Legislative Assembly

Thursday, the 24th August, 1978

The SPEAKER (Mr Thompson) took the Chair at 2.15 p.m., and read prayers.

VALUATION OF LAND BILL

Second Reading

SIR CHARLES COURT (Nedlands—Treasurer) [2.19 p.m.]: I move—

That the Bill be now read a second time.

This measure is the first of three Bills to give effect to recommendations made by the committee of inquiry into rates and taxes attached to land valuation.

This committee was appointed in conformity with an undertaking given by the Government to conduct the inquiry.

The committee of five, chaired by Mr Gerald Keall, conducted the inquiry over eight months during which time it received and considered over 120 submissions from individuals, associations and organisations, local authorities, and departments, as well as studied a great deal of statistical and other information.

In addition, approximately 50 individuals, either on their own account or representing organisations, gave verbal evidence to the committee.

The completed report, which contained 37 recommendations, was submitted to the Government and in 1976 was made publicly available and specifically forwarded to all the rating and taxing authorities for comment on the recommendations.

An analysis of the comments received was made and a decision then taken to embody in legislation the recommended changes desired.

One part of that legislation is now before members.

This Bill for the enactment of a Valuation of Land Act, embodies a number of the recommendations made by the committee of inquiry.

These are—

> The placing under the control of a valuer general the recording, co-ordination and making, as far as is practicable, all valuations for rating and taxing purposes.
>
> Defining the various types of values to be used.
>
> Providing for the application of values.
>
> Making provision for the production of valuation rolls.
>
> Providing for a uniform procedure of objections and appeals against the valuations determined.

I shall comment on each of these provisions in turn.

Currently most of the valuation work is carried out by the Commissioner of State Taxation and the various rating and taxing Statutes empower him to perform this duty and lay down the valuation procedures to be followed.

There are other provisions which permit, under certain conditions, local authorities either to employ their own staff valuers or employ private valuers to determine valuations. I shall have more to say about these provisions at a later stage.

Although, in fact, the commissioners, both past and present, have never arbitrarily instructed their officers, who are qualified valuers, to reduce or increase values, nevertheless, it has been pointed out that as the law now stands the commissioner, as a revenue collector of, for example, land tax, could do this.

In the interests of ensuring that valuations used for tax and rating bases should be completely unbiased, the Bill contains a provision to create the office of valuer general and place under his sole control the determination of values.

Thus, the function of determining values, dealing with objections to values, and defending appeals against values, will be completely divorced from the commissioner's functions of tax collection.

In other words, the commissioner, like any other rating or taxing authority, will be supplied with values by the valuer general and have no authority in respect of their determination.

It has been suggested that we should go further and physically separate the Valuation Division from the State Taxation Department and create a separate department of the valuer general and his officers.

This was considered and the conclusion reached was that while there were no advantages in doing this, there were substantial disadvantages to ratepayers and taxpayers.

Such an action would not add to the legal power of the valuer general over valuations, which will be removed from the commissioner, but would involve considerable continuing expense in running a separate department which would need to be recovered from those organisations being supplied with values.

In turn, this cost would need to be borne by the ratepayers and taxpayers.

The Bill provides for the valuer general to have the general administration of the Act and specifically provides that in valuing land he shall exercise independent judgment and not be subject to direction from any person.

Earlier I said I would refer to local authorities employing their own staff valuers and their use of private valuers.

The City of Perth is the only local authority employing its own staff valuers and, in discussions with its representatives, advice has been received that it wishes to continue the employment of its own staff for City of Perth rating valuations.

One of the reasons given is that it is able, because of its relatively small area in the State, to revalue each year.

The valuer general who will have to supply values for the whole State, including the City of Perth area, will not be able to meet this requirement from the physical resources which will be available to him.

He will carry out a revaluation every three years of the City of Perth area.

However, under the provisions in the Bill, each time the valuer general revalues the City of Perth area, the valuations of the city valuer and valuer general will be brought into line.

In response to the request from the City Council, legislation which will be introduced at a later stage contains special provisions to permit the council to continue with its existing employment of valuers and determination of values.

In respect of the employment of private valuers, the Bill contains provisions, firstly, for the valuer general to engage private valuers for specific assignments, if required, but under his direction and, secondly, to permit the employment of private valuers by local authorties under specified conditions determined by the valuer general and set out in this Bill.

In all of these requirements the valuer general, under the proposed provisions, will retain full access to the valuations and maintain his co-ordination role.

Under the definitions in the Bill and its provisions the various types of valuations—namely, capital value, gross rental value, site value, assessed value and unimproved value—are described and the methods of determination set out.

One of the principal changes in the bases of valuation is the adoption of "gross rental value".

Currently a value described as an "annual value" is determined in accordance with various Statutes. This is done by assessing a "gross rental value" based on ruling rentals and then deducting varying statutory percentages.

The revised proposal will remove the deduction step and produce a figure which is readily understandable by ratepayers. I hasten to add that although this means the figure will be higher, it does not follow that the rate payment will be higher.

"Gross rental value" is used only for rating and in every case the rating authority has power to vary the rate applied to the valuation base. Variations in valuations do not have any influence on the amounts paid. This is determined by the rate struck.

As well as producing an easily understood rating base, the "gross rental value" will remove the additional work associated with a statutory deduction.

Provision is made in the Bill for the valuer general to make general valuations of rating or taxing districts and to publish in the *Government Gazette* and local newspapers the valuation district to which the valuation is to apply together with the date on which it is to come into force.

The valuer general is required also to publish which rating or taxing authorities will be using the valuation, the place or places where the valuation is open for inspection, and the time within which an objection to any valuation may be made.

Under these conditions ratepayers and taxpayers will be given ample notice of the valuation and time to object. In addition, the ratepayer or taxpayer may object, within the stipulated time, after receipt of his assessment provided, of course, only one objection is lodged annually.

In case anyone misses the notification, or for some other reason is unable to lodge an objection in time, the valuer general, for reasonable cause being shown, has the power to extend the time for lodgment.

Provision is made for the valuer general to make interim values for rating or taxing purposes such as for new subdivisions or new improvements taking place between general revaluations. In these cases the values determined will have to be related to the values ruling at the last general valuation.

Included in the Bill is power for the valuer general to produce valuation rolls for each valuation district. These rolls, when produced, will be available to the public. However, they will

not be immediately available but will be brought into use as early as arrangements for their production can be made.

It is intended, in due course, to take advantage of computer processing and to this end a number of studies are currently being undertaken in various areas concerned with land and valuation records.

Important provisions in the Bill now before members are the proposed arrangements for objection and appeal. Currently, no rating or taxing Act which imposes a rate or tax based on valuation, other than the Land Tax Assessment Act, contains provisions for a ratepayer or taxpayer to object.

In addition, these Acts all set up a variety of appeal conditions which generally require the appellant or his representative to appear before the particular board, court, or a Minister. This procedure is time consuming for the appellant and sometimes costly.

Under the Land Tax Assessment Act it has been proved that, except in a very few cases, a simple objection procedure has settled the disputed valuation at minimum cost in time and money.

Under the proposed arrangements any ratepayer or taxpayer will be able to make a simple objection by letter and, if he wishes, discuss his objection with the valuer responsible for the valuation.

If, however, he is dissatisfied with the decision of the valuer general he may direct the valuer general to submit the dispute to an appeal tribunal to be specially set up to deal with valuation matters.

A contentious matter in existing procedures has been the inability of an appellant to make comparisons of his valuation with other valuations in force to attempt to prove that the valuation determined for his land is unjust.

In the Bill provision is made to allow this comparison as a ground for objection.

Generally the provisions relating to objections and appeals are welcomed by those concerned because they will simplify and cheapen the procedures and provide a uniform approach to all valuation disputes.

The other provisions in the Bill relate to administration, transition, inspection of land, buildings, and documents, supply of information, concessional valuations, and secrecy. In respect of the last two matters, the power to make concessional valuations is to preserve certain rights of ratepayers which appear in the Local Government Act.

Secrecy is necessary to keep on a confidential basis information obtained from individual taxpayers or ratepayers about their own affairs relating to land owned by them. However, certain information can be supplied with the Treasurer's approval if it is in the public interest to do so.

The provisions in the Bill have been discussed with all affected departments, the Local Government Association, and the Australian Institute of Valuers. They have all made contributions and the Government is grateful to them and the committee of inquiry for this assistance. Generally, all of the bodies concerned are satisfied with the legislation.

Subject to the Bill being passed by Parliament, it is proposed to bring the legislation into operation on and from the 1st July, 1979. This will give time to make the necessary preparations and set up appeal tribunals.

The proposed Act is designed to give this State uniform provisions for making valuations for rating and taxing purposes, removing anomalies in the existing law, simplifying procedures, and enabling improved efficiency in the control and co-ordination of values, together with common objection and appeal procedures. It is the product of a great deal of thought by those concerned both inside and outside Government.

While understandably it does not contain every suggestion put forward, it has been generally accepted and gives a sound base on which to build an improved valuation service to Western Australians.

I commend the Bill to members.

Debate adjourned, on motion by Mr Bateman.

LAND VALUATION TRIBUNALS BILL

Second Reading

SIR CHARLES COURT (Nedlands—Treasurer) [2.34 p.m.]: I move—

That the Bill be now read a second time.

This is the second of the measures which are the result of recommendations made by the committee of inquiry into rates and taxes attached to land valuations.

Members will recall that, when introducing the Valuation of Land Bill, I referred to the introduction of a simple objection procedure and stated that if a taxpayer or ratepayer is dissatisfied with the decision of the valuer general, on his objection the disputed valuation could, at the taxpayer's or ratepayer's direction, be referred to a special tribunal for determination.

The object of the Bill now before the House is to authorise the establishment of these tribunals, and detail their powers, procedures, and jurisdiction.

Under the current law there are no fewer than 20 boards and courts which are involved in hearing and determining valuation disputes. They are set up under nine Acts and are by no means uniform in jurisdiction or procedure. All of these arrangements are somewhat confusing to ratepayers and taxpayers.

For example, an individual follows one procedure to object to and appeal against the valuation determined for his land tax, and another with a different court to appeal against the same valuation for his land used for local authority rating purposes. There are other boards dealing with valuations for water supply purposes.

In order to simplify procedures and reduce appeals, and thereby expense, this Bill provides for establishing tribunals to deal with all appeals on valuations and associated rating and taxing matters. Provision is made, if necessary, to set up more than one tribunal. However, with the introduction of an objection system instead of the current direct appeal system, it is confidently expected that the number of appeals will be markedly lower.

A tribunal will consist of three members. The chairman is to be a legal practitioner of at least eight years' standing and practice. One member is to be a qualified valuer and one member is to be a person who will represent the rate and tax paying public. He will be nominated for appointment by the Minister for Consumer Affairs.

There is one obvious stricture in the Bill on the qualification for appointment of a member of a tribunal; that is, no person employed in the Public Service or a rating or taxing authority is eligible for appointment. The disqualification of public servants will ensure that no person employed by the valuer general can be involved in deciding appeals against valuations made by the valuer general.

There are the usual provisions relating to the term of office, vacancies, dismissals, resignations, meetings, quorums, and remuneration.

Attention is drawn to one special provision; that is, the provision which requires the chairman to sit alone where any matter not dealing with land valuation is before a tribunal. This is because these matters generally will be of a legal interpretation nature and the chairman will be the only legally qualified person on the tribunal. That should please our friends on the other side.

Any decision involving a question of law may be appealed to the Supreme Court, if the appellant is dissatisfied with a tribunal's decision.

A registrar is to be appointed to maintain records and carry out duties to facilitate the work of a tribunal. Provision is made to appoint any other officers required.

A tribunal is to hear any appeals properly brought before it, and the procedure for making appeals is detailed in the Bill. The procedure and practice for hearing appeals which cover notices, witnesses, representation, and powers to obtain evidence are detailed in this measure.

There are three points of interest in these provisions. These are—

> That although persons are compelled under penalty to supply to the tribunal relevant information, a person is not obliged to answer questions or produce written material which would tend to incriminate him.
>
> That the proceedings will be public unless the tribunal otherwise determines.
>
> That the tribunal has to give the parties written advice of its determination and in appropriate cases will publish its decision and the reasons for that decision.

The Bill has been examined by representatives of the rating and taxing authorities, including the Perth City Council, and is supported.

As I stated, coupled with the objection system, it should make proceedings easier for ratepayers and taxpayers, provide a uniform system, and reduce costs.

If the Bill is passed by Parliament, it is planned to bring the legislation into operation on the 1st July, 1979.

I commend the Bill to the House.

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

ACTS AMENDMENT AND REPEAL (VALUATION OF LAND) BILL

Second Reading

SIR CHARLES COURT (Nedlands—Treasurer) [2.40 p.m.]: I move—

> That the Bill be now read a second time.

This rather extensive legislation is a consequence of the proposal to introduce a uniform valuation of land system and a uniform system of objections and appeals for all rating and taxing authorities.

The large bulk of the amendments contained in the Bill now before members are what might be described as consequential amendments. For example, it has been necessary to make uniform the terminology describing the valuation bases.

Currently a number of the Acts describe unimproved values as "unimproved values", "unimproved capital values", "capital unimproved values", and the other valuation base is severally described as "annual values" and "estimated net annual values".

These various descriptions will now become uniform in all Acts and be described as "unimproved value" and "gross rental value".

There are no fewer than 14 Acts which require valuations of various kinds to be amended and this is part of the reason that the legislation appears so voluminous.

In addition, there are many amendments to be made to provide for the uniform application of the objection system and the appeal system to land valuation tribunals.

Currently in the existing legislation there are numerous separate boards and appeal courts of one kind and another, many with slightly differing procedures, and some Acts allow objections before appeal whereas others have no such procedure.

Again many of the amendments in this legislation are for the purpose of providing a completely uniform approach based on a system of uniform objections and appeals.

There are, however, two matters contained in these Bills to which I would direct the attention of the House.

These are—

> The special provisions for the Perth City Council which I outlined when introducing the Valuation of Land Bill.

As explained, the Perth City Council is the only local authority which employs its own valuation staff, and, because of the relatively small area it serves, provides an annual revaluation for its rating base.

The amendments to the Local Government Act provide for the Perth City Council to continue with its existing system, subject to the valuations coming into line with those of the valuer general each third year. To continue—

> A provision which will limit the use of interim values by local authorities for rating purposes.

The Department of Local Government has made a survey of local authorities and as a result recommended that where a local authority has an interim valuation made, it does not apply this valuation for rating purposes to the remaining portion of the ratable year in which it receives these interim valuations but applies it in the next rating year.

This provision has been included in the Bill.

All of the provisions which affect the various Government departments and authorities have been discussed with those departments and authorities and are acceptable to them.

The provisions in this Bill are necessary to give effect to the other two new measures which arose from the committee of inquiry's recommendations, and I commend the Bill to members.

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

MINING BILL

Second Reading

MR MENSAROS (Floreat—Minister for Mines) [2.45 p.m.]: I move—

That the Bill be now read a second time.

The Bill before members is for the purpose of replacing the present 74-year-old Mining Act with new legislation designed to meet the needs of modern prospecting and mining, while at the same time providing adequate protection for other land usage and for the environment generally.

The measure is a most important one and follows a careful reassessment of the results of the 1970 mining inquiry committee.

The Bill for a new Mining Act was introduced into Parliament during the autumn sitting in 1975. In my then second reading speech on the 1st May, 1975, I announced the Government's intention to leave the Bill on the notice paper which was to afford interested parties ample time to study the Bill and to make submissions to me as they felt proper.

Since that time a great number of submissions —written and verbal—suggesting amendments have been received from various parties, including the Chamber of Mines of Western Australia (Incorporated), the Amalgamated Prospectors and Leaseholders' Association of W.A. (Inc.), the Australasian Institute of Mining and Metallurgy, the Institute of Surveyors, local government authorities, the Law Society of W.A., the Minister for Agriculture, the Protect Aboriginal Land Campaign, the Liberal Party Minerals and Energy Subcommittee, the Labor Party, and many individuals.

All amendments suggested have been carefully considered and in some instances they have been discussed at length by myself and/or senior officers of the Department of Mines, with the party making the particular submission.

As members will appreciate, it would have been impossible to agree to all amendments that have been proposed, as some of them were in direct contradiction to each other and some would have denied the main purpose of the Bill to make administration of exploration and mining more speedy and efficient, commensurate with present-day conditions.

Nevertheless, agreement has been reached in a large number of cases and in many others there has been a compromise, with the result that I feel there is now fairly general acceptance of the newly reprinted and amended Bill. Indeed it can be said confidently, that there would hardly be a single piece of legislation which was subjected to more protracted, more numerous, and more patient negotiations than the Bill I am presently introducing.

Apart from detailed provisions, some of the major changes to the 1975 Bill incorporated in the present legislation as a result of these submissions and discussions are—

The right of the finder—or his successor—to mine the minerals, the principle of "finder's keepers". This has always been the intention but it will be 100 per cent secure now by inserting clear provisions in the Bill whereby no other party can have lesser conditions for the development tenement—the mining lease—than the holder of the exploration tenement related to that lease, should the holder not accept the mining lease on account of the harshness of conditions.

The prohibition to transfer prospecting licences, after having acquired them, has been reduced from one year to six months.

It is also specifically spelt out that when furnishing information in support of applications for prospecting and exploration licences, prospectors do not have to supply to the department their assays or other results of testing or sampling carried out on the ground applied for.

An appeal to the Minister against some of the warden's decisions has been introduced to doubly safeguard the interest of miners.

As well as gravel, sand, and rock; shale, clay, and limestone have been excluded also from this legislation, when these materials are on private land.

Although not a provision in the Bill, on request I have made and now repeat the undertaking that this new Mining Act will not be promulgated before the main provisions of the regulations, which will contain many detailed conditions, have been discussed with interested parties.

The Bill contains provisions to ensure that prospecting and mining can be carried out under clear and concise conditions which will assist and accelerate the discovery of the mineral wealth of Western Australia. It provides the necessary environmental controls required in regard to prospecting and mining in reserves of all kinds, including national parks and those for the protection of Aborigines, flora and fauna, State forests, and also on private land.

Generally speaking it can be said that the provisions of the Bill create an equitable balance between mining and other legitimate land uses. Mining does not override other land uses, neither is it, with few exceptions to which I shall return, subservient to them. The general principle is consultation with and/or consent by other interests represented by their respective Ministers, and in the case of no consensus the matter will be decided by Cabinet; that is, the Government itself.

