the vegetation down stream?
- (2) Is it contrary to expectations when built 10 years ago?
- (3) Could Newman be supplied from underground aquifers in the Yandicoogina area?
- (4) Will mining at Yandicoogina have any effect upon the underground aquifers and surrounding districts and pastoral activities?
- (5) What long term studies have been made on the effect of both the dam and mining on the environment of the area?

Hon TOM STEPHENS replied:

The Minister for State Development has provided the following reply -

- (1) The effect of the Ophthalmia Dam on vegetation downstream is under investigation.
- (2) As the effect of the Ophthalmia Dam on vegetation stress is under investigation, no comparison can be made at this time.
- (3) Yes, although a pipeline longer than 100 kilometres will be required.
- (4) Parts of the Yandicoogina aquifer will be mined but ample ground water supplies will remain for pastoral activities. No pollution of the aquifers is expected to occur during mining operations.
- (5) The company is required to report annually and triennially on the environmental impact of the dam, in accordance with the agreement. Studies on the impact of mining will be undertaken by BHP as part of the Environmental Protection Act approvals and the agreement Act provisions covering the Marillana Creek project.

**MASTERS DAIRY - BUTANE GAS TANK INSTALLATION**  
*Thomas Street, Boyanup*

256. Hon BARRY HOUSE to the Minister for Emergency Services:

- (1) Is the Minister aware that a 30 metre butane gas tank has been installed at Masters Dairy, Thomas Street, Boyanup, next to the Boyanup Primary School?
- (2) Is the Minister satisfied as to the safety of this facility in view of community concern expressed by the Boyanup Fire Brigade and others?
- (3) Why is such a facility able to be installed without any consultation or notification to neighbours in the immediate vicinity?
- (4) Is the Minister satisfied that the butane gas tank installation meets all the requirements of the Australian Standard 1596?
- (5) How often is Australian Standard 1596 updated?

Hon GRAHAM EDWARDS replied:

- (1) The Minister is aware from media statements and also from a previous parliamentary question.
- (2) I refer the member to the answer to question 524 on 29 November 1990.
- (3) I am advised by the Department of Mines for consultation that other than service stations and depots there is no requirement under present legislation covering the storage of LPG.
- (4) The EPA and the Department of Mines have set down stringent recommendations regarding the installation. Provided these guidelines are adhered to I am satisfied that the installation is safe.
- (5) Australian Standard 1596 is reviewed by the Australian Standards Association when it perceives it necessary and this standard was revised in 1983 and again in 1989. I apologise for the delay in responding to the question.

#### SPEED LIMITS - 110 KM REDUCTION REVIEW

412. Hon E.J. CHARLTON to the Minister for Police representing the Minister for Transport:

- (1) What action or review has been taken to reduce the maximum speed limit from 110 kilometres per hour in Western Australia?
- (2) Will the Government be implementing changes to the maximum, or any other, speed limits in Western Australia?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1)-(2)

As part of the Commonwealth 10 point road safety package, there is a requirement on all States and Territories to ensure that -

No speed limit will exceed 110 kilometres per hour, and that a general 100 kilometres per hour speed limit will apply on non-urban arterial roads except that other limits, clearly stated or signposted, may be imposed where the responsible authority considers the road conditions warrant or require them. Commonwealth and State officials will continue to develop recommendations in order to introduce a more consistent framework for national speed limits.

It is understood that all other States have now implemented this requirement, and Western Australia is currently discussing a slightly modified proposal with the Federal authorities.

#### POLICE DEPARTMENT - INTERNAL INVESTIGATIONS

##### *Unanswered Matters - Action*

415. Hon DERRICK TOMLINSON to the Minister for Police:

Given the failure of both the coronial inquiry and the Royal Commission on Aboriginal Deaths in Custody to determine the time of death of John Pat, the actual time of discovery of his body, whether or not resuscitation was attempted and whether or not the body was washed, will the Minister advise what measures have been taken to ensure that, in future, police internal investigations will not leave such important matters unanswered?

Hon GRAHAM EDWARDS replied:

That doubt remained in respect of some aspects of the death of John Pat was in no way the fault of the internal investigators who the Royal Commission described as honest and hard working. He also found that the internal investigation was honestly, fairly and energetically pursued. All matters in the recommendations of the Royal Commission are receiving attention.

**CRIME - LATHLAIN AND RIVERVALE**  
*Complaints Inquiry*

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

- (1) Will the Minister undertake an inquiry into complaints by Lathlain and Rivervale residents who say that for three years their neighbourhood has been subjected to an ongoing sequence of terror and torment?
- (2) Will the Minister provide to the House a full report of -
  - (a) crimes against people;
  - (b) crimes against property;
 in these two suburbs in each of the past five years?

Hon GRAHAM EDWARDS replied:

- (1) Police are aware of the concerns by residents in the Rivervale/Lathlain suburbs. A petition of complaints from residents has been addressed by the Regional Officer for Victoria Park. Police have responded to these concerns operationally by closer monitoring of offences and by intensified patrolling of the precinct to reduce the probability of further problems. In addition the police have developed a liaison with immediate neighbours that will ensure quick response times to problems reported. The police are also assisting the local Neighbourhood Watch coordinator to develop specific programs to assist the immediate neighbourhood.
- (2) I am unable to provide a full report as asked but do provide the member with the following information -

Lathlain

Crimes against people	1986	8	
	1987	7	
	1988	3	
	1989	12	
	1990	9	
Crimes against property	1986	158	<u>Value \$</u> 54 543
	1987	133	48 091
	1988	162	94 479
	1989	219	90 351
	1990	249	103 594

Rivervale

Crimes against people	1986	69	
	1987	158	
	1988	98	
	1989	83	
	1990	85	
Crimes against property	1986	930	453 290
	1987	970	579 381
	1988	1 078	580 303
	1989	1 135	552 607
	1990	1 218	1 438 900

**COLLIE RIVER - DESALINATION PROGRAM**

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

With reference to the desalination program for the Collie River -

- (1) How long has the program been in operation?
- (2) Has a reduction in salination level been achieved?
- (3) If so, what is the amount of that reduction?

- (4) What was the level of salinity in the river before commencement of the desalination program?
- (5) What are the details of methods used to bring about the salinity reduction?
- (6) By whom is the work being carried out?
- (7) Is it estimated that further salinity reductions will be achieved?
- (8) If so, to what level?