The Bill reduces the 39 different types of titles provided in the present Act to the three basic requirements of a prospecting licence, exploration licence, and mining lease; with the additional two, ancillary general purpose lease and miscellaneous licence.

One of the important yet necessary and practical changes related to the present Act is the discontinuation of miner's rights. This certificate might have some sentimental and emotional historical significance to some people having been long associated with the prospecting and mining industry, but has no real significance today. Indeed it is a burden which could cause unjust and inequitable loss of many thousands, even millions, of dollars invested by sheer omission or forgetfulness to renew it.

The miner's right is a piece of paper, issued on demand to anyone without any qualifications for a pittance of a fee—not covering its administration cost—and does not even provide proper identification. As anyone can get it who takes the trouble to ask for it, it has no significance any more but could be a seriously damaging system, as I said before.

Another important improvement on the present Act, which was drafted in the pick and shovel and wheelbarrow days of goldmining, is the elimination of labour conditions. For quite some time these conditions have been considered

anachronistic and inequitable in today's highly mechanised conditions of prospecting and exploration.

I think members will readily agree that to compel tenement holders to continuous employment of physical labour is not practical today and does not at all enhance the continuous endeavour of the State to obtain the most rigorous exploratory activities on most of the ground available.

These labour conditions are replaced with expenditure conditions which do not have to be proportioned to daily or weekly outlays. For example, to hire a plane or helicopter for an aero-magnetic survey could involve considerable expenditure in furthering exploration, yet it is expended during a comparatively short period of time. In between such expenditure there must be time for work outside the ground such as evaluation, assaying, etc. Even the smallest prospector has to take time off for such important exercises.

However, to ensure that all tenements are genuinely used for the purpose for which they are granted, quarterly and annual reports are envisaged.

Rights to prospect for all minerals except iron will be granted in prospecting and exploration licences, and in the latter case provision has been made for gold and precious and semi-precious stone prospectors to obtain small areas on exploration licences in certain circumstances. Mining leases will give to the holder the exclusive right to all minerals other than iron.

The right to prospect, explore and mine for iron may, however, be specifically included in prospecting and exploration licences and in mining leases. This control is considered necessary to ensure the rational and orderly development of this vast industry.

Safeguards and compensation to pastoralists have been provided while retaining the right of prospectors to seek minerals without unduly restrictive prohibitions and conditions in regard to entry on pastoral leases.

Clauses have been included to prevent other governments from obtaining control of mining tenements in Western Australia and to ensure that while due consideration is given to town planning schemes and local government by-laws, these will not statutorily prohibit prospecting and mining authorised under this Act.

The rights of holders of existing mining tenements are protected by transmission provisions allowing ample time for conversion to appropriate titles under the new Statute, or in some instances under the Land Act. Details are contained in the second schedule to the Bill.

I wish to emphasise one more important point generally. Contrary to so many accusations—coming not from the mining fraternity but rather from remote-from-mining, idealistic, yet often well-intentioned sources—this Bill contains less ministerial discretion than the present 74-year-old Act. Yet that Act, apart from its by now outdated provisions, served the mining community well and gave no occasion to any serious or well-founded complaint regarding abuse of discretional powers under various Governments whatever their political creed. This, I think, is rather a unique and self-commending record.

The Bill is divided into nine parts, which I will explain.

Part I—Preliminary:

This part deals with the legal requirements in connection with the introduction and proclamation of a new Act and the protection of the State's mineral agreements which have been ratified by Acts of Parliament, and which will accordingly remain in force.

It refers to the relationship with the Environmental Protection Act and also includes the definitions to be used in the new legislation. Here it should be noted that the term "mining" includes "prospecting and exploring for minerals".

Part II—Administration, Mineral Fields and Courts:

The administration of the Act and the procedures for the creation of mineral fields and Warden's Courts are set out in this part.

Part III—Land Open for Mining:

Division I—Crown Land: This part declares, subject to and in accordance with the Act, all Crown land to be open for mining, and authorises general prospecting thereon in similar terms to the present provisions relating to miner's rights which—as I have mentioned before—no longer serve a useful purpose and are not continued in this legislation.

Clause 19 provides authority to exempt any Crown land from mining and the purpose of the provision is to allow such land to be examined in some detail by the Geological Survey Branch of the Mines Department and where prospects for further exploration and development appear feasible and desirable, applications for mining tenements may be invited.

The clause also allows the refusal of mining tenements where prospecting and mining would not be in the public interest. Instances under this provision are the farcical demonstrative pegging of the War Memorial or grounds of Parliament House, which in the past—until the Act was

amended in 1970—had to be dealt with by the full machinery of administration despite the undoubted nuisance-causing desire of the peggers.

Mr Jamieson: That was a trick often used by the member for South Perth, of course.

Mr MENSAROS: Clause 20 sets out the terms and limitations of general prospecting in regard to Crown land and particularly where such land is—

> Under crop or used as a yard, garden, orchard, vineyard, cultivated field and the like; or, is within 100 metres of the foregoing land.

Division 2—Public Reserves: Land specified in this division is open for prospecting and mining only under very special provisions.

In summary it is not proposed to grant mining or general purpose leases on class "A" reserves or national parks in the South-West Land Division of the State, or in the municipal district of the Shires of Esperance or Ravensthorpe, without the consent of both Houses of Parliament.

It is considered logical, however, to permit prospecting and exploration on such reserves and parks with the concurrence of the Minister responsible for them, and with adequate restrictions to protect these areas. In this way the mineral potential can be established to enable Parliament to consider whether or not development should take place and if so, under what terms and conditions.

The Bill prohibits the granting of mining tenements on State forests or timber reserves without the concurrence of the Minister for Forests, and in all cases adequate protective and rehabilitation conditions may be imposed as the circumstances require.

In regard to Aboriginal and other reserves, water catchment areas, and navigable waters, etc., provision is made for consultation with the responsible Minister, vested authority, council, or other body in control of the land, before prospecting or mining is permitted. If consultation does not lead to consensus, the final decision—as I said before—has to be made by Cabinet where all interests are represented through respective Ministers.

Division 3—Private Land: This type of land is also open to mining only under very specific restrictions which are similar to those which have been in operation since amendments were made in 1970 to this part of the Mining Act. These include—

> A permit to enter limited to 30 days for surface sampling and marking out mining tenements;
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> notice of entry and application to the occupier and owner;
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> notice of application to the clerk of the council of the municipality;
>
> no prospecting or mining on yards, gardens, orchards, vineyards or land under cultivation etc., nor within 100 metres of such land, without the consent in writing of the occupier and owner unless the warden is satisfied that such consent has been unreasonably refused; and,
>
> no prospecting or mining on the surface or within 31 metres of the surface of private land unless adequate compensation has been arranged.

Mineral ownership in land alienated before 1899 as set out in the present Mining Act, has been provided in the Bill, and the existing method of bringing such land under the Act by petition, has been repeated in a simplified form.

Part IV—Mining Tenements:

Division 1—Prospecting Licences: The prospecting licence is a two-year tenement to replace the present prospecting area, claim, or small temporary reserve held for prospecting.

The area of land in a prospecting licence shall not exceed 200 hectares or 2 square kilometres—that is, 494.2 acres—and such licences may be granted by the warden after public hearing in his court. Provision for appeal to the Minister is included where the warden refuses an application for a prospecting licence or grants one on conditions considered unreasonable by the applicant.

To ensure that ordinary prospectors have an opportunity to prospect, it is not proposed to allow small areas of land to be blanketed, and accordingly, multiple prospecting licences applied for by large-scale operators will be subject to ministerial consent.

Where more than one application for a prospecting licence is made for the same land, the applicant who first correctly marked it out, retains priority over the other applicants, and the holder of a prospecting licence has, while the prospecting licence remains in force, priority over any other person to have granted to him a lease or leases of the land the subject of the licence.

To prevent holders defeating the two-year term and to make the ground available to other prospectors, a cooling-off period of three months is provided upon expiry of a prospecting licence; that is, if the holder of the prospecting licence has not applied for a mining lease regarding the ground of the prospecting licence. During this time, application by or on behalf of the last holder for a prospecting or exploration licence is

prohibited. In exceptional circumstances the term of a prospecting licence may be extended beyond the two-year period.

The Bill sets out the rights authorised by the grant of a prospecting licence, and the restrictions under which such rights may be exercised.

Division 2—Exploration Licences: This mining tenement provides for a five-year comprehensive exploration of a large tract of land, similar to the present temporary reserves, ranging from a minimum of 10 square kilometres—3.8 square miles—to a maximum of 200 square kilometres, or 77.7 square miles. More in line with present day thinking, similar to the petroleum exploration permits and following the pattern in other places in Australia, the exploration licence has provision for 50 per cent relinquishment at the end of the third year, and again 50 per cent relinquishment of the residue at the end of the fourth year.

Expiry is envisaged at the end of the fifth year and a similar three-month cooling-off period is provided to allow opportunity for new thinking and methods to be introduced by other people. In exceptional circumstances, however, the term of an exploration licence may be extended beyond the five years.

Mr Jamieson: How long is the extension?

Mr MENSAROS: That is not specified. Presently there are temporary reserves granted for one year and experience shows Governments have been prepared to extend them for many years subsequently. The present situation is that an exploration licence is granted for five years. Half the land is relinquished after three years, the other half of the remaining portion after four years, and the remainder can be held depending on the circumstances.

Mr Jamieson: I think one yearly extensions should be specified to keep them busy.

Mr MENSAROS: Application is to be made at the Warden's Office of the mineral field or district where the land is situated, and after a public hearing the warden will forward his recommendation to the Minister who will make the final decision.

This is a tremendous difference from the present practice where temporary reserves have been applied for at the department and the department has made a recommendation to the Minister. Under this Bill the application will be subject to procedures in the Warden's Court and therefore would be entirely under public scrutiny.

The Bill spells out the rights and restrictions involved in the grant of an exploration licence, and ensures that genuine exploration will be carried out by the holder, without material disadvantage to other land users and with as little damage to the environment as possible. The holder of an exploration licence has, while the licence remains in force, priority over any other person to have granted to him a lease or leases of the land the subject of the licence.

In accordance with representations by the Prospectors' Association, special provision is made for gold, precious, and semi-precious stone prospectors to obtain small 10 hectare, or 24.7 acres, prospecting licences on exploration licences where such prospecting will not interfere with the large-scale exploration.

The exploration licence replaces the present temporary reserve system with similar provisions to those applicable to current rights of occupancy to prospect. Whereas, however, under the 1904 Act temporary reserves are dealt with solely by the Minister, applications for exploration licences under the new legislation will in the first instance be heard by the warden in open court following which he will make a recommendation to the Minister.

Division 3—Mining Leases: This division provides for the grant of mining leases for the development and production of ore bodies discovered by prospecting and exploration. The maximum area of a mining lease is 10 square kilometres, or 3.8 square miles, and any number of them may be held.

Applications are also submitted to the warden for open hearing and transmittal of his recommendation to the Minister.

Mr Jamieson: What is the necessity to make them so small if you are going to grant a number together like that?

Mr MENSAROS: That has always been the practice.

Mr Jamieson: It has always been the practice to use the old Mining Act, but now we will have a new one.

Mr MENSAROS: What if someone finds minerals on a small area? Why should a miner be compelled to take up a huge area which might be of use to other explorers? We do not want to tie up land except that which is really of use.

These leases are to have an initial term of 21 years with provision for renewal for successive terms of 21 years.

The convenants and conditions which a lease shall contain are enumerated in clause 82, and further conditions may be imposed to suit each individual case. Reasonable conditions may also

be imposed during the life of a lease to prevent, reduce, or rehabilitate injury caused to the surface of land by the mining operations.

Division 4—General Purpose Leases: Land to be held for purposes ancillary to mining is required at times for treatment plants, mineral stockpiles, tailings dumps, etc., and accordingly provision has been made for the holder of a mining lease to obtain general purpose leases for uses directly related to development and production from the mining lease.

The general purpose lease will be limited to 250 hectares, or 2½ square kilometres—that is 617.7 acres—each, and will remain in force during the life of the relevant mining lease.

The usual hearing in open court and the warden's recommendation to the Minister will enable all applications and objections to be thoroughly examined before title is granted or refused.

Division 5—Miscellaneous Licences: Minor licences for such things as access roads, pipelines, tunnels, bridges and so on, have been provided under this division which empowers the warden to grant such licences after due notice, particularly to the shire council, and open hearing in court. Here again a miscellaneous licence remains in force only for the life of the mining tenement for which it was granted. In the event of a warden refusing an application for a miscellaneous licence the applicant may appeal to the Minister.

Division 6—Surrender and Forfeiture of Mining Tenements: The Bill provides, as at present, that the holder of a mining tenement may surrender it, or part of it, at any time, and clauses 96 to 101 allow forfeiture of mining tenements should the covenants and conditions not be complied with. Fines, in lieu of forfeiture, may be imposed where considered more appropriate.

Prospecting licences and miscellaneous licences may be forfeited by the warden provided he is satisfied that the requirements of the Act in relation to such licences have not been complied with in some material respect and that the matter is of sufficient gravity to justify forfeiture. Depending on the circumstances, the warden may as he thinks fit impose a fine not exceeding $500 in lieu of forfeiture or, alternatively, impose no penalty at all.

Provision is also made for exploration licences, mining leases and general purpose leases to be forfeited by the Minister for non-compliance with the appropriate conditions. An application of this nature is first heard by the warden who, if he is satisfied that non-compliance with the conditions has occurred and the circumstances of the case are of such gravity to justify forfeiture, may recommend forfeiture to the Minister or, alternatively, he may impose a fine not exceeding $500, or dismiss the application for forfeiture.

Where a warden recommends forfeiture the Minister may, instead of forfeiting the tenement, impose a fine not exceeding $500, or determine not to forfeit or fine depending on the circumstances.

The Minister is also empowered to forfeit leases for non-payment of rent or royalty or for breaches of any covenant inserted in a lease, but provision is made for him to reinstate leases that have been forfeited for any cause he deems sufficient. This follows a long-standing practice of forgiving a lessee for an oversight such as not paying his rent on time.

Division 7—Exemption from Expenditure Conditions: Exemption periods have been increased from six months in the present Act, to 12 months in this Bill, because a yearly review is considered adequate in such cases. This provision will also reduce administration to a large extent.

Total or partial exemption from expenditure conditions of a mining tenement may be granted where good and sufficient reasons such as those set out in clause 102 are demonstrated.

Part V—General Provisions Relating to Mining and Mining Tenements:

This part of the Bill deals in detail with many of the matters previously referred to in other clauses, such as marking out, surveying of mining tenements—other than exploration licences and water which could not be effectively pegged—and the control of iron ore. It contains also provisions to protect pegs and notices, and for rents and royalties to be prescribed in regard to mining tenements and minerals.

Clause 114 covers the situation where mining plant, equipment, tailings, etc. are left on a mining tenement after it ceases to exist. Clause 115 authorises departmental officers to enter any land for geological surveys, sampling, and drilling, with reasonable notice and compensation to owners and occupiers for any damage.

Of particular interest to members will be clause 119 which has been inserted to prevent other Governments from obtaining controlling interests in mining tenements without Western Australia's consent through the Minister.

Also of note is the provision in clause 120 to ensure that while due account will be taken of town planning schemes and local government by-laws, these shall not prohibit the granting of mining tenements or veto mining duly authorised under this Act. Provision is made, however, for

consultation, where necessary, with the Minister for Urban Development and Town Planning before lease applications are dealt with. Should that Minister not consent in all practical sense the final decision is left with Cabinet.

Part VI—Caveats:

The usual provisions relating to caveats have been included in the Bill to afford protection to people claiming an interest in a mining tenement.

Part VII—Compensation:

The extensive compensation sections of the present Mining Act in regard to private land have been retained to provide adequate protection for landowners and occupiers. In addition, provision has also been made for compensation to pastoralists for damage and loss resulting from mining operations.

Part VIII—Administration of Justice:

The establishment of Wardens' Courts throughout the State is continued as they provide a very conveniently decentralised system of mining justice, and the existing provisions which have operated satisfactorily under the present Act have not been departed from in the Bill.

Part IX—Miscellaneous and Regulations:

In this part of the Bill the usual law enforcement provisions, general penalties, and regulatory powers have been written. Penalties have been increased generally, and it is noteworthy that provision has been made for company directors and officers also to be guilty of offences committed by companies with their authority, permission, and consent.

Clause 155 provides a special penalty of $1 000 for unauthorised mining on public reserves, State forests, and private and Crown land, plus a further fine of $200 for every day such offence continues.

Obsolete provisions in the present Mining Act have been deleted. Some other provisions are considered more appropriate in the regulations which the Governor has the usual power to make.

First Schedule:

This schedule lists the Statutes to be repealed and those to be amended.

Second Schedule:

Transition provisions already referred to are set out in detail in this schedule, and contain the additional provision for the Governor to correct any transitional anomalies by Order-in-Council.

Clause 3 of the second schedule is specifically inserted to confirm the long-standing departmental practice through the wardens not to regard a break in the continuity of a miner's right as fatal, but to allow mining tenements to subsist upon the holder taking out a new miner's right, provided, of course, that there has been no other breach of the Act.

However, legal opinions in recent years that upon lapse of a miner's right, mining tenements taken possession of by virtue of a miner's right are automatically lost with no redress available to the holder whatsoever or any formal procedure through the department, have been confirmed in the Supreme Court and this has placed in jeopardy the validity of many mining tenements because most holders have had breaks in their miner's rights at some time or other due to inadvertent oversight. Clause 3 removes the uncertainty in this regard by providing retroactive validation of such titles which otherwise are open to challenge.

Third Schedule:

The east locations listed in the third schedule to the Bill are those purchased by the Hampton Lands and Railway Syndicate Limited by agreement with the Governor of the Colony of Western Australia in 1890, which are also the subject of the special Mining on Private Property Act, 1899, whereby the company is authorised to work all the metals in these Crown grants. This freehold land was accordingly excluded from the present Mining Act, and the *status quo* has been maintained by a similar exclusion under subclause (2) of clause 27.

I can confidently say, Mr Speaker, risking the accusation of repetition, that there has been scarcely a piece of legislation which would have been subject to so much preparation, research, patient consultation and very painstaking deliberations. Yet every new piece of legislation has to serve its apprenticeship. Nothing human is perfect. Consequently, put to the test, even this Bill of longest preparation in the history of the Western Australian Legislature will be subject to amendments as practical implementation throughout the initial period will show its possible shortcomings and areas of improvement.

I wish only, and so does the whole mining fraternity throughout Australia and indeed the world, that this apprenticeship period should start as soon as possible.

Our mineral resources, as we all know, are very rich and very promising for a long, long future to come. To leave them bound with ancient ties of legislative conditions would be criminal by any Government or any Parliament!

I commend the Bill to the House.

Debate adjourned, on motion by Mr Jamieson.

ORDERS OF THE DAY

Point of Order

Mr SKIDMORE: I rise on a point of order. Am I in order, Sir, to move that notice of motion No. 1 appearing on today's notice paper be now taken?

The SPEAKER: It is within your competence to move that way.

Postponement of Nos. 5 to 17: Motion

MR SKIDMORE (Swan) [3.28 p.m.]: I move, without notice—

> That notice of motion No. 1 relating to the Public Accounts Committee appearing on today's notice paper be now taken.

The SPEAKER: The question is that notice of motion No. 1 be now taken.

Mr SKIDMORE: Mr Speaker—

The SPEAKER: Order! I am not sure, however, that it is a matter which can be debated by the House. There have been two conflicting decisions with respect to debate on a motion such as this. I tend to regard it as a procedural matter and in that case debate would not be permitted. However, I shall leave the Chair until the ringing of the bells in order that I may have a look at the situation.

Sitting suspended from 3.29 to 3.36 p.m.

Speaker's Ruling

The SPEAKER: My research reveals that in 1959 Speaker Hearman, on a similar question, declined to allow debate on a procedural matter. However, the same Speaker, in 1961, and again in 1962, did allow debate on a motion that another order of the day be taken.

Therefore, in view of the precedence that has been established it appears debate may ensue, and in accordance with Standing Orders members will be limited to 20 minutes for their speeches.

Debate Resumed

Mr SKIDMORE: I wish the notice of motion to be brought forward because of the urgency of the matter. As Deputy Chairman of the Public Accounts Committee, I am unable to have a meeting of the committee convened. On two occasions since the motion has been on the notice paper I have endeavoured to have a meeting set down so that we may determine the issues under discussion. The Public Accounts Committee has reached a stage in its deliberations where it has almost concluded an investigation into the Public Health Department.

Mr Young: Before you go on, you had better be careful of Standing Orders in regard to what you divulge concerning what has occurred in the Public Accounts Committee.

Several members interjected.

An Opposition member: Threatening now?

Mr Young: I am not. I am doing the right thing by reminding the honourable member of Standing Orders in regard to divulging what happens in a committee.

Mr Jamieson: It has hit a raw nerve! Now we know!

Mr T. J. Burke: You feel free to say what you like!

Several members interjected.

The SPEAKER: Order!

Mr SKIDMORE: I sincerely trust that if I infringe any rules of the House, you, Mr Speaker, will quickly inform me so that I might desist.

Several members interjected.

The SPEAKER: Order!

Mr SKIDMORE: I wish the notice of motion to be dealt with because, as I said—and I repeat—the Public Accounts Committee had almost completed investigations into the affairs of the Public Health Department which it has a right to do under Standing Orders. I simply leave that aspect at that point.

Because we have almost reached the stage of submitting a final report on the matter, it was important to me, as deputy chairman, that we have a meeting in order to conclude the issue.

I approached other members of the committee and it was felt that we could hold a meeting notwithstanding the fact that a notice of motion appears on the notice paper to replace Mr Young, the member for Scarborough, on the Public Accounts Committee, and that the member for Albany (Mr Watt) would take his place. It seemed to me it would not be impossible for a meeting to be held and, in fact, that it would be quite proper so that we could conclude those matters which had already been dealt with at length and in great depth under the chairmanship of the member for Scarborough.

The member for Scarborough has full knowledge of what we have investigated as members of the Public Accounts Committee, and might I say in due deference to him that he applied himself to the work and proved himself to be a very good leading member in our investigations. Because of that fact I believe he should lend his

wisdom to our deliberations so that we may finalise them before he undertakes the duty of the Minister for Health.

Surely my suggestion is not improper. The gravity of the situation would stare us in the face if we were to conclude our deliberations after the change in the Ministry in the public health area, and find that the then chairman of the committee was in the position of having to bring down an adverse or a favourable report on the Public Health Department. It seems quite wrong and improper that that should be so. If only for those reasons one feels the meeting should be held in order to clear up the issue. We would then be able to say that the matter had been concluded in a right and proper way, without fear, without prejudice, without bias, and without anybody either inside this place or outside of it pointing a finger at the committee and saying it had done certain things wrongly. For those reasons I believe we should support the resolution and bring forward this motion.

The other issue that concerns me as the deputy chairman of the committee is that—and to my knowledge it concerns other members also—we have been frustrated since the notice of motion appeared on the notice paper because we have not been able to conduct the affairs of the Public Accounts Committee. The chairman will not call a meeting. On two occasions I have approached him and asked him to call a meeting, but my request has been refused. I have not even been given any reasons that have been satisfactory, if I was given any reason at all.

Mr Stephens: There could be obvious political reasons.

Mr SKIDMORE: Members can draw their own conclusions. I will not dwell on that point but I will leave it to members on the other side of the Chamber to look at their consciences and decide whether there is any reason, political, why we cannot have a meeting. Perhaps there could be some political reason that a meeting cannot be held. It could be that the changes within the committee could change the importance of Government members on it. I can only conjecture on that point. Possibly it can take place, or it cannot take place.

My great problem, as the deputy chairman of the committee, is that we have worked darned hard and we have almost reached the finalisation of our investigations. We are almost able to bring down a deliberation and we have reached the stage where the only witness we have to recall is Dr McNulty, the Commissioner of Public Health. His evidence was necessary to guide us on certain issues which the committee had before it. It was arranged that Dr McNulty would meet us on the 14th August, as I understand it.

Sitting suspended from 3.45 to 4.06 p.m.

Mr SKIDMORE: Prior to the afternoon tea suspension I was developing the theme that urgency had prompted me to raise this issue. I think I was showing that my action was well justified by virtue of the fact that, as deputy chairman, I had been unable to get the chairman to agree to call a meeting of the committee. It seemed to me the committee had been cut off and made almost inoperative as a committee of this House because the Government or somebody did not want to make changes in the committee. I consider that is quite wrong and improper.

To sum up my reasons for believing it is of the greatest urgency that this matter be proceeded with forthwith: firstly, the committee has almost arrived at its conclusions in regard to its present investigations; and, secondly, because of the appointment of the chairman of that committee to the Ministry he would be placed in an invidious position if the report of the committee were to go forward under his signature as chairman of the committee, when as a Minister he would then have to deal with that report.

I can only conclude that for some reason about which I can only speculate the Government saw fit to place the motion on the bottom of the notice paper a few hours after I had discussions with the chairman on this very issue of calling a meeting. I urge that notice of motion No. 1 appearing on today's notice paper be now taken.

SIR CHARLES COURT (Nedlands—Premier) [4.08 p.m.]: I am surprised that the Leader of the Opposition would condone the moving of the motion. It is very well established that as far as the normal business of the House is concerned the Government of the day is in command of the notice paper.

On private members' day we have a clear understanding that the business of the House is in the hands of private members—so much so that unless specifically requested by a private member who is directly involved, and preferably a member of the Opposition, the adjournment, passing over, or other handling of private members' business on private members' day is left to private members and not to the Government. It is on very rare occasions—except where the Government is directly involved—that the Government moves to change the order of business on private members' day.

The same situation applies to Government days; that is, the normal days of the House, when it is customary to leave the notice paper in the hands of the Government of the day. Matters such as adjournment of the House and so on are always undertaken by the Government of the day for that very good reason.

The honourable member has tried to create an atmosphere of urgency.

Mr Skidmore: I have not tried to create it; it has already been created.

Sir CHARLES COURT: I suggest to him it is much more important to deal with some of the Bills on the notice paper than with the matter he has referred to, which is notice of motion No. 1.

Mr Skidmore: That surely is a matter of my priority and yours.

Sir CHARLES COURT: Had the Leader of the Opposition felt strongly about the matter, I would have thought that at least he would mention it to me and say that he believed the item should be brought up on the notice paper. This has happened before; it has happened under previous Governments, and it has happened under previous leaders. Whether I would have agreed to the suggestion is another matter.

Mr Bryce: Exactly—you have a reason for keeping it on the bottom.

Sir CHARLES COURT: He may have had some very good reasons which could have been considered.

Mr Pearce: Exactly the reasons that you would not bring it on.

Sir CHARLES COURT: Many times during the preparation of the notice paper motions are brought up the list, and this sometimes happens during the course of business because of representations made by the Leader of the Opposition to the Government. However, I emphasise that it is always a matter of representation so that we observe the basic rule that the Government is in charge of the notice paper. In fact, if the Government is not in command of the notice paper, Rafferty's rules would prevail.

Mr Skidmore: I thought I was approaching it in a very responsible way, bringing it to the notice of the House in this manner.

Sir CHARLES COURT: There are many ways in which the honourable member could have brought this matter to the notice of the Government without doing it this way.

Mr Skidmore: This is the way I chose to do it, and it is in accordance with Standing Orders.

Sir CHARLES COURT: I remind members opposite that there have been some important changes in the constitution of the House, and he is well aware of these. I also remind the honourable member that if my information is correct a meeting of the committee was convened for the 14th August, and I gather from his own comments that he was hoping Dr McNulty would be available then to give evidence.

Mr Skidmore: That is right.

Sir CHARLES COURT: If my information is correct—and the honourable member can confirm this or deny it—the meeting was aborted because the member for Swan, the member for Melville, and the member for Merredin found it inconvenient to attend.

Mr Davies: Impossible to attend.

Mr Skidmore: If you give me the opportunity to refute the inferences you are making I will do so. You said you would give me the opportunity.

Sir CHARLES COURT: I am asking the honourable member whether a meeting was convened for the 14th August.

Mr Skidmore: Yes it was.

Sir CHARLES COURT: And the honourable member could not attend.

Mr Skidmore: That is right.

Sir CHARLES COURT: Also, two other members could not attend.

Mr Skidmore: That is so. What would be the purpose of holding a meeting of the committee with a new member and without four members who had already been on it? It would be useless.

Sir CHARLES COURT: Had that meeting been held as convened, then the business the honourable member referred to could have been completed.

Mr Skidmore: How could it have been completed? We could not ask two members who had not been involved to any extent to that meeting. It would have been an insult to ask the Commissioner of Public Health to come in to give evidence before two, or even three members of the committee. That is why the meeting was cancelled.

Sir CHARLES COURT: My heart bleeds for the honourable member and the concern he has for the Commissioner of Public Health.

Mr Davies: He has more concern than you have for civil servants.

Sir CHARLES COURT: The fact is the meeting was convened for the 14th August. Two members could not attend the meeting, and it was aborted. It is quite hypocritical for the honourable member to talk now about not being able to convene a meeting. A meeting was convened, and that destroys completely the argument put forward by the honourable member that he now wants a meeting to be held.

Several members interjected.

Sir CHARLES COURT: Quite apart from any other considerations, one does not have to be very smart to work out why the honourable member and others wanted the meeting aborted when one listens to corridor gossip in respect of this committee.

Mr Skidmore: Let me say I did not use corridor gossip.

Sir CHARLES COURT: The Government has elected that this business should be in a certain place on the notice paper. At the appropriate time it will be considered, and therefore I oppose the motion.

Mr Pearce: Fiddling around with the Public Accounts Committee—disgraceful!

MR HODGE (Melville) [4.15 p.m.]: I support the motion moved by the member for Swan. I too am a member of the Public Accounts Committee, representing the Australian Labor Party.

The Premier has complained bitterly this afternoon about the lack of convention involved in raising this matter. I suggest that the Government has broken a convention by leaving a Minister of the Crown on the Public Accounts Committee; not only is this Minister a member of the Public Accounts Committee, but also he holds the position of Chairman of the Public Accounts Committee.

To make matters even worse, as members already know, for some months the Public Accounts Committee has been investigating matters connected with the Public Health Department and the Medical Department. The committee has investigated many details of the operations of these departments, so it is even more inappropriate for the Government to leave the Minister in that position. In a few days' time the Minister Without Portfolio will be the Minister for Health. If the conventions are being broken, surely it is the Government which is breaking them.

I have undertaken some research into this matter, and I am told it has never been heard of before in any other Government that has this kind of committee to have a Minister as chairman. In most other Parliaments, particularly in the Canadian Provincial Parliaments, the Opposition has the privilege of providing the chairman in similar circumstances.

Mr Clarko: That is not true of Australia.

Mr HODGE: I know it is not true for Australia, but it happens in some other countries.

Mr Clarko: It is true in Tasmania.

Mr HODGE: I have been very impressed with the operation of the Public Accounts Committee since I have been a member of it. Meetings were held regularly until just recently. The members of the committee have worked conscientiously and diligently, and I have been most impressed with the attitude exhibited by all members.

We have worked enthusiastically and closely together. We have met regularly until just lately.

The Premier made a lot of the fact that a meeting was cancelled just recently. From time to time we have experienced difficulty in arranging dates convenient to everyone. Frequently our meetings have not been fully attended because it is very difficult to get five busy members of Parliament together regularly.

Mr Clarko: Not if you are treating the business as being important.

Mr HODGE: It is not unusual for these meetings to be aborted. On one occasion I came to the House and cooled my heels for three-quarters of an hour before I found out that the meeting had been cancelled and I had not been advised of this fact. It is not unusual for the business of the committee to be put off on occasions.

Mr Clarko: Are you suggesting that you go all the time?

Mr Bateman: You did not attend a meeting the other night; that was an important one too. Have a good look in the mirror.

Mr HODGE: We have spent many hours working on a matter concerning the Public Health Department. This department involves a very important section of Government expenditure; perhaps its budget is the largest to come before this House.

Several members interjected.

The SPEAKER: Order! It amazes me that a Chairman of Committees and a Deputy Chairman of Committees can become involved in a cross-Chamber exchange of interjections when another member is addressing the House. The member for Melville.

Mr HODGE: Thank you, Mr Speaker. The Public Health Department spends hundreds of millions of dollars of the taxpayers' money each year, and this accounts for a major part of the State Budget. Nearly every senior official of the Public Health Department has given evidence before the committee, and a member of this Chamber was summoned before the committee to give evidence.

The taking and transcribing of the evidence has involved the *Hansard* department in many hours of work. We are almost at the conclusion of our investigations, and in fact, they would have been finished if the Government had taken the proper action. The moment the member for Scarborough was promoted to the Cabinet, he should have been replaced on the Public Accounts Committee.

Sir Charles Court: Or if you had met on the 14th August.

Mr Young: Would you admit that when we planned that meeting four of us sat around with diaries in our hands and we set the date together?

Mr HODGE: Yes, that is right, I thought I said that earlier.

Mr Young: No you did not, and I just wanted to make sure you did say it.

Mr HODGE: I am aware of meetings where the Minister Without Portfolio had to leave early. I do not know whether he missed a meeting at all.

Mr Young: Never.

Mr HODGE: Certainly I can remember occasions when the Minister had to leave before the conclusion of the meeting, and I have done this myself.

Mr Young: I never failed to attend a meeting.

Mr HODGE: One meeting was cancelled without notice being given to all members. The motion to replace the member for Scarborough with the member for Albany on the Public Accounts Committee was placed on the notice paper fairly promptly, but we are concerned about the delay since that time.

The motion has sat there languishing on the notice paper. Why? A strong rumour is going around that the internal feud in the coalition is the reason. The rumour says that the Government is anxious to get rid of another member of the Public Accounts Committee—the member for Merredin. I do not know whether there is any truth in that rumour, but certainly if it is true it would explain the long delay in bringing this matter to the top of the notice paper and having it dealt with.

I would like someone from the Government side to reassure the House that there is no intention of getting rid of the member for Merredin.

Mr O'Connor: Have you been trying to get a coalition with them?

Mr HODGE: Very funny!

Mr Pearce: The front bench is getting weaker and weaker.

Mr O'Connor: We will never get as weak as you are.

Mr HODGE: The member for Merredin has made a strong contribution to the Public Accounts Committee. As I said, all members of the committee have taken the job very seriously, and it would be a great pity if an internal feud in the National Country Party were to result in the member for Merredin being replaced. However, I can see no other reason for the long delay.

This is a most important matter, and the Premier has given no explanation as to why it has been at the bottom of the notice paper for about two weeks. I believe there is good reason that the matter should be dealt with this afternoon so that the committee may get on with the drafting of its report under a new chairman, and then present the report to the House for its attention.

MR BRYCE (Ascot—Deputy Leader of the Opposition) [4.22 p.m.]: This House is entitled to a decent explanation of why the Government is playing jiggery-pokery with one of the Parliament's most important elected committees. It is a case of very shabby and shameful politicking on the part of the Premier.

Sir Charles Court: Have you sent your notes to your friends in the Press gallery?

Mr Young: We completely agree.

Mr BRYCE: If the guffaws opposite will only subside, I would like to ask the Premier this public question: Will he give the House an assurance that he is not sharpening his axe ready to drop it on the neck of the member for Merredin because that member is one of those members opposite who might be prepared under some circumstances to be a little critical of the Premier's methods and his Government? Is the Premier prepared to give us an assurance that in fact he is not intending to do just that?

Sir Charles Court: If you will just hold your breath for a moment, I will. The question of the position of the member for Merredin on that committee has been given no consideration at all by Cabinet.

Mr BRYCE: That demonstrates to us exactly how slow the Government is. This comparatively simple motion was placed on the notice paper from memory about a fortnight ago. It is a mechanical matter; one of the Government's back-benchers was elevated to the Ministry. By virtue of a convention in this place it is inappropriate to have a Minister of the Crown on the Public Accounts Committee. So as a matter of nuts and bolts the Premier put this proposition on the notice paper to replace the member for Scarborough, who became the new Minister, with another of his back-benchers. One dark and rainy evening about a fortnight ago when things turned bad for one of the coalition partners we saw the member for Scarborough and some of his back-bench colleagues scurrying around the back benches on the Government side of the House, aware in their own minds that some dreadful people on the other side of the House might support the member for Merredin—

Mr Young: That is one of the untruest things I have heard here.

Mr BRYCE: —to become the chairman of the committee.

Mr Young: I asked a simple question of one member.

Mr BRYCE: There is absolutely no doubt whatsoever in our minds that this is the reason the motion has remained at the bottom of the notice paper. It is improper to have a Minister of the Crown as a member of a Standing Committee; in that respect I am talking in terms of the conventions of this House, and I am not referring to Standing Orders.