Hon GRAHAM EDWARDS replied:

The Minister for Water Resources has provided the following response -

- (1) The Government of the day introduced legislation to control further clearing for agriculture in November 1976. In 1979, a reforestation program was commenced and still continues.
- (2) Yes.
- (3) The implementation of clearing controls has meant that increases in stream salinity have been lessened; this is a long term project; therefore, the full effect of the clearing controls and reforestation program will not be realised until early next century.
- (4) Prior to agricultural development the salinity of the Collie River at Wellington Dam was estimated to be between 200 and 250 mg/l. By the mid-1980s, the average inflow salinity was about 800 mg/l and increasing.
- (5) In 1976 the Country Areas Water Supply Act was amended to prohibit unlicensed clearing on the catchment. In 1979-80 the Water Authority commenced the purchase of cleared farmland for reforestation in the drier, high salt-yielding parts of the catchment, a total of 6 136 hectares having been reforested to the end of 1990.
- (6) The work is being carried out by the Water Authority. The tree planting is carried out by CALM under contract from the Water Authority.
- (7) Yes, as per (3) above.
- (8) Inflow salinity to Wellington Dam should be 850-1 000 mg/l.

#### POLICE - WATER POLICE

##### *Bunbury, Geraldton Establishment Promise*

474. Hon GEORGE CASH to the Minister for Police:

Given the 1989 Labor election promises of establishing significant Water Police bases at both Geraldton and Bunbury, will the Minister advise what action has been taken to institute these electoral promises?

Hon GRAHAM EDWARDS replied:

The need is still recognised; however, the matter has not been proceeded with as funds have been allocated to higher priorities.

#### THEFT - VESSELS, MARINE EQUIPMENT

##### *Metropolitan Waters*

475. Hon GEORGE CASH to the Minister for Police:

- (1) Is the Minister aware of the increased incidence of theft from vessels and marine equipment in metropolitan waters?
- (2) Will the Minister consider the incorporation of the Department of Marine and Harbours marine inspectorate branch, under the umbrella of the Water Police, to better facilitate inspectorial policing functions in metropolitan waters and to reflect the findings of the Functional Review Committee?

Hon GRAHAM EDWARDS replied:

- (1) There has been an increase in the reports of thefts from vessels and marine equipment in metropolitan waters.
- (2) No. I am not responsible for the Marine and Harbours Inspectorate Branch. However, I am advised that police officers and Marine and Harbours inspectors liaise and pool resources where appropriate.

#### CONSERVATION AND LAND MANAGEMENT DEPARTMENT - HAZARD REDUCTION BURNS

##### *Fitzgerald National Park - Yanchep National Park*

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

- (1) Is it correct that less than 60 per cent of the Department of Conservation and Land Management land scheduled for fuel reduction burning in the last three years has been burnt?
- (2) If so, why is this so?
- (3) If not, what is the actual percentage?
- (4) How big an area was burnt in the Fitzgerald National Park last year?
- (5) When was the last time a hazard reduction burn was done in the park and how much was burnt?
- (6) How big an area was burnt in the Yanchep National Park in the recent fires?
- (7) When was the last hazard reduction burn and how big an area was burnt?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) Yes.
- (2) The department's fuel reduction program has been given a high priority despite a period of general expenditure constraints. It is anticipated that the program will be accelerated to enable burn target to be met.
- (3) Not applicable.
- (4) 120 000 hectares.
- (5) Autumn 1990 - five kilometre internal buffer 100 to 300 metres wide.
- (6) 1 260 hectares.
- (7) Autumn 1990      128 hectares  
Spring 1989      64 hectares

#### LIBRARY AND INFORMATION SERVICE OF WESTERN AUSTRALIA - BUDGET CUT

##### *Budget 1991-92 Increase*

495. Hon GEORGE CASH to the Minister for The Arts:

In view of the 20 per cent cut in the 1990-91 budget for the Library and Information Service of Western Australia, will the Minister advise if an increase of 20 per cent can be made in the 1991-92 budget to at least take the allocation up to the 1989-90 level?

Hon KAY HALLAHAN replied:

The 1990-91 budget for the Library and Information Service of Western Australia was not reduced by 20 per cent. The 1991-92 budget is currently being framed and it is therefore not possible to advise the member of a final budget figure.

**OPHTHALMIA DAM, NEWMAN - CROWN LAW DEPARTMENT OPINION**  
*Government and Broken Hill Pty Ltd Obligations*

497. Hon N.F. MOORE to Tom Stephens representing the Minister for State Development:

- (1) Is it correct that the Minister or one of his predecessors, obtained an opinion from the Crown Law Department regarding the obligations of the Government and Broken Hill Pty Ltd with respect to the Ophthalmia Dam at Newman?
- (2) If so, will the Minister Table the opinion?
- (3) If not, why not?

Hon TOM STEPHENS replied:

The Minister for State Development has provided the following reply -

- (1) The Minister for State Development has not requested an opinion from the Crown Law Department on this matter; however, he is aware that the department has requested an opinion, which is yet to be finalised.

(2)-(3)

No, I do not intend to table the opinion.

**ROYAL FLYING DOCTOR SERVICE - CUTBACKS**

509. Hon E.J. CHARLTON to the Minister for Education representing the Minister for Health:

- (1) Has the Government moved to cut back the Royal Flying Doctor Service by -
  - (a) restricting the service hours to between 6.00 am and 6.00 pm; or
  - (b) reducing the number of hours that the RFDS may fly?
- (2) If yes to (1) -
  - (a) what has been the extent of the cutbacks; and
  - (b) why have the cuts been made?
- (3) What have been the total number of flying hours by the RFDS in each of the last three years and what is the total number of flying hours so far in the current year?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) No.
- (2) Not applicable.
- (3) The total number of flying hours by the Royal Flying Doctor Service for the last three years are as follows -

For the year ended	30 June 1988	7 343 hrs
	30 June 1989	7 047 hrs
	30 June 1990	6 925 hrs
For the year to	30 April 1991	4 924 hrs

The evident trend in declining hours flown is directly attributable to the progressive replacement of the Navajo fleet by high performance aircraft which fly much faster.

**GOLDFIELDS CONSOLIDATED GOLD MINES - GOLDFIELDS COMMUNITY FUND**

*Money Contribution*

511. Hon N.F. MOORE to Hon Tom Stephens representing the Minister for the Goldfields:

- (1) Has a promise ever been made by Kalgoorlie Consolidated Gold Mines (or its predecessor) to contribute a sum of money to a Goldfields Community Fund?



- (2) If so, what is the amount of money involved?
- (3) Has the money been paid to the fund?
- (4) If not, why not?
- (5) If so, where is the money now?

Hon TOM STEPHENS replied:

- (1) Yes.
- (2) Minimum of \$1 million.
- (3)-(5)

The trustees of the fund agreed that a minimum of \$1 million contribution should be made toward the Kalgoorlie Entertainment Centre. On the day the donation is made the trust will be formally wound up. It should be added that the Liberal Party has always strongly opposed the concept of this fund. Despite that opposition the fund came to fruition and is able to support the educational component of this excellent community based centenary project for the goldfields.