The Public Accounts Committee, as the members for Swan and Melville have demonstrated to the House, has for the past some months been conducting a detailed and thorough inquiry into the Public Health Department. That department just happens to have one of the biggest single budgets of all the departments of the State Government. It is a most important department. As I understand it, the chairman of the committee was preparing to write the report. What could be more improper than to expect the chairman of a Standing Committee of this House to prepare a report on a subject in the knowledge that he himself—it has been publicly announced that he will become the Minister for Health—would receive the report within a few short weeks and be asked to consider it? That is quite wrong.

My colleague, the member for Swan, has adequately pointed out to the House that the work of this important committee has been brought to a grinding and complete halt.

Mr Bertram: It is a prestigious committee.

Mr BRYCE: It is; in fact it is the most prestigious committee of this House. I regret to say it is the only committee of its kind in this House. This House certainly ought to have other committees filling similar roles but, of course, it has not. We on this side of the House have argued for years the merits of such a suggestion.

So we find the Legislative Assembly has this particularly important committee which has done some tremendous work, and it is poised to bring down an important report on an important Government department. Goodness knows how long we can expect this motion to languish at the bottom of the notice paper if the present set of circumstances prevails. The work of the committee is now in limbo.

Mr B. T. Burke: The Premier gives no assurance that the matter will ever come up for debate.

Mr BRYCE: We have heard the Premier's contribution to this debate, and we were touched by his soft approach. Everybody in this Chamber knows it is absolute nonsense for the Premier to suggest that we merely had to ask him to move the motion from the bottom of the notice paper, and he would consider doing so.

Sir Charles Court: I didn't say that.

Mr BRYCE: Everybody knows the Premier rules his Cabinet, his party, and this Parliament with an iron fist. Everybody knows that he does not budge an inch. Therefore, such an approach would be quite pointless, and the opportunity we are now taking is a perfectly appropriate one.

The Premier suggested it is not normal or customary for the Opposition to be seen to be taking the business of the House out of the hands of the Premier. However, this is not a normal situation. We are talking about a particularly important proposition relating to a very important committee; and from the way the relationships between the coalition parties have been waxing and waning over the last few weeks we could quite reasonably expect that unless the matter is brought to a head today it could remain on the bottom of the notice paper for a considerably longer period.

I have pleasure in supporting the motion of the member for Swan on the ground that this is an important matter which ought to be dealt with today and not in two weeks' time after we return from a recess, or in two months' time when probably the Premier will have things sorted out on his side of the House.

MR STEPHENS (Stirling) [4.30 p.m.]: Mr Speaker, I do not intend to say very much. I was very surprised at one of the Premier's comments when he was speaking earlier; it appeared to me the Premier was rather short on memory. He said this afternoon that private members' day is the day on which the business of the House is in the hands of the Parliament. However, I clearly recollect that in 1975, when I moved a motion in this House on private members' day and the Government saw fit to try to adjourn the debate on that motion, but was unsuccessful in its attempt, the Premier subsequently went to the Press and stated that, by taking such action, the House in effect had passed a vote of no confidence in the Government, because the Government was in charge of the business of the House on all occasions.

Sir Charles Court: That is correct.

Mr STEPHENS: What the Premier said this afternoon was a direct contradiction of what he said in 1975.

Sir Charles Court: Not at all; it was in different circumstances.

Mr STEPHENS: I believe one should have a very full memory when discussing matters of this nature. In general, I go along with the principle that the Government should control the business of the House.

Sometimes I feel that the reason Parliament is coming into such disrepute with the public is that the Government is making Parliament simply a rubber stamp. If the Government is in control of the business of the House, it also has an obligation to the House, and the Public Accounts Committee is a committee chosen by the House. In leaving this notice of motion at the bottom of the notice paper, the Government is deliberately attempting to frustrate this House and the execution by the Public Accounts Committee of its duties.

The Premier made a perfectly valid point as to why the present Chairman of the Public Accounts Committee should be replaced. However, I believe the reason for the delay is that of political expediency, and this House should not be subjected to this delay for such a reason.

If this matter is not brought forward today, it will be interesting to see whether it appears soon after the 28th August—the day on which one resignation from the National Country Party becomes effective—and is expeditiously dealt with.

MR JAMIESON (Welshpool) [4.32 p.m.]: Obviously, from the outburst we heard earlier in the debate from the latest appointment to the ministerial benches a very raw point is being touched. The old saying that there is something rotten in the State of Denmark could apply to this situation. It would appear that, after being in this Parliament for over 25 years, the Premier cannot differentiate between Parliament business and Government business. I agree that the Premier gives notice in regard to committees at the commencement of parliamentary sessions; however, it is parliamentary business—a matter of priority—and should be dealt with expeditiously. The Premier knows that to be the case but now he tries to indicate that he does not know the difference between Government business and private business.

One can surmise only that there is some sort of cover up being engaged in between the new Minister and the Premier. What a nice way to start a ministerial career! If this is a sample of the behaviour of the new Minister, what will he be like in a few years, at a time when the Press believes he will be the Premier of this State? If he goes on like this, by the time he gets to be Premier we will think Bjelke-Petersen is a saint!

Surely he should show some sincerity in regard to this matter. If I were in his position I would have resigned the chairmanship of the Public Accounts Committee to make way for another member. The new Minister confirmed by interjection that the current inquiries of the Public Accounts Committee concern areas which he will administer very shortly.

Why should this matter remain on the bottom of the notice paper? Why should not Parliament make a determination now? I notice that the junior Minister went over to the Premier with his pocket book, and flipped through it just to give the Premier some clues about what was going on in regard to this cover up.

Mr Williams: Here we go again.

Mr JAMIESON: We were told that, on the 14th August, the Public Accounts Committee was called to a meeting. Strangely enough, the first time anything appeared on the notice paper relating to the proposed alteration to the Public Accounts Committee was on the 15th August. But what does that have to do with it? The Premier has gone back pre-history to try to rake up some time when a meeting was organised. Initially, the affair came before the Parliament on the 15th August and the last date on which it was admitted a meeting was suggested was the 14th August.

What sort of cover-up is the Premier indulging in? What is he trying to tell us? Why does he not tell us truthfully what is going on? Why

does he not say that he does not want the control of the Public Accounts Committee to get out of the hands of the Government? If he did that, he might at least be admired by everybody concerned. However, the Premier refuses to admit the truth; he goes on with all sorts of iddly-fiddly statements about things which are not relevant to the situation.

Sir Charles Court: Has your colleague told you why the three members did not attend the meeting on the 14th August?

Mr JAMIESON: I would not be able to guess why they did not meet on that day, but irrespective of that, it is for the Premier to tell us truthfully why the Government is in its present position.

Is the Premier going to subvert the activities of this Parliament? Look at all the crocodile tears he howled here only a few weeks ago over the Acts Amendment (Constitution) Bill. The Premier said that we should not be subverted by any outside organisation or people. But the Premier is subverting the will of the Parliament by refusing to bring forward this notice of motion. He knows that the situation should be corrected. In fact, the Premier moved to replace the new Minister on the committee, but because something went a little wrong and the Government could not control it, the Premier has decided to leave the notice of motion at the bottom of the notice paper.

Is it the Premier's intention that the wishes of Parliament will be subverted, and that the Public Accounts Committee will remain inoperative? It looks as though the member for Merredin will be a member of this Parliament for some time to come, and he is entitled to continue to sit on the Public Accounts Committee. Is it the Premier's intention to keep the Public Accounts Committee out of action until the next session of Parliament, at which time the name of the member for Merredin will not be put forward for the Public Accounts Committee?

I am sure the Premier does not wish to sack the honourable member because they might raise the old flag again, and people might say, "Look what the Government is doing to these people. They are members of Parliament and Parliament elected them to sit on the committee, but because they have a particular point of view, which has nothing to do with the Premier, they are being sacked from the committee."

This is a quite unnecessary situation. This is not the ordinary business of the House, as the Premier would have us believe. Either this notice of motion should be at the top of the notice paper, or the Government should be prepared, through the Premier, to tell us why it remains where it is.

A colossal cover-up is going on, and it would appear that the Minister-elect is responsible because of the portfolio which has been nominated for him. What chance do we have of ensuring that the affairs of this committee are carried out in a proper manner? The Public Accounts Committee was established to get away from the principle of the Government having full control over financial resources, and so that there would be some form of watchdog of these affairs. I realise, of course, Mr Speaker, that the Auditor General's report goes direct to you. However, it is important that some body should have the power, on behalf of the Legislative Assembly, to inquire into the activities of various Government departments to make sure they are operating in accordance with proper procedures.

The indication is that the committee has uncovered a number of things. If it starts to have as its chairman a Minister controlling the department being inquired into we will not get very far and we will be wasting our time. It gets back to the fact that we are wasting our time here if we are to have this sort of activity. We may as well let the Administration run the whole show and forget about Parliament. The Premier sheds crocodile tears over the idea of Parliament being subverted. How insincere and rotten is the Premier when he says such things.

Sir Charles Court: You would be one person I would have believed to be very firm in adhering to the principle that the Government should control the notice paper.

Mr JAMIESON: We heard about that principle from the member for Stirling a while ago and I well remember the occasion he referred to. I can remember other occasions over the last four years when we wanted to adjourn a motion—not a no-confidence motion—to provide members with an opportunity to inquire into certain aspects of it and the Premier has refused an adjournment.

Sir Charles Court: That is consistent.

Mr JAMIESON: Of course it is not. I have never known that to be done; that is, not until this Premier indulged in the practice.

Sir Charles Court: Fair go!

Mr JAMIESON: Give me an example.

Sir Charles Court: I could take you back to when we were in Opposition in 1953 and in 1959.

Mr JAMIESON: In the past, prior to the present Premier, an adjournment has always been considered on ordinary motions. With private members' business motions could be adjourned so members could get hold of necessary facts or figures, but this does not happen under this Premier. He has taken it upon himself to change

the system. If the Premier wants to change the system then let him get on his feet and tell us positively about it instead of conniving with his new junior Minister. The new Minister should have done what he did before and indicate that if things were not done correctly he would get out. Had he done that he would have been admired a lot more than he is now in going into this Ministry under the cloud of being subservient to the Premier. In this State the situation is very much in line with the old saying, "Power corrupts and absolute power corrupts absolutely." The Premier feels he has absolute power and he is obviously corrupting that power.

Mr Sodeman: Absolute rubbish.

The SPEAKER: Before I call the member for Gosnells I indicate that in giving my earlier ruling I had regard for two events concerning debates on a motion such as this. When a similar motion was debated in 1961 there were two speakers. They were the Leader of the Opposition and the Premier. After that a vote was taken and the entire debate occupied about 40 minutes of the time of the House.

On the second occasion the Deputy Leader of the Opposition moved the motion and the Premier replied and then a vote was taken. I had in mind that was the sort of activity which would occur here today, but it has got to the stage now where there have been four speakers from the Opposition benches, the Premier, with another Opposition member about to rise.

I am sorry I did not give a decision in the reverse earlier and I indicate to the House that I reserve the right to change my mind on any future occasion should a similar situation arise.

MR PEARCE (Gosnells) [4.45 p.m.]: I concur with the member for Welshpool in pointing out to the Premier that the Public Accounts Committee is a committee of the Parliament and not of the Government. When at the beginning of the session we elected five members to the committee we were electing five representatives to inquire into the way in which the Government was conducting its financial affairs and then report back to the Parliament if they found anything untoward.

The committee is the Parliament's check on the way the Executive exercises its administrative functions with regard to finance.

Mr Clarko: You have no idea of the Public Accounts Committee and you have never been to a meeting.

Mr Skidmore: You would be a bright star.

Mr Jamieson: Just because you have not been to a funeral does not mean you know nothing about them.

Mr PEARCE: The fact that one has never been to a Public Accounts Committee meeting in an observational role does not mean one does not understand the part it plays with regard to this Parliament. What has happened here with regard to the failure of the Government to bring on this matter is that every time the notice of motion gets close to the top of the notice paper, just like in a game of snakes and ladders, the rungs are pulled out and it slips to the bottom.

Why should that be unless the Premier is seeking to interfere with the appointments to the committee by the Parliament on opening day? It would seem that for some tactical, political reason the Premier wants a committee which is compliant with his Government and so wants to affect the position of its members other than those mentioned in the notice of motion before the House.

I am not convinced by what the Premier has said in answer to a question yesterday or in the House today by interjection that no consideration has been given to the position of the member for Merredin. I say that because in his speech to the House the Premier had the gall to say we were all aware significant changes had taken place in the constitution of this Chamber.

What are the significant changes? The answer is that one of the members of the Public Accounts Committee has indicated his intention of resigning from the party which he has previously represented. If that is meant to indicate significant changes have taken place in the constitution of this Chamber and as a result it has been necessary to keep this motion towards the bottom of the notice paper, it means that consideration in fact has been given to the position of the member for Merredin. No decision may have been made, although I doubt that.

Sir Charles Court: It is a statement of fact.

Mr PEARCE: No it is not because it contradicts words from the Premier's mouth. The Premier has contradicted himself in his speech today and in answer to a question yesterday. The Premier has indicated he is interested in an early meeting of the committee and why the meeting of the 14th August did not take place.

My understanding is that of the five members of the committee the member for Merredin had indicated some time before that he was not able to attend that meeting, which would have left only four members. A suggestion had been made that it would be improper for the member for Scarborough to attend because he had been designated as the new Minister for Health and the man coming before the committee was the Commissioner of Public Health. That would have

been moderately improper and indeed the Clerks had indicated to the member for Swan that as deputy chairman he would be chairing the committee meeting because the member for Scarborough was unlikely to be there owing to his peculiar situation.

So two of the three Government members were unlikely to attend and at the same time an urgent matter of conservation came before the ALP conservation committee and the member for Swan, as shadow Minister for such matters and chairman of this conservation committee, found he had to attend that meeting. The conservation meeting had to be held on that Tuesday and the only time it could be scheduled was at the same time as the Public Accounts Committee meeting.

The member for Swan went ahead with the important conservation meeting in the knowledge that the member for Merredin would not be at the meeting and the member for Scarborough might not be attending because of his unusual circumstances. That is a remarkably responsible decision because to have the Commisioner of Public Health coming before a committee consisting of two Opposition members and one Government member—three-fifths of the total committee—and culminating a lengthy investigation into the department would not have been the proper thing to do.

Now the Premier says that because the meeting could not be held there are now to be no meetings conducted until this matter can be finally placed at the top of the notice paper.

Are we to accept the situation where the Government leaves that motion at the end of the notice paper perhaps until the next session, as a way of stopping the Public Accounts Committee from properly performing its function? The Government is not acting in a proper fashion in regard to this matter. It is acting most improperly indeed and is showing considerable contempt for the Parliament in the way it is attempting to fiddle with the main committee of the Parliament.

I am particularly annoyed with the actions of the Government on this occasion. I pointed out the inconsistencies in, or the hypocrisy should I say of, the statements of the Premier in this House today, and by way of answer to a question yesterday. If honourable members have any gumption at all, or any desire to assert the authority of the Parliament in which they sit by having a check on the administrative and financial procedures of the Government, they will recognise the importance of the Public Accounts Committee and its membership and they will insist this matter be dealt with immediately.

MR BERTRAM (Mt. Hawthorn) [4.52 p.m.]: Members on this side of the House do not understand why there should be any hesitation in appointing the member for Merredin to the office of Chairman of the Public Accounts Committee. The member for Merredin is the senior member of that committee. He happens to be one of the senior and certainly one of the most competent members sitting opposite on the Government benches. One may say he would not need to be very competent to qualify for that distinction; but, even if we concede that, the point of the matter is he is the senior member and has given very good and competent service on the Public Accounts Committee. He is amply qualified and is the obvious person to be selected as the new chairman of that prestigious committee.

Mr Sodeman: No wonder you do not rate very highly in the eyes of your colleagues.

Mr Pearce: Rubbish!

Mr BERTRAM: I would raise some conjecture as to precisely where the member for Pilbara stands in the eyes of his colleagues. The position is quite clear. There is ample precedent for the member for Merredin to be appointed as chairman. When the Premier discovers that the course of events which he has set out is likely to be frustrated, he becomes very annoyed. If members have any doubts about that, I suggest they ask the member for Subiaco or the member for Scarborough. Both of those gentlemen will explain the true situation to members. However, whether or not they in fact explain the matter, we all know the situation.

If members need further evidence of what I have just said, they could perhaps ask the member for Stirling and the member for Mt. Marshall. Those members can explain what happens when one has the temerity to lock horns with the Premier. On this particular occasion it is the turn of the member for Merredin. We all know that is the position. We can stand up here and say as much as we like, but members who are serious and know a little about what occurs in this place understand that the member for Merredin is about to have his public accounts hat removed.

This will occur as a result of the Premier's obsession with power. The Premier rigged the boundaries and he created unjustified seats. That is a fact.

Mr Young: Three minutes—you are going well.

Mr BERTRAM: That is in fact the position.

Mr Young: You are slipping again. It was six minutes last time when you got onto the subject.

Mr BERTRAM: If we have a rigged and crooked Parliament, everything is crooked. Having gluttonously grabbed power, the Premier is never happier than when he is using it. We all know that. A few members, for one reason or another, decline to let the Premier into this secret.

The Premier is never sadder than when his power is challenged, regardless of the degree to which it is challenged, and he is never more savage than when his authority is questioned. There is ample evidence of that.

The Premier tells us of his concern for the dignity of Parliament and some people believe him. The fact is when it suits the Premier he consigns the Parliament to the gutter. This particular incident is one of those cases. When he brought in boundary rigging legislation, he did the same thing.

The SPEAKER: Order! I would ask the member to resume his seat. I believe that has nothing to do with the motion which is before the Chair and I would ask the member for Mt. Hawthorn to adhere to the question before the Chair.

Mr BERTRAM: I will abide by your ruling, Sir. I was about to lead up to the fact that the motion which was placed on the notice paper some weeks ago by the Premier, which is still on the notice paper, and which gives rise to the matter we are currently debating, is one which in normal circumstances would be disposed of by this Parliament in roughly three minutes at the most. It is a matter of formality. There is absolutely no reason for having delayed it. There is no good reason at all.

When this sort of thing happens, it is clear to anybody who knows anything about Parliament that the House is brought into disrepute. When an attempt was made to ask a question touching on this matter last Thursday the Premier decided, "I am not going to bother about answering that." I think the whole of question time was postponed. Ultimately, when the question was asked, on the face of it it was a question without notice, but in fact the Premier had been aware of the question for days. Despite this, he refused to answer it. There were several parts to the question. I should like to quote one part. It reads as follows—

> Is there not ample precedent for the fact that a member of the Public Accounts Committee should cease to function thereon or influence its activities once he becomes a Minister?

Instead of answering that and displaying to the House and the public his bona fides, the Premier dodged the question. Having been asked whether there was a precedent, he dodged the issue and said, "Standing Orders are silent on this point." We are well aware of that. We were not asking that. We were asking whether there was ample precedent, and we believe there is. Nothing the Premier said in answer to the question pointed in a different direction. He then went on to say, "Normally, a Minister would not be appointed if he were a Minister at the time of his appointment." That is the opposite position.

We were discussing the fact that a man has been appointed a Minister when he is already a member of the Public Accounts Committee and the Government has delayed his discharge from that position. When completely screwy answers are supplied to reasonable and proper questions we can draw only one conclusion which is that mischief is afoot. On this occasion quite clearly the Premier is the one who is perpetrating the mischief. He is manipulating the situation once again. He is manoeuvring. The Premier has his fists in the works in exactly the same manner in which he had his fists in the Kimberley election in 1977. The Premier was the architect of that situation and he is the architect of this one.

When we have completed this debate, notice of motion No. 1 on the notice paper should be moved and disposed of. As I have said, it would probably take less than three minutes to deal with that motion.

MR B. T. BURKE (Balcatta) [4.59 p.m.]: The Opposition is not surprised at what has transpired with respect to this committee, because the House will remember that at the time the members of the committee were chosen by this House the Opposition raised serious doubts about the fitness of the member for Scarborough to take part in the Public Accounts Committee. We all well remember at that time the Opposition alluded to the reference made by the member for Scarborough in his election material to his membership of the committee as being one of the reasons the electors in his electorate should support him.

The Opposition said at that time that the use of the position that this House had bestowed upon that member was an improper use and now we find the member appears to be conniving with the Premier in the persistence of the committee in a manner which brings no praise upon this Parliament at all.

Mr Clarko: You are wrong on both counts.

Mr B. T. BURKE: Let us just study what is transpiring.

Mr Clarko: Are you not the shadow Minister for Housing?

Mr O'Connor: He casts a shadow on more than that!

Mr B. T. BURKE: There is an important lesson to be learnt in just what is happening to the Public Accounts Committee. Firstly the deliberations of the committee have been explained to this House as being at an important and crucial stage. Those deliberations are not proceeding and once they are finalised the proposition we are expected to accept is that the Minister for Health should sign the report of the committee which deals with those matters he will be administering. What members on the Government side are prepared to accept that as an appropriate situation? I do not hear the member for Karrinyup calling out as he was wont to do a moment ago.

Mr Clarko: Is there a report, and if so, how do you know? Are you privy to what is going on?

Mr B. T. BURKE: It has been explained by members of the Public Accounts Committee that the final stages of an inquiry into a particular matter which will be the province of the member for Scarborough once he takes up office are now being concluded—

Mr Clarko: What gives you the right to assume he will sign it?

Mr B. T. BURKE: —and that a report will be prepared as a result of that inquiry. No matter how the member for Karrinyup wants to bluster, which is one of the things he manages to do best, he cannot deny that the Minister for Health-elect should not continue to be the chairman of the committee. It is just not proper when the committee is inquiring into health matters. It is as simple as that.

We all know the unstated reason for the Premier's dilatory action in this matter is simply because he does not want the committee to go out of the control of the Government, and that is as simple as it is. The member for Scarborough made inquiries of the deputy chairman of the committee and asked him—

Mr Skidmore: In confidence.

Mr B. T. BURKE: —whether it was true that there were moves afoot to have for the new chairman the member for Merredin, and he was told that those moves were being planned quite properly. He then used that information to bring about the situation we are now enduring.

Mr Young: Are you in toilets listening to conversations?

Mr Skidmore: I gave that information to you in confidence, but you have seen fit to use it. You will never get my confidence again, I assure you.

Several members interjected.

The SPEAKER: Order!

Mr B. T. BURKE: The member for Scarborough can make threats to the member for Swan and it means not one whit because the member for Scarborough does not have to answer for threats, but for his own position and that is why he is persisting in refusing to call a meeting. It is why he is persisting in retaining that position at a very delicate time during the inquiries of that committee. That is all the member for Scarborough is being asked to explain. The Premier is being asked to explain the business of the House and the reason for his delay in bringing forward as business the matter he himself listed on the notice paper.

The member for Welshpool has very adequately explained that it is not Government business. It is procedural business which should be at the top of the notice paper, and the Premier's answer to that criticism was not satisfactory. So those two people need to explain their position, but neither has sought to do so—not adequately, anyway.

The last thing I want to mention will not win me any popularity contest, but it is passing strange to the Opposition that when we do the right thing and mention to officers of the House that certain things are intended to be moved, within a short time Government members seem to know exactly what is intended.

The SPEAKER: Order! I cannot accept that the member for Balcatta or any other member of the House can make an accusation or complaint about an officer of the House. If the honourable member has any such complaint to make, I would expect him to approach me in the privacy of my office. I certainly will not allow any officer of this House to be publicly questioned in the Chamber.

Mr B. T. BURKE: Had you allowed me to continue, Mr Speaker, I would have made it perfectly clear that I was not talking about an officer of this House. It was with the Opposition's say-so that the officer concerned was informed of what the Opposition intended to do, and I was in no way casting any reflection on any officer in this House.

Mr Clarko: Who are you trying to fool?

Mr B. T. BURKE: If the member for Karrinyup will be quiet for one moment, instead of huffing and puffing, I will tell him. We have strong reason to believe that shortly after the officer had informed the Speaker, as we knew he was going to, and as we agreed upon his doing, two members of the Government appeared to have knowledge of what was going to happen. That is what the Opposition is saying, and let the Government Whip and the Parliamentary Secretary of the Cabinet deny they knew what was going to happen before it occurred. They will not deny it.

Sir Charles Court: Are you accusing the Speaker?

Withdrawal of Remark

The SPEAKER: Order! I find that accusation to be completely repugnant and I call upon the member for Balcatta to retract what I believe to be a slur on this Chair.

Mr B. T. BURKE: I simply said that we have reason to believe that was the case.

The SPEAKER: Order! The honourable member—

Mr B. T. BURKE: I am quite happy to retract that if it is required by you, Mr Speaker.

The SPEAKER: It is.

Mr B. T. BURKE: However, the reasons which prompted me to say it persist.

The SPEAKER: Order! The member will resume his seat. I call on him to make an unqualified retraction.

Mr B. T. BURKE: I am quite happy to make a retraction.

Debate Resumed

Question put and a division taken with the following result—

Ayes 21

Mr Bertram	Mr Jamieson
Mr Bryce	Mr McIver
Mr B. T. Burke	Mr McPharlin
Mr T. J. Burke	Mr Pearce
Mr Carr	Mr Skidmore
Mr Cowan	Mr Stephens
Mr Davies	Mr Taylor
Mr T. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	*Teller.*

Noes 25

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Mrs Craig	Mr Ridge
Mr Crane	Mr Rushton
Dr Dadour	Mr Sodeman
Mr Grayden	Mr Spriggs
Mr Hassell	Mr Tubby
Mr Herzfeld	Mr Watt
Mr P. V. Jones	Mr Williams
Mr Laurance	Mr Young
Mr MacKinnon	Mr Shalders
Mr Mensaros	*Teller.*

Pairs

Ayes	Noes
Mr T. H. Jones	Mr Sibson
Mr Barnett	Mr Grewar
Mr Tonkin	Mr O'Neil
Mr H. D. Evans	Mr Coyne

Question thus negatived.

Motion defeated.

WESTERN AUSTRALIAN COAL INDUSTRY TRIBUNAL BILL

Second Reading

MR MENSAROS (Floreat—Minister for Mines) [5.10 p.m.]: I move—

That the Bill be now read a second time.

The Bill is a re-enactment of the existing legislation covering the Western Australian Coal Industry Tribunal, contained in division 1 of part XIII of the existing Mining Act, which of course will be automatically repealed once the new Mining Bill, introduced a few minutes ago, becomes an Act and is promulgated.

This action is in accordance with a recommendation by the Mining Inquiry Committee that separate legislation be effected to cover the industrial aspects of the coalmining industry as it does not relate in general to the Mining Act.

Two amendments of any significance and other minor generally updating ones have been made—

(a) Reference to the National Security (Coal Mining Industry Employment) Regulations which are no longer in existence, has been deleted and a saving provision has been inserted in lieu. The saving provision refers to the Interpretation Act, 1918, and preserves the continuance of the former tribunal and the decisions, awards and orders made thereunder.

(b) The penalty provided for failure to attend a conference when directed by the chairman has been increased from $200

to $500, a deterrent which is more in line with today's monetary values than those of 1948 when the section was incorporated.

It is not proposed to re-enact part IIA or division 2 of part XIII of the Mining Act. These sections provide for a coalminers advisory board and a coal committee to assist in matters regarding the development and distribution of coal.

Neither the board nor the committee has operated during the last 20 years and there is no reason to revive them now. If the need arises either or both could be reconstituted.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Jamieson.

SECURITIES INDUSTRY ACT AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—Premier) [5.13 p.m.]: I move—

That the Bill be now read a second time.

Section 97 (3) of the Securities Industry Act, 1975, was intended to provide a limit of $500 000 as the maximum amount that could be paid out of the fidelity fund of a Stock Exchange under the Act, in the event of the collapse of a stockbroker or a member firm of the exchange.

Some doubt has been raised as to the way in which this limit is expressed. As the minimum amount of the Stock Exchange's fidelity fund is $500 000, it was intended to impose a limit of $500 000 in respect of the total of all claims in respect of the one broker, or the one member firm, as the case may be. But it has been suggested that as section 97 (3) is worded, the limit may apply to each claim rather than the total of all claims. So if a broker or member firm fails and there are two claims of $500 000 each, it is suggested that they might both come within the limit contained in the section, despite the fact that, in total, these claims amount to $1 million.

Because $500 000 is the minimum size of the fidelity fund, this is not desirable, since subsequent contributions into the fund would continue to be applied in respect of the collapsed broker or firm instead of going towards building up fresh assets to cover the possibility of a second collapse.

The Bill now before the House merely seeks to eliminate these doubts as to the proper construction of section 97 (3) and place beyond doubt that the limit of $500 000 applies to the total of all claims following from the one collapse.

If funds permit payments in excess of that limit, persons dealing with the broker or firm concerned are protected in any event, as section 97 (5) gives the Stock Exchange a discretionary power to make payments in excess of the limit imposed by section 97 (3) in those circumstances.

Section 106 of the principal Act deals with apportionment of the moneys payable out of the fidelity fund, where such moneys are not sufficient to meet all claims in full.

Certain consequential amendments to section 106 (2) have been made to retain consistency between the language of that section and section 97 (3).

The amendments do not change the effect of the provision of section 106 (2), except as to consistency of language.

These amendments have been agreed with the other three States participating in the Interstate Corporate Affairs Commission and are already in force in New South Wales. The corresponding amending Act has been passed in Queensland but is yet to come into force, and the Victorian Bill is due to be enacted this year.

Finally, the opportunity has been taken to rectify two typographical errors presently appearing in the principal Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

STATE ENERGY COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 10th August.

MR JAMIESON (Welshpool) [5.17 p.m.]: I commence my remarks by informing the Government very clearly that it is not the intention of the Opposition to support this Bill. We feel there needs to be considerable explanation provided by the Government on various matters before we are prepared to support the measure. While the provisions of this Bill might be of some advantage to the State, they certainly will disadvantage the citizens of the State.

The measure deals with the question of investment and ownership in connection with matters associated with the State Energy Commission. It will allow the State Energy Commission to finance its affairs on a slightly different basis from what has occurred in the past. To some extent, I imagine that provision might be all right. However, there are many other features which we do not like.

In general terms, to a certain extent I appreciate what the Government is getting at. However, it has been clearly indicated that completely new energy legislation will be introduced later during this session of Parliament. One would have thought that it would not have been entirely necessary, at this stage, to go ahead with this particular amendment and then, at a later stage, introduce completely new legislation. However, that is the choice of the Government but we feel it is not desirable.

One matter we find to be most repugnant is the provision to allow a charge which now will be prescribed in relation to electricity connections, particularly to domestic services. Until recently there was provision for a deposit situation, but from now on what was previously regarded as the deposit will now be regarded as a charge. The provision is repugnant because whilst the deposit previously was held by the commission as a good faith deposit, it was also there in case of default in the payment of accounts.

The new provisions will do away with the former idea of the deposit. However, it will not be done away with entirely, because there is provision that as well as the connection fee—which was previously regarded as a deposit and as a security in some form—the Government can have additional regulations proclaimed to require some additional surety or deposit. That would be double dealing and a double charge. I do not think it is justified. We should know where we are going.

Once we get to this stage there is the inbuilt feature of the 3 per cent of the revenue of the State Energy Commission which goes into Consolidated Revenue and builds into the Consolidated Revenue Fund an extra amount each year. We do not think the SEC should be obliged to pay that 3 per cent. We have never agreed to the proposition of the SEC paying the 3 per cent as several other authorities are required to do. We feel in a State like this where it is hard enough to crack even as it is, the SEC should be allowed to run its affairs without having this extra impost and a revenue tax built into the accounting system.

With all the connection fees coming in, instead of being put into a suspense account held by the commission, as the deposits were previously, they will now be part of the commission's revenue and be subject to the 3 per cent tax. I do not see any reason that we should support a proposition such as that.

As far as connections other than domestic connections are concerned, I suggest it is not unreasonable to ask what is considered to be an ample deposit for the various types of connections and what the consumption is likely to be, because at times firms are beset with problems and we should not let the State instrumentality be wanting for some way to recover debts from these people.

I have previously mentioned the extension of the borrowing powers, and I think it would be remiss of me not to deal with a few other matters I have raised. The commission must always have sufficient capital for its operations, and to some extent I commend the Government on the way it is going about providing more capital on this occasion, but we are not sufficiently satisfied to be able to say we would be prepared to support the Bill.

If the Loan Council approves of new loans being sought overseas, we would want to know the conditions which are likely to be applied. The new Minister who introduced the Bill on behalf of the Minister for Fuel and Energy was not very explicit in this regard. As a matter of fact he did not give any indication at all how the loans would be handled.

Some time ago, before the last election, we had an indication from the Government that it might be prepared to sell the State Energy Commission to foreign interests and have additional facilities at Muja built by private enterprise. We were opposed to that proposition, as I think any thinking Government should be, because if anything is required to be in the hands of the State surely it is a service industry such as the State Energy Commission.

If the SEC were handed over to private enterprise, the investors would need to get a return on their funds, and if the private enterprise were a foreign company the money would be going out of the State. If the State Energy Commission does make a profit—which it has not done for some years because it has been struggling for finance—that profit should be used in furthering its activities and should not be sent overseas to investors. I cannot go along with any suggestion that it is desirable to extend the Muja power station in the way anticipated at that time. I made it very clear on the hustings that I would be opposed to that, and on making inquiries overseas and elsewhere I found the proposition was not very soundly based anyway. The consortium which was considering the matter was not very keen on it and the proposition was dropped. The State Energy Commission is again responsible for those extensions.

If we were in the hands of overseas operators we would probably always be subject to determining how the finance will be expended, and

many conditions would be attached to it. I hope we can raise most of the loans in Australia, as we have done in the past, with the big financial institutions such as insurance companies, banks, and so on, which have finance available, propping up any finance the Government is unable to provide. This measure, of course, will excuse the Government from some of the commitments it had in the past by making loan funds available to the SEC.

I mentioned earlier that the profits could go out of the State. We are constantly being urged to buy goods made in Western Australia and keep money in the State, but we have the Government suggesting we should perhaps send money out of the State by paying interest to people who are not resident here. The proposal is tied up with the raising of finance for the Dampier-Perth natural gas pipeline, which is of course a project of great magnitude. Millions of dollars will be involved in the pipeline, and I think the nature of the project is such that we should be looking for a way to persuade the Commonwealth from its attitude towards financial assistance for necessary State improvement plans such as this and to come to the party by helping out as it should be obliged to do.

At various times the Premier has indulged in some kite-flying about a proposal for a nuclear power plant, but as far as we can ascertain from the information at our disposal, 1 800 megawatts will be available when the current expansion programme is completed, and if the ordinary increase in electricity requirements continues, in 1990 we will be requiring a capacity of about 2 500 megawatts. That does not seem to be nearly enough to warrant acquiring an atomic power station. I hope we will be sensible about this matter and keep our feet on the ground by developing, perhaps on a regional basis if necessary, the thermal power units which have been so successful and using fuel which is available in the State and is not likely to give us any trouble with residues.

It appears the Crown Law Department has not given the State Energy Commission very successful advice in recent times. That is a pity. We should be able to have implicit faith in the Crown Law Department's advice. The department advised the commission that it had a right to charge service fees, but that was later proved to be very doubtful from a legal point of view.

A little later I will mention the other measure which sets out to validate charges made under those sections. It appears that the commission has been badly advised in the past, and it is not very acceptable that such advice was given by people who should be aware of legal matters.

Earlier I mentioned the account establishment fee, and I have said that we do not like this charge. However, we do believe the commission is justified in seeking a deposit from a new consumer. The Minister replies on this point that other consumers should not be expected to pay for services rendered to their fellow consumers. There are some people in our community who must move their place of residence a number of times during their life, and others escape this. I could mention in this context school teachers, bank managers, and other people whose employment dictates that they must move around constantly.

People such as these will be subject to this connection fee every time they are shifted from one place to another, and this should not be so. If a person has proved to be a good customer and has paid his accounts on time, that connection fee should be transferable. Surely the Minister does not say that the commission is involved in a great deal of expense when it reconnects a meter. Surely the customers of the State Energy Commission are deserving of some consideration.

In the case of the provision of a new electricity service, it is only fair that the consumer should be charged a fee initially. However, to charge another connection fee every time a customer changes his residence seems to be an excess, and simply a way to bolster the revenue, along with this 3 per cent surcharge.

We have received a number of complaints from time to time, and in reply to questions it has been made very clear to my colleague, the member for Collie, that this connection fee is not refundable. His question to the Minister on the 22nd August brought the reply as follows—

> The account establishment fee is not refundable. It is a charge made for services requested by the customer and provided by the Commission at the time of establishing or transferring an account for the supply of energy for domestic purposes.