#### POLICE - NEIGHBOURHOOD WATCH SCHEME *Resources Increase*

522. Hon GEORGE CASH to the Minister for Police:

- (1) Does the Government intend to increase the resources, including police manpower, allocated to operating the Neighbourhood Watch scheme in the metropolitan area or in any country areas of Western Australia?
- (2) If so, what level of increase does it propose to take?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I remind the member that it is the responsibility of the Government to place adequate resources in the control of the Commissioner of Police and in this regard I remind the member of the Government's performance. Police numbers have increased significantly from 2 818 in 1983 to 3 905 in 1990. The police budget has increased from \$103 million in 1983 to \$242 million in 1990. It is the responsibility of the commissioner to employ these resources available to him in a way which effectively and efficiently combats crime and to achieve this result the commissioner exercises his discretion based on the relative needs of all the policing tasks.

#### CROCODILES - BROOME CROCODILE PARK *Breeding Stock Capture Application, Kimberley Regions*

525. Hon P.H. LOCKYER to the Minister for Education representing the Minister for the Environment:

- (1) Has the Government received an application from the Broome Crocodile Park to capture some breeding stock from regions in the Kimberley?
- (2) If so, what numbers were requested?
- (3) Was permission given?
- (4) If not, why not?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) Yes.
- (2) The most recent request, dated 28 March 1991, is to capture 20 mature male saltwater crocodiles. Previously, on 23 February 1990, an application was made to capture 40 saltwater crocodiles.
- (3) Approval was given in August 1990 for the capture of one adult male and one adult female saltwater crocodile for breeding purposes. The

Broome crocodile park also obtains captured saltwater crocodiles through the "problem" crocodile removal program.

- (4) Permission for capture of large numbers has not been given because saltwater crocodiles have been severely depleted in Western Australia as a result of uncontrolled hunting in the past. Also, the Minister for the Environment's responsibility for the conservation of crocodiles requires that any capture from the wild does not have a detrimental impact on crocodile populations. Nevertheless, I am advised that the Minister will be giving further consideration to the capture of crocodiles for Western Australia's three licensed crocodile farms, in the light of advice from the Department of Conservation and Land Management.

**SUPERDROME - SPORTS HOUSE ADMINISTRATION BLOCK**  
*No Further Funding Assurance*

540. Hon BARRY HOUSE to the Minister for Sport and Recreation:

- (1) Further to question on notice 438 answered on 28 May, and specifically in relation to the answer to parts (2) to (9) of the question, can the Minister give an assurance that no further Government funds, either capital or recurrent, will be given to this project?
- (2) On whose land will the sports house administration block be built?
- (3) Who will own the building?

Hon GRAHAM EDWARDS replied:

- (1) The Western Australian Sports Federation will have responsibility for operating Sports House. The federation will receive no recurrent funds towards the project. No additional Government capital funds are to be provided.
- (2) The building will be erected on land subleased from the Western Australian State Sports Centre via its head lease from the University of Western Australia.
- (3) The building will be vested in the Western Australian Sports Federation under a deed of trust from the WA Lotteries Commission.

**EDUCATION MINISTRY - BUDGET**  
*Overrun of \$10 million - Cost Cutting Measures*

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

- (1) Why did the Ministry of Education expect a budget overrun of approximately \$10 million?
- (2) What cost cutting measures were taken to reduce the anticipated budget overrun?

Hon KAY HALLAHAN replied:

- (1) The overrun was in the main due to an underprovision in 1990-91 for the flow on of salary increases awarded in 1989-90.
- (2) As part of the Government's 1990-91 budget strategy, a number of initiatives were implemented including a reduction in staffing levels and support costs in central and district offices, and the strict adherence to approved staffing levels throughout the ministry.

**ENVIRONMENTAL PROTECTION AUTHORITY - MINING WASTE WATER PONDS**

*Synthetic Liners Installation Policy*

550. Hon GEORGE CASH to the Minister for Education representing the Minister for the Environment:

Is it correct that the Environmental Protection Authority is drafting a policy to

require mining companies to install synthetic liners in all their waste water ponding systems, regardless of ground water quality?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -  
No.

**ROADS - MEEKATHARRA-CARNARVON ROAD**  
*Sealing - Main Roads Department Examination*

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

- (1) Has the possibility of the sealing of the Meekatharra to Carnarvon road been examined by the Main Roads Department?
- (2) If so, what is the outcome of the examination of the road being sealed?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1)-(2)

The Main Roads Department has not examined the possibility of sealing a road between Meekatharra and Carnarvon in any detail. Due to the relatively low volume of traffic currently using this route and the magnitude of the task which would involve some 590 kilometres of road construction, the department cannot realistically assign resources to such a study.

**ENVIRONMENTAL PROTECTION AUTHORITY - TOXIC WASTE TRANSPORT**  
*Safety Assessment Expertise*

557. Hon GEORGE CASH to the Minister for Education representing the Minister for the Environment:

- (1) What expertise does the Environmental Protection Authority have in assessing the safety of transporting toxic wastes by road or rail?
- (2) If the Minister aware that the EPA has carried out a risk study of road and rail transport of toxic substances and concluded that rail is a much safer form of transport for toxic substances?
- (3) If yes, is this study in conflict with what the Minister stated on page 20 of *The West Australian* on 28 May 1991, in that there was no reliable evidence to suggest that rail was safer than road?
- (4) Why did the Minister not state in *The West Australian* of 28 May 1991, that the EPA would make a final assessment on which the State Government would base its decision, if the Mines Department's Explosives and Dangerous Goods Division believe that road transport is a safer option than rail for transporting toxic wastes to Mt Walton?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) Apart from Environmental Protection Authority officers with expertise, the authority consults with other Government departments such as the Department of Mines in its assessments.

(2)-(3)

The EPA has not carried out such a study. The proponents for a project involving the transport of sodium cyanide solution quoted a study which indicated that rail was significantly safer than road.

- (4) The State Government will make an assessment of transport options following advice from the Environmental Protection Authority, the Department of Mines and other Government agencies.

**TOXIC WASTES - TRANSPORT**  
*Mt Walton Proposal - Storage Location*

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

- (1) Will the Minister advise where the toxic wastes, proposed for transport to Mt Walton by the Health Department as reported in *The West Australian* on 27 May 1991 are being stored at present?
- (2) Are these toxic wastes stored in a secure area?
- (3) If not, why not?
- (4) If yes, why is it necessary to move them to Mt Walton?
- (5) Are any of these toxic wastes leaking from the storage facilities?
- (6) If yes, has the Health Department notified the EPA?
- (7) Does the Government intend building a toxic waste incinerator at Mt Walton?
- (8) If not, why store the toxic wastes at Mt Walton?
- (9) What does the Government ultimately intend to do with the toxic wastes?
- (10) Does the Health Department believe that transportation of toxic wastes by road is safer than by rail, and why?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following response -

- (1) Virtually all of the PCBs are stored in the Perth region. Also the Department of Agriculture holds substantial quantities of pesticides - approximately 200 tonnes of DDT and other organochlorines - in stores in rural areas.
- (2) The numerous storage facilities vary from barely acceptable to quite good, with the larger quantities generally being stored acceptably, though not ideally.
- (3) Because no such area presently exists. That is why Mt Walton is being developed.
- (4) Not applicable.
- (5) No.
- (6) Not applicable.
- (7) Not if export or the national incinerator initiatives proceed within a reasonable period.
- (8) Because it is unlikely that a socially acceptable site could be found elsewhere.
- (9) Dispose of them, almost certainly by incineration.
- (10) The transport of the intractable wastes from their present locations to the Mt Walton east site presents approximately equal risk - very low in both cases - whether transported by road or rail.