This might be all very well for the person who has to pay it only once, but there should be some way to transfer this fee for the customers I have referred to. I mentioned the plight of school teachers, and I have here *The Western Teacher* of the 18th August, 1978, which carried an article on this subject. Part of the article read as follows—

> Approaches have been made to the Director-General, the Minister for Education and the Premier regarding the application of an

account establishment fee by the State Energy Commission for teachers who occupy GEHA housing.

The imposition of the new non-refundable fee of $15.00 replaces the previous refundable charge of $10.00.

The answer from the commission was to this effect—

The Commission, or more correctly the metropolitan customer, is already subsidising country customers to the extent of $10 000 000 per annum through the application of State Wide uniform tariffs and it is quite unrealistic to suggest that the State Energy Commission can further subsidise one section of the community no matter how deserving their cause or function.

It is regretted therefore that the State Government is unable to accede to your request.

Of course there are no GEHA houses in the metropolitan area, but there are a number of people who, because of their vocation, are transferred in and out of the metropolitan area from time to time and I believe this is a legitimate charge for the commission, through its customers, to carry.

The commission has drawn attention to the fact that energy to the value of about $10 million is being subsidised by residents of the metropolitan area. However, this principle has been accepted for a very long time, and I have not heard residents of the metropolitan area bellyaching about it. We accept this same principle through our General Revenue Fund in connection with country water supplies. I believe in this case the figure is about $16 million a year. Nonetheless, we have not heard people in the metropolitan area being very vocal on this point. We have not seen a rash of letters to the editor about it. So it would be quite legitimate to allow the commission to carry this cost, to even out the whole process.

Recently we heard a representative of the Campaign against Nuclear Energy suggest that fixed charges had increased by 380 per cent in the past 18 months. We all know this, and these facts and figures have been referred to by members on this side of the House every time we debate fiscal matters. Probably everyone is a little tired of hearing these figures, but we must keep repeating them to indicate clearly to the Government that we will not go along with such constant increases.

During the period I was a Minister in the Tonkin Government, we spent may hours discussing ways and means to avoid putting up charges. However, when we were faced with the absolute need to put up charges by very small amounts, immediately motions were moved from the then Opposition, led by the present Minister and the present Premier, castigating us for our actions. I might add that the increases during the Tonkin Administration amount to about 5 per cent of the increases levied by this Government. That shows the hypocrisy of the then Opposition.

I notice the Minister for Fuel and Energy defended the increased power costs. He seems to think that his department can do no wrong. Probably all members feel a little bit like that, and he certainly is no exception. An article appeared in *The West Australian* on the 23rd August, 1978. It was headed, "Mensaros defends power cost", and it commenced as follows—

The State Energy Commission's fixed charges for electricity and gas were intended to cover partially the cost of making the supply available, the Minister for Fuel and Energy, Mr Mensaros, said yesterday.

We feel there is some little good in this provision, but there is also a lot of harm in it from the point of view of the customers. The Government has been bleeding the people for the last three or four years, and it will continue to do so. All we can do is to protest vocally about the Government and we hope that the voice of the public will rise in a crescendo.

The real wages of individuals are being eroded because of Government charges. The Government must seek economic ways to improve the services it provides rather than to continue to spend the taxpayers' money liberally. I often wonder what a Government such as ours would do if it were faced with a situation such as occurred with proposition 13 in California. The people spoke out and instructed the authorities to cut charges by a certain percentage right across the board. Our Government would not know how to handle such a situation. It has always been in the happy position—happy from the Government's point of view—of having this absolute power I referred to in an earlier debate.

Of course, the Government does not care very much about individual people and how they may be affected by additional charges and increased rates.

There are other matters in the Bill which may be dealt with by other members. All I want to indicate clearly on behalf of the Opposition is that many questions still remain to be answered in respect of the proposed new borrowing powers contained in the legislation, and why it is absolutely necessary to bring the matter forward so early

when the Minister has indicated that a completely new fuel and energy Bill will be introduced later in the session. Those are some of the questions we want answered, but even so we would not be certain that we would be sufficiently satisfied to support the legislation.

I oppose the Bill.

Debate adjourned, on motion by Mr Laurance.

QUESTIONS

Questions were taken at this stage.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [5.50 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 5th September.

Question put and passed.

QUESTIONS

Closing Date

THE SPEAKER (Mr Thompson): I inform members that questions on notice for Tuesday, the 5th September, will be accepted until noon on Friday, the 1st September.

House adjourned at 5.51 p.m.

QUESTIONS ON NOTICE

TOWN PLANNING

Metropolitan Region Planning Authority: Surveys

1336. Mr HODGE, to the Minister for Urban Development and Town Planning:

(1) Has the Metropolitan Region Planning Authority commissioned any public surveys to be performed on its behalf during the past 12 months?

(2) If "Yes" how many surveys were performed during the past 12 months?

(3) What was the nature and purpose of each survey?

(4) Who performed each survey?

(5) How much did each survey cost?

Mr RUSHTON replied:

(1) Yes.

(2) Five surveys were performed as part of—

the Armadale sub-regional centre study; and

the Rockingham sub-regional centre study.

(3) (a) Armadale sub-regional centre study—

(i) One "home interview" survey to determine residents' attitudes towards shopping, entertainment, cultural and recreational requirements in shopping centres.

(ii) One "shopping centre" survey to determine mode of travel and shopping preferences of buyers.

(iii) One "business" survey to determine current and likely future needs.

(b) Rockingham sub-regional centre study—

(i) As in (a) (i) above.

(ii) As in (a)(ii) above.

(4) Armadale sub-regional centre study—Parry and Rosenthal, Architects and Planners.

Rockingham sub-regional centre study—Llewelyn-Davies Kinhill Pty. Ltd. and Ralph Stanton Planners.

(5) The precise costs are difficult to quantify but were in the order of—

(a) Armadale sub-regional centre study—$5 000 (approximately);

(b) Rockingham sub-regional centre study—$5 500 (approximately).

RESEARCH STATION

Allendale

1360. Mr McIVER, to the Minister for Agriculture:

(1) What is the total amount of money allocated to Allendale research station to carry out the restoration programme?

(2) Did the Federal Government subscribe to the project?

(3) If so, how much?

(4) If (2) is "No" from what source were funds allocated?

(5) When is it anticipated the restoration programme will be completed?

(6) When the project is completed, is it intended to have a formal function?

(7) If "Yes" in what form?

Mr OLD replied:

(1) 1977-78, $90 507;
1978-79, $161 000.

(2) No.

(3) Not applicable.

(4) From State Consolidated Revenue Funds.

(5) The restoration components are expected to be completed early in 1979.

(6) Yes, the formal opening day is 16th March, 1979.

(7) No details have been decided.

RAILWAYS

Beverley Station

1361. Mr McIVER, to the Minister representing the Minister for Transport:

(1) Does Westrail intend to replace the Beverley railway station with a building of modern design?

(2) If "Yes" when will building commence?

(3) If (1) is "No" would the Minister state reasons for this decision?

Mr O'CONNOR replied:

(1) Yes.

(2) Present planning is for the work to be scheduled in financial year 1980-81. However, due to high priority works competing for the limited capital funds available, it may be found necessary to defer replacement of the station.

(3) Not applicable.

ENERGY

State Energy Commission: Transport of Consignments

1362. Mr McIVER, to the Minister representing the Minister for Transport:

(1) As State Energy Commission vehicles are carting large consignments to country areas, would not the Minister agree this is in direct opposition to Westrail, and as a consequence, denying Westrail income?

(2) If "Yes" would the Minister take the necessary action to have the matter rectified?

Mr O'CONNOR replied:

(1) and (2) Section 33(4), paragraph 7 of the First Schedule of the Transport Commission Act provides that—

> a licence is not required for a Commercial Goods Vehicle that is being used solely
>
> (7) By the Crown or any local authority for its own purposes other than the carriage of goods for hire and reward.

COMMISSIONER FOR DECLARATIONS

Northam

1363. Mr McIVER, to the Chief Secretary:

Would he advise me who are the Commissioners for Declarations in Northam?

Sir Charles Court (for Mr O'NEIL) replied:

It is not possible with any accuracy to compile a list as there is no requirement of Commissioners for Declarations to advise change of address.

If the Member for Avon has any specific query, I suggest he contacts the Acting Secretary, Chief Secretary's Department.

HOSPITAL

Royal Perth

1364. Dr DADOUR, to the Minister for Health:

Further to question 1290 of 1978 concerning the tenders for Royal Perth Hospital, of the $2 747 846 of the contracts let by Royal Perth Hospital for building and building services projects for the past three years, how much was for the north block for each of the past three years?

Mr RIDGE replied:

Only one item related to north block. This was the demolition of two houses on Moore Street at a cost of $600.

WATER SUPPLIES

Nursing Homes

1365. Dr DADOUR, to the Minister for Water Supplies:

Are there any special allowances for water for nursing homes?

Mr O'CONNOR replied:

No.

POLICE

Hiroshima Day March

1366. Mr TAYLOR, to the Minister for Police and Traffic:

With respect to the "Hiroshima Day" march through Perth streets on 5th August, 1978—

(1) Will he table a copy of the text of the instructions read out by a commissioned police officer before the march began?

(2) What is the purpose and what is the significance of the reading of such "instructions"?

(3) Were any such "instructions" read out to marchers prior to any earlier marches of a like nature?

(4) If "No" to (3), why were such "instructions" read to the assembled people on this occasion?

(5) Were marchers directed that they must not "sing", "shout slogans" nor distribute leaflets along the route?

(6) If "Yes" to (5), why were such directions given on this occasion?

Sir Charles Court (for Mr O'NEIL) replied:

(1) Yes.

(2) Instructions are read to allow all persons participating in the march to be aware of the conditions under which the march was authorised.

(3) and (4) Yes.

(5) No direction was given that participants should not sing or shout slogans. The directions given were—

(a) "There will be no sale or distribution of newspapers, leaflets or pamphlets from the carriageway".

(b) "Use of amplifiers, etc., without the consent of the Perth City Council is prohibited".

(6) Directions were the subject of conditions laid down by the Commissioner of Police in the permit.

The paper was tabled (see paper No. 326).

WATER SUPPLIES

Cloud Seeding and Additional Provisions

1367. Mr BLAIKIE, to the Minister for Water Supplies:

(1) In view of the succession of abnormally dry years and the concern being felt for the current record dry period without rain in August, what steps have been taken by the Government to commence cloud seeding in Western Australia?

(2) Can he advise whether expert overseas advice has been sought in relation to cloud seeding and, if so, with what result?

(3) As the normally accepted winter period is virtually at an end, what additional provisions are to be undertaken to ensure adequate supply of water is available for agricultural, commercial and industrial purposes during the oncoming year?

Mr O'CONNOR replied:

(1) Studies conducted between 1967 and 1968 gave no evidence to indicate that cloud seeding was effective over the "Hills" water supply catchments. Observations showed that cloud types and conditions were not suitable for seeding. In view of the above no steps are being taken to commence cloud seeding.

(2) CSIRO are acclaimed experts in the theoretical and practical aspects of cloud seeding. Regular contact is maintained with CSIRO to ensure that the latest developments in cloud seeding are considered.

(3) Conditions vary from one part of the State to the other. However, at this point of time it can be expected that generally the supply of water for domestic, agricultural and industrial purposes will be no less restricted than last year.

TRAFFIC NOISE

Kwinana Freeway: Southern Extension

1368. Mr SKIDMORE, to the Minister representing the Minister for Transport:

(1) Have any studies been made on the possible noise level that residents who live along the proposed southern extension of the Kwinana Freeway will be subjected to, caused by traffic movement along the freeway?

(2) If "Yes" what are the anticipated levels of noise during peak periods and at other times?

(3) If no studies have been made, why not?

Mr O'CONNOR replied:

(1) Yes.

(2) Noise levels calculated are available only for internal use by the Main Roads Department to assist with the design of the Freeway.

(3) See answer to (1).

1369. *This question was postponed.*

POLICE

Radios

1370. Mr SKIDMORE, to the Minister for Police and Traffic:

(1) Have tenders been called and/or accepted for new radios for the police department?

(2) If "Yes" who was the successful tenderer and what were the names of those firms tendering and the tender prices?

Sir Charles Court (for Mr O'NEIL) replied:

(1) and (2) Yes. Tenders have been called but not yet accepted.

SESQUICENTENNIAL CELEBRATIONS

Log-chopping Championships

1371. Mr SKIDMORE, to the Minister representing the Minister for Tourism:

Further to my question 1148 of 1978 dealing with funds for the Westral Sports Fair, in reply to which the Minister stated that he would reconsider an allocation of funds to the Westral sports fair committee, is the Minister now able to advise that the matter has been reconsidered and whether or not funds will be made available to the association in regard to their request for same?

Mr P. V. JONES replied:

Yes. It has been reconsidered in conjunction with a further approach from the Hon. H. D. Evans. The decision has been now made that funds will not be made available.

SESQUICENTENNIAL CELEBRATIONS

Financial Assistance to Associations

1372. Mr SKIDMORE, to the Minister representing the Minister for Tourism:

Would the Minister advise Parliament the names of the associations that have requested assistance to put on functions or to conduct sporting activities during the 150th year celebrations, the amounts those associations requested and the amounts that were granted to same?

Mr P. V. JONES replied:

No.

PUBLIC RELATIONS CONSULTANTS

Engagement by Government

1373. Mr DAVIES, to the Premier:

(1) Referring to the answer to question 1248 of 1977 in which he advised that a contract between the Government and Mr W. W. Mitchell for Mr Mitchell to perform public relations work for the Government was then being re-negotiated:

(a) has the re-negotiation been completed;

(b) if "Yes" to (a), will he table a copy of the new contract;

(c) if "No" to (b), why not?

(2) If Mr Mitchell is still employed by the Government, but not under contract, what is the basis of his employment and what are the details of remuneration, other benefits and duties?

Sir CHARLES COURT replied:

(1) A contract has been entered into with W. W. Mitchell. I seek permission to table the agreement.

(2) Not applicable.

The agreement was tabled (see paper No. 324).

MINISTERS OF THE CROWN

Press Secretaries

1374. Mr DAVIES, to the Premier:

(1) How many Ministerial press secretaries are employed by the Government?

(2) To whom are they assigned?

(3) Are there any vacancies for Ministerial press secretaries at present and, if so, when is it proposed to fill the vacancies?

(4) Is the Ministerial press secretarial corps currently being re-organised and, if so, what are the details of the re-organisation?

Sir CHARLES COURT replied:

(1) 14 Ministerial press secretaries, plus one assigned to the Leader of the Opposition.

(2) Assigned to all Ministers.

(3) A vacancy recently occurred following the resignation of a press secretary, but with a reorganisation of work in the press office it is not intended, at present, to fill the position.

(4) As a result of the re-allocation of Ministerial portfolios, it was desirable to re-allocate some of the press secretaries to ensure that Ministers moving to new portfolios are provided with staff who are experienced in matters relating to those portfolios.

PUBLIC RELATIONS CONSULTANTS

Engagement by Government

1375. Mr DAVIES, to the Premier:

(1) Since October 1977, have any private public relations consultants been engaged by the Government for any purpose?

(2) If "Yes"—

(a) who;

(b) for what purpose;

(c) for what period of time;

(d) how much was paid/is being paid for the services?

Sir CHARLES COURT replied:

(1) and (2) The answer to this question and to questions 1376 and 1377 of 1978 will take considerable research and as soon as the information has been collated, I shall advise the member in writing.

GOVERNMENT DEPARTMENTS

Press Secretaries and Public Relations Consultants

1376. Mr DAVIES, to the Premier:

(1) Which Government departments employ press secretaries, information officers, publicity officers, public relations officers or similar officers?

(2) How many such officers are employed in each department?

(3) What salaries are paid to each of these officers and to what awards or other wage and salary determinations are the salaries related?

(4) If the salaries paid are not related to awards or other wage and salary determinations, how are they arrived at?

(5) Are any further such appointments at present contemplated in 1978-79?

Sir CHARLES COURT replied:

(1) to (5) See reply to question 1375 of 1978.

GOVERNMENT INSTRUMENTALITIES

Press Secretaries and Public Relations Consultants

1377. Mr DAVIES, to the Premier:

(1) Which Government instrumentalities, authorities or other agencies, other than Government departments, employ press secretaries, information officers, publicity officers, public relations officers or similar officers?

(2) What salary is paid to each officer and to what award or other wage and salary determination is it related?

(3) If salaries paid are not related to awards or other wage and salary determinations, how are they arrived at?

(4) Are any further such appointments at present contemplated in 1978-79?

Sir CHARLES COURT replied:

(1) to (4) See reply to question 1375 of 1978.

QUESTIONS WITHOUT NOTICE

Interjections

1378. Mr BRIAN BURKE, to the Speaker:

(1) Does the Speaker's action in curtailing questions without notice on Tuesday, 22nd August, 1978 following very minimal interjection mean that there will be no interjections permitted during questions without notice in future?

(2) If "Yes", why did the Speaker not explain that interjections were forbidden during his statement to the House prior to question time on Tuesday, 22nd August, 1978?

(3) If "No" to (1), why was question time cut short after the minimal interjection that occurred?

(4) Has the Speaker received representations—oral or written—from the Premier or any other Government member about this aspect of questions without notice?

(5) If "Yes" what were the details of any representation made?

The SPEAKER replied:

(1) to (3) The chorus of interjections which regularly occurs in the House, including the period of questions without notice, is injurious to the dignity of the Chamber. There are many occasions when the person who has the call is being denied his proper opportunity to address the House because of these interjections. Members will be aware that I am frequently required to interrupt debates to try to restore order—not always do I get complete co-operation of members.

One part of the day's proceedings—in fact the only period—when I have complete control is that during which questions without notice are taken. Such questions are permitted only at the discretion of the Speaker.

In recent times I have called upon Members to remain silent when the Premier and Ministers are answering questions without notice. More recently still, in a deliberate statement on the subject of questions, I said: "When the Premier or a Minister is replying to a question without notice, I expect him to be heard without interjection. I have made this very clear on numerous occasions but members have not heeded my warnings. I am now determined that if there is difficulty in maintaining the decorum of the House during a period

of questions without notice, I shall simply exercise my discretion under the established practice of the House and proceed to the next business of the House; in other words, there will be no further questions on that day."

The curtailment of questions without notice on Tuesday, 22nd August, was done, in accordance with this statement, following the interjections, not of one, but several Members simultaneously.

Lest there be some misunderstanding of my statement of 22nd August, let it be known that questions without notice in future will cease for that day when I detect interjections which I believe to be unnecessary.