**HEALTH DEPARTMENT - SEPTIC TANKS, BACKYARD BORES**  
*Poor Maintenance Health Risk*

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

- (1) Does the Minister agree with the Master Plumbers Association that the combination of poorly maintained septic tanks and backyard bores may be spreading disease throughout the metropolitan area as reported on page 38 of *The West Australian* on 27 May 1991?
- (2) If not, why not?

- (3) What action does the Health Department intend on taking to overcome this health risk?
- (4) What level of health risk is associated with the combination of poorly maintained septic tanks and backyard bores?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) No.
- (2) There is no evidence to suggest that there is any spread of disease in the metropolitan area due to septic tanks and reticulation bores. Regulations require that a septic tank effluent disposal system be a minimum of 30 metres from any reticulation bore the water from which is intended or available for animal or human consumption.
- (3) Not applicable.
- (4) Provided the required separation distance is observed there is no health risk associated with the combination of septic tanks and backyard bores.

#### CONSERVATION AND LAND MANAGEMENT DEPARTMENT - ROYALTIES

*Chip Logs, Karri Sawlogs, Marri Sawlogs*

570. Hon W.N. STRETCH to the Minister for Education representing the Minister for the Environment:

- (1) What is the current royalty payable to the Department of Conservation and Land Management for -
  - (a) chip logs;
  - (b) third grade karri sawlogs; and
  - (c) marri sawlogs?
- (2) What quantity of -
  - (a) chip logs;
  - (b) third grade karri sawlogs; and
  - (c) marri sawlogs
 have been sold by CALM in the years -
  - (a) 1988-89;
  - (b) 1989-90; and
  - (c) 1990-91 so far?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1)
  - (a) \$15 per cubic metre
  - (b) \$12 per cubic metre
  - (c) \$12 per cubic metre
- (2)
 

	1988-89 cubic metres	1989-90 cubic metres	1990-91 cubic metres
chip logs	613 297	534 454	473 461
3rd grade karri sawlogs	2 168	10 895	13 949
marri sawlogs	16 795	34 963	102 618

#### SCHOOLS - ABORIGINAL STUDENTS

*Suspension, Over Two Weeks - Home Tutor Entitlement*

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

- (1) Is it correct that if an Aboriginal student is suspended from school for a period exceeding two weeks, the student is entitled to the services of a home tutor?

(2) If so -

- (a) what is the rationale behind this arrangement; and
- (b) are non-Aboriginal students entitled to the same consideration?

Hon KAY HALLAHAN replied:

- (1) The maximum time any student may be suspended from a Government school is 10 school days under regulation 35 of the Education Act. Aboriginal students are entitled to apply for tutorial assistance under the Aboriginal tutorial assistance scheme if they are enrolled in a school and under short term suspension by the school.
- (2)
  - (a) ATAS is a component of the national Aboriginal and Torres Strait Islander education policy which is administered by the Commonwealth Department of Employment, Education and Training. The scheme is designed to assist Aboriginal and Torres Strait Islander people achieve participation and completion rates in education and training programs equal to those of other Australians.
  - (b) This Commonwealth program is designed specifically to assist Aboriginal and Torres Strait Islander people.

#### HOSPITALS - BUNBURY REGIONAL HOSPITAL

##### *Silver Thomas Hanley Redevelopment Study Stage 1 - Consultants*

574. Hon BARRY HOUSE to the Minister for Education representing the Minister for Health:

With reference to the proposed new \$48 million Bunbury Regional Hospital, will the Minister advise -

- (1) Who were the consulting engineers employed on the "Silver Thomas Hanley" Bunbury Regional Hospital redevelopment study stage 1?
- (2) On what specific recommendation in this study was the decision made to demolish the existing hospital and build a new Bunbury Regional Hospital?
- (3) Has the design work on the new hospital been commissioned yet?
- (4) If not, when will this work be commissioned?
- (5) How many hospital beds are there in the existing hospital?
- (6) How many beds are proposed for the new hospital?
- (7) Is the Forrest Lodge to be demolished along with the old hospital or is it to be incorporated into the new hospital building?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) Consulting engineers were Wood & Grieve, EMF Consultants, Norman Disney Young and Building Management Authority.
- (2) Once the statement of accommodation requirements was completed, a number of options were developed to meet the requirements. The costs and benefits attaching to each option were evaluated with the result that a new building was considered the best solution.
- (3) The design feasibility phase has commenced.
- (4) Not applicable.
- (5) The existing hospital has 168 beds.
- (6) 192 beds.
- (7) Forrest Lodge will be extended and refurbished.

**TOXIC WASTES - ROAD TRANSPORT, MT WALTON**  
*Sodium Cyanide Road Transport*

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

- (1) Does the Government support the transportation of toxic wastes by road to Mt Walton?
- (2) If not, why not?
- (3) If yes, what level of risk is there involved in transporting chemicals and toxic wastes by road?
- (4) Does the Government support the transportation of sodium cyanide by road to mine sites in Western Australia?
- (5) If not, why not?
- (6) If yes, what level of risk is there involved in transporting sodium cyanide by road?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

- (1) The Health Department of WA supports the transportation of toxic wastes by road to Mt Walton. A final decision on this is subject to Environmental Protection Authority approval.
- (2) Not applicable.
- (3) Very small risks are involved in either road or rail transport of these wastes due to the small quantities and high level of packaging proposed.
- (4) The member should refer this question to the Minister for Mines who is responsible for the Dangerous Goods Act.
- (5)-(6) Not applicable.

**HEPBURN HEIGHTS - CLEARING OF LAND**  
*Environmental Protection Authority Assessment*

582. Hon GEORGE CASH to the Minister for Education representing the Minister for the Environment:

- (1) Was the clearing of land at Hepburn Heights assessed by the Environmental Protection Authority?
- (2) If no to (1), why not?
- (3) Did the EPA attempt to prosecute a company for clearing a track to its own property across Crown land?
- (4) If yes to (3), why did the EPA not attempt to prosecute the developers after clearing land at Hepburn Heights?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1)-(2) The Environmental Protection Authority informally assessed the urban development proposal for Hepburn Heights and provided advice to the Department of Planning and Urban Development on public open space, water conservation and noise and dust control issues associated with the development. This advice concluded that the development was environmentally acceptable.
- (3) Yes, if the question relates to the unauthorised pushing of a track through Crown land at Nullaki Peninsula, Denmark.

- (4) The Hepburn Heights proposal was assessed as being environmentally acceptable.

**ABATTOIRS - SMALL COUNTRY ABATTOIRS**  
*Full Meat Inspection Upgrading*

583. Hon MARGARET McALEER to the Minister for Education representing the Minister for Health:

Could the Minister advise the number and location of small country abattoirs within the agricultural region which will need to upgrade to full meat inspection when the new requirements come into force on 1 July 1991?

Hon KAY HALLAHAN replied:

The Minister for Health has provided the following reply -

Eleven small country abattoirs within the agricultural region will need to be provided with a full meat inspection service by 1 July 1991. Six currently have no meat inspection service at the present time. The abattoirs are located in the following regions -

Corrigin  
 Quairading  
 Greenough - 2  
 Hyden  
 Woodanilling  
 Mukinbudin  
 Moora  
 Denmark  
 Nabawa  
 Kellerberrin

Abattoirs located at Lake Grace and Bridgetown also need to upgrade to a full meat inspection service; however, the respective operators have decided to downgrade their premises to providing a service kill for farmers only from 1 July 1991 and no meat inspection will be required. Satisfactory arrangements have been made by local authorities to provide a full meat inspection service in all areas except Moora, Denmark and Nabawa. Negotiations are continuing in these three areas to resolve the situation.

**ENVIRONMENTAL PROTECTION AUTHORITY - DEVELOPMENT APPLICATIONS**

*Formal Assessment Process - Time Consuming Stage*

584. Hon GEORGE CASH to the Minister for Education representing the Minister for the Environment:

Which stage of the formal assessment process of development applications takes the most time to process and what are the reasons for this stage taking the most time to process?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) The proponent's preparation of the documentation.
- (2) The issues are often complex and the proposal ill defined, being in the early stages of development.

**ROAD TRAFFIC ACT 1974 - FIRST SCHEDULE**  
*Vehicle Registration*

585. Hon D.J. WORDSWORTH to the Minister for Police:

- (1) Is it correct that under the first schedule of the Road Traffic Act 1974, vehicles must be licensed (other than an agricultural implement or an unlicensed vehicle being towed) if the towing vehicle is the subject of a vehicle licence or permit?
- (2) Is it correct that all vehicles whether used solely on private property or on public roadways have to be registered?



- (3) Is it also correct that failure to register results in there being no protection for bodily injury to others, caused by the driving of the vehicle, under the motor vehicle, public liability or workers' compensation insurance?
- (4) Has the WA Division of the National Insurance Brokers' Association made representation to the Government on this matter?

Hon GRAHAM EDWARDS replied:

- (1) Section 15 of the Road Traffic Act states that all vehicles mentioned in the first schedule must be licensed under the Act.
- (2) Longstanding licensing procedures reflect the view that only vehicles used on roads - as defined in the Road Traffic Act - must be licensed and it has been the practice of the Police Department to maintain the existing interpretation. However, the actual interpretation applied to section 15 is not beyond doubt.
- (3) Some insurance brokers have adopted a different interpretation to that held by the Police Department and have subsequently refused to indemnify some owners of unregistered vehicles in relation to public liability and workers' compensation insurance.
- (4) Yes, I am advised that both the National Insurance Brokers Association and the Insurance Industry Council have indicated support for the proposed legislation.

#### SCHOOLS - STUDENTS

##### *Languages Option - Tertiary Institutions Entrance Marks*

589. Hon GEORGE CASH to the Minister for Education:

With the introduction next year of an option for secondary students to study an additional 20 languages previously unavailable, why is it that the marks gained by a student taking one of these new language courses are not counted towards entry to local tertiary institutions, unlike in other States?

Hon KAY HALLAHAN replied:

In Western Australia, the decision to include subjects in the tertiary entrance examinations for determination of the tertiary entrance score is made by the Secondary Education Authority through its Tertiary Entrance Subject Committee. Proposals to include subjects are considered from individuals or groups. Each year TESC considers several such proposals. The TESC comprises representatives of each of the tertiary institutions, the Director of the Secondary Education Authority, and up to 16 members appointed by the authority representing secondary and post-secondary educational institutions.

To date, no application has been received to consider any of the 20 languages in determining the tertiary entrance score. The decision to consider the results of the subjects for tertiary admission would also need to be made by each of the tertiary institutions.

#### BUSINESS ENTERPRISES - KARRATHA

##### *Closure Statistics*

601. Hon P.H. LOCKYER to the Minister for Police representing the Minister for North-West:

How many businesses have closed in Karratha in the past 12 months?

Hon GRAHAM EDWARDS replied:

The Minister for North-West has provided the following response -

Information is not available on the number of businesses that have closed in Karratha during the past 12 months. Advice from the Karratha Chamber of Commerce does indicate that whilst a number of businesses have closed, the construction phase of the third LNG train and other commercial activities has recently seen the establishment of a number of businesses in the town.

**ONSLow - AIRLINE SERVICE LICENCE**

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

- (1) Does any airline hold a licence to operate a regular service into Onslow?
- (2) If so, is a regular service being operated into Onslow?
- (3) If not, will the Transport Commission examine the possibility of a regular service being operated from Exmouth to connect with Ansett WA flights to Exmouth?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes, Skywest Airlines Pty Ltd.
- (2) No, this ceased to be operated by Skywest after Wednesday, 8 May 1991.
- (3) An air service from Port Hedland via Karratha to Onslow was withdrawn, after consultation and by agreement with the Shire of Ashburton, essentially because of the extremely low demand. Instead, the shire, in representing the Onslow community, opted for a road based service connecting the town to Bus Australia coaches operating along the North West Coastal Highway. Consequently, the possibility of an air service from Exmouth is not currently being examined, although the Department of Transport will provide advice and will issue a licence to any operator proposing to introduce a regular airline service between Exmouth and Onslow. The local taxi operators connect with two northbound and two southbound coach services per week. This service is underwritten by Government. I would be pleased to have the Department of Transport brief the member about what has transpired.

**PASTORAL INDUSTRY - FINANCIAL CRISIS**

*Mass Walk Offs Prevention Plans*

608. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Agriculture:

- (1) What plan is in place to offset the possibility of mass walk-offs on pastoral properties in Western Australia?
- (2) Is the Government aware that many pastoral properties are in extreme financial trouble with the combination of low wool and stock prices?
- (3) Will the Minister consult with the Pastoralists and Graziers Association and Western Australian Farmers Federation in a special meeting to plan the future of the pastoral industry?