(4) No.

(5) Not applicable.

MINISTER FOR AGRICULTURE AND WA MEAT COMMISSION

Deputation from Civil Service Association

1379. Mr HARMAN, to the Minister for Agriculture:

(1) Did he and the Western Australian Meat Commission receive two requests from the Civil Service Association to meet a deputation to discuss the future employment prospects of its members employed by the commission?

(2) Is it correct that he and the Western Australian Meat Commission have not acceded to this request?

(3) Does he and the Western Australian Meat Commission intend to receive a deputation to discuss the future of Civil Service Association members employed by the commission?

(4) If so, when does he anticipate such a meeting will take place?

(5) Is it a fact that the refusal to meet with a deputation is reinforcing the concern for and uncertainty of employees of the Meat Commission in respect of their future?

(6) If not, why not?

(7) If "Yes" what action will be taken to eliminate the concern and uncertainty?

Mr OLD replied:

(1) to (7) In response to requests to the commission from the Civil Service Association regarding the future of their members at Midland, the association was advised by the commission that there would be little point in discussions until a decision was taken by the Government on the future operations of the commission service works.

This decision was conveyed to the commission on 23rd August, and the Chief Executive Officer addressed the Midland employees on that day.

To date no approach has been made to me by the Civil Service Association regarding a meeting.

HOSPITAL

Bentley

1380. Mr JAMIESON, to the Minister for Health:

(1) Are any further extensions contemplated at the Bentley Hospital?

(2) What other metropolitan hospitals are being considered for extensions, and what are the details of each?

Mr RIDGE replied:

(1) No extension of acute beds is contemplated but it is intended to provide a permanent care unit and day hospital when planning can be undertaken and funds are available.

Some remodelling of the former X-ray and laboratory areas is being planned to provide for other hospital requirements.

(2) Apart from the completion of projects already commenced, the following new buildings or extensions are being considered for construction in the reasonably near future subject to the availability of funds.

In addition, there will be some remodelling of existing areas which will be vacated upon completion of additions at present under construction.

King Edward Memorial Hospital for Women—

Lecture theatre and University research facility.

Osborne Park Hospital—

Service block and administration area.

Day hospital and restorative unit.

Permanent care unit.

Princess Margaret Hospital for Children—

Completion of general services block.

Car park.

Patient services block.

Royal Perth (Rehabilitation) Hospital—

Day hospital and outpatient building.
Therapy block.

Sir Charles Gairdner Hospital—

Services and therapy block, containing kitchen, stores and physiotherapy department.
Radioactive store.

WATER SUPPLIES

Metropolitan Water Board: New Premises

1381. Mr JAMIESON, to the Minister for Water Supplies:

With reference to answer (1) to question 1169 of 1978 dealing with new headquarters for the Metropolitan Water Supply, Sewerage and Drainage Board, what is the proposed location of the building?

Mr O'CONNOR replied:

In an area bounded by Newcastle and Loftus Streets and an extension of Aberdeen Street, along the southern boundary of the present Metropolitan Water Board Leederville depot.

ROAD

Port Hedland-Broome

1382. Mr JAMIESON, to the Minister representing the Minister for Transport:

(1) On the present rate of progress when will the sealing of the highway between Port Hedland and Broome be completed?

(2) What amount of Main Roads Department funds have been allocated to this project for this financial year?

(3) What is the estimated cost of completing this section of highway?

Mr O'CONNOR replied:

(1) The objective is still to seal by December, 1980.

(2) $10 090 000.

(3) Including the 1978-79 allocation, the estimated cost to complete the section is $35 million.

ROADS

Halls Creek to Fitzroy Crossing and Kununurra

1383. Mr JAMIESON, to the Minister representing the Minister for Transport:

(1) When is it anticipated that the sealing of the highway between Kununurra and Halls Creek will be completed to the standard required as part of the national highway plan?

(2) When is it proposed the sealing of the Fitzroy Crossing-Halls Creek highway will be completed?

(3) What progress is anticipated in this financial year in this section of highway?

Mr O'CONNOR replied:

(1) The road between Kununurra and Halls Creek was completed to the "black top" stage in July, 1978. The national highway standards specify a seal width on this section of 6.2 metres. Part of the section was completed some years prior to the setting of national highway standards and was sealed 3.7 metres wide. The widening of this part to 6.2 metres has a low priority and no date for completion has been set.

(2) Completion of sealing of the national highway system in Western Australia is largely dependent on Commonwealth Government financial assistance. At present priority is being given to the completion of a sealed road between Port Hedland and Broome and a date for completion of the Fitzroy Crossing-Halls Creek section has not been set.

(3) In the 1978-79 financial year it is proposed to improve the formation and gravel sheet various sections which become impassable during wet weather.

LAND

Kununurra: DDT Residual

1384. Mr JAMIESON, to the Minister for Agriculture:

(1) What incidence of residual DDT is still measurable in Kununurra on land previously used for growing cotton?

(2) Are cattle from such lands still subject to restriction in regard to slaughtering for export?

(3) When were the last tests made in respect of DDT persistence in the vegetation and the meat produced from land known to have been previously contaminated by DDT excess?

Mr OLD replied:

(1) Samples of soil taken between November, 1977, and January, 1978, down to depths of 1 metre show levels of DDT (plus melabolites) ranging from 0.02 to 11.0 mg/kg.

(2) Yes.

(3) In June, 1976, for vegetation—and June, 1977, for live cattle which had a history of grazing on this land. Further samplings of cattle are planned for this season.

MINING

Off-shore

1385. Mr DAVIES, to the Minister for Mines:

In view of the decision taken at the recent Premiers' Conference to establish joint Commonwealth/State authorities in respect of offshore mining, when will legislation to give effect to that be brought to this House?

Mr MENSAROS replied:

This matter is being studied by Commonwealth and State officers and it is not yet known when legislation to give effect to the decision will be made.

STATE FINANCE

Manipulation of Economy

1386. Mr DAVIES, to the Premier:

(1) In view of his comments concerning the current recession, on Wednesday, 9th August, 1978, in *Hansard* No. 11 on page 2135 as follows: "I have often said it is a recession brought about by the fact that the people who are really manipulating the economy these days are so learned and have so much learning and information around them they are confused", can he name the individuals to whom he was referring?

(2) If "No" why not?

Sir CHARLES COURT replied:

(1) and (2) To answer this adequately would take more space than is permitted in answering questions. A phrase on its own can be misleading. However, I make the following comments—

Whilst the names of such individuals come quickly to mind, I do not intend to name them because they are part of a very large group of people who are highly qualified academically in economic theory but who, I believe, are either giving advice at a high level of Government, or are applying their economic theory in a way which appears to be more a manipulation of the economies rather than giving any basic thrust to economic progress.

I have no doubt that the people concerned are sincere in their approach to their work, but the results over the last few years certainly give one no cause for satisfaction with the result.

They also do not give any encouragement to enterprise and, in my opinion, lack any entrepreneurial type motivation—which is essential if there is to be some vigour in the economy. This can be achieved on a basis which has a responsible approach to the question of inflation.

One does not have to look beyond the negative results being achieved in so many countries throughout the world to see the results of the present approach, and I believe the time has long since passed when a different attitude should be applied.

In all of this, national governments cannot escape blame because, whilst they must seek advice, they have the final responsibility to interpret and act on their judgment in each case.

There are many economists with whom I have conferred who do not agree with the economic pattern which is coming out of the general advice which seems to be received and accepted by most national governments but, at this stage, those who advocate the present approach to the economy seem to predominate.

This will not stop the Western Australian Government pressing its views at the national and international level whenever the opportunity occurs.

IMMIGRATION

Galbally Report

1387. Mr DAVIES, to the Minister for Immigration:

(1) Is he aware that the Prime Minister 2½ months ago committed his Government to implementing in full the recommendations of the Galbally report on migrant services?

(2) Is he aware that instead of the promised extra $7.88 million to be spent during 1978-79 in this area, the Federal Budget allocates only $6.5 million to improve post-arrival programmes and services for migrants?

(3) Is he aware that the Federal Government has also raised the migration intake by approximately 20 000 settlers per annum?

(4) Is he also aware that the Federal Government has removed the tax rebates allowable in respect of dependents who are not residents of Australia?

(5) Will he urge the Prime Minister to honour his previous promises in respect of the Galbally report and will he urge the Prime Minister to restore the tax rebates allowable in respect of dependents who are not residents of Australia?

Mr O'CONNOR replied:

(1) and (2) Yes.

(3) The Federal Government has programmed an intake to produce a nett gain of 70 000 migrants in 1978-1979. It is estimated that the nett migrant gain for 1977-1978 will also be 70 000.

(4) Yes. The Federal Government has decided to withdraw taxation rebates for overseas relative dependents from 1st November 1978, however withdrawal of the rebates will not effect the rebate claimable for a dependent spouse overseas pending early migration to Australia.

(5) The reduction from $7.88 million to $6.5 million is one of many decisions made by the Commonwealth Government in the recent Budget and therefore an approach to the Prime Minister for the restoration of the original figure in regard to this one particular matter is not contemplated.

In regard to the request to urge the Prime Minister to restore the tax rebates allowable in respect of dependents who are not residents of Australia, I refer the member to an extract from the Budget Speech 1978-1979 delivered on 15th August, 1978, viz.

"The present law allows rebates for the maintenance of dependents overseas—spouses, parents or parents in law or invalid relatives.

In many cases the dependent in question may never have been to nor have any intention of coming to Australia: in either case the provision has led to frequent abuse.

In the light of this the Government has decided to withdraw the rebates for overseas resident dependents as from 1st November, 1978.

Withdrawal of the rebate will not affect the rebate claimable for a dependent spouse overseas pending early migration to Australia."

Again in this case it is not intended to make an approach to the Prime Minister in regard to the matter.

BOILER ATTENDANTS

Qualifications

1388. Mr TONKIN, to the Minister for Labour and Industry:

(1) Under which Statute is there control to ensure that boiler attendants are properly qualified?

(2) Who is responsible for seeing that the terms of the Statute are observed in the respect referred to above?

(3) Is there a requirement under the Statute, or under any regulation gazetted pursuant to that Statute, requiring practical experience before a certificate of competency is issued?

(4) Is he aware that the Chief Inspector of Machinery has received a letter of complaint stating that Brett James Olsen has not satisfied the terms required for practical experience as a boiler attendant?

(5) Is he satisfied that Mr Olsen is properly qualified and has had the requisite practical experience?

(6) If so, when and where did he receive such experience?

(7) Is Mr Olsen employed by Diamond Poultry Services as a boiler attendant?

(8) Is it a fact that a boiler attendant was killed at a facility owned by Diamond Poultry Services some three years ago?

Mr O'CONNOR replied:

(1) The Inspection of Machinery Act 1921-1969.

(2) The Chief Inspector of Machinery is responsible for ensuring compliance with the provisions of the legislation relating to Certificates of Competency. The Board of Examiners, appointed under that Act, has the power to grant Certificates of Competency.

(3) Yes.

(4) The Chief Inspector of Machinery has not received a letter of complaint concerning Brett James Olsen. A telephone inquiry as to whether Mr Olsen was the holder of a boiler attendant's certificate of competency was received last week.

(5) Yes.

(6) Between 20th June 1977 and 30th June 1978 under a duly certified attendant at Diamond Poultry Services.

(7) Yes.

(8) A man died as the result of an explosion of an oil trap at the refrigeration unit at Diamond Poultry Services in 1974. Departmental records indicate that this person was the holder of a boiler attendant's certificate.

FIRES

Bush Fires Act Amendment Act

1389. Mr HERZFELD, to the Minister for Lands:

(1) Are prints of the Bush Fires Act Amendment Act 1977 available for sale?

(2) If not, why not?

(3) Is she aware a number of local authorities are anxious to obtain copies, particularly as they wish to prepare their organisations for the coming season?

(4) Would she expedite the printing of the Act and indicate when she expects copies will be available for sale?

Mrs CRAIG replied:

(1) Yes.

(2) to (4) Not applicable.

TRAFFIC

Safety Bay School

1390. Mr BARNETT, to the Minister representing the Minister for Transport:

(1) Is the Minister aware of traffic problems which occur in Rae Road, Rockingham, outside the Safety Bay Primary School at the times of setting down and picking up of children from the school?

(2) Will the Minister instigate an investigation into ascertaining if parking can be stopped on the school side of Rae Road for the full length of the school at least during the times of setting down and picking up of the school children in rder to alleviate the problem which has developed?

Mr O'CONNOR replied:

(1) Yes.

(2) Parking problems at this location were recently investigated by Main Roads Department officers in response to a request from the Parents & Citizens Association. As a result of this investigation action is being taken to clearly define the No Standing zone each side of the guard controlled crossing outside the school.

EDUCATION

Staff: Pupil-free Days

1391. Mr BARNETT, to the Minister for Education:

(1) Is it a fact that he sees educational benefits in providing two pupil-free days for staff at schools before the term begins?

(2) Subject to inaccurate pupil ratios being worked out before school begins and the consequential staffing arrangements being made ineffective, would he be prepared to grant two pupil-free days to staff members later in the first two weeks of school?

Mr P. V. JONES replied:

(1) Yes.

(2) No, as inaccuracies of the magnitude envisaged in the question will not occur.

HEALTH

Foodstuffs: Heavy Metals Level

1392. Mr BARNETT, to the Minister for Health:

(1) Is it a fact that root and leaf vegetables accumulate cadmium and lead?

(2) From what direction do the prevailing winds come relative to the Spearwood market gardens?

(3) Can it be reasonably expected that some fallout of heavy metals would occur adjacent to Kwinana industrial area particularly those areas that follow the direction of the prevailing winds?

(4) Why, as indicated in his answer to my question 1088 of 1978 have there been no tests for heavy metals in these market gardens?

(5) Will he direct that appropriate tests be made?

Mr RIDGE replied:

(1) Yes.

(2) Analysis of wind directions for the metropolitan area is tabled.

(3) No. I would not expect a fall-out of heavy metals in the area adjacent to the Kwinana industrial area.

(4) and (5) Because I do not believe it to be necessary, but I will direct that some samples be tested to reassure the member.

The paper was tabled (see paper No. 325).

MINING: COAL

Collie: Tests by Government Chemical Laboratories

1393. Mr T. H. JONES, to the Minister for Mines:

(1) Is the press report of Monday, 21st August correct wherein he stated that Collie coal could get a new use?

(2) Will he advise whether the tests were conducted by the Government Chemical Laboratories?

(3) If (2) is "Yes" will he advise the period involved in the tests?

Mr MENSAROS replied:

(1) Yes.

(2) and (3) Yes. Extensive test work by the Government Chemical Laboratories and Department of Industrial Development in the 1950's and up-dating trials by the Government Chemical Laboratories in 1977/78.

WATER SUPPLIES

Salinity: Control Techniques by Mr Whittington

1394. Mr T. H. JONES, to the Minister for Water Supplies:

(1) What finance was made available directly to Mr H. Whittington to conduct tests in the Wellington Dam catchment area?

(2) What is the result of the tests?

(3) Will Mr Whittington be retained by the department to conduct further tests?

(4) Will he advise of programming determined by the department to deal with the problem of salinity in the Wellington Dam catchment area?

Mr O'CONNOR replied:

(1) No finance was made directly available to Mr. Whittington for the interceptor drain trial at Batalling Creek on the Wellington Dam catchment. The study is a co-operative effort between the Public Works Department and Mr Whittington.

(2) The trial commenced this year and it will be a number of years before the effectiveness of the interceptor drains can be determined.

(3) The co-operative effort between Mr. Whittington and the Public Works Department will continue. No further trials are planned at this stage.

(4) The Public Works Department, with the assistance of the Forests Department, is planning to carry out reforestation of land which has been purchased by the Public Works Department by way of compensation. The type and extent of the reforestation will be based on the results obtained so far from experimental studies.

WATER SUPPLIES

Meter Reading

1395. Mr SKIDMORE, to the Minister for Water Supplies:

(1) Is he aware that two employees of the Water Supply Department have been reading meters in the suburb of Viveash in the early hours of the morning?

(2) Is he aware that a report was made to the police at Midland that at 2.20 a.m. on the morning of 23rd August, 1978, a householder complained that two men with helmets on were on his premises and the police advised the complainant they were meter readers?

(3) Will he have this practice stopped immediately and ensure that meters are only read during the normal working day hours?

Mr O'CONNOR replied:

(1) Yes.

(2) No. Local police stations are kept fully informed of any unusual but planned activities by board staff.

(3) No. This is not normal meter reading, it is part of an investigation to assess the extent of water lost from the system through leakage. Meaningful results are only obtained after normal domestic usage has ceased.

TAXATION ZONE ALLOWANCES

Joint Approach to Federal Government

1396. Mr DAVIES, to the Premier:

In view of his recent comments concerning the need to upgrade taxation zone allowances to realistic levels, and his stated disappointment at the Federal

Government's failure to increase zone allowances in the Federal Budget, will he consult with the Opposition so a joint approach to the Fraser Government can be made on this matter?

Sir CHARLES COURT replied:

I am well aware of the views of the Opposition on the subject of zone allowances.

The Leader of the Opposition can be assured that in my representations to the Prime Minister I shall convey the widespread feeling in WA about the need for more realistic zone allowances, and including the fact that the Opposition is in support of this view.

TRAFFIC

Noise: Levels on Metropolitan Roads

1397. Mr HODGE, to the Premier:

(1) Further to his answer to question 1280 of 1978 dealing with traffic noise control, is it not a fact that as the Minister for Health said in reply to question 306 of 1978, there is no established administrative machinery to control road traffic noise under the Noise Abatement Act?

(2) Does the Government intend to legislate to give it more effective control over traffic noise and, if so, when?

(3) Are suburban traffic noise levels too high?

Sir CHARLES COURT replied:

(1) and (2) In answer to question 306 of 1978 the Minister for Health said that there is no established administrative machinery to control road traffic noise under the Noise Abatement Act.

In answer to question 1217, of 1978, the member was advised that one of the terms of reference of the inter-departmental study being conducted is to make recommendations on the possible need to alter existing legislation and/or create new legislation with respect to the control of traffic noise.

(3) Suburban traffic noise levels vary widely and again, the member would be aware that, in certain areas, the levels are sufficiently high to give rise to complaints for nuisance.

EDUCATION

School: Samson

1398. Mr HODGE, to the Minister for Education:

(1) Is land reserved for the construction of a primary school in the suburb of Samson?

(2) Does the Government propose to construct a school in Samson and, if so, when?