Hon GRAHAM EDWARDS replied:

The Minister for Agriculture has provided the following reply -

- (1)-(2) The Government is well aware of the impact of the downturn in wool and sheep prices on pastoral enterprises. The Government has no evidence of any impending 'walk-off' by pastoralists from their properties. Discussions with pastoral houses suggest less than 10 per cent of pastoral enterprises are likely to be forced by economic circumstances to adjust out of the industry. For the 10 months to the end of April 52 applications for financial assistance from pastoral enterprises have been submitted to the Rural Adjustment and Finance Corporation.
- (3) The Minister has consulted regularly with grower organisations on a range of issues affecting pastoral lessees, including the current

problems with low wool prices. The Special Rural Task Force, established by the Minister in October 1990, addressed these problems with grower organisations. The Rural Adjustment and Finance Corporation has funds to assist pastoralists in financial difficulty. A toll-free call to 008 198 231 will allow pastoralists to obtain advice on assistance measures available to them. The staff of the Department of Agriculture can also provide information to assist pastoralists at this time.

#### LAND - CONSERVATION GROUPS

609. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Agriculture:

- (1) How many land conservation groups are there in Western Australia?
- (2) What are the names of those groups and where are they located?

Hon GRAHAM EDWARDS replied:

The answer was tabled. [See paper No 433.]

#### FERAL GOATS - ERADICATION *Agriculture Protection Board Funds*

610. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Agriculture:

- (1) What funds were available to the Agriculture Protection Board for the eradication of feral goats in 1990?
- (2) What is the estimated expenditure in 1991?

Hon GRAHAM EDWARDS replied:

The Minister for Agriculture has provided the following response -

(1)-(2)

A specific allocation of \$100 000 is available in 1990-91 and 1991-92 to assist in goat control. This is additional to control activities of APB staff located in the pastoral areas.

#### BUSES - BUS REPLACEMENT PROGRAM *Contract Value - Question on Notice 421*

611. Hon P.G. PENDAL to the Minister for Police representing the Minister for Transport:  
I refer to the Minister's answer given on 14 May 1991 to question on notice 421 and ask -

- (1) Given the increase in the bus replacement program of 30 per cent, what was the total value of this contract and/or contracts?
- (2) How many tenders were received?
- (3) Was the lowest tender accepted?
- (4) If not, why not?

Hon GRAHAM EDWARDS replied:

The answer was tabled. [See paper No 434.]

#### SPEED LIMITS - MORLEY DRIVE *Karrinyup Road - Alexander Drive*

615. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) What is the maximum speed limit on -
  - (a) Morley Drive;
  - (b) Karrinyup Road; and
  - (c) Alexander Drive from Walcott Street, Mt Lawley to Widgee Road, Noranda?

- (2) In view of the dual carriageway on Alexander Drive between Bradford Street, Mt Lawley and Widgee Road, Noranda, has consideration been given to raising the speed limit to 70 kph on that section of Alexander Drive from Bradford Street, Mt Lawley to Widgee Road, Noranda?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) (a) 70 kilometres per hour.
- (b) 70 kilometres per hour from Main Street to Gwelup Street.  
60 kilometres per hour from Gwelup Street to Cheddar Place.  
70 kilometres per hour from Cheddar Place to West Coast Highway.
- (c) 60 kilometres per hour.
- (2) Yes. However, a higher speed limit has not been adopted due to the many developments along this section of road including a shopping complex, aged persons' homes and recreational centres, many of which generate significant pedestrian and vehicular movements.

#### ROADS - ROE HIGHWAY

##### *Wetlands, Tomah Swamp - Main Roads Department Replacement Plans*

618. Hon P.G. PENDAL to the Minister for Police representing the Minister for Transport:

I refer to the Main Roads Department's plans to relocate the wetlands in the path of the Roe Highway near Tomah Swamp and ask -

- (1) What is the estimated cost to relocate the wetland into two compensatory basins nearby?
- (2) Has the cost of purchasing nearby private land in a bid to realign the freeway on to such land, been assessed and, if so, what are these costs?
- (3) If the costs involved in (2) are comparable or lower than (1), will the Minister consider taking such an option?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Design of this section of Roe Highway is in progress, and costs are not yet available.
- (2) The option of realigning Roe Highway to avoid Tomah Swamp is not feasible because of its impacts on existing developments.
- (3) Design is proceeding on the current alignment.

#### QUESTIONS WITHOUT NOTICE

##### STATE GOVERNMENT INSURANCE COMMISSION - ALLWOOD FURNITURE HOLDINGS LTD

##### *Shareholding*

372. Hon GEORGE CASH to the Leader of the House representing the Minister assisting the Treasurer:

Notice has been given of this question. Further to my question without notice of 11 June 1991 which the Leader of the House indicated would be answered today, I ask -

- (1) If the State Government Insurance Commission shareholding in Allwood Furniture Holdings Ltd was acquired by allotment, will the Minister advise why no notice of allotment was filed with the Commissioner of Corporate Affairs?

- (2) Was the State Government Insurance Commission aware at or about the time of the acquisition or purchase of the shares of the appointment of an investigative accountant by a concerned secure debenture holder?

Hon J.M. BERINSON replied:

I thank the Leader of the Opposition for some notice of this question. However, I have been advised by the Minister assisting the Treasurer, Hon Geoff Gallop, who will be providing the response to the question, that it is not yet available. The Leader of the Opposition will be advised in writing as soon as the information comes to hand.

# COMMUNITY SERVICES DEPARTMENT - RIVERBANK

## *Bashing Offence*

373. Hon GEORGE CASH to the Minister for Education representing the Minister for Community Services:

Some notice has been given of this question. I refer to question without notice 204 of 14 May 1991 and ask -

- (1) Have officers who were bashed at Riverbank Detention Centre returned to work?
- (2) If not, how long will the officers be off work recuperating?
- (3) What was the extent of the injuries suffered by the officers?
- (4) What recommendations have been made as a result of the internal review following the bashing incident?
- (5) What charges were laid as a result of the bashing incident?
- (6) Have charges been heard and have the persons been convicted?
- (7) If so, what sentences were handed down?
- (8) Have requests been made by the staff at the centre for security cameras to be installed in the workshops?
- (9) If so, what action has been taken to instal such equipment?

Hon KAY HALLAHAN replied:

I thank the member for giving notice of this question to which the Minister for Community Services has provided the following reply -

- (1) One officer has returned to work; one has not.
- (2) The likely return date for the second officer is uncertain and likely to be a number of months.
- (3) Most serious injury is a head injury which has affected the officer's balance. There may be a degree of paralysis.
- (4) Upgrading of alarm system; removing bolts from inside of fire doors/observation windows in workshop doors; and exclusion of some inmates from normal program activities.
- (5) Charges of assault were laid by the police. Two of the boys were charged with two counts of unlawful assault each, while the third was charged with two counts of unlawful assault occasioning bodily harm.
- (6) One heard and convicted. Two still on remand. The case heard related to the charges of unlawful assault occasioning bodily harm.
- (7) For the case heard a two year prison sentence was imposed.
- (8) Yes.
- (9) Camera surveillance is one of a number of options under consideration.

**FORESTS - FOREST PRODUCE**

*Illegal Removal Prosecutions*

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

Notice of this question has been given.

- (1) When was the last prosecution launched against a person or persons for illegally removing forest produce?
- (2) How many such prosecutions have been launched in each of the last 10 years?
- (3) Is the Minister aware of claims of 200 000 tonnes of firewood entering the metropolitan area each season with approximately 60 000 tonnes being cut or collected illegally by unlicensed cutters?
- (4) What steps, if any, have been taken by the department and its officers to stop this illegal trade?
- (5) When was the last occasion on which a prosecution was launched as a result of aerial patrols?
- (6) Will the Minister comment on claims that he and his department are closing their eyes to this huge illegal trade?
- (7) Is he concerned that this illegal and unsupervised trade is helping spread dieback in the forest and transferring the disease to metropolitan garden centres and nurseries?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

This information will take some time to collate and I will reply to the member in writing when the information is to hand.

*Tabling of Documents*

Hon KAY HALLAHAN: I seek leave of the House to table documents which are long answers to two questions on notice - question 609 from Hon Philip Locker and question 611 from Hon P.G. Pendal.

Leave granted. [See papers Nos 433 and 434.]

**CABLE BEACH CLUB BROOME - WESTERN AUSTRALIAN DEVELOPMENT CORPORATION**

*Balance of Payments*

375. Hon MAX EVANS to the Leader of the House representing the Minister assisting the Treasurer:

Previous notice of this question has been given; it refers to the sale by the Western Australian Development Corporation of the Cable Beach Club Broome to Lord McAlpine. In response to my question 998 of December 1989 the Premier advised in paragraph (5) how the balance of payment would be made. I ask -

- (1) Has the \$7 640 142 due on 8 March 1991 been paid; and, if not, why not, and when will it be paid?
- (2) Is interest payable?
- (3) If so, at what rate?
- (4) Has it been paid; and, if not, why not?
- (5) Is interest payable on the amount of \$9 246 572 due on 8 September 1992?
- (6) If so, at what rate and when payable; and, if not, why not?

Hon J.M. BERINSON replied:

I thank the member for advance notice of this question; the Minister assisting the Treasurer has advised as follows -

- (1) A payment of \$7 640 141 was received by Western Australian Development Corporation on 8 March 1991 representing the second instalment.
- (2) No interest was payable on the above principal instalment.
- (3) Not applicable.
- (4) See answer to (1) and (2).
- (5)-(6)

The balance of the purchase price of \$7 640 141 with accrued interest of \$1 604 430 calculated at an interest rate of 14 per cent from 8 March 1991 to 8 September 1992 will result in a total payment of \$9 244 571.

#### TREE PLANTINGS - HERDSMAN LAKE

##### *Parliament Centenary 100 Trees*

376. Hon MAX EVANS to the Minister for Education representing the Minister for the Environment:

Some notice has been given of this question.

- (1) Of the 100 trees planted at Herdsman Lake last year to commemorate 100 years of the Parliament in this State, how many are still growing?
- (2) Does the Minister believe that 100 trees should be maintained to recognise this very important date in the history of the Parliament of Western Australia?
- (3) Can the Minister advise what has been or will be done in regard to the replacement of these trees?
- (4) If the trees are not to be replaced, will the Minister advise the reason for not replacing them?
- (5) Is the Minister aware that officers from the Department of Conservation and Land Management chose positions for the planting of those trees which made it impossible for them to ever make any growth?

Hon KAY HALLAHAN replied:

I have a number of answers here to be given on behalf of Hon Graham Edwards, but the one Hon Max Evans seeks is not one of them.

#### TAFE - CARINE TAFE CAMPUS

##### *Child Care Centre*

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

Is the Minister aware that the Carine College of TAFE's present child care facilities only cater for children aged from three to six years and that the new child care centre she has confirmed will be opened on 22 July this year will cater for children up to six years of age?

Hon KAY HALLAHAN replied:

The member is quite right. At present older children are catered for and the new centre is licensed across the preschool age group.

#### CHILD CARE CENTRES - CHILD, STAFF RATIOS

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

In light of the answer just given, is the Minister aware that child care centres catering for children up to three years of age require a 1:4 staffing ratio?

Hon KAY HALLAHAN replied:

Staffing ratios are clearly laid out and everybody associated with the provision of child care knows that. That figure was well developed over the period I was the Minister for Community Services. I am certainly aware of the well developed guidelines and requirements relating to children and that the ratio of staff to children changed with the various age groups.

**TAFE - CARINE TAFE CAMPUS**  
*Child Care Centre*

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

In the light of the answers just given, and because of an article which appeared in today's *The West Australian* under the heading "TAFE faces staff doubt", will additional staff members be available for the opening of the Carine College's child care centre on 22 July?

Hon KAY HALLAHAN replied:

After the member raised this issue with me I made inquiries, after which I told him that my advice was that the matter was in hand. The centre will be opened. Whether a local decision has been made that the older children will be taken in first and then services for the younger age group will be developed I am unsure. I have not seen the article in today's *The West Australian*, so it is difficult for me to extrapolate on it.

**UNEMPLOYMENT - NEW JOBS**  
*8 000 Statistics Survey*

380. Hon MAX EVANS to the Minister for Employment and Training:

Some notice has been given of this question. Further to my question without notice last week, can the Minister elaborate how the statistic that 8 000 new jobs were created during May in Western Australia was arrived at?

Hon KAY HALLAHAN replied:

I have a very good and informative document called "Understanding Labour Market Statistics" which I will have forwarded to each member's electorate office. Each month the Australian Bureau of Statistics surveys 30 000 households Australia-wide, including 5 000 in Western Australia, to determine the state of the labour market in each State. The sample has been designed statistically to provide an accurate picture of the work force as a whole. The survey design conforms to international statistical methods and standards used by developed countries throughout the world. The survey asks 77 questions of each person in a household regarding the nature of employment, such as their occupation, industry, hours worked, sick/accident leave, and geographical location of the work; their status - whether salaried or contracted; if employed; or, if out of employment, the conditions that attach to that; that is, full time study, retrenched, period since last worked, actively seeking work, drawing unemployment benefits, etc. The survey further collects general statistical data such as age, sex, country of birth, normal residential location, etc, related to each respondent. The resulting data is compiled and salient statistics are released on a prescribed day each month for the preceding month. Disaggregated statistics are then progressively released over ensuing months. For example, for May this year the ABS has estimated that 760 900 people were employed in Western Australia, an increase of 8 000 people in employment - therefore new jobs - compared with the figure of 752 900 estimated in April. All those figures were seasonally adjusted.

**SCHOOLS - ABORIGINAL STUDENTS**  
*Suspension - Tutorial Assistance Scheme*

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

In answer to my question 571 the Minister advised that Aboriginal students are entitled to apply for tutorial assistance under the Aboriginal tutorial



assistance scheme if they are enrolled in a school and under short term suspension by the school. Why does this benefit apply only to Aboriginal students, and is it intended to extend the benefit to non-Aboriginal students?