Mr P. V. JONES replied:

(1) Yes.

(2) A school will be constructed when nearby schools are unable to accommodate children from the Samson area.

POLICE

Hiroshima Day March

1399. Mr TAYLOR, to the Minister for Police and Traffic:

With respect to the march through Perth on Saturday morning 5th August, 1978:

(1) What number of police photographers with equipment were in attendance?

(2) Did some members of the police force have and/or use movie cameras and, if so, what number?

(3) Is he or any of his departmental officers, aware of any other persons who may have had and/or used movie cameras during the march?

(4) Did some members of the police force have videotape equipment in their possession?

(5) If "Yes"—

(a) how many officers; and

(b) was such equipment used?

(6) Did some members of the police force have concealed tape recorders on their persons?

(7) Is he or his departmental officers aware of any person or persons other than Police Department officers who may have had videotape or tape recording equipment on their persons?

Sir Charles Court (for Mr O'NEIL) replied:

(1) Three. No photographs were taken.

(2) to (6) No.

(7) Video teams from Murdoch University, Western Australian Institute of Technology, other educational

institutions, some trade unions and commercial television stations have been observed from time to time at marches and protest rallies.

STATE GOVERNMENT INSURANCE OFFICE

Television Advertising

1400. Mr HARMAN, to the Minister for Labour and Industry:

Adverting to my previous questions concerning the making of a TV advertisement for the State Government Insurance Office, will he request the State Government Insurance Office to confirm that the advertisement was processed in Victoria and by whom?

Mr O'CONNOR replied:

As stated in the answer to question 1160 of 1978 the State Government Insurance Office employed a Western Australian firm of advertising consultants to arrange complete production of the advertisement. I believe that that firm used the services of Aranda Film Productions of Melbourne for processing.

HOUSING

Pilbara and Kimberley

1401. Mr SODEMAN, to the Minister for Housing:

(1) In view of the recently announced additional $20 million funding for State housing in the Pilbara and Kimberley, what is the resulting additional allocation of residential units in each of the benefiting towns?

(2) What is the building programme for construction of the additional units?

(3) What is the normal building programme for the 1978-79 and 1979-80 years, for the Pilbara and Kimberley regions?

Mr O'CONNOR replied:

(1) Karratha—90.
Wickham—28.
Roebourne—8.
South Hedland—82.
Kununurra—43.
Broome—17.
Derby—28.
Halls Creek—4.

(2) For tendering and overall development purposes, the normal and special construction programme for 1978-79 has been grouped as per the following schedule:—

Construction Programme 1978/79—North

Programme Tender Month		Project
May, 1978	Derby	5 SDH
May, 1978	Broome	4 SDH
June, 1978	Halls Creek	2 SDH and 2 DUP
June, 1978	Wickham	5 SDH
June, 1978	South Hedland	5 SDH and 2 DUP
June, 1978	Karratha	9 SDH
July, 1978	Broome	1 SDH
July, 1978	Derby	1 SDH
July, 1978	South Hedland	12 Cluster
August, 1978	Roebourne	4 SDH and 2 DUP
August, 1978	Karratha	9 SDH
August, 1978	Karratha	9 SDH
August, 1978	South Hedland	19 Cluster
September, 1978	South Hedland	14 Cluster
September, 1978	Karratha	30 T/H
October, 1978	Karratha	15 SDH
November, 1978	Wickham	5 SDH
January, 1979	Broome	4 T/H (DUP)
January, 1979	South Hedland	20 Cluster
January, 1979	Wickham	10 T/H or DUP
February, 1979	Derby	6 SDH
February, 1979	Broome	4 SDH and 2 DUP
February, 1979	Kununurra	20 Cluster
February, 1979	Derby	6 T/H or DUP
March, 1979	Wickham	3 SDH and 2 DUP

Details of the tender schedule for 1979/80 have yet to be finalised.

(3) Normal building programme would have been 58 units in 1978/79 and 78 units in 1979/80.

LAND

North of 26th Parallel

1402. Mr SODEMAN, to the Minister for Lands:

(1) What changes have been initiated in the conditions applying to purchase of residential land north of the 26th parallel during the past 12 months?

(2) What changes have been initiated in the conditions applying to purchase of commercial and light industrial land north of the 26th parallel, during the past 12 months?

(3) What are the requirements for obtaining freehold title in respect of domestic, commercial and light industrial land, north of the 26th parallel?

Mrs CRAIG replied:

(1) Period for payment of purchase money has been extended from one year to two with interest at 10 per cent per annum in the second year at the option of the purchaser.

(2) A firm freehold price, applicable for three years, is now notified to lessees.

(3) When land is released for application in freehold, the following are usual requirements:

(i) Residential:

(a) for land sold prior to the recent changes, payment of purchase price and Crown Grant fee within 12 months from sale and completion of the house within two years.

(b) under the new provisions, payment within two years and construction of the house to top plate height with 50 per cent completion within four years.

(ii) Commercial:

Payment of purchase price and Crown Grant fee within 12 months from sale and completion of the premises within two years.

(iii) Light industrial is usually offered by the department under leasehold conditions. On completion of substantial development to the satisfaction of the Minister the lessee may surrender his lease and apply for the freehold of the land. Upon the availability of freehold, he is required to pay the full purchase price and Crown Grant fee.

LAND: CAPE NATURALISTE

Deputy Premier and EPA: Meeting with Syndicate

1403. Mr BRIAN BURKE, to the Deputy Premier:

Referring to his answer to part (2) of question 1001 of 1978 concerning land at Cape Naturaliste:

(1) How was this request made?

(2) If it was made in writing, will he please table all relevant documents?

Sir Charles Court (for Mr O'NEIL) replied):

In view of the answer given to question 1306 of 1978 yesterday by the Minister for Urban Development and Town Planning and the fact that there are no documents in my possession concerning this matter, I decline to answer the question.

LAND: CAPE NATURALISTE

Minister for Urban Development and Town Planning: Objection to Appeal

1404. Mr BRIAN BURKE, to the Minister for Urban Development and Town Planning:

(1) Why did he lodge an objection under section 42 of the Town Planning and Development Act to prevent an appeal to a town planning court against the rejection of a proposal by the English-Wake Partnership to develop land at Cape Naturaliste when he had previously invited the partnership to submit the development proposal?

(2) Is it a fact that grounds of the objection he lodged included the claim that it would be contrary to planning principles although he had previously told the Town Planning Department to negotiate with the partnership over their development proposal?

(3) Was he made aware of the fact that the Member for Vasse regarded attitudes of the Town Planning Department—about which the English-Wake syndicate complained—as "socialistic"?

Mr RUSHTON replied:

(1) to (3) See answer to question 1306 of 1978.

LAND: CAPE NATURALISTE

Minister for Urban Development and Town Planning: Objection to Appeal

1405. Mr BRIAN BURKE, to the Minister for Urban Development and Town Planning:

Referring to his answer to part (3) of question 1017 of 1978 concerning land at Cape Naturaliste:

(1) What are the details of each of the three objections lodged prior to the English-Wake case?

(2) Is it a fact that prior to lodging an objection in the English-Wake case he requested the partnership to withdraw their appeal to a Town Planning Court?

(3) If "Yes" what were the details of this request and, if it was in writing, will he please table relevant correspondence?

Mr RUSHTON replied:

(1) to (3) See answer to question 1306 of 1978.

TOURISM

Toodyay Area

1406. Mr BRIAN BURKE, to the Minister for Industrial Development:

(1) Did he see a report in *The Sunday Times* of 13th August, 1978 giving details of a tourist development planned for the Toodyay area?

(2) Will he advise whether efforts will be made to ensure that Western Australian goods and services are used wherever possible in the project?

Mr MENSAROS replied:

(1) Yes.

(2) The Brookdale Park tourist-holiday resort project is a private enterprise venture for which Government financial assistance is being sought.

The developers will be encouraged to maximise the use of local goods and services wherever economic and justifiable to do so.

HOUSING

Purchase: Refusal by Applicants

1407. Mr BRIAN BURKE, to the Minister for Housing:

(1) Was he correctly reported as saying that 60% of those offered purchase homes by the State Housing Commission during March and April declined?

(2) If "Yes" how many applicants comprise 60%?

(3) How many of these—

(a) deferred their application;

(b) withdrew their application,

when made an offer?

(4) How many in (3) (a) and (b) gave as their reason for withdrawal of their application the inability to obtain necessary finance?

Mr O'CONNOR replied:

(1) No.

(2) to (4) Not applicable.

RABBIT PROOF FENCE

Lake Nabberu to Cape Keraudren

1408. Mr COYNE, to the Minister for Agriculture:

(1) In what year was the decision made to abandon that section of the rabbit proof fence from the Lake Nabberu area to Cape Keraudren?

(2) Could he also inform me if this decision was made as a result of a report and, if "Yes", would he provide the name of the report and by whom it was prepared?

(3) During what period was wool production in the Pilbara region at its peak and also what would have been the total numbers of sheep during the same period in the same region?

Mr OLD replied:

(1) 1948.

(2) The then Vermin Advisory Board recommended the fence be disposed of with owners of adjoining stations having the right of purchase.

(3) This information is not readily available, but will be provided to the member as soon as it can be obtained.

EDUCATION

Balga High School

1409. Mr WILSON, to the Minister for Education:

(1) Are there any plans to provide a hall/gymnasium at the Balga Senior High School?

(2) If "Yes" when is it anticipated that work will begin on the new building?

Mr P. V. JONES replied:

(1) and (2) If funds are available, it is hoped that a major up-grading programme will be undertaken at the school during 1979/80. Consideration will be given to the provision of a hall/gymnasium as part of the proposed upgrading programme.

EDUCATION

Schools and High Schools: Shire of Swan

1410. Mr WILSON, to the Minister for Education:

(1) What plans exist for the establishment of new schools to cater for the area within the Shire of Swan town planning scheme No. 7 now being developed?

(2) If there are no such plans, in which school will the children from this area be accommodated and what form will the additional accommodation take?

Mr P. V. JONES replied:

(1) There are no school sites in the area covered by the Shire of Swan town planning scheme No. 7.

(2) Primary school-aged children will be accommodated at either the North Morley or Camboon primary schools. Secondary school-aged children will attend Morley Senior High School.

HOUSING

Marangaroo-Koondoola

1411. Mr WILSON, to the Minister for Housing:

(1) Are any of the houses in the Marangaroo-Koondoola development to be made available under the concessional interest home buying account?

(2) If "Yes" how many houses will be made available on this basis?

Mr O'CONNOR replied:

(1) and (2) The commission will not be building homes for people eligible to obtain finance under the home builders' account.

HOUSING

Morley

1412. Mr WILSON, to the Minister for Housing:

(1) Are any of the houses in the new State Housing Commission development north of Widgee Road and east of Alexander Drive to be made available under the concessional interest home buying account?

(2) If "Yes" how many houses will be made available on this basis?

Mr O'CONNOR replied:

(1) and (2) The commission will not be building homes for people eligible to obtain finance under the home builders' account.

EDUCATION

Schools and High Schools: Marangaroo-Koondoola

1413. Mr WILSON, to the Minister for Education:

(1) In which schools will children from the proposed Marangaroo-Koondoola development north of Koondoola be accommodated?

(2) What plans exist for the establishment of new schools in this area?

Mr P. V. JONES replied:

(1) At schools on sites provided in the town planning scheme for the area.

(2) There is a tentative listing for schools in two or three years' time.

EDUCATION

Handicapped Children

1414. Mr WILSON, to the Minister for Education:

(1) Is it a fact that in the north-east metropolitan region only two high schools provide classes for the intellectually handicapped and that no high school in the region has a remedial class?

(2) What, if any, remediation and special education programmes are being conducted in high schools in the region?

(3) How many teachers and students are involved in these programmes?

(4) What is the situation in other metropolitan regions in terms of:

(a) special classes and remedial classes in high schools;

(b) other remediation and special education programmes in high schools;

(c) numbers of children and teachers involved in (a) and (b)?

(5) What attempts, if any, have been made to survey the numbers of children requiring special and remedial education in Western Australia?

(6) If such surveys have been conducted, what indications have they given regarding the number of children with these requirements at—

(a) primary level;

(b) secondary level?

Mr P. V. JONES replied:

(1) No.

(2) Special education—there are classes at Governor Stirling and Hampton Senior High Schools.

Remedial education—it must be stressed that remediation is part of the normal teaching process. However, there are 13 secondary schools in the northeast metropolitan region, each of which has a supernumerary remedial teacher.

(3) 15 teachers. The number of students is not readily available.

(4) (a) Northwest

special education—2 schools, 4 teachers.

remedial education—11 schools, 12 teachers.

Southwest

special education—2 schools, 3 teachers.

remedial education—11 schools, 12 teachers.

Southeast

special education—7 schools, 9 teachers.

remedial education—13 schools, 13 teachers.

(b) Details of locally organised programmes are not readily available.

(c) The number of teachers is given in 4(a). The number of children varies from time to time and a special investigation would be needed to establish accurate figures at this date.

(5) and (6) There have been no recent attempts to survey, on a State-wide basis, the number of children requiring special and remedial education.

EDUCATION

Handicapped Children

1415. Mr WILSON, to the Minister for Education:

(1) Is he aware of the concern among parents of the possible lack of provision for intellectually handicapped children and children requiring remedial attention in high schools?

(2) Is it a fact that such provision in high schools lags behind that available in primary schools?

(3) Is it a fact that many children requiring special and remedial education are suffering adjustment problems in moving from primary to secondary schools because of inadequate provision at this point?

Mr P. V. JONES replied:

(1) No.

(2) Remedial and special education programmes are more effective if undertaken early. Consequently, the Education Department gives priority to such programmes in primary schools.

(3) The Education Department is not aware of acute problems at this point.

HEALTH

Mental Health Act: Amendment

1416. Mr WILSON, to the Minister for Health:

(1) How does he explain the apparent discrepancy between his answer to question 872 of 1978, in which he stated that the Mental Health Act was undergoing only minor review and the information contained in his letter to *Watchdog* in March this year to the effect that Mental Health Services and other bodies were reviewing the Act with a view to the eventual re-drafting of the present legislation?

(2) Is it a fact that the divisional heads within Mental Health Services have been meeting since last year to prepare this re-drafting?

(3) What is the department's objection to the establishment of a separate department for the intellectually handicapped?

(4) Is it a fact that there are 200 intellectually handicapped persons still accommodated at Swanbourne and that some of the adults have been there since childhood?

Mr RIDGE replied:

(1) The answer to question 872 of 1978 is correct. The letter to *Watchdog* was sent some five months earlier, at which time it was considered that more extensive re-drafting might be required.

(2) A number of meetings of departmental superintendents have been convened since November, 1977.

(3) It is not considered that services for the intellectually handicapped would materially benefit those people at present by conversion of existing Mental Health Services facilities in this area into a separate department.

At present there are over 200 intellectually handicapped persons accommodated in Swanbourne Hospital. It is departmental policy that these should be relocated as soon as possible either within the community or in other suitable accommodation which is not within an approved psychiatric hospital. Until this has been effected, it is not considered feasible to hand over responsibility for the intellectually handicapped as a whole to another agency.

(4) Yes.

HOUSING

Balga

1417. Mr WILSON, to the Minister for Housing:

With regard to his answer to question 1079 of 1978 concerning housing development at Balga, what opportunity was given for objections to be lodged and for public comment on the development proposals involved?

Mr O'CONNOR replied:

In accordance with the City of Stirling's district planning scheme, the city advertised that the plan of subdivision was available for public inspection and comment for a period of six weeks.

This advertisement was placed by the local authority in the Local Government Notices of *The West Australian* on Saturdays, 20th, 27th May and 3rd June, 1978.

EDUCATION

Schools: Albany

1418. Mr STEPHENS, to the Minister for Education:

(1) Do all class 1 and 1A schools in Albany have a library resource centre?

(2) If "No" which schools are without this facility and for what reason(s)?

(3) Where applicable, when will a library resource centre be provided?

Mr P. V. JONES replied:

(1) No.

(2) Mt. Lockyer primary school.

(3) Mt. Lockyer primary school has been listed for the provision of a library/resource centre during 1979, pending the availability of funds.

TRANSPORT: BUSES

MTT: Loan Commitment

1419. Mr McPHARLIN, to the Minister representing the Minister for Transport:

What is the total loan commitment of the Metropolitan (Perth) Passenger Transport Trust?

Mr O'CONNOR replied:

	1977 $
Funds provided from General Loan Fund from inception to 30th June	9 488 677
Less repayments and General Loan Fund, sinking fund contributions	3 202 173
	6 286 504
Funds raised by issue of inscribed stock	8 959 581
Total Loan commitments at 30th June	15 246 085
Sinking fund investments for redemption of inscribed stock	2 872 394

QUESTIONS WITHOUT NOTICE

ABATTOIR

Robb Jetty: Effluent Disposal

1. Mr SKIDMORE, to the Minister for Agriculture:

(1) Has any study been undertaken to ascertain the costs involved in altering the present effluent disposal system at Robb Jetty to allow that effluent to be discharged into the metropolitan sewerage system?

(2) If "Yes", what is the estimated cost?

Mr Blaikie: Are you starting on Robb Jetty now?

Mr OLD replied:

(1) and (2) The study of waste disposal into Owen Anchorage was commissioned by the Minister for Conservation and the Environment, and I suggest the member place a question on the notice paper to that Minister.

SEWERAGE

Willagee

2. Mr HODGE, to the Minister for Housing:

How many State Housing Commission homes in Willagee are to be connected to the sewer as part of the upgrading programme for the area?

Mr O'CONNOR replied:

I thank the honourable member for notice of this question, the answer to which is as follows—

514.

TRAFFIC LIGHTS

Morley Drive-Grand Promenade and Beach Road-Girrawheen Avenue Intersections

3. Mr WILSON, to the Minister representing the Minister for Transport:

(1) What are the relative initial costs at current rates of installing two-phase as opposed to three-phase traffic signals at an intersection?

(2) What is the current cost of adjusting existing two-phase traffic signals to three-phase operation?

(3) What was the cost of installing traffic signals at the following intersections—

(a) Girrawheen Avenue and Beach Road.

(b) Morley Drive and Grand Promenade?

Mr O'CONNOR replied:

I thank the honourable member for notice of this question, the answer to which is as follows—

(1) Average cost for two-phase is $22 000 and for three-phase is $25 000.

(2) This depends on the site, but the average cost is approx. $3 000.

(3) (a) $24 400 (estimated cost).

(b) $20 100 (estimated cost).