Hon KAY HALLAHAN replied:

I do not know what is wrong with Hon N.F. Moore. The answer to his question is contained in the response on the Notice Paper.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS - PUBLIC RECORDS DESTRUCTION**  
*Archives and Records Protection Legislation*

382. Hon P.G. PENDAL to the Minister for The Arts:

- (1) Is the Minister aware of concern held by professional Western Australian archivists that certain records sought by the Royal Commission into the Western Australian Government's business dealings have either been deliberately destroyed or have, as they put it, "just mysteriously gone missing"?
- (2) If so, will she introduce urgent legislation to protect all Western Australian Government records from such misuse?
- (3) Will she consider the appointment of a keeper of public records responsible to a commission headed by a judge of the Supreme Court as a further protection against the destruction of such documents?

Hon KAY HALLAHAN replied:

(1)-(3)

The member's question implies a rather extraordinary overkill response to the situation. Perhaps he does not appreciate what actually happens regarding our archives. An article which was quite concerning and misleading, which the member may have read and to which I subsequently responded, appeared in the *Sunday Times* a few weeks ago. In the past 12 months there has been a significant upgrading of the whole archival area. We have adequate legislation to cover this area and I do not think the appointment of a keeper of the archives responsible to a Supreme Court judge is necessary. What is in place now is doing the job well. I am impressed by the professional approach of the people to Government departments, indicating what is regarded as ephemeral and therefore not worthy of keeping, all the other storage involved, and those things that ought to be kept in the interests of an accurate record of the State's heritage. While I accept the member's concern on the matter of archives, it is not something many people are familiar with. Perhaps the member was not familiar with the service existing.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS - PUBLIC RECORDS DESTRUCTION**  
*Archives and Records Protection Legislation*

383. Hon P.G. PENDAL to the Minister for The Arts:

- (1) Is the Minister aware that, subsequent to the story which appeared in the *Sunday Times* to which she referred, the Western Australian branch of the Australian Society of Archivists has made public reference in its general newsletter to the need for urgent legislation of the kind to which I refer?
- (2) If she is not aware of that, will she acquaint herself with it and reconsider her position not to introduce the urgent legislation advocated?

Hon KAY HALLAHAN replied:

- (1) No.
- (2) Yes; the matter will be given full consideration.

**TAFE - CARINE TAFE CAMPUS**  
*Child Care Centre*

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

In relation to the Carine College of Technical and Further Education child care centre, if there is a delay in the extra staffing for 0-3 year olds, will the parents of those children be informed in sufficient time to renegotiate with other day care centres as these parents have already paid their fees to the child care centre?

Hon KAY HALLAHAN replied:

I shall have a closer look at the matter. I have had some attention given to it, but in view of the member's persistent concern I shall have the matter examined very closely, together with the content of his questions. I shall do whatever is possible and necessary to provide the best possible opportunity for good quality child care for the parents attending Carine TAFE. In this State, under State and Federal Labor Governments, we have had what amounts to a mini-revolution in the provision of family services, including child care and family centres. We do not need to be persuaded about the importance, particularly to parents, of good quality child care so that they can study and broaden their life experiences and opportunities. We take this matter very seriously. We have invested huge amounts of public money in it, and we have been strongly endorsed by the public for doing so. There will be no carelessness about this matter; it will receive the closest attention.

**SCHOOLS - MAINTENANCE, CAPITAL WORKS**  
*Costs Review*

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

Has the Ministry embarked on a review of the extraordinarily high costs of providing capital works - buildings in particular - renovations, and maintenance for school buildings, or does the Minister intend to review the manner in which tenders are allocated or costs incurred in providing building maintenance and new capital works?

Hon KAY HALLAHAN replied:

The matter raised by the member is of concern to me too. It is most important that we get absolutely the best value for our dollar from all public buildings, including our schools. Our new school buildings are magnificent, and they outstrip what any other State is providing for their students. In addition we need to provide upgrading. This year we have had 30 major upgrades to schools around the State.

Another problem is maintenance, which members have raised in the House from time to time. We are examining the question of that maintenance, and the member is flagging some of my own thoughts about how that can be done effectively. It is a moving scenario to some extent, but in Cabinet discussions on the forthcoming Budget I shall be making a very strong case to my colleagues for special consideration to be given to the whole question of school maintenance. We are not behind in providing new school buildings. In some areas upgrades are required and desirable. A program is currently being formulated for the forthcoming Budget.

Hon E.J. Charlton: I am concerned that we are wasting money, because the cost is higher than it should be.

Hon KAY HALLAHAN: Waste is an interesting subject. The school renewal report sadly has been given the thumbs down by both the National Party and the Liberal Party, as I understand it. That is reprehensible because there are some schools with 14 empty classrooms. If that is not waste I do not know what is. We must use a process whereby we can maximise the use of the investment

made by the community when the facility was required, but where needs have changed dramatically. Even with changing demographics and new families, these schools are never likely to reach the student figures formerly required by large primary schools and high schools. That is the area which members should be addressing.

I would appreciate it if members opposite would undo a mind set about school renewal and adopt a responsible way of unlocking wastage and involving communities. In New South Wales schools were closed, and the former Minister for Education - I do not know whether she is still the Minister - will agree that some diabolical decisions were made from which the communities have never recovered. She received correspondence for a long time after the decisions were made. We must be smarter than that. We have to involve the communities and improve the education of children by unlocking the facilities at nearby surrounding schools, and perhaps even at schools a little further away, depending on the resources in the surrounding schools.

The school renewal program should not be a political football. It will be a great temptation - it is made for it - but we need some leadership on this subject, and some from the National Party and the Liberal Party would be welcomed by the community and by the Government.

#### SCHOOLS - MAINTENANCE, CAPITAL WORKS

##### *Costs Review*

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

I was attempting to assist the Minister by asking a question. Perhaps it has been a long couple of days. I thank the Minister for her very interesting answer, which is well received. It seems to me that the dollars expended on providing maintenance and new buildings is wasted in that it costs more to erect a shelter area than to build an equivalent home. Because the Government is providing the money, builders want to make a killing. Has the Minister examined the ways in which costs are incurred so the taxpayers might get more for their money?

Hon KAY HALLAHAN replied:

I thank the member for his subsequent question. We have looked at how money has been spent. If members know of instances of terrible overexpenditure, I would like to hear about it. We can all talk in generalities, it is useful in some situations, but specifics are very valuable and I would like to follow up any. Sometimes hidden costs are not evident on the surface and I may be able to provide information.

Hon E.J. Charlton: The specifications far exceed the requirements.

Hon KAY HALLAHAN: I have questioned that, too, but if we build a new school we might as well put in a resource centre, a covered area, and all those things the school will need in the future. This might as well be done while the construction team is there. There is an economy to be gained by doing that. It is a difficult matter to argue; it is a temptation to do so, but I do not think that it is useful. Children need wet areas. Children in this State have wonderful options; the facilities are outstanding and I would like every child to have access to those facilities. If members have specific issues to address, I would appreciate their letting me know.

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